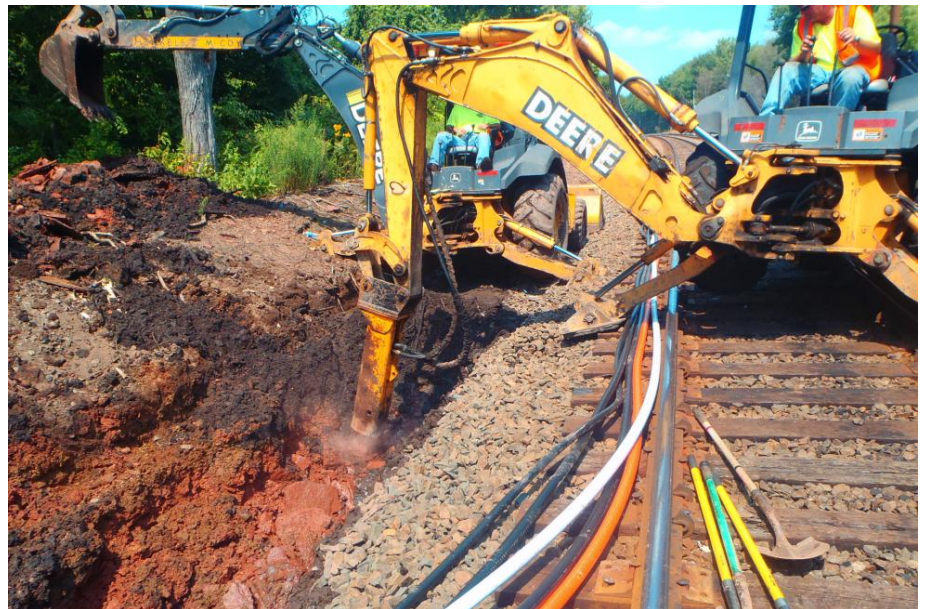


9/30/2020

Utility & Right-of-Way Occupations

Policies and Procedures



National Railroad Passenger Corporation (AMTRAK)

TABLE OF CONTENTS

1.0 INTRODUCTION	1
1.1 GENERAL	1
1.2 UTILITY & RIGHT-OF-WAY OCCUPATIONS CONTACT INFORMATION	1
2.0 OCCUPANCY GUIDELINES	2
2.1 OVERVIEW	3
2.2 PROJECT PROPOSAL GUIDELINES	4
2.2.1 Railroad Right-of-Way and Valuation maps.....	3
2.2.2 Design Specifications & Requirements.....	5
2.2.3 Drawing Guidelines.....	4
2.2.4 Frequent Design Review Comments.....	6
2.3 COMPLETE APPLICATION PACKAGE CHECKLIST	6
2.4 REAL ESTATE AGREEMENT	7
2.5 TEMPORARY PERMIT TO ENTER	8
2.6 INSURANCE	8
2.7 CONSTRUCTION	9
2.7.1 Construction Activities.....	9
2.8 MAINTENANCE OF EXISTING FACILITIES	11
2.9 ASSIGNMENT OF AGREEMENT	11
2.10 OCCUPATIONS IN THE PUBLIC RIGHT-OF-WAY	12
2.11 NON-UTILITY OCCUPATION APPLICATIONS	12
3.0 AMTRAK CONTACTS	13
3.1 PROPERTIES	13
3.2 ENGINEERING I&C	13
3.3 FINANCE	14
3.4 INSURANCE	14
4.0 APPENDICES	14
Appendix A	
Appendix B	

1.0 INTRODUCTION

1.1 GENERAL

Beyond just making traveling the country by rail as easy as possible, Amtrak strives to make all aspects of dealing with the railroad simple. Quite possibly one the most onerous interactions one can have with railroads is when you need to access the area around the tracks themselves. If you need to install a utility or other type of installation on Amtrak property, this guide will help to make that easier. First, we need to know what you would like to do. Next, we will have you fill out an application and submit it to us according to the instructions. Once we have all of your information, we will process your request.

At Amtrak, several departments are responsible for review and approval of all requests for utility occupancy agreements and temporary permits to enter within and on Amtrak's property encompassing 46 states, the District of Columbia, and Canada. The departments with the key service roles are as follows:

- Real Estate: agreement negotiations; amendments and assignments for existing agreements; facilitate design reviews for installation, upgrade, and maintenance of facilities; preliminary review of permit requests related to the agreement
- Engineering and Operations Departments: review and approval of design plans
- Engineering & Design, Individuals & Companies (I&C): permit requests for outside party projects including surveys, environmental investigations, inspections – bridges, roads, etc., monitoring wells, soil boring or sampling; permit requests for installation, upgrade, and maintenance of facilities once approved through Real Estate.
- Engineering Capital Construction: scheduling of access to the Amtrak right-of-way including support services and roadway worker protection (RWP).

1.2 UTILITY & RIGHT-OF-WAY OCCUPATIONS CONTACT INFORMATION

Krista Keene, Senior Manager
Amtrak
30th Street Station
2955 Market Street, Box 25
Philadelphia, Pennsylvania 19104
Office: (215) 349-3446
Fax: (215) 349-1983
Email: krista.keene@amtrak.com

2.0 OCCUPANCY GUIDELINES

2.1 OVERVIEW

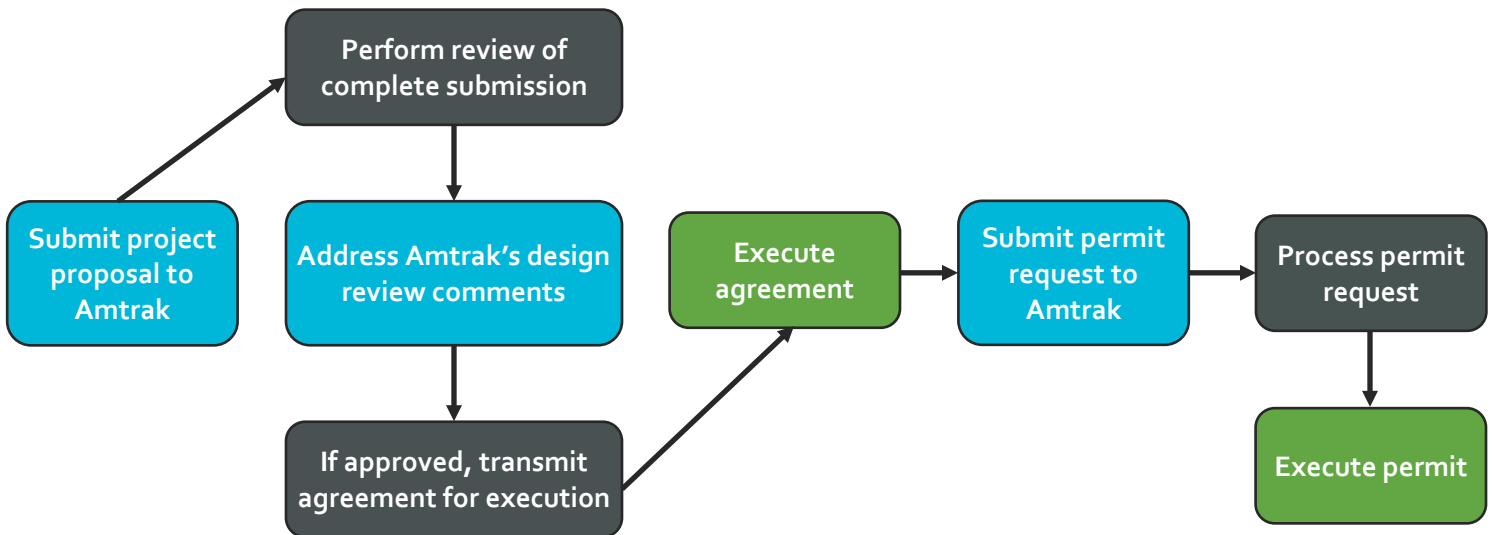
Typical utility or third party occupancies reviewed by Amtrak on a case-by-case basis include:

- Wirelines – electricity, fiber optic, cable, communications, etc.
- Pipelines – water, sewer, steam, storm water, natural gas, oil, culverts, etc.
- Attachments – bridge, pole, etc.

Manholes, catch basins, and headwalls should be designed to be located off of Amtrak property. For any project type not referenced above, contact Amtrak to discuss the feasibility of the project and the appropriate project contact.

Upon review and approval of the project proposal, Amtrak will prepare the appropriate real estate agreement to provide the applicant the right to occupy the property. Only after the agreement is executed may the Occupant or Occupant’s Contractor submit the required documents for Amtrak to prepare a temporary permit to enter. This temporary permit-to-enter will allow for access to the railroad property for the approved project. See Section 2.5 for additional information on how to obtain a temporary permit-to-enter.

Amtrak’s process has multiple steps and differs from what you might experience at the other railroads. Occupations at Amtrak must have both a license agreement and a temporary permit to enter before construction may begin. Consideration of your proposed project follows these general steps.



Responsible Party:



2.2 PROJECT PROPOSAL GUIDELINES

All occupancies should be designed and constructed so that rail operations and facilities are not interfered with, interrupted, or endangered. In addition, proposed facilities should be located to minimize encumbrance to the corridor so that the railroad will have unrestricted use of its corridor for current and future operations.

The application form is in Appendix A and is to be used for submitting your project proposal. They include the application for pipelines, culverts, wirelines, and conduits including maintenance and upgrades. Additional forms are provided for your convenience as well such as the application for consent to assign and renewal application.

Please be aware that Amtrak's email system is limited to receiving attachments 10 MB or less.

2.2.1 RAILROAD RIGHT-OF-WAY AND VALUATION MAPS

It is recommended that you obtain current property ownership information from local sources typically used for this purpose, such as County. A licensed land surveyor shall either perform the field survey or exercise sufficient supervision of the work performed to be able to sign and seal the work related to the property lines. After receipt of an application, Amtrak will verify and provide railroad right-of-way widths and parcel information for agreement preparation, but without any warranty by Amtrak as to their accuracy.

Railroad valuation maps (referred to as "val maps") are available for informational purposes to assist with your project references. These maps provide the width of the railroad corridor as well as other railroad nomenclature such as the milepost reference. Pricing for valuation maps is \$50 per electronic copy. To obtain a copy of a valuation map, please provide the following information in the body an email to krista.keene@amtrak.com. You will receive an invoice in the appropriate amount.

Number of Maps	
Requestor Name	
Requestor Company	
Requestor Shipping Address	
Requestor Phone	
Requestor Email	
Requester Agreement Number (if known)	
Reason for Request (e.g. survey, occupancy, development, etc.)	
Property State	
Property County	
Property City	
Property Milepost (if known)	
Property Latitude & Longitude (if known)	
Property Additional Info	
Billing Info (if different than Requestor)	

2.2.2 DESIGN SPECIFICATIONS & REQUIREMENTS

Please carefully review Amtrak's design and construction standard specifications prior to designing an occupancy proposal. The below is a listing of the most commonly used design specifications and engineering practices. This listing is not meant to exclude other applicable specifications that may be applicable to your project. A copy of these specifications can be found in Appendix B.

01	AED-1	Procedures and Design Criteria to be Employed by Electrification Consultants Engaged in the Design of Electrification Facilities
02	Amtrak EP-3005 Specification 02081A	Pipeline Occupancy
03	Amtrak EP-3005 Specification 02082A	Pipeline Occupancy – Additional Requirements for Horizontal Directional Drilling (HDD) / Directional Boring
04	Amtrak EP-3014 Specification 01141A	Safety and Protection of Railroad Traffic and Property
05	Amtrak EP-3014 Specification 01142A	Submission Documentation Required for Amtrak Review and Approval of Plans for Bridge Erection, Demolition, and other Crane / Hoisting Operations over Railroad Right-of-Way
06	Amtrak EP-3014 Specification 01520A	Requirements for Temporary Protection Shields for Demolition and Construction of Overhead Bridges and Other Structures
07	Amtrak EP-3014 Specification 02261A	Requirements for Temporary Sheet piling and Shoring to Support Amtrak Tracks
08	Amtrak EP-3016	Storm Water Drainage and Discharge from Adjacent Property onto Amtrak Right-of-Way
09	Amtrak Engineering Spec No. 150	Stormwater Management Policy
10	Amtrak Tier Table	
11	C.E. 4	Specification for Wire, Conduit and Cable Occupations
12	Pipe Data Crossing Sheet (SK-6)	Sketch 6 of Amtrak EP-3005 Specification 02081A
13	Amtrak EP-2013	Track Monitoring for Work Disturbing Roadbed

All efforts should be made to comply with Amtrak's standard specifications. You may request Amtrak review a design that does not meet the specification criteria by submitting an Amtrak Design Exception Request using the appropriate form in Appendix B; however, additional review fees are required for exception requests and approval is not guaranteed.

The American Railway of Engineering and Maintenance of Way Association (AREMA) is also a resource that could prove helpful in designing your project. The AREMA website is www.arema.org.

2.2.3 DRAWING GUIDELINES

Each application submitted to Amtrak must include drawings or plans for the proposed project that have been signed and sealed by a professional engineer in the state where the proposed project will be installed. The drawings should be half size or 11 x 17" (inches) in size.

AERIAL APPLICATIONS

All wireline applications shall include a plan and profile view of the proposed facility. ***Aerial crossings consisting of communication lines and power lines below 115,000 volts are not permitted to cross the Railroad in electrified territory.*** See C.E. 4 for the required format. Below are suggested checklists for your plan development.

Plan View for Aerial Installations (see C.E. 4, Plate I for sample plan)

- All railroad tracks shown
- Indicate distance (in feet) to Amtrak milepost
- Angle of crossing relative to railroad track(s)
- Dimensioned property lines
- Location of poles and distance from edge of pole to nearest railroad track centerline
- Location of all existing railroad signal, communication, electric traction, and utility facilities
- Location of all catenary structures, if applicable
- Indicate span length across railroad tracks
- If proposed occupation is within highway limits or in the vicinity of a grade crossing, location and type of grade crossing traffic control devices and clearance from existing devices to wireline and poles
- General Notes – Aerial

Profile View for Aerial Installations (see C.E. 4, Plate II and IIA for sample plans)

- All railroad tracks shown
- Dimensioned property lines
- Location of poles and distance from edge of pole to nearest railroad track centerline
- Vertical clearance from top of rail to bottom of sag for all tracks
- Location of and vertical clearance to all existing railroad signal, communication, electric traction, and utility facilities
- Location of all catenary structures, if applicable
- Indicate span length across tracks from pole to pole
- If proposed occupation is within highway limits or in the vicinity of a grade crossing, location and type of grade crossing traffic control devices and clearance from existing devices to the proposed wireline and poles

UNDERGROUND APPLICATIONS

All underground installation applications shall include a plan and profile view of the proposed facility. See EP-3005 for the required format. Below are suggested checklists for your plan development.

Plan View for Underground Installations (see EP-3005, Sketch 1 for sample plan)

- All railroad tracks shown
- Indicate distance (in feet) to Amtrak milepost
- Indicate distance (in feet) to any track switches or turnouts from proposed pipeline or conduit
- Angle of crossing relative to railroad track(s)
- Dimensioned property lines
- Location of marker signs, valves, and vents, preferably located at the edge of the property line
- Location of all existing railroad signal, communication, electric traction, and utility lines
- Location of all catenary structures, if applicable
- Location of any fiber optic cables parallel to the railroad tracks
- Casing pipe length
- Proposed location of launching and receiving pits

- If proposed occupation is within highway limits or in the vicinity of a grade crossing, location and type of grade crossing traffic control devices and clearance from existing devices to the proposed pipeline or conduit
- General Notes – Underground

Profile View for Underground Installations (see EP-3005, Sketch 2 for sample plan)

- All railroad tracks shown
- Dimensioned property lines
- Distance to marker signs, valves, and vents, also indicate their height above ground
- Profile of ground above occupation
- Theoretical railroad embankment line (see EP-3014, Specification 02261A, Sketch 1)
- Bottom of tie elevation
- Depth of cover between bottom of tie and top of conduit or casing pipe
- Location of all catenary structures, if applicable
- Casing pipe length
- Proposed location and elevations of launching and receiving pits
- If proposed occupation is within highway limits or in the vicinity of a grade crossing, location and type of grade crossing traffic control devices and clearance from existing devices to the proposed pipeline or conduit

2.2.4 FREQUENT DESIGN REVIEW COMMENTS

A sample of the design review comments frequently transmitted to applicants can be found in Appendix B. This sample is not all inclusive but are provided to assist you in submitting a complete and reviewable project proposal.

2.3 COMPLETE APPLICATION PACKAGE CHECKLIST

Please be sure to submit the most complete and accurate project proposal package to prevent delay or rejection. **Incomplete applications will be rejected immediately.** Upon receipt of your complete project proposal, Amtrak will provide the project contact noted on the form an email acknowledging receipt and invoice of fees, if a check was not provided with the submission. Due to the variation in the number and complexity of proposals received by Amtrak during the year, timeframes for review can vary. If the nature of the project requires a design exception request approval, site assessment or resources outside of Amtrak, review times will be longer. Please make a note the Amtrak Project Number assigned to your application for future reference. *This is not your agreement number.*

A complete application includes:

- ✓ Cover Letter
 - Provide a brief description of the project purpose, objectives and background, or specific circumstances we may need to consider when processing the application.
 - If the facility is required as a result of public highway or bridge construction: provide name and contact of project sponsor or agency.
 - If there have been previous understandings, agreements, etc. with Amtrak personnel, provide copies of relevant correspondence, name and title of Amtrak contact, and understanding.
- ✓ Completed Application Form
- ✓ Location Map

- Provide a detailed location map indicating the proposed location of the facility, the railroad and local streets and highways. The railroad must have a permanent record of the facility location, based upon railroad mileposts and valuation map stationing and, if available, GPS latitude and longitude information.
- ✓ Plans and Specifications: All packages should include three (3) hard copies of plans and a copy of the specifications. The plans shall follow the format and contain the data described in Amtrak specifications and engineering practices and adhere the guidelines in Section 2.2.3 above. All plans shall have a plan number and date. The minimum requirement for all applications, and also applies to revised applications, is a:
 - plan view
 - profile view (cross section)
- ✓ One (1) CD/DVD or flash drive containing electronic versions all of the above application materials. Or, Occupant may email them in response to the email from Amtrak acknowledging receipt of the package.
- ✓ Processing Fees: All applications will require a one-time, non-refundable, review and/or processing fee, payable to National Railroad Passenger Corporation. Failure to provide the appropriate fee will delay processing. The following is the processing fee schedule, as of date of this publication:
 - Transverse Crossing of Aerial Wires Review Fee: \$2,000
 - Transverse Crossing of Underground Wires Review Fee: \$3,000
 - Transverse Crossing of Pipeline Review Fee: \$3,000
 - Permit to Enter Processing Fee: \$1,250
 - Agreement Amendments and Assignments Processing Fee: \$750
 - Additional fees may apply
 - Contact Amtrak if you are unsure of the appropriate application fee.
 - Amtrak reserves the right to charge an additional fee for any project proposal that requires three (3) or more reviews or revisions to the submission.

Fees are subject to change.

2.4 REAL ESTATE AGREEMENT

All proposed occupancies within the Amtrak operating rail corridor and/or other Amtrak property must be reviewed and approved, including installations within public road rights-of-way.

The most typical agreement is the License Agreement. An applicant may obtain a License Agreement through a formal application process. To initiate the process, the proposed Occupant must fully complete the pertinent application form. **Incomplete applications will be rejected immediately.** The completed application and a non-refundable application fee, specified above, via check made payable to the National Railroad Passenger Corporation is required for processing.

Upon receipt of the application and fees, the CP&D team will review the package for approval with other departments within Amtrak. Application does not guarantee approval. If the application is approved, an Agreement will be drafted and forwarded to the applicant for signature. The partially executed agreement must be returned to the Senior Manager, Pipe and Wire accompanied by the rental payment and relevant proof of insurance (both outlined in the agreement) prior to execution on behalf of the railroad.

Amtrak requires that insurance coverage be provided by the Licensee for any occupation within the railroad corridor. The agreement will define the requirement in greater detail but for summary purposes, but the typical coverage required by the license agreement is Commercial General Liability Insurance covering liability of Licensee. The policy shall name National Railroad Passenger Corporation and all commuter agencies and railroads that operate over the property or tracks at issue as additional insured. Coverage under this policy shall have limits of liability of not less than \$2 million each occurrence, combined single limit, for bodily injury (including disease or death), personal injury and property damage (including loss of use) liability. A sample COI for occupancy is provided in Appendix A.

2.5 TEMPORARY PERMIT TO ENTER

Once an Agreement is executed, a Temporary Permit to Enter (PTE) must be secured to enter onto railroad property which grants construction access. A PTE is obtained through a separate process and requires the submission of a non-refundable \$1,250 fee for a one (1) year, 365-day, term. Instructions on how to obtain a PTE are include in Appendix B. If you have any questions related to PTEs, email permit@amtrak.com or visit www.amtrak.com/permit.

To access Amtrak property to perform activities relative to an existing facility, please review the existing agreement verbiage to determine if the activity is permissible and submit an application indicating as such. If you do not have a copy of the agreement, Amtrak may be able to provide a copy to you for your records. Please email realestate@amtrak.com to make a request. The fee is \$50 per agreement.

Due to the variation in the number of proposals received during the course of the year, permit processing times are not predictable. However, please allow a minimum of thirty (30) business days for processing.

Please be advised that Amtrak has numerous work commitments and demands. Limited track outages are available which must be shared and/or controlled among all potential projects in a particular area. These restrictions may prevent permittees from gaining access to Amtrak's property on a specific schedule.

2.6 INSURANCE

Amtrak requires that insurance coverage be provided prior to any entry and/or work activity within the railroad right-of-way. The Amtrak insurance requirements will be defined in the agreement. In general, each agreement will require:

1. A Certificate of Commercial General Liability (CGL) Insurance that evidences combined single limit minimum of \$2,000,000 per occurrence of general liability (note this may be achieved via an excess or umbrella policy).
 - a. The certificate shall name National Passenger Railroad Corporation; 30th Street Station, 2955 Market Street, Philadelphia, Pennsylvania 19104 as an additional insured.
 - b. The certificate include the description of the project and the location on the railroad, typically given by milepost.
2. Other insurances will be required to obtain a permit to enter. Those may include but are not limited to:

- a. Workers' Compensation Insurance;
- b. Automobile Liability Insurance;
- c. All Risk Property Insurance;
- d. Builder's Risk / Installation Floater;
- e. Contractor's Pollution Liability Insurance;
- f. Pollution Legal Liability Insurance
- g. Professional Liability Insurance; and
- h. Depending on the nature of the project, Amtrak may offer the option of paying a risk fee to cover the cost of adding the work activity to Amtrak's Railroad Protective Liability (RPL) policy for the period of actual construction. The fee, if approved, can generally be estimated per the chart below.

Location	Length of Installation	Fee
Aerial	Less than 500 linear feet	\$500
Aerial	500 feet to 1,000 linear feet	\$1,000
Aerial	1,000 feet to 2,500 linear feet	Contact Amtrak
Underground	Less than 500 linear feet	\$1,000
Underground	500 feet to 1,000 linear feet	\$1,250
Underground	1,000 feet to 2,500 linear feet	Contact Amtrak

2.7 CONSTRUCTION

Once the permit to enter has been executed by Amtrak, you will be emailed a fully executed copy of the permit as well as the contact information for the project manager who will coordinate the performance of work activities on, over, above, or adjacent to Amtrak property.

2.7.1 CONSTRUCTION ACTIVITIES

The safety and integrity of Amtrak rail operations is of paramount importance to Amtrak. Each project is reviewed by Amtrak independently to determine, in its sole discretion, the need for flagmen/watchmen and/or project manager services. If required for the project, the project owner will be invoiced for the actual services provided during the project. The below rates are provided for estimating purposes only as project costs are subject to many factors.

- **Flagmen / Watchmen:** This service cannot be provided by any personnel other than an authorized Amtrak employee. Daily costs can be estimated at:
 - \$1,500.00 per day per flagman / watchman
 - \$1,500.00 per day if a signal locate is needed

Any signal locate performed by Amtrak is for Amtrak facilities only – the project owner is responsible for contacting the appropriate state "Call Before You Dig" programs at call811.com or the nationally designated number 811.
- **Project Managers:** Current policy and daily cost estimates include:
 - Subgrade: project managers required for any project activity on Amtrak property
 - Aerial: project managers required for project set-up and final inspection
 - \$1,500.00 per day per construction manager
 - Depending on the nature of the project, additional expertise may be required
- **Safety Training:** Contractor Safety Training is required for all project owner personnel and/or project owner contractor personnel requiring access to the railroad corridor. This training can

occur prior to scheduling the project or the day of beginning installation. Components and estimated costs include:

- Visit <http://amtrakcontractor.com>
- Photographic identification required
- Requires successfully completing a test questionnaire
- Safety certification remains in effect for that individual for one year from the date of the testing
- Cost is \$25 per employee

NOTE: A Contractor Orientation Identification Card does not grant unlimited access on Amtrak property. All Contractors must always be accompanied by an Amtrak employee.

Entering any railroad right-of-way or other railroad property without the written permission of the railroad is trespassing and illegal. Violators will be prosecuted, and they risk the possibility of serious, even fatal, injury.

2.8 MAINTENANCE OF EXISTING FACILITIES

Entry onto Amtrak property for the purpose of upgrading or maintaining existing facilities requires advance written notice that shall include the following:

- A complete application package as stated above;
- Copy of the current agreement including exhibits, with Amtrak, for the subject facilities;
- Detailed description of proposed scope of work;
- Evidence of insurance as required by Amtrak's Risk Management Department; and
- A fully executed permit to enter.

It is recommended that you provide at least 30 working days advance notice of intention to perform programmed maintenance. Emergency entry will be coordinated within reasonable response time dependent upon the circumstances. Any change to the character, capacity, use or location of the facility will require submission of a new application, plans, execution of a new agreement, and payment of all applicable fees.

2.9 ASSIGNMENT OF AGREEMENT

Any agreement that is ten (10) years or older is not eligible to be assigned or transferred to a new owner. The new owner will be required to obtain a new agreement under the same procedures and fee schedule provided to all new occupants.

Any agreement that is less than ten (10) years old will be reviewed by Amtrak to determine if the contract can be assigned. An assignment may be subject to additional insurance requirements. Amtrak reserves the right to withhold approval on assignments.

Once the application package and copies of the agreement are received by Amtrak, the agreement will be researched and compared with Amtrak records for current status of the agreement. When the research is complete, an agreement will be prepared and forwarded to you

for an original signature. Return the signed agreement(s) with original signatures, along with the appropriate payment, as determined by Amtrak, and the Certificate of Insurance (as required by the agreement) to Amtrak. The final agreement, with original signature(s), will be presented for execution provided payment has been received and insurance has been approved. Once the agreement is executed, an electronic copy will be returned to you for your files, if requested.

2.10 OCCUPATIONS IN THE PUBLIC RIGHT-OF-WAY

All existing, proposed, and project work activities within the Amtrak operating rail corridor and/or other Amtrak property must be reviewed and approved, including installations within public road rights-of-way.

2.11 NON-UTILITY OCCUPATION APPLICATIONS

Requests not covered by these guidelines are as follows:

1. Telecommunications/Wireless (new installations, upgrade / modification to existing facilities)
 - Towers
 - Cellular and Wireless
 - Co-location Request
 - Station Installations
 - Longitudinal Fiber Optic Cables (installations over 300 linear feet)
2. Other Real Estate Agreements
 - Leases and Easements
 - Property Purchase and Sales
 - Temporary Construction Access
 - Temporary Construction Laydown Areas
 - Stations (owned by third parties)
3. Public Projects
 - Overhead and Undergrade Bridges
 - Painting
 - Maintenance
 - Inspection
 - Rehabilitation or Replacement
 - Third Party Capital Projects

3.0 CONTACTS

To report a railroad emergency, contact Amtrak Police at (800) 331-0008 immediately.

3.1 PROPERTIES

LAND LEASES, EASEMENTS & ACCESS AGREEMENTS	
Northeast Corridor and National Network	Angel D’Ippolito, Director (215) 349-2548 angelique.dippolito@amtrak.com
Mid-Atlantic (DC, DE, MD, PA, VA)	James Klaiber, Senior Manager (215) 349-2053 james.klaiber@amtrak.com
New York / Empire (NJ, NY)	Virginia Hart, Senior Manager (215) 349-3658 virigina.hart@amtrak.com
New England (CT, NH, MA, ME, RI, VT)	Alan Warner, Senior Manager (215) 349-1953 warnera@amtrak.com
Central (IA, IL, IN, KS, KY, MI, MN, MO, ND, NE, OH, WI)	Leah Gatlin, Manager (215) 349-3474 Leah.Gatlin@amtrak.com
South (AL, AR, FL, GA, LA, MS, NC, NM, OK, SC, TN, TX, WV)	Terrance Hancock, Senior Manager (215) 349- 3592 Terrance.Hancock@amtrak.com
West (AZ, CA, CO, ID, MT, NV, OR, UT, WA)	Alice Rose, Manager (510) 238-4847 alice.rose@amtrak.com
LONGITUDINAL AND IN-STATION FIBER & WIRELESS	
Nationwide – Agreements & Permitting	Michael Krenicky, Senior Manager (215) 349-3435 michael.krenicky@amtrak.com
RETAIL (IN AMTRAK-OWNED STATIONS) & SPECIAL EVENTS	
Nationwide (except California)	Linda Frankel, Senior Manager (215) 349-1956 frankel@amtrak.com
California	Alice Rose, Manager (510) 238-4847 alice.rose@amtrak.com
BILLBOARDS, ADVERTISING & PARKING	
Nationwide	Peter Lyons, Director (215) 349-1238 peter.lyons@amtrak.com

3.2 ENGINEERING I&C

THIRD PARTY PROJECTS	
Nationwide	Michael Kolonauski, Senior Manager (215) 349-1127 Michael.Kolonauski@amtrak.com
Temporary Permits to Enter	permits@amtrak.com

3.3 FINANCE

BILLING INQUIRIES

Nationwide	(215) 349-1455 ARRealEstate@amtrak.com
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3.4 INSURANCE

RISK MANAGEMENT

Northeast Corridor	Cathy Rawlings, Director (202) 906-3348 Cathy.Rawlings@amtrak.com
National Network	Philip Balderston, Director (202) 906-3581 Philip.Balderston@amtrak.com