

MTO Railway Guidelines

Comments received by TCP			
Comment ID	Organization	Comment	Response
262	Individual	On page 2 of 9 under the second paragraph of Section "Programming of Work - Identification of Flagging Needs" it says, "...on railway property. MTO Regional Engineering Services Office should..." Consider removing the period between "property" and "MTO".	The period has been revised to a comma.
263	Individual	On page 2 of 9 under the first paragraph of Section "Programming of Work - Identification of Flagging Needs", consider clarifying "Railway Representatives" and "Rail Coordinator". Possibly unclear for new / unfamiliar people: <ul style="list-style-type: none"> - Is "Railway Representative" synonymous with "Rail Coordinator"? - Are the role(s) internal and/or external to the MTO? (e.g. Is the representative a person in MTO's Project Delivery Section, such as a PM / Project Engineer / Designer? Is the coordinator the contact person at the railway company?) - How does someone (e.g. the MTO PM) find them? 	The roles of Railway Representatives and Rail Coordinator have been further clarified in the document. Regional Railway Representatives are to advise new employees of their role.

<p>264</p>	<p>Individual</p>	<p>On page 2 of 9 under Section "Programming of Work - Identification of Flagging Needs", consider clarifying what to do in instances where flagging may be needed outside of a design or construction situation (e.g. regularly scheduled and/or emergency structural inspections). Essentially, who should staff contact if they don't have a MTO PM or CSA/CA associated with the work they are doing which may require flagging? Acknowledging though that there seems to be some brief/limited discussion under Section "Routine Inspection Work".</p>	<p>This has been addressed under Railway Corridor Access.</p>
<p>265</p>	<p>Individual</p>	<p>On page 2 of 9 under the second paragraph of Section "Programming of Work - Identification of Flagging Needs", consider clarifying the first half. First, it could make readers wonder about what the MTO should expect: engineering service providers (prime and sub), sub-consultants/contractors (e.g. drilling crews, environmental consultants, etc.) for engineering work, and to Design-Builders (post-hiring the Design-Builder but, prior to completing the engineering work). May be simpler to state something like, "When flagging is required prior to construction while conducting design work, a Purchase Order should go to..." Second, it seems odd that someone</p>	<p>This section has been reworded to provide clarity.</p>

		would provide the MTO PM with a number. Is "...Purchase Order Number..." possibly a typo for "Purchase Order Form"?	
266	Individual	<p>On page 7 of 9 under Section "Construction" it says, "It is recommended that the Contract Administrator (CA) become the designated point of contact between the railway companies and MTO."</p> <p>On page 2 of 9 under Section "Programming of Work - Identification of Flagging Needs" it says, "The Purchase Order shall be provided to the railway by the Contract Services Administrator (CSA)." Implying that the designated point of contact between the railway companies and MTO during construction is the CSA.</p> <p>The statements are somewhat contradictory to each other. Wouldn't it be simpler to essentially state that the CA by default is the designated point of contact (at that stage), and in the absence of a CA it will be the CSA?</p>	The language under Programming of Work – Identification of Flagging Needs has been edited to clarify the CSA's role.
267	Individual	<p>On page 2 of 9 under Section "Programming of Work - Identification of Flagging Needs" it says, "...Contract Services Section should submit a separate Purchase Order Number for flagging requests." Is "Number" a typo, assuming if the process is you fill out a form (i.e. Purchase Order) and someone</p>	The section has been edited to provide clarity between Purchase Order Number and Flagging Purchase Order Form.

		from the railway company provides a number unique to the request/form?	
268	Individual	<p>On page 2 of 9 under Section "Programming of Work - Identification of Flagging Needs" the second paragraph essentially says:</p> <ul style="list-style-type: none"> - Who prepares a Purchase Order during design - Who gets a Purchase Order during design (i.e. MTO PM) - Who prepares a Purchase Order during construction - Who submits a Purchase Order to the railway during construction (i.e. CSA); and - Where to find a template of the Purchase Order form. <p>It's explicit that during construction the CSA sends in the Purchase Order to the railway but, it isn't explicit on who does that pre-construction. Consider adding clarification on this.</p>	Clarification has been added.
269	Individual	<p>On page 7 of 9 under Section "Construction" it says, "The Contractor shall refer to the work permit application for rates and billing information. MTO will pay the costs of all flagging and other traffic control measures required and provided by the railway company...as per the General Conditions of Contract." Which may implicitly indicate that the MTO's</p>	Payment for flagging during the engineering stage of a project is outlined under Programming of Work – Identification of Flagging Needs.

		<p>construction contract will have wording in it so that the Contractor essentially sub-contracts the railway flaggers and bills the MTO accordingly.</p> <p>Is there any guidance for how the MTO (e.g. MTO PM) is supposed to arrange for the railway to be paid when flaggers are needed in the pre-construction stage?</p> <p>Consider clarifying payment processes. It may be more affective to have a separate section on "Payment Process" for quick/easy referencing.</p>	
270	Individual	<p>On page 3 of 9 under Section "Design" it says, "...contacted prior to advertising and MTO project manager should ensure their concerns..." May want to consider adding a "the" between the "and" and "MTO".</p>	The word "the" will be added to the sentence.
271	Individual	<p>Consider spelling out acronyms only the first time they appear in the document (e.g. project manager) and then afterwards only using the acronym. There are spots throughout the document where an acronym has been spelled out multiple times and/or not used when it cold have been.</p>	The document has been reviewed and updated.
272	Individual	<p>Consider changing "Bridge Master" to "Bridgemaster" on page 7 of 9 under Section "Routine Inspection Work".</p>	Bridge Master has been revised to Bridgemaster.
273	Individual	<p>Consider adding an "a" between "of" and "Bridge" on page 7 of 9 under Section "Routine Inspection Work".</p>	"a" has been added.

274	Individual	<p>May want to consider the use of sub-headings and/or numbering headings. Admittedly the document is relatively short but, sub-headings would save having long / somewhat repetitive headings (e.g. "Notice and Review of Design Documents - CP"), while numbering would help make referencing long headers easier/faster (e.g. saying "See Section 2" vs "See Section 'Programming of Work - Identification of Flagging Needs'").</p>	<p>Sections and headings have been added.</p>
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Comments received by email			
Number	Organization	Comment	Response
1	MTO	<p>The draft guidelines do not mention Transport Canada's Railway Safety Act and the corresponding Grade Crossing Regulations (refer to the attached document named SOR-2014-275.pdf). The Grade Crossing Regulations reference Grade Crossing Standards (refer to the attached document named GCS – Clean PDF Version – 2019.pdf). Since these documents are important for the design of railway crossings, regardless of the railway owner, should they be referenced in the guidelines?</p>	<p>Added under Design Considerations.</p>

2	MTO	A section on Incident Management may be helpful. For example, if a culvert washes out and emergency work is required in the vicinity of a railway, what is the protocol?	Added under Railway Corridor Access
3	MTO	A section on maintenance procedures in the vicinity of railways may also be beneficial.	Added under Railway Corridor Access
4	MTO	Adding page numbers would be helpful when referring to sections in the document.	Page numbers added.
5	MTO	There are many private rail companies in the Simcoe area. Private companies will need to be considered in the guidelines, such as how to contact and make arrangements, and how to determine their requirements. Smaller agencies may adopt the larger agencies guidelines.	This has been addressed throughout the document.
6	MTO	Review guidelines with Operational Services regarding updating crossings and processed involved to do so.	A meeting with Operational Services will be arranged.
7	MTO	Purpose – Should include Maintenance. Maintenance frequently deals with railway companies through routine maintenance and emergency work.	Added under Railway Corridor Access
8	MTO	Programming of Work – Need to include Metrolinx and have an understanding of their process. It's different than other railway companies. They have more	Other railways will be added to the Guidelines in a future update as their processes become available.

		requirements and the permit process is more time consuming.	
9	MTO	Metrolinx has a \$10M requirement for insurance which is greater than our requirement in construction and maintenance contracts.	Acknowledged. The guidelines state the railways are to be contacted to determine the required contract language covering insurance.
10	MTO	Railway Corridor Access – Based on the guideline it is unclear who is responsible for preparing and submitting permits. In maintenance our contractors have prepared and submitted permits, however, this has been difficult due to the processes with some railway companies. For example, Metrolinx requires a lot of details and frequently asks for more information and/or resubmission.	This section has been updated to provide further clarity.
11	MTO	Notice of Review and Design Documents – Need to contact Metrolinx to determine their timeframes for review.	Other railways will be added to the Guidelines in a future update as their processes become available.
12	MTO	Legal Agreements – Operations Division/Maintenance needs to be involved in reviewing legal agreements and board orders. These agreements have an impact on maintenance. Need to ensure Maintenance can fulfill the requirements of the agreement.	The agreements are reviewed by MTO Legal Services and Contract Management Office to ensure consistency. Any unique project requirements should be reviewed and discussed by the MTO Project Team. This has been added to the Guidelines.
13	MTO	Need a better system for staff to obtain agreements and board orders.	Section 28 Approvals have been secured for standardized CN/CP crossing agreements. Historical Board Orders are typically saved on file and may be requested from the applicable MTO Region. Alternatively, Board Orders may

			<p>be obtained from the Canada Transportation Agency.</p> <p>The above information has been included in the Guidelines.</p>
14	MTO	<p>Similar to Construction and Routine Inspection Work, sections are required for Maintenance and Emergency Work. There should be an attempt to streamline routine maintenance work at railways where MTO has responsibilities. Routine maintenance is typically low complexity and short duration. The same rigorous process shouldn't apply when trying to obtain permits for maintenance. Performing emergency work is also an issue. Railway companies tend to notify MTO of safety concerns (Ex: Loose concrete at bridges) near railways, however, they restrict us from responding in an emergency manner. They still want us to follow the rigorous process even in situations that need to be addressed immediately.</p>	<p>A section on Routine Maintenance and Incident Management have been added to the Guidelines.</p> <p>The suggestion to streamline maintenance work will be brought forward for discussion with the railways.</p>