

# **NAUGATUCK RAILROAD COMPANY**

## **FLAGGING TARIFF NAUG-003**

THE FOLLOWING RULES AND CHARGES ARE APPLICABLE IN REGARD TO FLAGGING SERVICES ON THE NAUGATUCK RAILROAD COMPANY (NAUG).

### **FLAGGING DEFINITION**

ANY TIME A CONTRACTOR OR THIRD PARTY IS PERFORMING WORK THAT INVOLVES PERSONNEL OR EQUIPMENT ON, UNDER, OR OVER THE RAILROAD'S TRACKS, FACILITIES, RIGHT OF WAY OR ANY OTHER PROPERTY, SUCH ACTIVITY MAY IMPACT RAIL TRANSPORTATION (49 U.S.C. SECTION 10102(9)); THEREFORE, AT LEAST ONE RAILROAD REPRESENTATIVE, HEREAFTER REFERRED TO AS "FLAGGER," MUST BE PRESENT. BASED UPON THE SCOPE AND LOCATION OF WORK, THE NAUGATUCK RAILROAD WILL DETERMINE THE NUMBER OF FLAGGERS NEEDED.

### **RATES AND TERMS FOR FLAGGING SERVICES ARE AS FOLLOWS:**

#### **\$65.00 PER FLAGGER PER HOUR - WITH A MINIMUM OF 4 HOURS PER FLAGGER**

A CONTRACTOR OR THIRD PARTY REQUESTING FLAGGING SERVICES, AND HAVING NO PAYMENT RECORD WITH THE NAUGATUCK RAILROAD COMPANY SHALL REMIT A DEPOSIT IN THE AMOUNT OF \$520.00 PER FLAGGER PER DAY, AND SUCH DEPOSIT SHALL CLEAR OUR BANK, BEFORE FLAGGING SERVICES WILL BE PROVIDED FOR CONTRACTOR OR THIRD PARTY TO ENTER RAILROAD PROPERTY.

IF A FLAGGER(S) IS CALLED FOR DUTY, BUT NOT NEEDED, A CALL CHARGE OF \$260.00 PER FLAGGER WILL APPLY.

FLAGGING SHALL BE BILLED EVERY CALENDAR WEEK AND SHALL BE **PAYABLE WITHIN 15 DAYS** OF THE DATE OF INVOICE. OVERDUE BILLS SHALL BE ASSESSED INTEREST AT THE THEN CURRENT STATUTORY JUDGEMENT INTEREST RATE. PAYMENTS FOR FLAGGING SERVICES ARE TO BE COLLECTED BY AND ACCRUE SOLELY TO THE NAUGATUCK RAILROAD.

CONTRACTORS OR THIRD PARTY PROVIDERS WHO HAVE ACCOUNTS PAST DUE WITH THE NAUGATUCK RAILROAD COMPANY WILL NOT BE PERMITTED TO ENTER RAILROAD PROPERTY UNTIL PAST DUE ACCOUNTS ARE PAID IN FULL.

ALL CONTRACTORS OR OTHER THIRD PARTIES USING FLAGGING SERVICES SHALL ABIDE BY ANY INSTRUCTIONS GIVEN BY THE FLAGGER CONCERNING RAILROAD SAFETY AND/OR SECURITY. FLAGGERS HAVE THE RIGHT, BUT NOT THE DUTY, TO EVICT FROM THE RIGHT OF WAY, ANY PERSON OR PERSONS WHO ARE IN POSSESSION OF, OR UNDER THE INFLUENCE OF, ALCOHOL, ANY INTOXICATING DRUG, WHETHER LEGAL OR NOT, ANY WEAPON, FIREARM, EXPLOSIVE, FLAMMABLE, OR OTHER DANGEROUS ARTICLE (EXCEPT FOR FUEL IN AUTHORIZED VEHICLE OR EQUIPMENT TANKS), OR IS CONDUCTING THEMSELVES IN A MANNER WHICH THE FLAGGER, IN HIS SOLE DISCRETION, DEEMS TO BE UNSAFE, OR AN UNREASONABLE THREAT TO RAILROAD SAFETY OR SECURITY.

NOTE: THIS TARIFF AND/OR PAYMENT FOR FLAGGING SERVICES DOES NOT GIVE ANY PERSON(S) THE RIGHT OF ENTRY. RIGHT OF ENTRY MUST BE APPLIED FOR AND OBTAINED IN WRITING PRIOR TO ENTRY ON NAUGATUCK RAILROAD PROPERTY. PERSON(S) REQUIRING RIGHT OF ENTRY WILL ADDITIONALLY PROVIDE INSURANCE COVERAGE PER NAUG SPECIFICATIONS. FOR RIGHT OF ENTRY AND NAUG INSURANCE REQUIREMENTS, CONTACT:

NAUGATUCK RAILROAD CO.  
P.O. BOX 302  
PLYMOUTH, CT 06782  
(860) 484-5031

**ISSUED: AUGUST 1, 2018**  
**EFFECTIVE: AUGUST 1, 2018**

#### **ISSUED BY:**

NAUGATUCK RAILROAD COMPANY  
P.O. BOX 302  
PLYMOUTH, CT 06782  
(860) 484-5031