

## **SUMMARY OF CUSTOMER QUESTIONS/COMMENTS BUREAU OF RAIL FREIGHT GRANT PROGRAM POLICY AND PROJECT MANAGEMENT POLICY**

1. In view of the Bureau Grant Policy (GP) that states “No RTAP funded project will be allocated more than 10% of the total program appropriation in any given calendar year...”, what is the justification for the \$3.5 million 2012 RTAP grant to SEDA-COG?

**In accordance with Section 10(a) of pending regulations, the Bureau has the authority to make adjustments to funding requests.**

2. On Page 8 of Project Management Policy (PMP), it is stated “Project management reimbursement is limited to 5% of the grant up to \$60,000 whichever is less”; however, on Page 6 of Consulting/Engineering Policy, it is stated “Maximum reimbursement for consulting & inspection fees is limited to 3% of the grant up to a maximum of \$50,000 whichever is less...”. Please clarify these seemingly contradictory policy statements.

**As per the directions provided via email, the Bureau is changing the name of the “Consulting/Engineering Policy” to “Project Management Policy”. The allowance for Project Management Fee is up to 5% of total project cost.**

3. Why are county-owned railroad entities eligible to receive Commonwealth Rail Freight grant funding, a policy which appears to be out of step with the Governor’s position on privatization of state-owned assets such as the liquor stores?

**As per enabling legislation, grants can be awarded to transportation organizations, under which county owned railroad entities would be included.**

4. Under proposed policy, will grantees be permitted to provide costs per items including all machinery and labor costs for installation, or will they be required to separate out individual item costs?

**The Bureau has made no changes to the policy pertaining to RFQ’s issued when the construction work is performed by railroad forces. See Page 5 of Project Management Policy.**

5. The new policy will base final grant award on the line item budget, rather than on actual bid cost as in the past. How will this change affect any fluctuation in cost when a grant agreement takes a long time to finalize? Does this mean that there will be no mechanism for adjusting the award to reflect cost increases?

**The Bureau has executed and will continue to execute RTAP agreements based on approved capital budget line item request amounts. RFAP agreements will continue to be executed based on actual low bid amount. The Bureau will institute measures to execute the agreement within a more condensed time frame. The mechanism for addressing cost increases on RTAP projects has been and will continue to be the formal change order request.**

6. PMP => What will the effect be of the change in wording made (the word “reimbursement” was replaced by “invoiced”) in reference to the times that payment is to occur in the Fees and Invoicing section of PMP?

**The Bureau has reviewed this recommendation and has made the appropriate changes to incorporate it into policy.**

7. PMP => Under the Grantee/Railroad Forces section of the PMP, in a scenario in which the grantee will be using in-house forces on the project, does the requirement (Item #3) to acquire three or more bids from qualified vendors apply to just the material and work to be contracted out, or does it apply to the labor (in-house) component as well? (Commenter states that obtaining the three bids is an unnecessary step and one that, over time, can sour relationships with contractors whose bids are solicited solely for the purpose of policy compliance when use of in-house forces is clearly the end intent.).

**The Bureau has utilized and will continue to utilize the Department’s competitive bidding procedures for the procurement of materials (not labor) when the Grantee/Railroad is performing the work.**

8. PMP => In Appendix 7 of the PMP, under Section 6 Limits of Funding, Line b. of RFAP Funding Limits, does use of the word “capital” imply new construction? If so, this should probably be made clearer.

**This is indicated in the Project Management Policy definitions for Track Construction.**

9. PMP => See Appendix 7 of the PMP, Section 6 Limits of Funding, Page 2, under “The following is a partial list of items which are not eligible for reimbursement:”:
  - Item 4. Invoices from home improvement centers => this item appears to be too restrictive. If the item to be purchased is a covered item or a material that meets all specifications, this restriction may preclude the most economical option available.

- Item 8. Fuel (auto/diesel) => fuel purchases used for equipment (especially leased equipment) should be allowable. Otherwise, a grantee that uses his own forces to do project work is at a distinct disadvantage to a contractor that includes fuel costs in his bid. The end result may be that the contractor selected ultimately uses a greater portion of available grant funds on fuel and, as a result, less actual project work is funded with grant dollars.

**The Bureau has reviewed this request and has made a provision for equipment related fuel and project specific materials (<\$5,000) at privately owned merchants.**

10. GP => Under GP, Section H Audits and Post Award Evaluations, commenter has concerns with the last paragraph in the section (Page 6) with what he perceives as a “harder line” being taken by the Bureau with regard to grantees’ failures to meet carload projections. His concerns are paraphrased below:

- If grantee is a railroad customer, carload shortfall should not adversely impact serving railroad.
- If carload shortfall is attributable to unforeseen closure of major rail customer business, requirement for funds reimbursement by the railroad seems to be overly harsh.

Commenter would like to see quasi-governmental entities and municipalities that own/operate railroads or that apply on their own be held to the same standards as other applicants, in that these program funds are limited in nature.

**Carloading requirements will continue to be a part of the auditing of the grant. All applicants, regardless of whether they are a railroad, shipper or transportation organization, all must report carloading requirements and are held to the same standard.**

11.

- a) Page 1 of the GP, Section B, second bullet point, second sentence => the language changed from “The final grant award is based upon actual bid costs” to “The final grant award is based upon line item budget requests”. What are the implications of this change? Does it mean, for example, that the Grant Agreement will not contain figures based on the results of the competitive bid results and that it would just contain budgeted line items reflected in the application?

**The Bureau has executed and will continue to execute RTAP agreements based on approved capital budget line item request amounts. RFAP agreements will continue to be executed based on actual low bid amount. The Bureau will institute measures to execute the agreement within a more condensed time frame. The mechanism for addressing cost increases on RTAP projects has been and will continue to be the formal change order request.**

- b) Appendix 7, “Final Summary” and “Subcontract Summary” forms => are these to be completed if a low bid contractor is selected and approved using unit pricing for specific work items? The unit pricing would cover any of the details requested in the forms. These look like they are used for some type of time & materials contract as opposed to a hard bid contract. If they are to be used for change orders, wouldn't the unit pricing be used to increase or decrease the work item?

**The Bureau provided these forms as an alternative form of documentation when company payroll was not available. The Bureau has decided not to include them with the policy but will provide them to any grantee who requests copies.**

- c) Appendix 7, “Material Breakdown”, “Labor Breakdown” and “Equipment Breakdown” forms => Are these just for force account work?

**The Bureau provided these forms as an alternative form of documentation when company payroll was not available. The Bureau has decided not to include them with the policy but will provide them to any grantee who requests copies.**

12. PMP, Page 1, B “Definitions/Bridge

Rehabilitation/Construction” => KSRRA members have concerns about requiring a “registered PA Professional Engineer (P.E.)” for all major bridge and tunnel work. KSRRA recommends changing the last sentence of the Bridge Rehabilitation/Constructions definition to read “All major bridge or tunnel projects identified by the Bureau in the grant agreement will be designed by registered Professional Engineers (P.E.) or experienced railroad professionals with expertise in railroad bridges and tunnels provided their credentials are acceptable to the Bureau.”

**The Bureau has reviewed this request and has updated this section of the policy. The Bureau will offer that the educational qualifications of a railroad bridge engineer are defined in 49 CFR 237.51.**

13. PMP, Page 3, Section 2, Project Scope, 3 => “Grantee provides “Line of Credit” letter for 30% match; providing a line of credit is an unnecessary costly expense to KSRRA members. KSRRA recommends the Bureau secure a written commitment from the most senior executive responsible for day-to-day railroad operations stating they will provide the necessary 30% match rather than requiring a line of credit or establishment of an escrow account.

**The Bureau has considered the above request and has decided to eliminate the requirement that proof of 30% match be in the form of line of credit, escrow account or board resolution. This policy will be reinstated if grantee fails to provide 30% match.**

14. PMP “Identify and Submit necessary permits” =>

Federal law preempts state and local laws on railroad environmental permitting. KSRRRA recommends the Bureau research the federal preemption laws to gain a thorough understanding of its intent and share its findings with KSRRRA.

**The Bureau is currently reviewing this request with FRA and DEP. Until further notice the Grantee will perform “Due Diligence” with respect to any applicable permitting requirements.**

15. PMP, Page 3, Section 2 – Project Scope, A. Development => Add a column listing the application schedule (as outlined on page 3 of the Grant Policy) next to the relevant tasks in order to keep a project on schedule and ensure timely compliance.

**The Bureau has reviewed this recommendation and has made the appropriate changes to incorporate it into policy.**

16. PMP, Page 5, Grantee/Railroad Forces =>

The statement “indirect labor costs are not reimbursable” needs to be clarified. KSRRRA members believe the definition of what is reimbursable should include SS tax, Medicare tax, etc.

**The Bureau has reviewed this recommendation and has made the appropriate changes to incorporate it into policy.**

17. PMP => The last two paragraphs on page 5 seem to conflict. The next to last paragraph states “the grantee/RR may request change orders after the start of construction.” Then the last paragraph states “Under no circumstances will a RFAP/RTAP grantee/railroad be permitted to change the scope of work or request work changes order(s) after bid opening but prior to an executed agreement.” These paragraphs seem to contradict each other. KSRRRA recommends rewording or deleting the last paragraph on page 5.

**The Bureau has reviewed this recommendation and has made the appropriate changes to incorporate it into policy.**

18. PMP, Page 6, Invoicing =>

Policy states must submit “Current blue book for equipment rental rates...”. Many pieces of equipment used for railroad work are not listed in the blue book and cannot be purchased “off the shelf”. Some equipment is customized to perform the necessary work. How should this equipment be accounted for?

**The Bureau has reviewed this recommendation and has made the appropriate changes to incorporate it into policy.**

19. Appendix 7- Invoicing Costs =>

Railroads using railroad forces often require travel. Lodging and per diem should be an eligible reimbursed expense. Purchases from home improvement centers (Lowe's, Home Depot, etc.) should be an eligible reimbursed expense provided the purchases are materials documented and necessary for completion of the project.

**The Bureau has reviewed this recommendation and has made the appropriate changes to incorporate updates to the reimbursement of home improvement center purchases. Lodging and per diem remain ineligible expenses for reimbursement. Appendix 7 has been incorporated into Grant Program Policy.**

20. GP, Page 2, B Project Funding =>

"No RTAP project will be allocated more than 10% of the total program's appropriation in any given calendar year." Is this stated in the law? KSRRA recommends flexibility by adding a clause that allows for greater than 10% to the total program annual appropriation if the Secretary of Transportation deems it necessary.

**In accordance with Section 10(a) of pending regulations, the Bureau has the authority to make adjustments to funding requests.**

21. GP, Page 3, D Application Requirements =>

Is the RTAP application period annual or semi-annual? Please clarify.

**The RTAP/RFAP application period has been and will continue to be administered annually. The 2012 RTAP (Phase II) is being administered to accommodate several 2012 RTAP applicant projects that did not have an approved capital budget act line item during Phase I and were, accordingly, ineligible for funding at that time. In addition, not all SFY 2012-2013 RTAP allocated funds were used during the first round of grant selections.**

22. GP, Page 5, 1<sup>st</sup> Bullet =>

Policy reads "The required 30 percent (30%) match will be provided to the Bureau either in the form of an irrevocable standby letter of credit from a financial institution or in the form of a bank supervised escrow account that provides the Department with access to the funds when needed." See response on page 1 of this document titled 3. "Grantee provides "Line of Credit" letter for 30% match". KSRRA recommends that the Bureau secure a written commitment from the most senior executive responsible for day-to-day railroad operations stating they will provide the necessary 30% match rather in lieu of the requirement for establishment of a line of credit or escrow account.

**The Bureau has considered the above request and has decided to eliminate the requirement that proof of 30% match be in the form of line of credit, escrow account or board resolution. This policy will be reinstated if grantee fails to provide 30% match.**

23. GP, Page 6, H Audits and Post Award Evaluations =>

In the last bullet, the carload requirement should not be extended to railroad grantees, as they have no control over market forces or carload numbers.

**The Bureau, having considered this recommendation, concludes that it is unable to incorporate it into policy at this time.**

24. GP => Policy states that applicants may apply for assistance for one project only per calendar year from the RFAP program, and that applicants may apply for assistance for one project only per calendar year from the RTAP program. If there are projects worthy of RTAP or RFAP funding based on the criteria set forth in Section "F. Application Evaluations and Grant Selections", why should a company be limited to one project a year if they have multiple projects that need assistance and funding is available?

**The Bureau, having considered this recommendation, concludes that it is unable to incorporate it into policy at this time. This decision was made in order to provide assistance to as many applicants and projects as possible.**

25. GP => Commenter feels that clearer definitions are needed for the terms "Direct Labor Cost" and "Indirect Labor Cost". Recommends that Direct Labor Costs must be allowed to include:

- Liability Insurance
- RRTA (Tier I and Tier II)
- Railroad Unemployment Insurance
- Health Insurance (OC)

**The Bureau has reviewed this recommendation and has made the appropriate changes to incorporate it into policy.**

26. PMP => Item 3 under Grantee/Railroad Forces on Page 5 states that "Grantee/Railroad must obtain three or more bids from Commonwealth Contractors with valid PA vendor IDs". Where can railroads obtain a current list of such vendors? If such a list is available, is it categorized by type of material for which bids/quotes are being sought? Is there any expectation that a vendor in Pennsylvania be chosen if a vendor outside the state can supply the same material at a lower cost?

**Due to competitive bid requirements, there is no expectation that a Pennsylvania vendor be chosen for a project. The grantee should seek approval for the lowest responsive and responsible bidder regardless of location. The Bureau will work with Keystone Railroad Association to provide a list of railroad contractors, consultants, and engineers that have been utilized for project management and construction. This information will be placed on Keystone Railroad Association's website.**

27. PMP, Section D: Invoicing, Item c => refers to “current Blue Book for Railroad Equipment rental rates”. The title of this document should be specifically identified.

**The Bureau has reviewed this recommendation and has made the appropriate changes to incorporate it into policy.**

28. PMP=>There needs to be a policy or procedure in place to address situations in which equipment, particularly smaller types of railroad specific machines (such as gas-powered bolt tightening machines, etc.), that is being utilized by a railroad under force account is not listed in non-railroad specific “blue books”.

**The Bureau has reviewed this recommendation and has made the appropriate changes to incorporate it into policy.**

29. Appendix 3 - Track Work Criteria (TWC) => In the Workmanship sections for both Item 1. Cross Ties and Item 3. Jointed Rail under Track Work Criteria, the requirement for gauging lists a minimum of 56.5” and a maximum of 58”. Since FRA Class I Track Standards for gauge specify a minimum of 56” and a maximum of 58”, the PennDOT maximum standard should not exceed 58”. Commenter recommends setting the maximum allowable gauge at 57.5” for PennDOT funded projects.

**The Bureau has reviewed this recommendation and has made the appropriate changes to incorporate it into policy.**

30. GP => The complexity of the Rail Freight grant application, even for relatively simple projects like track rehabilitation/construction, has increased to a point where small railroads and communities are forced to hire consultants to assist with the application because they do not have the expertise on staff to properly complete it themselves. Furthermore, while detailed cost/benefit ratio analysis may make sense for multi-million dollar projects, that level of analysis is not highly relevant for most RFAP projects.

**The Bureau has reviewed this request and offers that the dotGrants system is currently slated for rewrite. The Bureau will be coordinating these efforts with the Keystone Railroad Association.**

31. PMP, Sec. 1–General/Subsec. B. Definitions//Bridge Rehabilitation/Construction => Commenter feels that the requirement for “all major bridge or tunnel projects...to be performed by registered Professional Engineers” is neither “necessary nor correct”. Commenter states that his organization has its own qualified P.E.s for such work.

**The Bureau has reviewed this request and has updated this section of the policy. The Bureau will offer that the minimum educational qualifications of a railroad bridge engineer are defined in 49 CFR 237.51.**

32. PMP, Sec 2-Project Scope/Subsec. B.Construction//Grantee/Railroad Forces => Commenter states that reference to PENNDOT Publication 408 Section 110.03 is not pertinent to railroads that work full grant projects with its own forces.

**The Bureau has reviewed this recommendation and has made the appropriate changes to incorporate it into policy.**

33. PMP, Sec 2-Project Scope/Subsec. B.Construction//Grantee/Railroad Forces => This section states that indirect costs are not reimbursable. However, commenter points out that this policy contradicts Pub. 408 Sec. 110.03 (d) 1, which states that “indirect labor costs are reimbursable”.

**The Bureau has reviewed this recommendation and has made the appropriate changes to incorporate it into policy.**

34. PMP, Sec 2-Project Scope/Subsec. D.Invoicing//Grantee/Railroad Forces => Commenter points out that the requirement to submit certified payrolls does not apply to projects for which prevailing wages do not apply.

**The Bureau has reviewed this recommendation and has made the appropriate changes to incorporate it into policy.**

35. PMP, Sec 2-Project Scope/Subsec. D.Invoicing//Grantee/Railroad Forces => What allowances will be afforded to equipment used that is not listed in FHWA blue book or that cannot be purchased “off the shelf”?

**The Bureau has reviewed this recommendation and has made the appropriate changes to incorporate it into policy.**

36. Appendix 5-Competitive Bid Requirements/Item 2 => Commenter feels that it should be allowed to show that it is asking current market value for its own stock materials used on a project and not be required to provide documentation showing that said materials were acquired via a competitive bid procedure.

**In the Bureau’s estimation, this request would not be serving the Department Policy, which indicates that the procurement of materials > \$5,000 shall be competitively bid.**

37. Appendix 5-Competitive Bid Requirements/Item 3 => Commenter asks whether this item should be changed to state that public advertisement is required only if the cost for any one material item is expected to exceed \$200,000 (as opposed to the total cost for all “contracted work item(s)/materials” exceeding \$200,000, as currently worded).

**The Bureau, having considered this recommendation, concludes that it is unable to incorporate it into policy at this time.**

38. Appendix 5-Competitive Bid Requirements/Item 5 => Does this "bid opening" requirement apply to bids for materials as well?

**The Bureau has reviewed this recommendation and has made the appropriate changes to incorporate it into policy.**

39. Appendix 7-Invoicing Costs/&6-Limits of Funding => Commenter feels that expenses for travel by grantee/railroad forces to the project is a necessary cost and, as such, lodging and per diem should be reimbursable.

**The Bureau has reviewed this recommendation and has made the appropriate changes to incorporate it into policy.**

40. Appendix 7-Invoicing Costs/&6-Limits of Funding => Commenter feels that purchases from home improvement centers should be allowable.

**The Bureau has reviewed this recommendation and has made the appropriate changes to incorporate it into policy.**

41. Forms => Comment that forms appear to be geared toward both subcontracted and prevailing wage applicable work.

**The Bureau provided these forms as an alternative form of documentation when company payroll was not available. The Bureau has decided not to include them with the policy but will provide them to any grantee who requests copies.**

42. Forms => Comment that detailed instructions on the use and completion of the forms should be provided.

**The Bureau provided these forms as an alternative form of documentation when company payroll was not available. The Bureau has decided not to include them with the policy but will provide them to any grantee who requests copies.**

43. Final Summary Form => Would this form be used in instances of railroad/grantee forces performing their own work?

**The Bureau provided these forms as an alternative form of documentation when company payroll was not available. The Bureau has decided not to include them with the policy but will provide them to any grantee who requests copies.**

44. Final Summary Form => This form has line items for overhead percentages to be added to the actual costs of material, labor, equipment, subcontractor, and services. However, if railroad/grantee forces are employed, no overhead percentages are charged.

**The Bureau provided these forms as an alternative form of documentation when company payroll was not available. The Bureau has decided not to include them with the policy but will provide them to any grantee who requests copies.**

45. Subcontractor Summary Form => Would this form be used by subcontractor in cases in which railroad/grantee forces are used to perform the project work with the exception of a small portion of work (i.e., asphalt paving at crossing, etc.) that is subcontracted?

**The Bureau provided these forms as an alternative form of documentation when company payroll was not available. The Bureau has decided not to include them with the policy but will provide them to any grantee who requests copies.**

46. Labor Breakdown Form => Does this form apply only for projects subject to prevailing wage? If not, must "Classification" column be completed showing each employee on his own line (in that employer classification and rate will vary by employee)?

**The Bureau provided these forms as an alternative form of documentation when company payroll was not available. The Bureau has decided not to include them with the policy but will provide them to any grantee who requests copies.**

47. Labor Breakdown Form => What does "HW" refer to in "HW/Pension Rate" column? Is this column to be used for what would be considered fringe amount (if project is subject to prevailing wage)?

**The Bureau provided these forms as an alternative form of documentation when company payroll was not available. The Bureau has decided not to include them with the policy but will provide them to any grantee who requests copies.**

48. Labor Breakdown Form => Why is there a line for "Indirect Labor Cost" when the PMP states that indirect labor costs are not allowed?

**The Bureau provided these forms as an alternative form of documentation when company payroll was not available. The Bureau has decided not to include them with the policy but will provide them to any grantee who requests copies.**

49. Labor Breakdown Form => Do the amounts for the categories with percentages at the bottom left of the form make up the amount to be entered on the "Indirect Labor Cost" line of the form?

**The Bureau provided these forms as an alternative form of documentation when company payroll was not available. The Bureau has decided not to include them with the policy but will provide them to any grantee who requests copies.**

50. Traffic Control / Signage => Commenter contends that this is a necessary expense for project work on its rail/highway crossings and that, as such, it should be considered a reimbursable item.

**Historically, the Department has been financially responsible for railroad flagging and entry permit fees via ECMS bridge inspection contracts. The Bureau has provided for reimbursement of non-Department third party traffic services.**

51. PMP, Page 8 => limits project management reimbursement to 5% of state share or \$60,000 max. Is this in addition to what is limited in the Consulting/Engineering Policy, where it is stated that Consulting & Engineering inspection fees are limited to 3% and Engineering fees are limited to 10%, for a combined total not to exceed \$50,000? What is the maximum combined allowable fee for PM, CI, and Engineering services (13% or 18%)?

**As per the directions provided via email, the Bureau is changing the name of the "Consulting/Engineering Policy" to "Project Management Policy". The allowance for Project Management Fee is up to 5% of total project cost.**

52. General => What, if any, limits are placed on maintenance v. construction for RTAP projects?

**There is no maintenance funding limitations for RTAP.**

53. General => Consider adding the definition of Letter of Non-prejudice.

**The Bureau has reviewed this recommendation and has made the appropriate changes to incorporate it into policy.**

54. General => Consider numbering all pages of all sections.

**The Bureau has reviewed this recommendation and has made the appropriate changes to incorporate it into policy.**

55. Appendix 5 => Are electronic bids acceptable, in that they are subject to review by the receiver and cannot be “publicly opened”?

**Per existing legislation all bids must be publically opened. The Bureau will investigate this request further and update policy accordingly.**

56. Appendix 5 => Consider broadening acceptable methods of project advertising to include on-line bid advertizing services tailored specifically to the railroad industry, such as those widely recognized services similar to AXIS Track Report, Data Fax, or Dodge.

**Per existing legislation all bids must be publically opened. The Bureau will investigate this request further and update policy accordingly.**

57. Appendix 5 => If newspapers must be used to advertize projects, is it acceptable to advertise 2 weeks in advance of the bid opening, repeating the ad a set number of times, rather than publicly advertizing continuously for 2 weeks as stated on p.4 of the PMP-Appendix 5?

**A two (2) week advertisement is a requirement of the Rail Freight Preservation Act (1984).**

58. Appendix 1-Bid Package Development => consider adding a Workman’s Compensation Affidavit to the Contract Section.

**The Bureau has reviewed this recommendation and has made the appropriate changes to incorporate it into policy.**

59. Consider adding a Warranty section to the General Conditions section, i.e., calling for a 1- year warranty on all workmanship.

**The Bureau has reviewed this recommendation and has made the appropriate changes to incorporate it into policy.**

60. Supplementary Conditions => consider changing Item 8 from Shop Drawings to Shop Drawings, Product Data Sheets, and Material Certifications.

**The Bureau has reviewed this recommendation and has made the appropriate changes to incorporate it into policy.**

61. Supplementary Conditions => consider adding a section that has a site specific or owner required Safety and Environmental Conditions.

**The Bureau has reviewed this recommendation and has made the appropriate changes to incorporate it into policy.**

62. General => consider changing Appendix 3 General to reference FRA Class 4 standards.

**Class I FRA standards are a minimum requirement of the Rail Freight Preservation Act (1984).**

63. General => consider changing PMP Track Construction to reference FRA Class 4 minimum.

**Class I FRA standards are a minimum requirement of the Rail Freight Preservation Act (1984).**

64. General => consider changing PMP Track Rehabilitation to reference FRA Class 2 minimum.

**Class I FRA standards are a minimum requirement of the Rail Freight Preservation Act (1984).**

65. Appendix 3 => consider revising Appendix 3, General to include ballast that "...or with approval, PennDOT specifications".

**The Bureau has reviewed this recommendation and has made the appropriate changes to incorporate it into policy.**

66. Appendix 3 => ballast gradation should also include AASHTO 57 and PennDOT 3 where approved and specified.

**The Bureau has reviewed this recommendation and has made the appropriate changes to incorporate it into policy.**

67. Appendix 3 – Crossties Workmanship => should limit tie replacement maximum gauge to 57.5 inches.

**The Bureau has reviewed this recommendation and has made the appropriate changes to incorporate it into policy.**

68. Appendix 3 – Crossties Workmanship => should add "scarify tie cribs to avoid damaging ties upon insertion".

**The Bureau has reviewed this recommendation and has made the appropriate changes to incorporate it into policy.**

69. Appendix 3 – Jointed Rail => should limit spiking to 57.5 inches maximum.

**The Bureau has reviewed this request and has made the appropriate changes to incorporate it into policy.**

70. Appendix 3 – CWR => should limit spiking to 57.5 inches maximum.

**The Bureau has reviewed this request and has made the appropriate changes to incorporate it into policy.**

71. Appendix 3 – CWR => should require the use of control cooled rail.

**The Bureau feels this decision should be made by the Railroad owner or operator.**

72. Appendix 3 – Raising, Lining, Surfacing => consider requiring joint tightening, i.e., “tightening all bolts by mechanical means with approved equipment capable of applying uniform tension to the bolts...”.

**The Bureau has reviewed this recommendation and has made the appropriate changes to incorporate it into policy.**

73. Appendix 3 – Raising, Lining, Surfacing => consider requiring the cleaning and inspection of all switch points disturbed by surfacing operations.

**The Bureau has reviewed this recommendation and has made the appropriate changes to incorporate it into policy.**

74. Appendix 3 – Road Crossing Rebuilding => section does not address existing pavement markings lost by reconstruction.

**The Bureau has reviewed this recommendation and has made the appropriate changes to incorporate it into policy.**

75. Appendix 3 – Road Crossing Rebuilding => consider revising the 16 oz. requirement to read “...meet AREMA specifications for Regular or Heavy Duty as specified”.

**The Bureau has reviewed this recommendation and has made the appropriate changes to incorporate it into policy.**