



**APPLICATION FOR  
RAILROAD RIGHT-OF-WAY PERMIT**

**RE3**

Permit Applicant \_\_\_\_\_

Address \_\_\_\_\_

City/State/Zip \_\_\_\_\_

Contact Person \_\_\_\_\_ Title \_\_\_\_\_

Email \_\_\_\_\_ Phone \_\_\_\_\_ Fax \_\_\_\_\_

Emergency Contact Person \_\_\_\_\_ 24/hr Emergency Phone \_\_\_\_\_

Contractor's License Number \_\_\_\_\_

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**WORK BEING PERFORMED FOR:**

Company Name \_\_\_\_\_

Address \_\_\_\_\_

City/State/Zip \_\_\_\_\_

Contact Person \_\_\_\_\_ Title \_\_\_\_\_

Email \_\_\_\_\_ Phone \_\_\_\_\_ Fax \_\_\_\_\_

Contractor's License Number \_\_\_\_\_

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**WORK BEING PERFORMED BY:**

Company Name \_\_\_\_\_

Address \_\_\_\_\_

City/State/Zip \_\_\_\_\_

Contact Person \_\_\_\_\_ Title \_\_\_\_\_

Email \_\_\_\_\_ Phone \_\_\_\_\_ Fax \_\_\_\_\_

Contractor's License Number \_\_\_\_\_ Project Location \_\_\_\_\_

Start Date \_\_\_\_\_ End Date \_\_\_\_\_

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The permit evaluation process usually takes approximately 21 business days from the date that a complete application is received. Submit application package to:

**Capital Metropolitan Transportation Authority**  
2910 E. 5th Street c/o Vincent Sandoval | Austin, Texas 78702 | TEL 512-369-6049

By signing this application form, the Permit Applicant agrees to all of the terms and conditions contained herein and to any provisions set forth in the Railroad Right-of-Way Permit.

\_\_\_\_\_  
Authorized Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Phone

**TERMS AND CONDITIONS OF CMTA PERMIT TO BE ON RAILROAD RIGHT-OF-WAY****I. The following items or conditions are required for all permit applications:**

- a. Completed and signed Application Form with the initial application fee of \$750. The final permit fee of \$2,500 will be due after review and approval of the application and/or plans. Payment may be made by check payable to Capital Metropolitan Transportation Authority (CMTA). For further information regarding permit fees call Vincent Sandoval at (512)369-6049. Applicant agrees to reimburse CMTA for all actual and direct costs expended by CMTA, including costs to process this application and inspect the permit work.
- b. Applicant to provide below a detailed description of the work to be performed on CMTA's Right-of-Way (ROW). Applicant's description of the work must include:
  1. Type of Project
  2. Requested Work Windows
  3. Requested Work Dates
  4. Scope of Work
  5. Distance from the Nearest Tracks or Mile Post
  6. If the work to be performed is within the foul zone (25 ft or less from center of track) the Contractor must provide proof that they successfully completed CMTA's Roadway Worker Protection and Certificate Safety training class, before receiving their ROW permit.
  7. Detailed Schedule and Work Plan in ½ hr increments of activities taking place on or near the tracks.
  8. Any and all cables/wires (above and underground) on the CMTA property must be identified and marked properly within the work area. (Any damage to property or impact to Rail Operations by Contractor's actions, liquidated damages will be assessed.)
  9. Impact on CMTA Rail and contingency plan to return infrastructure back to its normal state if work cannot be completed within contractor's schedule.
  10. Schematics and drawings of the activity on or near the tracks.
  11. Specs of all equipment that will be used on or near the tracks.
  12. Traffic Plan (if applicable)
  13. Other Use of CMTA's ROW [Explain]

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- c. Two (2) sets of Plans and Specifications signed and sealed by a licensed engineer in the State of Texas. All plans submitted to CMTA must show, CMTA property lines, tracks, stations, facilities and all known underground utilities, and show the distance from the nearest railroad milepost(s) or road intersection, measured in feet.
- d. Two survey plats with metes and bound description signed and sealed by a registered professional land survey in the State of Texas of the location of the proposed project and all contiguous landowners.
- e. Two copies of recorded deeds showing the current ownership of all contiguous property.
- f. Do you have a cooperative or other agreement with CMTA concerning this project?  
 Yes    No   (If yes, please provide a copy of the agreement with your application.)
- g. Prior to final approval of the permit, Applicant must provide CMTA with evidence of the following insurance coverage: Risk Management Dept will determine Insurance coverage.

**Insurance Coverage**

General Liability	\$1,000,000	CMTA Shown as Additional Insured
Automobile Liability	\$1,000,000	All public agencies that are self-insured must provide to
Worker's Compensation	\$1,000,000	CMTA evidence of self-insurance prior to issuance of the
Employer Liability	\$1,000,000	permit.
Railroad Protective Liability Ins.	\$5,000,000	

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 Authorized Signature

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 Date

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 Print Name

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 Phone
**TERMS AND CONDITIONS OF CMTA PERMIT TO BE ON RAILROAD RIGHT-OF-WAY****II. The following items or conditions are required when applicable:**

- a. When workers or their equipment are working within or have the potential of working within the ROW, the contractor is required to obtain a Permit.
- b. All workers, on CMTA's Railroad ROW, are required to complete CMTA's Roadway Worker Protection and Certificate Safety training class prior to beginning any work on the project. Call Herzog (Rail contractor for CMTA) at 512-389-7289 or 512-660-9564 for further information.
- c. When workers or their equipment working within or have the potential of working within the foul zone (25' from center of track), the contractor is required to have a Roadway Worker in Charge (RWIC). Contact Rail Operations at 512- 852-7264.
- d. The Contractor/Applicant is responsible for arranging and paying for a RWIC.
- e. For construction work, a copy of the Prime Contractors Insurance Certificate is required. Prior to final approval of the permit, Applicant must provide CMTA with evidence of REQUIRED insurance coverage. CMTA and Herzog must be specifically listed on all policies.
- f. Once final approval has been given, the ROW permit will be in effect only during the approved work dates. If it is determined that the work will extend past the approved work dates, or if the work plan changes from the approved work plan, the contractor must give CMTA a five (5) day notice of such changes. If it's determined by CMTA that the work plans changed and/or the work extended past the approved dates, the contractor will be removed from the property immediately. The contractor will have to re-apply for a new ROW permit, and will have to pay the application and permit fee again.
- g. Applicants wishing to install a utility or a facility on property owned by CMTA must submit a copy of a document such as a License Agreement that allows Applicant to enter, construct, install, maintain or operate upon CMTA ROW. If no such document exists, Applicant must enter into such an Agreement with CMTA prior to receiving a Permit.

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 Authorized Signature

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 Date

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 Print Name

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 Phone

**NOTE: Submitting an application alone without the application fee does not initiate the review process. The review process will not start until both the application and application fee have been received.**