



Quality Work – Fully Insured – Free Estimates

CTW RAIL SERVICES, LLC
759 Continental Blvd.
Danville, PA 17821
ctwraillservices@gmail.com
(570) 274-6411
WV Vendor #: VS0000051522

RECEIVED
2026 MAR 12 AM 8:30
WV RAILROADS

To: Department of Administration, Purchasing Division
2019 Washington Street East
Charleston, WV 25305-0130

March 11, 2026

RE: Technical Proposal
Install 4,000 RR ties
CRFQ DMT26000000005

Thank you for the opportunity to work on this project with you. Our proposal includes the following for the installation of 4,000 ties near Elkins, WV identified as CRFQ DMT26000000005:

Replace 4,000 crossties between MP12.0-MP17.0 and MP28.0-MP33.0:

- Mobilize men and equipment necessary for completion:
- Take delivery of the materials required to complete this project. Laydown area is provided.
- Complete removal of ties and install new ties over a 16-day window.
 - We plan to do most of our work during the week to minimize interference with the excursion train.
- Supply and install new 80% 7" X 9" X 8'6" and 20% 7" X 8" X 8'6" grade 5 ties.
- Gauge all new ties to specifications.
- Ties will be handled according to the AREMA manual to avoid damage.
- All new ties will be spiked according to the spiking pattern specified in plans.
- Rail anchors will be reapplied after the new ties are installed.
- We plan to follow up with a pup tamper and regulator daily and a production tamper at the end of the project.
- Clean up old ties and move to a load out area daily.
- Move spikes to the Elkins yard and put in dumpster.
- The rail authority shall supply any missing or damaged plates and rail anchors.
- Tim Spencer will do a quality control walk through of the work completed each day and follow up with any deficiencies.

March 11, 2026
Technical Proposal
Install 4,000 RR ties
CRFQ DMT26000000005



We look forward to meeting your current, as well as your future needs. As you consider railroad projects in the next several months, please evaluate the variety of services we offer.

Thank you and please contact us with any questions or concerns.

Jason Williams - Member
CTW Rail Services, LLC

Leo M. Williams, Jr. – Member
CTW Rail Services, LLC



BLAIR COUNTY
1731 N. JUNIATA STREET
HOLLIDAYSBURG, PA 16648
TEL: 814.696.6280
FAX: 814.696.6240

March 11, 2026

Purchasing Division
State of West Virginia Department of Administration
2019 Washington Street East
Charleston, WV 25305-0130

RE: **CONTRACTOR REFERENCE**
CTW Rail Services, LLC
West Virginia Centralized Rail
Tie Replacement Project

To Whom it May Concern:

Stiffler McGraw is a consulting firm that provides railroad track and bridge inspection, design, permitting and construction administration services for various shortline railroads in the northeast. CTW Rail Services, LLC (CTW) has satisfactorily completed numerous projects for our firm, including:

North Shore Railroad (NSHR) Selinsgrove Industrial Track (SIT) Section 130 Grade Crossing Replacement Project. This project involved replacement of four at-grade crossing surfaces and signals and sidewalk improvements at a fifth at-grade crossing on the SIT in Selinsgrove, PA. CTW was responsible for coordinating railroad flagging and track closures with the operating railroad, demolition of the existing crossings, installation of new approach track and crossings, sidewalk and curb ramp improvements, installation of drainage structures, and final roadway paving and improvements. Grade crossings included two timber surfaces and two precast concrete heavy duty tub style crossings. Signal replacements were performed by others.

Juniata Valley Railroad (JVRR) Kish Pike Section 130 Grade Crossing Replacement Project. This project involved replacement of a single at-grade crossing with a new timber surface crossing on a 10-degree curve in Mifflin County, PA. CTW was responsible for coordinating railroad flagging and track closure with the operating railroad, demolition of the existing crossing, installation of new approach track and timber crossing surface, and final roadway paving and improvements.

Nittany and Bald Eagle Railroad (NBER) Moose Run Bridge Replacement Project. This project involved replacement of a bridge that carries NBER Mainline and Railroad Street over Moose

RE: Recommendation

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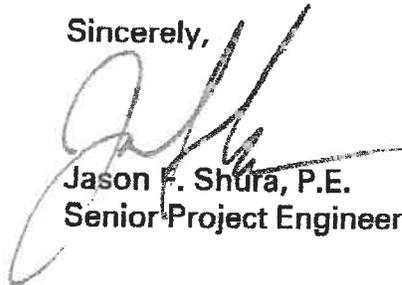
Run in Milesburg, PA. CTW was a subconsultant to Prime Contractor Lycoming Supply, Inc. and performed all track related construction, including track removal and construction of approximately 200 feet of standard ballasted track and approximately 700 feet of resurfacing.

CTW completed these projects on time and with minimal change orders. The Kish Pike grade crossing was completed below the initial bid price. Work quality was very good throughout, and punchlist items were minimal and addressed timely. Coordination with the operating railroad regarding railroad flagging and track closures was satisfactory.

It is my opinion CTW is qualified to complete the tie replacements for the WVCR tie replacement project.

If you should have any questions, please contact me at 814-696-6280 or ishura@stiffler-mcgraw.com.

Sincerely,

A handwritten signature in black ink, appearing to read 'JFS', is written over the typed name and title.

Jason F. Shura, P.E.
Senior Project Engineer

JFS/jfs

JASON WILLIAMS
367 KASEVILLE ROAD
DANVILLE, PA 17821

3/11/2026

(570) 274-6411

EDUCATION

Williamsport Area High School
Diploma

1990

Bloomsburg University
Bachelors degree in Business Administration
Completed an internship with Lewisburg UM personal care facility

1995

Continuing education in topics directly related to the work we do at various locations.

AWARDS

Conservation Contractor of the year award
Safety training and awareness training bronze award

2006
2010

CURRENT EXPERIENCE

CTW Rail Services, LLC

Partner/ Estimator / Project Manager.

2024 to Present

We seized the opportunity to buy a well-established business with a good history of quality work including a strong and experienced crew. By Adding a railroad superintendent with years of documented experience to manage day to day operations and scheduling, we have been able to leverage our time and talents to manage this company. Although we have only been managing this business for 1 year, we have been able to complete nearly 3 million dollars in work, while building trustworthy business relationships with our customers, design engineers and suppliers for years to come.

Earthwork Services, LLC

President / Estimator / Project manager.
Creating Earthwork Services LLC with a mindset of a company running self-sufficiently

2010 – Present

based on the updated technology, software programs and incorporating structured employees to oversee different areas of the business. This has allowed my time to turn and focus on growing CTW Rail Services LLC

Williams Excavation

Owner of sole proprietorship
I learned a lot about the excavation world and how to manage a business.

1996 - 2010

This business was started from the ground up by me with a clear vision of the

future in this industry and successfully operated until Earthwork Services LLC was established.

RELATED EXPERIENCE

Northeast Industrial Services

Started as a laborer, through experience became primary operator and supervisor. 1986 - 1996
Northeast specialized in demolition projects.

Lycoming Supply

Labor / operator for a for a wide variety of construction projects. 1990 - 1996
Projects ranged from box culverts, to pipe installations, to demolition.

Sauers Pools

Laborer for pool crew 1988 - 1994
Laborer / technician for new pool installations and repair and maintenance of existing pools. This job taught me a lot about hard work and what it means to work together as a team.

CSBA board of Directors

Director / formerly served as Vice President, President, and Treasurer 2005 - Present
Stay on top of topics that effect the building industry. Learn to work with others to create a budget and other necessary functions of operating the organization in the best interest of its members.

MEMBERSHIPS

Central Susquehanna Builders Association
IS Net World

RELEVANT WORK HISTORY

My first experience with Railroad was in 1994 while still attending college. I work on the Lycoming Supply crew that replaced a road crossing in a very busy intersection of Harrisburg PA starting on Friday evening and being complete and open to traffic on Monday morning. I learned quickly how important it is to keep a schedule while working in this industry.

As Earthwork Services we have been involved in a few other projects working with RR over the years. We were able to complete each of these projects under a tight timeline and high-quality work.

In 2024 I started working with George Anderson, the former owner of CTW with a focus on learning all I could before taking over. This work builds on the broad knowledge and experience that I have had over my career. George is still acting as an advisor in our company and we talk often.

For the 2025 Construction season, I was directly involved in day to day operations with boots on the ground full-time on all of our projects.

Timothy Spencer

Rail superintendant for CTW Rail Services LLC.

113 Browns Run Road
New Freeport, PA
15352

E-mail: tims6602@gmail.com
Mobile: (835) 248-4473

Qualifications

I have over 40 years of experience in track construction, with most of my career in the transit portion of the track industry. I have managed between two to five million dollars per year in projects including: takeoffs for bidding, contract agreements, project management, manpower, material purchasing, scheduling, project cost and budgets. I have been in management for 36 years of my 39-year career. I started as a laborer and with dedication worked my way to Project Manager. 31 years to Present I have held the following positions: Laborer, Foreman, Superintendent, Project Superintendent, General Superintendent, and Project Manager.

Work History

1986 too Present

CTW Rail Services, LLC 7589 Continental Blvd. Danville, PA 17821

Duties: Responsible for solicitation of new customers, preparation of takeoffs for job bids, company policies, direct job cost, equipment, materials, manpower, planning and scheduling, quality control, safety, and site work.

Amtrac Railroad Contractors of Maryland, Inc. 9436 Early Drive, Hagerstown, MD 21740

Duties: Responsible for preparation of jobs, company policies, direct job cost, materials, manpower, planning and scheduling, quality control, safety and site work.

G. W. Peoples Contracting Co. Inc. 101 South Whiting St., Suite 319 Alexandria, VA 22304

Duties: Responsible for solicitation of new customers, preparation of job bids, company policies, direct job cost, equipment, materials, manpower, planning and scheduling, quality control, safety, and site work.

Marta Track Constructors Inc., / Balfour Beatty, 1024 Route 519, Eighty Four, PA 15330

Duties: Responsible for manpower, planning and scheduling, quality control, and safety.

Atlas Railroad Construction, LLC 84 Pennsylvania Ave., Eighty Four, PA 15330

Duties: Laborer.

Interests and Activities

Positive management with the solving of construction problems to enhance production and minimize down time.

Hobbies

Hunting and work

References

- George Anderson, CTW (former owner) (804) 725-8161
- Robert Matthews, Amtrack of MD. (301) 797-3730
- Jason Shura, Stiffler McGraw (814) 696-6280
- John McAndrew, Delaware Lackawanna RR (570) 983-6827

Relevant projects

Selinsgrove SIT grade crossing project

Upgrade grade crossings at five locations in Selinsgrove PA
2025

MTA Baltimore MD

Remove and replace 2,600 FT of rail, ties, OTM and base materials
2024

Delaware Lackawanna RR Scranton PA

Remove and replace 14 turnouts, a double crossover and 1000 TF of standard ballast track for the new capacity line through Scranton PA
2024

South branch Valley RR, Moorefield WV

Replace 2,000 grade ties from Petersburg to Romney WV. early
2000's

Norfolk Naval Ship Yard

Indefinite quantities contract over 16 years working both ground level rail and elevated rail for the naval yard. These lines handled many materials including Nuclear refueling rods.

Many other projects over a 40 year career in Railroad.



CTW Rail Services, LLC.

FEDERAL RAILROAD ADMINISTRATION

**CONTROL OF ALCOHOL AND DRUG USE
(49 CFR PART 219)**

**MODEL PART 219
RAILROAD CONTRACTOR COMPLIANCE PLAN**

Send plan submission via email to FRA-DrugAlcoholProgram.email@dot.gov

Date of FRA Plan Submission:

7/30/2025

Effective Date of Plan:

8/1/2025

Date of FRA Plan Acceptance:

(To be completed by FRA)

Click or tap to enter a date

This Plan Is (Select Below):

Initial Plan

Name of Contractor:

CTW Rail Services, LLC.

Interests and Activities

Positive management with the solving of construction problems to enhance production and minimize down time.

Hobbies

Hunting and work

References

George Anderson, CTW (former owner)	(804) 725-8161
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Initial Plan

Name of Contractor:

CTW Rail Services, LLC.

MODEL PART 219 RAILROAD CONTRACTOR COMPLIANCE PLAN

The Federal Railroad Administration (FRA) recognizes railroads can use internal employees, contracted employees, and even volunteers to perform Part 219 “regulated service” subject to the Federal hours of service laws (covered employees) functions on the railroad. The railroad is responsible for ensuring **ALL** personnel performing these regulated service functions are in compliance with all Part 219 requirements.

FRA’s Model Part 219 Railroad Contractor Compliance Plan has been developed by FRA as a tool to help with compliance for any railroad that uses personnel other than internal employees to perform “regulated” functions. Utilization of this tool with the entity providing the “regulated” personnel will help demonstrate the railroad’s due diligence in ensuring non-railroad personnel are in compliance with Part 219.

Simply signing and adopting this plan does not constitute compliance. The actions required by the regulation, regardless of employment affiliation, must be in accordance with regulatory requirements to achieve compliance. Railroad contractors choosing to use this model plan should submit this plan, and the FRA acceptance letter to all railroads for whom they are performing regulated service. A railroad should retain a copy of this document and provide a list of all FRA accepted contractor plans when submitting the railroad’s plan to FRA for approval. The FRA also expects the railroad to demonstrate its due diligence in complying with the regulation by instituting a self-audit program with entities providing “regulated” function personnel. As a reminder, FRA will review compliance with the regulations. FRA can choose to hold the employer responsible for any non-compliance whether it be the employer, contractor, or other entity last serving the employer; or if the facts warrant, the FRA could hold the entity responsible or both.

In all cases where there is a difference between this plan and 49 CFR Part 219 or 49 CFR Part 40, the CFR takes precedence. Railroad employers and entities (contractors) are reminded that Federal authority can be used only if authorized by 49 CFR Part 219. Therefore, entities having less than 16 covered employees in combination with the supported railroad entity (if appropriate) are not authorized to conduct Federal random or reasonable cause testing.

Title 49, CFR Part 40 requires employers to have a Designated Employer Representative (DER), defined in 40.3 as “An employee authorized by the employer to take immediate action(s) to remove employees from safety-sensitive duties, or cause employees to be removed from these covered duties, and to make required decisions in the testing and evaluation processes. The DER also receives test results and other communications for the employer, consistent with the requirements of Part 40. Service agents cannot act as DERs.” In the past, this person may have been referred to as the Program Administrator.

NOTE: In the body of the submittal email, please indicate any changes made to the compliance plan.

**** If you require additional pages to add information to this plan, add this information to the last page of this document ****

***** All highlighted sections must be completed to expedite review by the FRA Drug & Alcohol Program Specialist. If a highlighted section does not apply to your company, place N/A in the box *****

I. Policy Statement

CTW Rail Services, LLC. recognizes the problem of substance abuse in today's society. This problem poses concerns to an employer who is subject to governmental regulations and seeks to promote the safety of the public. This company has a concern for the safety, health, and well-being of its employees as well as an obligation to comply with the United States Department of Transportation (DOT) and Federal Railroad Administration (FRA) regulations. This company will comply with all statutes and regulations administered by the FRA in implementing the required Part 219 Drug and Alcohol Program.

Programs have been established on this company which requires regulated employees to demonstrate their safety posture through complying with:

1. Urine screens to detect the presence of marijuana, cocaine, opioids, phencyclidine, and amphetamines (See 49 CFR § 40.85 and 49 CFR § 40.87);
2. Breath alcohol tests to detect the unauthorized use of alcohol; and
3. Breath, urine, blood and tissue (fatality) testing after qualifying FRA post-accident events.

In accordance with the applicable Federal regulations, this company prohibits persons who perform work regulated by the Federal Hours of Service (HOS) Laws (see 49 U.S.C. §§ 21101-21108); and/or employees performing duties as Maintenance-of-Way (MOW) workers as described in the definition of "Roadway Worker" in § 214.7; and/or employees performing Mechanical functions (MECH) duties covered by the definition of "Mechanical Employees" in § 219.5, from being under the influence and/or possession of illegal substances and/or under the influence of alcohol while on duty or within four hours of reporting for regulated service. Additionally, illegal substance use is prohibited on or off duty, except as allowed in 49 CFR § 219.103.

II. Identifying Information.

To add additional fields for the below entries hit the + sign at the bottom right of the box. To remove the extra field hit the "Undo Typing" button. Be sure to hit the enter button after your last entry before you add an extra field with the + sign, this will create space between your entries.

Railroad Contractor:

Name of Contractor:
CTW Rail Services, LLC.
Address: 759 Continental Blvd.
Danville, PA 17821
Office Phone: (570) 237-3964
E-Mail: ctwrailservices@gmail.com
Additional Notes:

Designated Employer Representative:

Name: Branden Williams
Address: 759 Continental Blvd.
Danville, PA 17821
Office Phone: (570) 237-3964
Cell Phone: (570) 279-8613
E-Mail: brandenw@ctwrail.net
Additional Notes:

Assistant Designated Employer Representative:

Name: Jason Williams
Address: 759 Continental Blvd.
Danville, PA 17821
Office Phone: (570) 273-3964
Cell Phone: (570) 274-6411
E-Mail: ctwrailservices@gmail.com
Additional Notes:

Medical Review Officer:

Name: Brian Hinen, MD
Address: 151 Leon Ave.
Eunice, LA 70535
Office Phone: 800-457-0493
Fax Number:
E-Mail: brianheinensr@heinenmedical.com
Additional Notes:

Testing Laboratory (must be on HHS list of certified labs):

Name: Abbott (formerly - Alere Toxicology Services)
Address: 450 South Lake Blvd.
Richmond, VA 23236
Office Phone: 800-977-9130

E-Mail: toxcs@abbott.com
Fax Number: 804-379-5919
Additional Notes:

Substance Abuse Professional (SAP):

Name: Comprehensive Treatment Center
Address: 759 Susqhehanna Trail
Watsonstown, PA 17777

Office Phone: (855) 325-8617
E-Mail:
Additional Notes:

III. Scope

This policy applies to all Company personnel (including sub-contractors and volunteers) who perform the following FRA regulated duties:

- **Subject to the Federal Hours of Service (HOS) Laws also commonly referred to as “Covered Service” or,**
- **Employees performing Maintenance-of-Way (MOW) duties covered by the definition of “Roadway Worker” in § 214.7 or,**
- **Employees performing Mechanical functions (MECH) duties covered by the definition of “Mechanical Employees” in § 219.5.**

This company provides personnel who perform regulated service for the following railroad(s):

Name of Railroad: [See attachment page](#)

Regulated service (functions) positions: [New construction, track maintenance, track inspection, emergency services, derailment, reconstruction and cleanup, railing, product recovery, snow removal, frog and point welding, and consultation.](#)

***** If adding more than five (5) railroads, use the attachment page at the end of this document *****

Note: Each employee should only be counted under one of the below functions. If you have an employee that performs more than one (1) function, they should be placed in the category in which they perform the majority of their work.

***** YOU MUST TAB THROUGH EACH OF THE FILL BOXES BELOW TO ENSURE THEY ARE TOTALED *****

This company has a total of 0 regulated service employees (including volunteers and contractors) who perform “Hours of Service” functions.

E-Mail: toxcs@abbott.com
Fax Number: 804-379-5919
Additional Notes:

Substance Abuse Professional (SAP):

Name: Comprehensive Treatment Center
Address: 759 Susquehanna Trail
Watsonstown, PA 17777

Office Phone: (855) 325-8617
E-Mail:
Additional Notes:

III. Scope

This policy applies to all Company personnel (including sub-contractors and volunteers) who perform the following FRA regulated duties:

- **Subject to the Federal Hours of Service (HOS) Laws also commonly referred to as “Covered Service” or,**
- **Employees performing Maintenance-of-Way (MOW) duties covered by the definition of “Roadway Worker” in § 214.7 or,**
- **Employees performing Mechanical functions (MECH) duties covered by the definition of “Mechanical Employees” in § 219.5.**

This company provides personnel who perform regulated service for the following railroad(s):

Name of Railroad: [See attachment page](#)

Regulated service (functions) positions: [New construction, track maintenance, track inspection, emergency services, derailment, reconstruction and cleanup, railing, product recovery, snow removal, frog and point welding, and consultation.](#)

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Note: Each employee should only be counted under one of the below functions. If you have an employee that performs more than one (1) function, they should be placed in the category in which they perform the majority of their work.

***** YOU MUST TAB THROUGH EACH OF THE FILL BOXES BELOW TO ENSURE THEY ARE TOTALED *****

This company has a total of 0 regulated service employees (including volunteers and contractors) who perform “Hours of Service” functions.

This company has a total of 7 regulated service employees (including volunteers and contractors) who perform “Roadway Worker” functions.

This company has a total of 0 regulated service employees (including volunteers and contractors) who perform “Mechanical Employee” functions.

The total number of all regulated employees (include covered service, roadway workers and mechanical employees) at the time of this submission is: 7

Note: Include any regulated sub-contractor employees in the above counts that are included in the contractor’s random testing pools and covered by this policy.

If applicable, identify the following for any regulated sub-contractors your company is using (if you have multiple regulated service sub-contractors please add additional fields as necessary. If you have more than five (5) regulated sub-contractors, use the attachment page at the end of this document)

To add additional fields for the below entries hit the + sign at the bottom right of the box. To remove the extra field hit the “Undo Typing” button. Be sure to hit the enter button after your last entry before you add an extra field with the + sign, this will create space between your entries.

Name of sub-contractor: None at this time

Regulated service performed for your company:

Address:

Contact Person:

Office Phone:

Cell Phone:

E-Mail:

Previous Employer Checks: This company is required to check on the drug and alcohol testing record of employees it is intending to use to perform regulated duties. This company will, after obtaining an employee’s written consent, request information from DOT-regulated employers who have employed the employee during any period during the two years before the date of the employee’s application or transfer into regulated service. **See 49 CFR 40.25.**

An employee must also be asked whether he or she tested positive (or refused to test) on any Federal pre-employment drug or alcohol test administered by a DOT employer to which the employee applied for, but did not obtain regulated service work during the past two years.

With respect to any employee who violated a DOT drug and alcohol regulation, documentation of the employee’s successful completion of DOT return-to-duty requirements (including Federal follow-up tests) must be provided to this company.

IV. Testing Programs

There are numerous situations when Federal **drug and/or alcohol tests** must be administered for the company to be in compliance with 49 CFR Part 219. Personnel performing functions listed in Section III of this policy will be required to submit to a drug and/or alcohol test in the instances set forth, as follows:

- 1) **Pre-Employment Drug Testing** – (49 CFR 219.501) Applicants will be informed that all individuals this company will use for regulated service must be drug-free. Passing a Federal pre-employment drug test is a condition prior to performing regulated service duties. If an applicant refuses to submit to the drug test, or tests positive on the drug test, the applicant will not be considered qualified to perform regulated service and will not be offered a position in regulated service.

Federal Pre-Employment Alcohol Testing (Optional) – (49 CFR 219.502)
Authorized but not required. This company chooses to conduct Federal alcohol pre-employment testing? Check one of the following boxes:

Yes No

- 2) **Federal Reasonable Suspicion Testing** – (49 CFR 219.301)
Regulated service personnel will be **required** to submit to a Federal drug and/or alcohol test whenever a properly trained supervisory employee of this company has reasonable suspicion that a regulated employee is currently under the influence of or impaired by a controlled substance or alcohol. Reasonable suspicion must be based on specific, contemporaneous personal observations the supervisor can articulate concerning the employee's appearance, behavior, speech, body odor, chronic effects, or withdrawal effects.

Part 219.11(g) requires supervisory employees to have education and training on alcohol misuse and controlled substance use. The training will cover the physical, behavioral, speech and performance indicators of probable alcohol misuse and use of controlled substances. It will also prepare the supervisors to make the decisions necessary in reasonable suspicion and FRA post-accident situations (i.e., what is a qualifying event and who is to be tested).

The observation for alcohol must be made by at least one qualified supervisory employee who has received proper training in the signs and symptoms of alcohol use per 219.11(g). Documentation of this decision must be maintained, as required by Part 219 Subpart J.

The observation for drugs must be made by at least two qualified supervisory employees, one of which has received proper training in the signs and symptoms

of drug use/misuse per 219.11(g). One qualified supervisor must be on-site, but the supervisor trained per 219.11(g), although preferred does not have to be the supervisor on-site. Documentation of this decision must be maintained, as required by Part 219 Subpart J.

The observation for drugs must be made by at least two qualified supervisory employees, one of which has received proper training in the signs and symptoms of drug use/misuse per 219.11(g). One qualified supervisor must be on-site, but the supervisor trained per 219.11(g), although preferred does not have to be the supervisor on-site. Documentation of this decision must be maintained, as required by Part 219 Subpart J.

If operating on tracks of a railroad, this railroad contractor will coordinate with the host railroad and decide how the supervisor on the site will immediately communicate and coordinate decisions to test and who will administer the necessary testing. In all reasonable suspicion cases, the supervisor will ensure that the regulated service person is transported immediately to a collection site for a timely collection of a urine and/or breath specimen. If the regulated service person is deemed not fit to return to work, the supervisor will arrange transportation for the person. **This is not a Federal requirement, but safety will be better assured if accomplished.**

Supervisors must document their observations that led them to decide there was a “reasonable suspicion” to have the regulated service person subjected to Federal drug and/or alcohol testing.

- 3) **Federal Reasonable Cause Testing** – (49 CFR 219.401) **Authorized but not required. A company must designate whether or not they conduct Federal drug and alcohol Reasonable Cause testing.** If a company selects to conduct Federal Reasonable Cause testing, then the company cannot perform company testing for any event described in 219.403. If a company selects to conduct company (non-DOT) Reasonable Cause testing only, then the railroad contractor cannot perform DOT testing for any event described in 219.403.

This company chooses to conduct Federal Reasonable Cause drug and alcohol testing for all train accident/incidents and rule violations that meet the criteria of 49 CFR 219.403. Check the appropriate box:

Yes No

A Federal reasonable cause drug and/or alcohol test may be required (employer’s decision) when a regulated service employee:

- a. Was involved in a qualifying Train accident/incident per 219.403 (a) and a supervisor has a reasonable belief based on specific and articulable facts that the regulated service person’s acts or omissions contributed to the occurrence or severity of the accident/incident; or

- b. Committed a rule violation described in 219.403 (b).

If operating on tracks of a railroad, this company will coordinate with the host railroad and decide how the supervisor on the site will immediately communicate and coordinate decisions to test and who will administer the necessary testing. In all reasonable cause cases, the supervisor will ensure that the regulated service person is transported immediately to a collection site for a timely collection of a urine and/or breath specimen. If the regulated service person is deemed not fit to return to work, the supervisor will arrange transportation for the person. **This is not a Federal requirement, but safety will be better assured if accomplished.**

Supervisors must document their observations that led them to decide there was a “reasonable cause” to have the regulated service person subjected to Federal drug and/or alcohol testing.

4) **FRA Post-Accident Drug/Alcohol Testing** – (49 CFR 219.201)

FRA regulations require blood and urine specimens from all surviving **regulated service personnel** when they are directly involved in a qualifying accident or incident. Tissues are also collected, in addition to urine and blood from any fatality involving an on-duty railroad employee (**direct or “regulated service” contractual employee**). Events requiring FRA post-accident testing include (note regulatory exceptions will be followed):

1. **Major Train Accident** involving any rail equipment accident with reportable damages in excess of the current calendar year reporting threshold under 49 CFR Part 225 and one or more of the following:
 - a. A fatality (any fatality).
 - b. A release of hazardous materials from railroad “lading” that results in an evacuation or reportable injury caused by the hazmat release.
 - c. Damage to railroad property of **\$1.5 Million** or more.
2. **Impact Accident** involving reportable damage in excess of the current reporting threshold that results in:
 - a. A reportable injury; or
 - b. Damage to railroad property of \$150,000 or more.
3. **Fatal Train Incident** involving any on-duty railroad employee or regulated contractor employee where damages do not exceed the current reporting threshold.
4. **Passenger Train Accident** with a reportable injury to any person in a train accident involving damage in excess of the current reporting threshold that involves a passenger train.

- b. Committed a rule violation described in 219.403 (b).

If operating on tracks of a railroad, this company will coordinate with the host railroad and decide how the supervisor on the site will immediately communicate and coordinate decisions to test and who will administer the necessary testing. In all reasonable cause cases, the supervisor will ensure that the regulated service person is transported immediately to a collection site for a timely collection of a urine and/or breath specimen. If the regulated service person is deemed not fit to return to work, the supervisor will arrange transportation for the person. **This is not a Federal requirement, but safety will be better assured if accomplished.**

Supervisors must document their observations that led them to decide there was a “reasonable cause” to have the regulated service person subjected to Federal drug and/or alcohol testing.

4) **FRA Post-Accident Drug/Alcohol Testing** – (49 CFR 219.201)

FRA regulations require blood and urine specimens from all surviving **regulated service personnel** when they are directly involved in a qualifying accident or incident. Tissues are also collected, in addition to urine and blood from any fatality involving an on-duty railroad employee (**direct or “regulated service” contractual employee**). Events requiring FRA post-accident testing include (note regulatory exceptions will be followed):

1. **Major Train Accident** involving any rail equipment accident with reportable damages in excess of the current calendar year reporting threshold under 49 CFR Part 225 and one or more of the following:
 - a. A fatality (any fatality).
 - b. A release of hazardous materials from railroad “lading” that results in an evacuation or reportable injury caused by the hazmat release.
 - c. Damage to railroad property of **\$1.5 Million** or more.
2. **Impact Accident** involving reportable damage in excess of the current reporting threshold that results in:
 - a. A reportable injury; or
 - b. Damage to railroad property of \$150,000 or more.
3. **Fatal Train Incident** involving any on-duty railroad employee or regulated contractor employee where damages do not exceed the current reporting threshold.
4. **Passenger Train Accident** with a reportable injury to any person in a train accident involving damage in excess of the current reporting threshold that involves a passenger train.

5. **Human-Factor Highway-Rail Grade Crossing Accident/Incident** meeting one of the following criteria:

- i. Regulated employee interfered with the normal functioning of a grade crossing signal system, in testing or otherwise, without first providing for the safety of highway traffic that depends on the normal functioning of such a system, as prohibited by § 234.209, is subject to testing.
- ii. Train crewmember who was, or who should have been, flagging highway traffic to stop due to an activation failure of a grade crossing system, as provided § 234.105 (c)(3), is subject to testing.
- iii. Regulated employee who was performing, or should have been performing, the duties of an appropriately equipped flagger (as defined in § 234.5), but who failed to do so, due to an activation failure, partial activation, or false activation of the grade crossing signal system, as provided by § 234.105 (c)(1) and (2), 234.106, or 234.107 (c)(1)(i), is subject to testing.
- iv. If there is a fatality of any regulated service employee regardless of fault. (fatally injured regulated employee must be tested)
- v. If regulated employee violates an FRA regulation or railroad operating rules and whose actions may have played a role in the cause or severity of the accident/incident, is subject to testing.

Testing Decision: For an accident that meets the criteria for a Major Train Accident, all assigned **crew members of all involved trains and on-track equipment must be tested.** Test any other regulated service employees that had a possible role in the cause or severity of the accident.

For an Impact Accident, Fatal Train Incident, Passenger Train Accident or Human-Factor Highway-Rail Grade Crossing Accident/Incident, test any other regulated service employees that had a possible role in the cause or severity of the accident. The railroad must exclude other regulated service employee if the responding railroad representative can immediately determine, on the basis of specific information, that the employee had no role in the cause(s) or severity of the accident/incident (considering any such information immediately available at the time).

For a fatal train incident, the fatally injured employee cannot be excluded from being tested.

If there is a fatality of any regulated service employee as result of a Highway-Rail Grade Crossing Accident/Incident, the fatally injured regulated employee must be tested regardless of fault.

Exceptions from Testing: No test may be required in the case of a collision between railroad rolling stock (including any on-track equipment) and a motor vehicle or other highway conveyance at a rail/highway grade crossing, unless it meets the criteria set forth above in Item 5 (i-v).

No test may be required in the case of an accident/incident the cause and severity of which are wholly attributable to a natural cause (e.g., flood, tornado, or other natural disaster) or to vandalism or trespasser(s), as determined on the basis of objective and documented facts by the railroad representative responding to the scene.

The railroad supervisor(s) on the scene will make **timely** determinations as to the event being a qualifying event and which regulated service employees (if any) are required to be tested according to the rule.

The railroad will identify the appropriate personnel who must be tested and then ensure that specimens are collected and shipped.

Collection of Urine and Blood Specimens: Employee specimens will be collected at a medical facility, i.e., hospital, clinic, physician's office, or laboratory where toxicological specimens can be collected according to recognized professional standards. Specimen collections will be accomplished using the FRA Post-Accident Toxicological Testing Kit. Specimens will be collected, packaged, and shipped via express courier service by the railroad (or railroad contractor), to the FRA's designated post-accident testing laboratory.

Random Drug and Alcohol Testing – (49 CFR 219.601)

The railroad is responsible for ensuring that the random program meets regulatory requirements and is accepted by FRA (see Appendix A). The principles which are required in the FRA regulation for the plan to be in compliance are attached (see Appendix B). The selection process will ensure that each regulated service person has an equal chance of being selected at every random selection. The random plan shall ensure that testing is accomplished at the beginning and at the end of the duty period for alcohol. The minimum annual random percentage of alcohol testing at either end of the duty period is 10 percent over the course of the year.

Regulated Service (Covered Service)

Current employers must test at a **minimum** of **25 percent annual rate for drugs and 10 percent annual rate for alcohol** for employees who perform regulated duties subject to the Federal Hours of Service Laws "**Covered Service**". A company is permitted to test at a higher rate than the minimum. You must identify if you are testing at a higher rate and if so, the rate(s):

Regulated Service (Roadway Worker)

Current employers must test at a minimum **25 percent annual rate for drugs and 10 percent annual rate for alcohol** for employees who perform regulated duties defined as “**Roadway Worker**” in 49 CFR § 214.7. A company is permitted to test at a higher rate than the minimum. You must identify if you are testing at a higher rate and if so, the rate(s):

Regulated Service (Mechanical Employee)

Current employers must test at a minimum **50 percent annual rate for drugs and 25 percent annual rate for alcohol** for employees who perform regulated duties defined as “**Mechanical Employee**” in 49 CFR § 219.5. A company is permitted to test at a higher rate than the minimum. You must identify if you are testing at a higher rate and if so, the rate(s):

Enter or paste text here

Random Testing Pools:

- a) Identify and maintain an up-to-date database or list of all personnel working in regulated service (at least once per quarter) and ensure they are all in the random pool(s). Identify how many random testing pools you have. For example, most companies will have only one random pool, but larger companies may have multiple pools:

One pool

- b) Identify what regulated service employee crafts/functions are in each of the company’s random testing pool(s). For example, engineers, conductors, brakemen, switchmen, utility employees, hostlers, mechanical employees performing hostling duties, train dispatchers, signal maintainers, roadway workers, mechanical workers, etc.

Roadway workers

Random Selection and Testing Procedures:

- 1. There is only one preferred method of selection: A computer program. The lottery style, e.g., drawing names out of a hat is no longer an acceptable method of selection. Identify the name of the **Computer Program** being utilized and provide a detailed description of the program below:

Name of the computer program being used

LabCorp web COC

Detailed description of how the computer program functions:

The program uses a random generator to ensure each employee is just as likely to get selected as another. Testing is unpredictable, unbiased and unannounced. Employee numbers are placed into a testing pool, with no regard for how recent an employee may or may not have been tested. Initial testing by immunoassay is used to detect drugs and their specific metabolites. Mass spectrometry is used for non-negative rapid drug screens.

2. Identify whether your company is making selections by name, ID number, train number, job number, etc.
A random pool of all employees
3. Random Pools are in a consortium controlled by a Third-Party Administrator (C/TPA):
 Yes No
4. If using C/TPA consortium pools, please provide name of the C/TPA pool:
Health-Street.net
5. Random Pools are in a stand-alone pool managed by a Third-Party Administrator (TPA):
 Yes No

If your company is using a consortium/third party administrator to assist in random testing, identify the following information for the C/TPA (If you need to add additional fields use the "+" sign. If you need to delete a field use the "Undo Typing" button):

Name of C/TPA: Health Street
Address: [130 Buffalo Rd.
Lewisburg, PA 17837](http://130 Buffalo Rd. Lewisburg, PA 17837)

Phone Number: [\(570\) 991-6445](http://(570) 991-6445)
 [\(570\) 991-6248](http://(570) 991-6248)

Please mark the following services the C/TPA are performing for your company:

- None
- Random Pool Maintenance
- Random Pool Selections
- Collection Services – Drug
- Collection Services – Alcohol
- HHS Laboratory
- Medical Review Officer (MRO)

- Substance Abuse Professional (SAP)
- Employee Assistance Professional (EAP)
- Drug and Alcohol Counselor (DAC)
- Other:

6. Identify how often your company is making selections, e.g., monthly, or quarterly:
 Quarterly

Note: If selecting quarterly in order to maintain the deterrent effect of random testing for very contractors, FRA is requiring each individual random testing pool established under subpart G to select and randomly test at least one entry per quarter, even if fewer tests are needed to meet FRA's minimum random testing rates.

Objective Procedure, if making quarterly selections:
 A minimum of 1 selection will be made per quarter regardless of min testing requirements being met.

7. Identify how you determine whether a selection is to be tested for drugs, for alcohol, or both:
 Both
8. Identify your testing "window," e.g., 30 days:
 90 Days , not to exceed the end of the quarter.

Note: If you are making monthly selections, the testing windows may not exceed 30 days and not past the end of the month. If you're making quarterly selections, the testing window is 90 days but not past the end of the quarter.

9. Provide additional descriptions of your random testing selection procedure, as applicable:
 N/A
10. This company will safeguard these selection records to ensure that information concerning collection dates and selections are not disclosed until necessary to arrange for collection or provide notifications.
11. These random testing records are required to be maintained for 2 years. This includes an electronic or hard copy "snapshot" of the random testing pool each time selections are made, a copy of the list of selected employees, a copy of the drug chain of custody form and/or alcohol testing form, and the reason for not testing any of the selected employees.
12. In the event that all or a clearly defined portion of the company is subject to an emergency such as a flood or severe ice storm, the ranking operations

The program uses a random generator to ensure each employee is just as likely to get selected as another. Testing is unpredictable, unbiased and unannounced. Employee numbers are placed into a testing pool, with no regard for how recent an employee may or may not have been tested. Initial testing by immunoassay is used to detect drugs and their specific metabolites. Mass spectrometry is used for non-negative rapid drug screens.

2. Identify whether your company is making selections by name, ID number, train number, job number, etc.
A random pool of all employees
3. Random Pools are in a consortium controlled by a Third-Party Administrator (C/TPA):
 Yes No
4. If using C/TPA consortium pools, please provide name of the C/TPA pool:
Health-Street.net
5. Random Pools are in a stand-alone pool managed by a Third-Party Administrator (TPA):
 Yes No

If your company is using a consortium/third party administrator to assist in random testing, identify the following information for the C/TPA (If you need to add additional fields use the “+” sign. If you need to delete a field use the “Undo Typing” button):

Name of C/TPA: Health Street
Address: 130 Buffalo Rd.
Lewisburg, PA 17837

Phone Number: (570) 991-6445
(570) 991-6248

Please mark the following services the C/TPA are performing for your company:

- None
- Random Pool Maintenance
- Random Pool Selections
- Collection Services – Drug
- Collection Services – Alcohol
- HHS Laboratory
- Medical Review Officer (MRO)

- Substance Abuse Professional (SAP)
- Employee Assistance Professional (EAP)
- Drug and Alcohol Counselor (DAC)
- Other:

6. Identify how often your company is making selections, e.g., monthly, or quarterly:
Quarterly

Note: If selecting quarterly in order to maintain the deterrent effect of random testing for very contractors, FRA is requiring each individual random testing pool established under subpart G to select and randomly test at least one entry per quarter, even if fewer tests are needed to meet FRA's minimum random testing rates.

Objective Procedure, if making quarterly selections:
A minimum of 1 selection will be made per quarter regardless of min testing requirements being met.

7. Identify how you determine whether a selection is to be tested for drugs, for alcohol, or both:
Both
8. Identify your testing "window," e.g., 30 days:
90 Days , not to exceed the end of the quarter.

Note: If you are making monthly selections, the testing windows may not exceed 30 days and not past the end of the month. If you're making quarterly selections, the testing window is 90 days but not past the end of the quarter.

9. Provide additional descriptions of your random testing selection procedure, as applicable:
N/A
10. This company will safeguard these selection records to ensure that information concerning collection dates and selections are not disclosed until necessary to arrange for collection or provide notifications.
11. These random testing records are required to be maintained for 2 years. This includes an electronic or hard copy "snapshot" of the random testing pool each time selections are made, a copy of the list of selected employees, a copy of the drug chain of custody form and/or alcohol testing form, and the reason for not testing any of the selected employees.
12. In the event that all or a clearly defined portion of the company is subject to an emergency such as a flood or severe ice storm, the ranking operations

officer on duty is authorized to declare an emergency by completing a memorandum setting forth the facts necessitating this action. If such an emergency determination is made, the date/time of the emergency and random drug/alcohol tests that were suspended must be entered into the DER's files. Random selections not administered because of the emergency are deemed void, and the selection numbers will be adjusted later to make the required percentage.

13. Only a substantiated medical emergency involving the selected person or an emergency involving an immediate family member (e.g., birth, death, or a medical emergency) provides the basis for excusing a regulated employee/person from being tested once notified. A medical emergency is defined as an acute medical condition requiring immediate emergency care. A person excluded under these criteria must provide substantiation from a credible outside professional (e.g., doctor, hospital, law enforcement officer, school authority, court official) which can be furnished prior to this release or within a reasonable period of time after the emergency has been resolved. Such excluded (excused) persons will not be tested based on this selection.
14. Once the regulated service person selection is made, the DER will arrange notification. No prior notification will be given. A selected person will only be tested during his/her tour of duty, extended only long enough to complete testing but not to exceed Federal hours of service law requirements. The person, once notified, must proceed to the selected testing facility IMMEDIATELY. Identify how your company will notify selected employees:
[A call will be made to the employee to ensure receipt of notification and require a text back upon completion.](#)
15. The collection date and time during the selection period (testing window) will be varied by the DER to ensure that it cannot be anticipated. It is not necessary for the company to randomly select the "testing date."

V. Drug Testing Procedures

The designated collection agents will be qualified and follow the proper collection procedures as described in 49 CFR Part 40.

- a. The Medical Review Officer (MRO) will review drug test results as required in 49 CFR Part 40. All test results will be reported exclusively through the MRO.
- b. A laboratory certified by the Department of Health and Human Services/ Substance Abuse and Mental Health Service Administration (DHHS/ SAMHSA), under the Mandatory Guidelines for Federal Workplace Drug Testing Programs, will perform all drug testing.

- c. Test results will be reported from the laboratory only to the MRO for review and action consistent with 49 CFR Part 40.
- d. The name of the individual providing the specimen will remain confidential and will not be provided to the laboratory performing the test. The testing laboratory is only able to identify the specimen by the specimen ID number printed on the chain-of-custody form. The laboratory will only use a urine custody and control form consistent with the requirements of 49 CFR Part 40.
- e. The designated laboratory will only test for the drugs listed in 49 CFR 40.85.
- f. The MRO will verify the results and report (using procedures in 49 CFR Part 40) to the DER whether the test was positive or negative and the drugs for which there was a positive result.

VI. Alcohol Testing Procedures

Breath alcohol testing will be performed by fully trained and certified Breath Alcohol Technicians (BAT) using the National Highway Traffic Safety Administration (NHTSA) approved testing devices. The results will be documented on an approved Federal Breath Alcohol Testing Form and will be signed by the employee and the BAT. At the time of the alcohol test, the employee will receive a copy of the test result, with an identical copy being sent to the company's DER.

- a. Negative results. The DER will be mailed a copy of the negative test results.
- b. Positive results. The BAT will immediately and directly notify the company's DER if the test results are positive (0.02 percent or higher) who will take appropriate action to remove or restrict the employee from regulated service as required by Part 219.

VII. Drug Test Results

For any FRA testing, the company should as a "best practice" notify the employee in writing of test results.

Positive or Otherwise Non-Negative Results. If the laboratory reports the drug test result as POSITIVE or otherwise non-negative, the following procedures will be followed:

- a. The MRO will immediately inform the regulated service person of the result and offer the person the opportunity for an interview to discuss the test result. If the MRO has difficulty reaching the employee, the procedures set forth in 49 CFR 40.131 will be followed.

- b. The MRO will complete and document the review as required by 49 CFR Part 40 Subpart G, determining if the external chain of custody was intact, if the person has a legitimate medical explanation for the presence of any controlled substance, and whether there is any basis to question the scientific sufficiency of the test results. In the case of an opiate positive, the MRO will also make the special determinations required by the regulation.
- c. If the MRO verifies the test result as positive, the MRO will report the result to the company's DER. If the MRO determines that the result is non-negative and the non-negative result cannot be explained, the appropriate regulatory action will be pursued. The MRO will report the verified test result in accordance with 49 CFR § 40.163. The MRO will not provide the DER with the quantitative test results unless the employee, as stipulated in the regulation, disputes the test.

Negative results. If the MRO has determined that the drug test is NEGATIVE, the MRO will accomplish the required administrative review and report the negative results to the company's DER in accordance with 49 CFR § 40.163.

Negative-dilute results. Unless the MRO directs a company to conduct a recollection under direct observation (for a result with creatinine greater than 2mg/dL but less than or equal to 5 mg/dL), per 40.197, a negative-dilute is considered a negative test, although a company may, but is not required to direct the employee to immediately take another test. Such recollections must not be collected under direct observation unless there is another basis to do so. A company must treat all regulated employees the same. For example, it must not retest some employees and not others. A company may establish different policies for different types of tests (e.g., conduct retests in pre-employment situations, but not in random test situations).

This company's policy for negative-dilutes that do not require re-collection under direct observation (when ordered by the MRO) is as follows:

A re-test is required for all negative dilutes.

VIII. Confidentiality

- a. Medical information a regulated person provides to the MRO during the verification process is treated as confidential by the MRO and is not communicated to the company except as provided in Part 40.
- b. Confidentiality of Federal drug or alcohol testing results will be maintained as required by the regulations. For example:
 1. The laboratory observes confidentiality requirements as provided in the regulations. This company does not advise the laboratory of the identity of persons submitting specimens. The laboratory performing the testing must keep all records pertaining to the drug test for a period of two years.

2. All test results will remain exclusively in the secure files of the MRO. The MRO will observe strict confidentiality in accordance with the regulations and professional standards. The MRO will retain the reports of individual test results as required in Part 219 Subpart J.
3. The DER will maintain all test results reported by the MRO, both positive and negative, in secure storage. The results will be retained as required in Part 219 Subpart J. Other personnel will be informed of individual test results only in the case of positive tests and authorized only on a need-to-know basis.

IX. Regulated Service Personnel Training Program (49 CFR 219.11)

Each regulated service person will receive a copy of this policy and the other information requirements in 49 CFR Part 219.23 (e) which clearly states the prohibitions required by the regulation. In addition, each regulated person will be given information concerning the problems caused by alcohol or controlled substances and available methods of intervening when an alcohol or controlled substance problem is suspected, including confrontation, referral to an employee assistance program and/or referral to management.

X. Prescription Drugs (40 CFR 219.103)

The use of controlled substances (on Schedules II through V of the controlled substance list) is not prohibited if they are prescribed or authorized by a medical practitioner and used at the dosage prescribed or authorized. Either one treating medical professional or a company-designated physician should determine that use of the prescription(s) at the prescribed or authorized dosage is consistent with the safe performance of the employee's duties. Regulated service employees should also seek the advice of a medical professional whenever they are taking any over-the-counter drug that may adversely affect the safe performance of duties.

XI. Compliance with Testing Procedures

- a. All regulated service personnel/applicants requested to undergo a Federal drug and/or alcohol test are required to promptly comply with this request. This company expects all prospective and current regulated service personnel to exercise good faith and cooperation in complying with any procedures required under this policy. Refusal to submit to a Federal drug or alcohol test required under FRA rules, engaging in any conduct which jeopardizes the integrity of the specimen or the reliability of the test result, or any other violations of the prohibited conduct in 49 CFR 219.101 or 219.102 could subject the person to disciplinary action (up to and including termination), independent and regardless of any test result. This includes failure to show up on time for a drug/alcohol test, failing to remain at the testing site until the testing process is complete, etc. (see 40.191).

- b. All DOT Federal return-to-duty and follow-up urine specimens must be collected under direct observation (using the direct observation procedures in 40.67 (i)). Note that a SAP may also require return-to-duty and follow-up “drug” tests in addition to alcohol tests following an alcohol positive of 0.04 percent or greater.
- c. Direct Observation Urine Collection Procedures: The collector (or observer) must be the same gender as the employee. If the collector is not the observer, the collector must instruct the observer about the procedures for checking the employee for prosthetic or other devices designed to carry “clean” urine and urine substitutes AND for watching the employee urinate into the collection container. The observer will request the employee to raise his or her shirt, blouse or dress/skirt, as appropriate, above the waist, just above the navel; and lower clothing and underpants to mid-thigh and show the observer, by turning around, that the employee does not have such a device.
 - 1) If the employee has a device, the observer immediately notifies the collector; the collector stops the collection; and the collector thoroughly documents the circumstances surrounding the event in the remarks section of the testing form. The collector notifies the DER. This is a refusal to test.
 - 2) If the employee does not have a device, the employee is permitted to return his/her clothing to its proper position for the observed collection. The observer must watch the urine go from the employee’s body into the collection container. The observer must watch as the employee takes the specimen to the collector. The collector then completes the collection process.
 - 3) Failure of the employee to permit any part of the direct observation procedure is a refusal to test.
- d. As a minimum, a regulated service person will be removed from FRA regulated service for a minimum of nine months if there is a finding of “refusal to test.”

XII. Positive Test Results

- a. **Alcohol positive of 0.02 to 0.039:** Regulated service personnel should receive written notification of test results which are other than negative. A Federal positive drug test or a Federal alcohol test result of 0.02 percent or greater or a refusal to test will result in immediate removal from regulated service under FRA regulations. A positive alcohol test of at least 0.02 percent but less than 0.04 percent will result in the removal of the person from regulated service for at least eight hours. The company is not prohibited from taking further action under its own company policy.
- b. **Federal violation:** A regulated service person with an MRO verified positive drug test or a breath alcohol test result of 0.04 percent or greater (or a refusal) has

violated Federal regulations and must be immediately removed from regulated service. Prior to or upon withdrawing the employee from regulated service, the company must provide notice to the employee of the reason for this action. If the employee denies that the test result is valid evidence of alcohol or drug use prohibited by 219.101 or 219.102, the employee may demand and must be provided an opportunity for a prompt post-suspension hearing. **See 219.104 (c) for the hearing provisions.**

Even if the company does not wish to keep the employee in its employment, it must provide the above hearing (if requested) and at a minimum provide the employee with a list of qualified Substance Abuse Professionals. Prior to returning to regulated service the employee will be required to undergo an evaluation by a qualified Substance Abuse Professional (SAP) that is company approved, to determine the need for treatment and/or education. The employee will be required to participate and comply with the SAP-recommended treatment and any after-care or follow-up treatment that may be recommended or required.

After successful treatment, for a Federal positive drug test (or alcohol test result of 0.04 percent or greater), per the SAP's requirements, the person must provide a Federal return-to-duty urine specimen and/or breath specimen for testing (which is negative) prior to being allowed to return to regulated service. In addition, the person will be subject to additional unannounced Federal follow-up testing, as determined by the SAP, for a maximum period of 60 months, with a minimum of six tests being performed in the first twelve months (**engineers and conductors – SAP will require a minimum of 6 drug tests and 6 alcohol tests in the first 12 months**). Failure to comply with these provisions and remain alcohol and/or drug-free will result in subsequent removal from regulated service and could result in disciplinary action, up to and including termination. Note: Federal regulation does not guarantee the employee will maintain an employment relationship. This is determined via employer and employee negotiation. These Federal return-to-duty and follow-up drug tests must be collected under direct observation.

- c. Identify other employer sanctions (if applicable) for a Federal alcohol test result of at least 0.02 percent but less than 0.04 percent:
N/A

Identify other employer sanctions (if applicable) for a Federal alcohol test result of 0.04 percent or greater:
N/A

Identify other employer sanctions (if applicable) for a Federal positive drug test:
[Employment Termination](#)

XIII. Self-referral, Co-worker referral, and Non-peer referral (optional) Policies

This company's policy to comply with 49 CFR Part 219.1001 and 49 CFR Part 219.1003 is as follows:

Employment Relationship. As per 219.1003(b), a regulated employee who enters and follows the tenants of this program as discussed below, will maintain his or her position upon successful completion of an education, counseling, and treatment program as specified by a Drug and Alcohol Counselor (DAC). Before the employee is charged with conduct sufficient to warrant dismissal, the employee must seek assistance through the company for his or her alcohol or drug use problem or be referred for such assistance by another employee or by a representative of the employee's collective bargaining unit.

Imminent Detection. An employee may not use the referral program for the purpose of avoiding the imminent and probable detection of a rule violation by a supervising employee. No employee may take advantage of self-referral after being notified of a testing event or while in imminent risk of being detected for possession of alcohol or controlled substances.

Reasonable Suspicion. In the case of a co-worker referral (which is mandatory), or a non-peer referral (which is optional), if the employee accepts the referral and has agreed to a Rule G waiver, there is no need for the company to perform a Federal reasonable suspicion test. If the Federal reasonable suspicion test occurs, the referral takes precedence and a written request shall be submitted to the FRA Drug and Alcohol Program Manager for permission for reclassification to non-DOT status. This will allow the employer to vacate the return-to-duty and follow-up (RTD/FU) requirements of the reasonable suspicion test violation. Thus, the co-worker referral will take precedence and all subsequent RTD/FU testing will be appropriately conducted under non-DOT/company authority as per Part 219 Subpart K. In this scenario, the reasonable suspicion positive test result(s) are not subject to 49 CFR Part 40.25 requests from any subsequent DOT-regulated employers.

In the case of a co-worker referral or a non-peer referral, when the employee does not accept the referral and does not agree to a Rule G waiver, the company must properly observe the employee for signs and symptoms of alcohol and/or drug use/misuse. If signs and symptoms are observed, the company must perform a Federal reasonable suspicion testing. In this scenario, the reasonable suspicion positive test result(s) are subject to DOT-regulated RTD/FU testing and 49 CFR Part 40.25 requests from any subsequent DOT-regulated employers.

Referral Sources. The company must specify whether, and under what circumstances, its policy provides for the acceptance of referrals from other sources, including (at the option of the company) supervisory employees. Identify acceptable referral sources besides the affected regulated service employee:

program and to establish control over the employee's drug or alcohol abuse problem. An employee with an active substance abuse disorder may not perform regulated service until the DAC reports that safety is no longer affected.

Return to Service. The employee will be returned to service on the recommendation of the DAC. The employee must be returned to service within five working days of the DAC's notification to the company that the employee is fit to return to regulated service and the receipt of a follow-up testing plan as per Part 219.1003(h)(2). The company may condition the employee's return on a return-to-duty medical evaluation.

This company requires a return-to-duty medical evaluation?

Yes No

Compensation. 49 CFR Part 219.1001(d)(1) does not require the company to compensate the employee for any period that the regulated employee is restricted from performing regulated service under the referral program. However, compensation at a nominal rate has been seen to markedly increase participation in the referral program to enhance safety at the company.

This company compensates employees while engaged in a referral program of education, counseling, and treatment?

Yes No

Compensation is at 0% of regular pay while participating in a referral program.

Self-referral: Regulated employees may contact the DAC at the following telephone and/or email address and contact hours:

To add additional fields for the below entries hit the + sign at the bottom right of the box. To remove the extra field hit the "Undo Typing" button. Be sure to hit the enter button after your last entry before you add an extra field with the + sign, this will create space between your entries.

Drug and Alcohol Counselor (DAC):

Contact person: Michelle Barrows
Address: 435 W 4th St
Williamsport, PA 17701

Phone Number: (570)-524-9477

Optional Provisions.

1. The policy may provide that it does not apply to an employee who has previously been assisted by the company under a policy or program substantially consistent with 49 CFR Part 219.1005(c) or who has previously

lected to waive investigation under 49 CFR Part 219.1005 (co-worker report policy). **Adopts this option:**

Yes No

If you checked the above option “No”, please identify how many times and/or at what intervals an employee may use the referral programs:

Once

2. A referral policy may provide that the rule of confidentiality is waived if the employee at any time refuses to cooperate in a DAC’s recommended course of counseling or treatment; and/or the employee is later determined, after investigation, to have been involved in an alcohol or drug related disciplinary offense growing out of subsequent conduct. Identify whether you adopt the first, second, or both options:

Adopts Both Options:

Yes No N/A

Adopts 1st Option only:

Yes No N/A

Adopts 2nd Option only:

Yes No N/A

3. The policy may provide that, in order to invoke its benefits, the employee must report to the contact designated by the company either during non-duty hours (i.e., at a time when the employee is off duty); or while unimpaired and otherwise in compliance with the company’s alcohol and drug rules consistent with 219.1005(d).

Identify whether you adopt this optional provision:

Yes No

4. The policy may require successful completion of a return-to-service medical examination as a further condition on reinstatement in regulated service. Identify whether you adopt this optional provision:

Yes No

5. Other Optional Provisions:

N/A

Co-worker referral General Conditions and Procedures.

1. The alleged violation must come to the attention of the company as a result of a report by a co-worker that the employee was apparently unsafe to work with or was, or appeared to be, in violation of Part 219 or the company’s alcohol and drug rules.

2. If the company representative determines that the employee is in violation, the company will immediately remove the employee from service in accordance with its existing policies and procedures. The company must allow the employee the opportunity to accept the co-worker referral. If rejected, the company may proceed to reasonable suspicion testing based on signs and symptoms of prohibited alcohol or drug use as determined by a trained supervisor.

APPENDIX A

CRITERIA FOR ASSESSING DEPARTMENT OF TRANSPORTATION (DOT) RANDOM DRUG AND ALCOHOL TESTING PROGRAMS

Section I. Random Testing Pools

- A. Random pool(s) must accurately and completely include all regulated service personnel. Whoever is performing the safety-sensitive “regulated service”, regardless of job title or status, is subject to 49 CFR Part 219 requirements (supervisors, volunteers, contractors, etc.). Pool lists must be retained for a minimum of two years.
- B. An employer may not mix regulated service and non-regulated service personnel in the same pool.
- C. Multiple pools for an employer are acceptable.
- D. Employees do not need to be placed in separate pools for drug and alcohol testing selection.
- E. Employees from different DOT operating administrations can be included in the same pool. It is strongly recommended, however, that employers not mix groups of personnel subject to different drug or different alcohol testing rates (i.e., having some employees subject to a 50% rate for drugs and other employees subject to a 25% rate in the same pool). If they do, they must test the entire pool at the highest selection rate for any of the groups with personnel in the pool.
- F. Pools may not be diluted with regulated service personnel who rarely perform regulated service duties (i.e., less than once per quarter).
- G. Pools must be routinely updated (i.e., at least monthly for employers with either a changing workforce or seasonal employees; and quarterly for employers with a generally stable workforce).
- H. Besides individual employees, specific jobs (i.e., third shift main dispatcher at XYZ location) or operational units (i.e., trains) may also be pool entries. However, there may not be a significant difference in the size of the entries in the pool.
- I. Pool entries may not be constructed in a way which could result in a manager/supervisor having discretion as to who would be actually provide a sample (e.g., a specific job cannot be selected with multiple people working in it at the same time, but with only one to be tested).

Section II. Random Selections

- A. Everyone in a pool must have an equal chance of selection in each selection period.
 - 1. No individual, job, or operational unit may be removed from the pool if it is still actively performing regulated service. However, employees doing de minimus regulated service may be eliminated from the pool (see Section I.-F).

2. There may be no selections without replacement (i.e., an individual cannot be removed from the pool because he or she was previously tested).
 3. No selection weightings are allowed which would increase or decrease the chance of any individual being selected.
- B. The following selection options are acceptable. Note that manual selection using names or social security numbers drawn out of a hat (or equivalent) is no longer an acceptable practice:
1. Computer programs which randomly select entries from an employee list without apparent bias. The specific selection criteria used by the computer must be extensively detailed in writing, and each computer draw must be retained as a record for a minimum of two years; or
 2. Manual selection from a list of employees using a random-number table. The specific criteria used to select from the table must be documented in writing, including detail on how the initial starting point in the table was determined. Each draw, as well as a copy of the table portion used, must be retained as a record for a minimum of two years.
- C. If the employee testing pool is so small that it does not allow testing each selection period, then the employer must have in place a mechanism to randomly determine which selection periods will have selections and which will not. The specific criteria used to make this determination must be detailed in writing and the determination itself must be retained as a record for a minimum of two years.
- D. If required drug and alcohol testing rates are different (i.e., 25% for drugs and 10% for alcohol) and a single pool is being used, it is permissible to select one list of employees and designate a proportion for both drug and alcohol testing and a proportion for drug testing only. The specific criteria used to make this determination must be detailed in writing, and the master selection list with both sub-groups clearly identified must be retained as a record for a minimum of two years.
- E. Employers should carefully monitor significant changes in its workforce to ensure that an appropriate number of tests will be conducted each year. Unless otherwise directed by the DOT Operating Administration, changes in the employee base of greater than 10% in a quarter should result in a recalculation of total tests required.

Section III. Implementation of Random Collections

- A. Collections must be distributed unpredictably throughout the designated testing period, covering all operating days (including holidays) and shifts (24-hour clock). There is no expectation that day/night or shift collection distributions be equal but there must be sufficient testing to establish deterrence by generally mirroring employer operations.
- B. Collections must be unpredictable within a work shift (some collections must be conducted at the beginning, middle, and end). There is no expectation that “within-shift” collection distributions be equal. Sufficient testing must be

conducted at the start, middle and end of shifts to provide deterrence. Both beginning of and ending of shift collections are particularly important. For alcohol testing, at least 10% of successful collections must fall within each period of the shift.

- C. No discretion is allowed with collection dates or collection times which would result in a subjective choice by a field manager/supervisor as to who was actually collected. That is, if a test time frame is permitted in the employer's program, a manager/supervisor with knowledge of specific personnel assignments may not have discretion in the selection of who will be tested.
- D. Specific reasons for "no-tests" must be documented in writing by the employer, with records maintained for two years. Acceptable reasons for no-tests should relate to critical safety concerns, unforeseen or unpredictable significant adverse impact to operations, or employee illness or vacation.

Section IV. Records

All records which support the random testing program, including notes, memoranda, pool makeups, number tables, etc., must be retained for a minimum of two years.

APPENDIX B

Once the FRA has accepted a Random drug and alcohol testing plan, the contractor will receive an acceptance letter, which includes these conditions.

STANDARD ACCEPTANCE CONDITIONS FOR RANDOM TESTING PROGRAMS

1. This acceptance is effective upon receipt with respect to all matters within its scope. FRA reserves administration jurisdiction over all accepted programs and may reopen review based upon experience gained during implementation (audits).
2. Acceptance of the subject random testing program does not constitute or imply the granting of a waiver or exemption from any provision of Federal law or regulation. Compliance with all applicable provisions of 49 CFR Parts 219 and 40 is required. All random program plans must be applied in accordance with the criteria listed in this Appendix A and Appendix B.
3. Acceptance is contingent upon the contractor making appropriate amendments to the program to conform to any pertinent regulatory amendments that may be issued hereafter. Any such program amendments that may be required shall be submitted to the Associate Administrator for Safety at FRA by the effective date of the subject regulatory amendments, or by the expiration of 30 days from publication of the regulatory amendments in the *Federal Register*, whichever is later.
4. Amendments to the program shall be submitted as required by 49 CFR 219.605 and 49 CFR 219.607 and 49 CFR 219.609 and shall not be implemented prior to acceptance. The following guidance is provided with respect to when a program is deemed to have been amended.
 - A. Any change in the selection methodology, the criteria for scheduling collections, non-availability criteria, or other structural element is a program amendment. Any change in the organizational level at which a function is carried out is a program amendment.
 - B. Substitution of incumbents performing the same function at the same organizational level (persons or contractors/volunteers) is not deemed to amend the program. Notification of these changes would be appreciated to assist FRA in maintaining a liaison but is not required.
 - C. Any change in a program that is occasioned by an amendment of an applicable DOT/FRA regulation and that involves the exercise of discretion to choose between or among one or more courses of action is a program amendment required to be filed under item 3 above. Any non-discretionary change in a program that is required by amendment of an applicable DOT/FRA regulation is not considered a program amendment requiring acceptance; however, the Office of Safety, FRA, would appreciate receipt of an informational copy of the revised program document showing current compliance.

Any case not addressed above may be resolved by contacting the Office of Safety, Administrator for Safety or that individual's delegate.

Effective March 4, 2022



What You Need to Know About Federal Drug and Alcohol Testing

Federal drug & alcohol testing in the railroad industry must comply with DOT and FRA Federal regulations/procedures. This flier is a cooperative effort to provide regulated employees like you with the information you need to comply with Federal testing. Any other testing would be conducted under company authority.

- DOT and FRA testing regulations (49 CFR Parts 40 and 219) apply to all regulated employees who perform work regulated by the Federal Hours of Service Laws (see 49 U.S.C. §§ 21101-21108) or performing duties as Maintenance-of-Way (MOW) workers as described in the definition of “Roadway Worker” in § 214.7 or employees performing Mechanical functions (MECH) duties covered by the definition of “Mechanical Employees” in § 219.5. (e.g., train and engine employees, dispatchers, signal employees, roadway workers and mechanical employees).
- Always conduct yourself in a business-like manner and do not joke or make fun of the collection process. Testing is part of your responsibilities as a safety-sensitive rail employee.
- Follow the specimen collector’s instructions; e.g., remove your coat and empty your pockets.
- Be alert during the collection process and save the copies of the forms that are given to you.
- The paper form that is used to record the testing information will identify whether the test is under Federal or company authority, and state the reason for the test. A special form is used for FRA post-accident testing.
- Only the results of a **Federal** test (positive, adulterated, or substituted drug test; positive alcohol test - concentration of 0.04 or more; or refusal) trigger Federal sanctions, which include engineer decertification under Part 240 and conductor decertification under Part 242.
- If you feel you have been wrongfully charged with a Federal drug or alcohol violation, you are entitled to a hearing per 219.104 (c).
- Testing for **drugs** requires a urine specimen. Testing for **alcohol** uses a breathalyzer or a saliva swab (blood is taken for FRA post-accident testing only).

Drug and Alcohol Prohibitions

You are in violation of Federal regulations if you are in possession of alcohol or illegal drugs while assigned to perform regulated service; or if you use alcohol on duty; or within 4 hours of reporting for regulated service; or after receiving notice to report (whichever is the lesser period). Use of illegal drugs is prohibited on or off-duty.

Alcohol Concentration Below 0.02: A regulated employer may not use a Federal test result below 0.02 for Federal or company action. Breathalyzers are not certified at levels below 0.02, so a test result below 0.02 is negative.

Alcohol Concentration 0.02 to 0.039: If you are on railroad property with an alcohol test result from 0.02 through 0.039, your test result is “positive” for alcohol, and the regulated employer must remove you from regulated service for at least 8 hours. The regulated employer is not prohibited from taking further disciplinary action under company policy.

Alcohol Concentration 0.04 or More and/or Illegal/Unauthorized Drug Use: If you test positive for illegal or unauthorized drugs, and/or if you test positive for alcohol at 0.04 or higher,

you are in “violation” of the Federal rules and the regulated employer must remove you from regulated service. To be allowed to return to regulated service, you must first:

- Complete the Federal return-to-duty requirements, including evaluation by a Substance Abuse Professional and any recommended education and/or treatment; and have a negative result on your Federal return-to-duty test.
- If the regulated employer chooses to return you to duty, you may be subject to Federal follow-up testing for up to 60 months. You will take a minimum of six follow-up tests in the year after you return to work.

Drugs Tested: A certified laboratory tests your urine specimen for marijuana, cocaine, opioids, amphetamines, and PCP (and additional drugs for FRA post-accident testing).

Non-Negative Drug Test: The testing laboratory will report a non-negative (positive, adulterated, invalid, or substituted result) to the regulated employer’s Medical Review Officer (MRO).

- If your test result is non-negative, the MRO will interview you to determine whether you have a legitimate medical explanation for your test result (for example, use of a prescribed medication).
- The MRO will inform you of your right to request a test of your “split specimen” at a different laboratory. The regulated employer may charge the cost of testing your split specimen back to you if your split specimen test result is positive; and you only have 72 hours to make this request.

Prescription and Over-The-Counter Medications

You must inform one of your treating physicians of all the prescribed and over-the-counter drugs you are taking so that your doctor can determine if your use of these drugs is consistent with the safe performance of your duties.

- You must use the medication at the doctor’s prescribed or authorized dosage.
- The regulated employer may require you to obtain prior approval for any drugs you are taking.
- **Use Only Prescriptions in Your Name:** You may only legally use medications prescribed for you. You are not authorized to use medication prescribed for someone else, such as medications prescribed for your spouse, parents, or children. Using someone else’s prescription drugs can result in a positive Federal test result.

Direct Observation Urine Collection

Federal regulations require a collector or observer to directly observe you while you provide your urine specimen if:

- Your previous urine specimen was out of normal temperature range; or
- The collector previously observed you attempting to tamper or substitute a specimen; or
- Your previous test result was invalid due to an interfering substance and you did not have a legitimate medical explanation; or
- Your split specimen could not be tested following a non-negative test result; or
- A Federal return-to-duty or follow-up test (after you’ve had a Federal positive test result or refusal to test). The collector (or the observer) must be of the same gender as you for direct observation collections.

Shy Bladder (If you have difficulty providing a urine specimen)

- After your first unsuccessful attempt to provide an acceptable specimen, you have up to 3 hours to produce a single specimen of sufficient volume (you can’t combine specimens). You can consume up to 40 ounces of fluid.
- If you do not provide a specimen within those 3 hours, you must undergo a medical evaluation to determine if there was a medical reason for your inability to do so. If a

physician determines that there was no medical reason for your failure to provide a urine specimen, you will be charged with a refusal.

- Hours of service limitations generally apply to random collections except when the collector determines a direct observation collection is required (as referenced above).

Refusal to Test

A refusal to take a Federal test usually has harsher penalties than a positive test result. **Never** refuse to cooperate with the testing requirements. Take the test and if needed, address any issues you have later. A refusal includes:

- Failure to appear for a test or remain at the testing site
- Failure to cooperate with the testing process
- Failure to provide a sufficient amount of breath or urine (without an adequate medical explanation as determined by a physician through a required medical evaluation)
- Adulteration or substitution of your urine specimen
- Failure to permit any part of the direct observation procedures.

Fatal Flaws

There are only a few procedural errors serious enough to be considered “fatal” flaws that cause a Federal drug or alcohol test to be cancelled. A fatal flaw is a non-correctable procedural error which calls into question whether the specimen tested was really yours or whether the test result on your specimen was correct (for example, if the specimen ID numbers on your specimen bottle do not match those on your test form).

Highway- Rail Grade Crossing Accidents

If you are involved in a collision at a Highway-rail grade crossing, the event would *not* normally meet the criteria for Post-Accident testing, unless it meets specific Human Factor criteria described in 49 CFR Part 219.201(5)(i-v).

Since FRA regulations cover specific criteria for post-accident testing at highway-rail grade crossings, State and local laws on toxicological testing after rail accidents may not apply. **But**, an officer can still require you to be tested if he or she has “probable cause” to suspect that you were impaired (this has to be more than just the fact that an accident occurred - for example, the officer finds an open beer bottle in the cab) at the time of the accident. FRA does **not** advise resistance to law enforcement action. You must comply if the officer decides to test you. A carrier officer should become involved in this discussion immediately.

Voluntary Referral and Co-Worker Report Policies

- All regulated employers must have both of these programs available if you decide to voluntarily initiate action to address a substance abuse problem, whether that problem is yours or that of a co-worker.
- If you ask for help or a co-worker refers you under one of these programs, the regulated employer must keep you in their employment, maintain your confidentiality, and provide you a leave of absence as specified by the Drug and Alcohol Counselor (DAC) for treatment.
- You must follow the program’s guidelines to maintain these employee protections. The regulated employer is required to offer you only one “bite at the apple,” but programs vary. Check with your employer.

For more complete information review 49 CFR Part 40 and Part 219, ask your union representative, or your regulated employer’s Designated Employer Representative (DER) to share additional information with you. Text of the CFR is available at:

<http://railroads.dot.gov/divisions/partnerships-programs/drug-and-alcohol/>.

ADDITIONAL ATTACHMENT INFORMATION

To add additional fields for the below entries hit the + sign at the bottom right of the box. To remove the extra field hit the “Undo Typing” button. Be sure to hit the enter button after your last entry before you add an extra field with the + sign, this will create space between your entries.

Railroads: Pennsylvania- Allentown and Auburn Railroad Company (ALLN), Aliquippa and Ohio River Railroad (AOR), Allegheny Southern Railroad Inc. (ASR), Allegheny Valley Railroad Company (AVR), Belvidere & Delaware River Railway Co. Inc. (BDRV), Buffalo & Pittsburgh Railway Inc. (BPRR), Carbon & Schuylkill Railroad Corp. (CSRC), Cleveland Cliffs Railways-BRVY (CSRC), Cleveland Cliffs Railways-SH (CCRS), Cleveland Cliffs Railways-UMP (CCRU), Chestnut Ridge Railway Company (CHR), Cumberland Mine Railroad (CM), Canadian National/Bessemer & Lake Erie Railroad (CN/BLE), Central New York Railroad Corp. (CNYK), Colombia and Reading Railway Co. (CORY), Canadian Pacific Kansas City Limited (CPKC), Conrail Shared Assets (CSAO), CSX Transportation Inc. (CSXT), Delaware-Lackawanna RR Co. Inc. (DL), Delaware, Lackawaxen & Stourbridge Railroad Co. (DLS), Eastern Berks Gateway Railroad Co. (EBG), East Broad Top Connecting Railroad (EBTC), East Erie Commercial Railroad (EEC), East Penn Railroad LLC (ESPN), Elizabethtown Industrial Railroad LLC (EZR), Everitt Railroad (EV), Gettysburg & Northern Railroad (GET), Ithaca Central Railroad LLC (ITHR), Juniata Valley Railroad (JVRR), Kasgro Rail Corporation (KRL), Lehigh Railway LLC (LRWY), Luzerne & Susquehanna Railroad Co. (LS), Landisville Railroad LLC (LVR), Lehigh Valley Rail Management LLC-Bethlehem (LVBR), Lehigh Valley Rail Management LLC-Johnstown (LVRJ), Lycoming Valley Railroad (LVRR), Middletown & Hummelstown Railroad (MIDH), Maryland Midland Railway Inc. (MMID), Nittany & Bald Eagle Railroad (NBER), New Castle Industrial Railroad Inc. (NCIR), N.D.C. Railroad Company (NDCR), New Hope Railroad (NHRR), Norfolk Southern Railway Company (NS), North Shore Railroad (NSHR), Oil Creek & Titusville Lines (OCTL), Pittsburgh, Allegheny, & McKees Rocks Railroad Company (PAM), Pennsylvania Northeastern Railroad LLC (PN), Pittsburgh & Ohio Central Railroad (POHC), Pennsylvania and Southern Railroad (PSCC), Pennsylvania southwestern Railroad (PSWR), Privately Owned (PVT), Reading Blue Mt & Northern Railroad (RBMN), R.J. Corman Railroad Co./Allentown Lines Inc. (RJCN), R.J. Corman Railroad Co./Pennsylvania Lines Inc. (RJCP), SMS Rail Service Inc. (SLRS), Strasburg Railroad Company (SRC), Shamokin Valley Railroad (SVRR), Southwest Pennsylvania Railroad Company (SWP), Tyburn Railroad LLC (TYBR), Union County Industrial Railroad (UCIR), Union Railroad Company (URR), Wellsboro & Corning Railway Company (WCOR), Wheeling & Lake Erie Railway (WE), Western New York & Pa. Railroad Inc. (WNYP), York Railway Company (YRC), Youngstown & Southeastern Railway Company (YSRR)

APPROVED - Eagle Dumpster Rental Transaction Receipt - Reference Number 691573556

From: Eagle Dumpster Rental (notifications@paytrace.com)

To: eagledumpsterrentalcc@gmail.com; lycominggc1@aol.com

Date: Wednesday, March 11, 2026 at 04:16 AM EDT

**Eagle Dumpster Rental
1 McDaid Way
Downingtown, PA 19320
267-394-7733
3/11/2026 3:55:56 AM
176 Water Company Road**

Reference Number:	691573556
Total:	\$70.00
Transaction Type:	Sale
Transaction Status:	Pending Settlement
Card Brand:	MasterCard
Card Number:	xxxxxxxxxxxx5622
Entry Method:	Keyed
Approval Code:	06715Z
Approval Message:	EXACT MATCH
AVS Result:	Full Exact Match
Customer Reference ID:	
Customer Name:	Patricia B Williams
Description 1:	30 Yard C&D Dumpster
Description 2:	Tuesday, January 6, 2026
Description 3:	176 Water Company Road
Description 4:	Pennsylvania
Description 5:	NA
Invoice:	03/11/2026 7of99
Notes / Comments:	Weekly rent@ 176 Water Company Road

Exhibit "A"
Price Sheet

Replace Crossies and Surface on the WVCR						
Line	Description	Unit of Measure	Unit Cost	Quantity Needed	Extended Cost	
1.1.1	Replace 4,000 crossies between two sections: MP12.0-MP17.0 and MP28.0-MP33.0 (Installed tie will be gaged)	Each	149.94	4,000	599,760.00	
			Total Bid	Amount:	599,760.00	

RECEIVED
2026 MAR 12 AM 8:30

CTW RAIL SERVICES, LLC
759 CONTINENTAL BLVD.
DANVILLE, PA 17821

Accounting

CTW RAIL SERVICES, LLC
801 BEEBER STREET
WILLIAMSPORT, PA 17701

Subcontractor List Submission (Construction Contracts Only)

Bidder's Name: CTW RAIL SERVICES, LLC

Check this box if no subcontractors will perform more than \$25,000.00 of work to complete the project.

Subcontractor Name	License Number if Required by W. Va. Code § 21-11-1 et. seq.
C & G SURFACING	

Attach additional pages if necessary



Department of Administration
 Purchasing Division
 2019 Washington Street East
 Post Office Box 50130
 Charleston, WV 25305-0130

State of West Virginia
 Centralized Request for Quote
 Construction

Proc Folder: 1890132		Reason for Modification:	
Doc Description: Replace 4,000 ties on WVCR and gage installed tie		ADDENDUM NO_1 Attach Pre-bid Sign-in Sheet	
Proc Type: Central Purchase Order			
Date Issued	Solicitation Closes	Solicitation No	Version
2026-02-26	2026-03-12 13:30	CRFQ 0810 DMT2600000005	2

BID RECEIVING LOCATION

BID CLERK
 DEPARTMENT OF ADMINISTRATION
 PURCHASING DIVISION
 2019 WASHINGTON ST E
 CHARLESTON WV 25305
 US

VENDOR

Vendor Customer Code: VS0000051522
Vendor Name : CTW RAIL SERVICES, LLC
Address : 759 CONTINENTAL BLVD.
Street : 759 CONTINENTAL BLVD,
City : DANVILLE
State : PA **Country :** USA **Zip :** 17821
Principal Contact : LEO M. WILLIAMS, JR.
Vendor Contact Phone: 570-974-8097 **Extension:**

FOR INFORMATION CONTACT THE BUYER
 John W Estep
 304-558-2566
 john.w.estep@wv.gov

Vendor Signature X **FEIN#** 99-3609493 **DATE** 03/12/2026

All offers subject to all terms and conditions contained in this solicitation

ADDENDUM ACKNOWLEDGEMENT FORM
SOLICITATION NO.: CRFO DMT260000005

Instructions: Please acknowledge receipt of all addenda issued with this solicitation by completing this addendum acknowledgment form. Check the box next to each addendum received and sign below. Failure to acknowledge the addenda may result in bid disqualification.

Acknowledgment: I hereby acknowledge receipt of the following addenda and have made the necessary revisions to my proposal, plans and/or specification, etc.

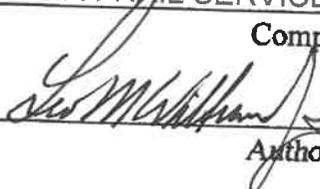
Addendum Numbers Received:

(Check the box next to each addendum received)

- | | |
|--|--|
| <input checked="" type="checkbox"/> Addendum No. 1 | <input type="checkbox"/> Addendum No. 6 |
| <input type="checkbox"/> Addendum No. 2 | <input type="checkbox"/> Addendum No. 7 |
| <input type="checkbox"/> Addendum No. 3 | <input type="checkbox"/> Addendum No. 8 |
| <input type="checkbox"/> Addendum No. 4 | <input type="checkbox"/> Addendum No. 9 |
| <input type="checkbox"/> Addendum No. 5 | <input type="checkbox"/> Addendum No. 10 |

I understand that failure to confirm the receipt of the addenda may be cause for rejection of this bid. I further understand that that any verbal representation made or assumed to be made during any oral discussion held between Vendor's representatives and any state personnel is not binding. Only the information issued in writing and added to the specifications by an official addendum is binding.

CTW RAIL SERVICES, LLC

Company


Authorized Signature
03/12/2026

Date

NOTE: This addendum acknowledgement should be submitted with the bid to expedite document processing.

CTW RAIL SERVICES, LLC
759 CONTINENTAL BLVD.
DANVILLE, PA 17821



Department of Administration
 Purchasing Division
 2019 Washington Street East
 Post Office Box 50130
 Charleston, WV 25305-0130

State of West Virginia
 Centralized Request for Quote
 Construction

Proc Folder: 1890132
 Doc Description: Replace 4,000 ties on WVCR and gage installed tie

Proc Type:	Central Purchase Order		Reason for Modification: ADDENDUM NO_2 Vendor Questions and Respo
Date Issued	Solicitation Closes	Solicitation No	
2026-03-06	2026-03-12 13:30	CRFQ 0810 DMT2600000005	Version 3

BID RECEIVING LOCATION

BID CLERK
 DEPARTMENT OF ADMINISTRATION
 PURCHASING DIVISION
 2019 WASHINGTON ST E
 CHARLESTON WV 25305
 US

VENDOR

Vendor Customer Code: VS0000051522
 Vendor Name : CTW RAIL SERVICES, LLC
 Address : 759 CONTINENTAL BLVD
 Street : 759 CONTINENTAL BLVD
 City : DANVILLE
 State : PA
 Country : USA
 Principal Contact : LEO M. WILLIAMS, JR.
 Vendor Contact Phone: 570-974-8097
 Zip : 17821

FOR INFORMATION CONTACT THE BUYER
 John W Estep
 04-558-2566
 hn.w.estep@wv.gov

FEIN# 99-3609493

DATE 03/12/2026

Signature X

ers subject to all terms and conditions contained in this solicitation

Mar 6, 2026

CTW RAIL SERVICES



Department of Administration
 Purchasing Division
 2019 Washington Street East
 Post Office Box 50130
 Charleston, WV 25305-0130

**State of West Virginia
 Centralized Request for Quote
 Construction**

Proc Folder: 1890132		Reason for Modification:	
Doc Description: Replace 4,000 ties on WVCR and gage installed tie		ADDENDUM NO_2 Vendor Questions and Responses	
Proc Type: Central Purchase Order			
Date Issued	Solicitation Closes	Solicitation No	Version
2026-03-06	2026-03-12 13:30	CRFQ 0810 DMT2600000005	3

BID RECEIVING LOCATION

BID CLERK
 DEPARTMENT OF ADMINISTRATION
 PURCHASING DIVISION
 2019 WASHINGTON ST E
 CHARLESTON WV 25305
 US

VENDOR

Vendor Customer Code: VS0000051522
Vendor Name : CTW RAIL SERVICES, LLC
Address : 759 CONTINENTAL BLVD
Street : 759 CONTINENTAL BLVD
City : DANVILLE
State : PA **Country :** USA **Zip :** 17821
Principal Contact : LEO M. WILLIAMS, JR.
Vendor Contact Phone: 570-974-8097 **Extension:**

FOR INFORMATION CONTACT THE BUYER
 John W Estep
 304-558-2566
 john.w.estep@wv.gov

Vendor
Signature X **FEIN#** 99-3609493 **DATE** 03/12/2026

All offers subject to all terms and conditions contained in this solicitation

ADDENDUM ACKNOWLEDGEMENT FORM
SOLICITATION NO.: CRFO DMT2600000005

Instructions: Please acknowledge receipt of all addenda issued with this solicitation by completing this addendum acknowledgment form. Check the box next to each addendum received and sign below. Failure to acknowledge the addenda may result in bid disqualification.

Acknowledgment: I hereby acknowledge receipt of the following addenda and have made the necessary revisions to my proposal, plans and/or specification, etc.

Addendum Numbers Received:

(Check the box next to each addendum received)

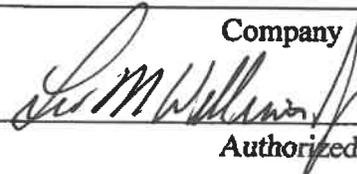
- | | |
|--|--|
| <input type="checkbox"/> Addendum No. 1 | <input type="checkbox"/> Addendum No. 6 |
| <input checked="" type="checkbox"/> Addendum No. 2 | <input type="checkbox"/> Addendum No. 7 |
| <input type="checkbox"/> Addendum No. 3 | <input type="checkbox"/> Addendum No. 8 |
| <input type="checkbox"/> Addendum No. 4 | <input type="checkbox"/> Addendum No. 9 |
| <input type="checkbox"/> Addendum No. 5 | <input type="checkbox"/> Addendum No. 10 |

I understand that failure to confirm the receipt of the addenda may be cause for rejection of this bid. I further understand that that any verbal representation made or assumed to be made during any oral discussion held between Vendor's representatives and any state personnel is not binding. Only the information issued in writing and added to the specifications by an official addendum is binding.

CTW RAIL SERVICES, LLC
759 CONTINENTAL BLVD.
DANVILLE, PA 17821

CTW RAIL SERVICES, LLC

Company



Authorized Signature

03/12/2026

Date

NOTE: This addendum acknowledgement should be submitted with the bid to expedite document processing.

BID BOND

KNOW ALL MEN BY THESE PRESENTS, That we, the undersigned, CTW Rail Services, LLC
of 759 Continental Blvd, Danville, PA 17821, as Principal, and Westfield Insurance Company
of PO Box 5001, Westfield Center, OH 44251, a corporation organized and existing under the laws of the State of Ohio
with its principal office in the City of Westfield Center, as Surety, are held and firmly bound unto the State
of West Virginia, as Oblige, in the penal sum of 5% of total amount bid (\$ 5% of total amount bid) for the payment of which,
well and truly to be made, we jointly and severally bind ourselves, our heirs, administrators, executors, successors and assigns.

The Condition of the above obligation is such that whereas the Principal has submitted to the Purchasing Section of the
Department of Administration a certain bid or proposal, attached hereto and made a part hereof, to enter into a contract in writing for
CRFQ 0810 DMT2600000005 Elkins Train Depot

NOW THEREFORE,

- (a) If said bid shall be rejected, or
- (b) If said bid shall be accepted and the Principal shall enter into a contract in accordance with the bid or proposal
attached hereto and shall furnish any other bonds and insurance required by the bid or proposal, and shall in all other respects perform
the agreement created by the acceptance of said bid, then this obligation shall be null and void, otherwise this obligation shall remain in
full force and effect. It is expressly understood and agreed that the liability of the Surety for any and all claims hereunder shall, in no
event, exceed the penal amount of this obligation as herein stated.

The Surety, for the value received, hereby stipulates and agrees that the obligations of said Surety and its bond shall be in no
way impaired or affected by any extension of the time within which the Oblige may accept such bid, and said Surety does hereby
waive notice of any such extension.

WITNESS, the following signatures and seals of Principal and Surety, executed and sealed by a proper officer of Principal and
Surety, or by Principal individually if Principal is an individual, this 12th day of March, 2026.

Principal Seal

CTW Rail Services, LLC
(Name of Principal)
By [Signature]
(Must be President, Vice President, or
Duly Authorized Agent)
Managing Partner
(Title)

Surety Seal

Westfield Insurance Company
(Name of Surety)
[Signature]
Gregory M. Allen Attorney-in-Fact

**IMPORTANT – Surety executing bonds must be licensed in West Virginia to transact surety insurance, must affix its seal, and
must attach a power of attorney with its seal affixed.**

Bond No.: WFIC-011

(Acknowledgement of Surety Company)

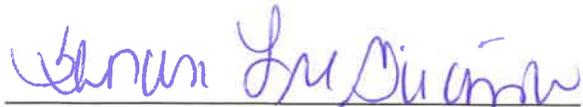
STATE OF Delaware)

) ss.:

COUNTY OF New Castle)

On this 12th day of March, 2026, before me personally came Gregory M. Allen to me Known, who being by me duly sworn, did depose and say that he resides in _____ West Chester, PA that he is the Attorney-in-fact of Westfield Insurance Company, the corporation described in and which executed the within instrument; that he Gregory M. Allen knows the seal of said corporation; that seal affixed to said instrument is such corporate seal; that is so affixed by the order of the Board of Directors of said corporation, and that he signed his name thereto by like order; and that the liabilities of said company do not exceed its assets as ascertained in the manner provided by the laws of the State of West Virginia, and the said Sandra Lee Gilchrist further said that she is acquainted with Gregory M. Allen and knows him to be the Attorney-in-fact of said company; that the signature of the said Gregory M. Allen subscribed to the within instrument is in the genuine handwriting of the said Gregory M. Allen and was subscribed thereto by like order of the Board of Directors, and in the presence of him, the said.

NOTARY PUBLIC OF Delaware
Commission Expires 10/27/2026



Sandra Lee Gilchrist, Notary Public

Sandra Lee Gilchrist
NOTARY PUBLIC
STATE OF DELAWARE
My Commission Expires October 27, 2026

Financial Statement

Reset Form

Westfield Insurance Co.
Westfield Center, Ohio 44251-5001

December 31, 2025

**WESTFIELD INSURANCE COMPANY
BALANCE SHEET
12/31/25
(in thousands)**

Assets	
Cash, cash equivalents, and short term investments	46,182
Bonds	1,831,297
Stocks	492,521
Agents' balances and uncollected premiums, net	553,817
Other admitted assets	1,152,015
Total admitted assets	4,075,832
Liabilities	
Reserve for unearned premiums	873,686
Reserve for unpaid losses and loss expenses	1,408,366
Reserve for taxes and other liabilities	264,497
Total liabilities	2,546,549
Capital stock	8,220
Surplus to policyholders	1,521,063
Total surplus	1,529,283
Total liabilities and surplus	4,075,832

State of Ohio
ss:
County of Medina

The undersigned, being duly sworn, says: That he is National Surety Leader - Surety Operations of Westfield Insurance Company, Westfield Center, Ohio; that said Company is a corporation duly organized, existing and engaged in business as a Surety Company by virtue of the Laws of the State of Ohio and authorized to do business in the State of ~~West Virginia~~..... and has duly complied with all the requirements of the laws of said State applicable to said Company and is duly qualified to act as Surety under such laws; that said Company has also complied with and is duly qualified to act as Surety under the Act of Congress approved July 1947, 6 U.S.C. sec. 6-13; and that to the best of his knowledge and belief the above statement is a full, true, and correct statement of the financial condition of the said Company on the 31st day of December, 2025.

Attest:

Kathleen Golovan

.....
Kathleen Golovan
Group Legal Leader, Secretary

Gary W. Stumper

.....
Gary W. Stumper
National Surety Leader
Senior Executive



Sworn to before me this 11th day of February A.D. 2026.

David A. Kotnik

.....
David A. Kotnik
Attorney at Law
Notary Public -- State of Ohio



General
Power
of Attorney

POWER NO. 3700842 02

Westfield Insurance Co.
Westfield National Insurance Co.
Ohio Farmers Insurance Co.
Westfield Center, Ohio

CERTIFIED COPY

Know All Men by These Presents, That WESTFIELD INSURANCE COMPANY, WESTFIELD NATIONAL INSURANCE COMPANY and OHIO FARMERS INSURANCE COMPANY, corporations, hereinafter referred to individually as a "Company" and collectively as "Companies," duly organized and existing under the laws of the State of Ohio, and having its principal office in Westfield Center, Medina County, Ohio, do by these presents make, constitute and appoint
BRUCE M. ALLEN, GREGORY M. ALLEN, KENNETH C. TURNER, JOINTLY OR SEVERALLY

of WESTTOWN and State of PA its true and lawful Attorney(s)-in-Fact, with full power and authority hereby conferred in its name, place and stead, to execute, acknowledge and deliver any and all bonds, recognizances, undertakings, consents of surety, or other instruments or contracts of suretyship in any penal limit, and to bind any of the Companies thereby as fully and to the same extent as if such bonds were signed by the President, sealed with the corporate seal of the applicable Company and duly attested by its Secretary, hereby ratifying and confirming all that the said Attorney(s)-in-Fact may do in the premises. Said appointment is made under and by authority of the following resolution adopted by the Board of Directors of each of the WESTFIELD INSURANCE COMPANY, WESTFIELD NATIONAL INSURANCE COMPANY and OHIO FARMERS INSURANCE COMPANY:

"Be It Resolved, that the President, any Senior Executive, any Secretary or any Fidelity & Surety Operations Executive or other Executive shall be and is hereby vested with full power and authority to appoint any one or more suitable persons as Attorney(s)-in-Fact to represent and act for and on behalf of the Company subject to the following provisions:

The Attorney-in-Fact may be given full power and authority for and in the name of and on behalf of the Company, to execute, acknowledge and deliver, any and all bonds, recognizances, contracts, agreements of indemnity and other conditional or obligatory undertakings and any and all notices and documents canceling or terminating the Company's liability thereunder, and any such instruments so executed by any such Attorney-in-Fact shall be as binding upon the Company as if signed by the President and sealed and attested by the Corporate Secretary."

"Be it Further Resolved, that the signature of any such designated person and the seal of the Company heretofore or hereafter affixed to any power of attorney or any certificate relating thereto by facsimile, and any power of attorney or certificate bearing facsimile signatures or facsimile seal shall be valid and binding upon the Company with respect to any bond or undertaking to which it is attached." (Each adopted at a meeting held on February 8, 2000).

In Witness Whereof, WESTFIELD INSURANCE COMPANY, WESTFIELD NATIONAL INSURANCE COMPANY and OHIO FARMERS INSURANCE COMPANY have caused these presents to be signed by their Vice President, Surety and their corporate seals to be hereto affixed this 30th day of JULY A.D., 2025 .

Corporate
Seals
Affixed



WESTFIELD INSURANCE COMPANY
WESTFIELD NATIONAL INSURANCE COMPANY
OHIO FARMERS INSURANCE COMPANY

By: Gary W. Stumper, Vice President, Surety

State of Ohio
County of Medina ss.:

On this 30th day of JULY A.D., 2025 , before me personally came Gary W. Stumper to me known, who, being by me duly sworn, did depose and say, that he resides in Medina, OH; that he is Vice President, Surety of WESTFIELD INSURANCE COMPANY, WESTFIELD NATIONAL INSURANCE COMPANY and OHIO FARMERS INSURANCE COMPANY, the companies described in and which executed the above instrument; that he knows the seals of said Companies; that the seals affixed to said instrument are such corporate seals; that they were so affixed by order of the Boards of Directors of said Companies; and that he signed his name thereto by like order.

Notarial
Seal
Affixed



David A. Kotnik, Attorney at Law, Notary Public
My Commission Does Not Expire (Sec. 147.03 Ohio Revised Code)

State of Ohio
County of Medina ss.:

I, Kathleen Golovan, Chief Administrative Officer & Corporate Secretary of WESTFIELD INSURANCE COMPANY, WESTFIELD NATIONAL INSURANCE COMPANY and OHIO FARMERS INSURANCE COMPANY, do hereby certify that the above and foregoing is a true and correct copy of a Power of Attorney, executed by said Companies, which is still in full force and effect; and furthermore, the resolutions of the Boards of Directors, set out in the Power of Attorney are in full force and effect.

In Witness Whereof, I have hereunto set my hand and affixed the seals of said Companies at Westfield Center, Ohio, this 12th day of March A.D., 2026



Kathleen Golovan, Chief Administrative Officer & Corporate Secretary

DESIGNATED CONTACT: Vendor appoints the individual identified in this Section as the Contract Administrator and the initial point of contact for matters relating to this Contract.

(Printed Name and Title) LEO M WILLIAMS, JR.

(Address) 759 CONTINENTAL BLVD., DANVILLE, PA 17821

(Phone Number) / (Fax Number) 570-974-8097/ 570-318-6119

(email address) LYCOMINGGC1@AOL.COM

CERTIFICATION AND SIGNATURE: By signing below, or submitting documentation through WVOASIS, I certify that: I have reviewed this Solicitation/Contract in its entirety; that I understand the requirements, terms and conditions, and other information contained herein; that this bid, offer or proposal constitutes an offer to the State that cannot be unilaterally withdrawn; that the product or service proposed meets the mandatory requirements contained in the Solicitation/Contract for that product or service, unless otherwise stated herein; that the Vendor accepts the terms and conditions contained in the Solicitation, unless otherwise stated herein; that I am submitting this bid, offer or proposal for review and consideration; that this bid or offer was made without prior understanding, agreement, or connection with any entity submitting a bid or offer for the same material, supplies, equipment or services; that this bid or offer is in all respects fair and without collusion or fraud; that this Contract is accepted or entered into without any prior understanding, agreement, or connection to any other entity that could be considered a violation of law; that I am authorized by the Vendor to execute and submit this bid, offer, or proposal, or any documents related thereto on Vendor's behalf; that I am authorized to bind the vendor in a contractual relationship; and that to the best of my knowledge, the vendor has properly registered with any State agency that may require registration.

By signing below, I further certify that I understand this Contract is subject to the provisions of West Virginia Code § 5A-3-62, which automatically voids certain contract clauses that violate State law; and that pursuant to W. Va. Code 5A-3-63, the entity entering into this contract is prohibited from engaging in a boycott against Israel.

CTW RAIL SERVICES, LLC

(Company)

(Signature of Authorized Representative)

LEO M. WILLIAMS, JR. / MANAGING PARTNER 03/12/2026

(Printed Name and Title of Authorized Representative) (Date)

570-974-8097/ 570-318-6119

(Phone Number) (Fax Number)

LYCOMINGGC1@AOL.COM

(Email Address)

REQUEST FOR QUOTATION
Replacement of Crossies and Surfacing on the WVCB

10.4.1. Final Cleanup: Vendor shall perform the final cleanup activities listed below, along with any other final cleanup activities normally associated with the work, performed under this Contract, prior to final inspection:

10.4.1.1. All crossies will be removed from the railroad and disposed of by the Vendor.

10.4.1.2. All debris and trash will be removed from the railroad and disposed of by the Vendor.

10.4.1.3. All old spikes shall be gathered from the railroad and placed at the designated area at the Elkins inventory yard. Old spikes remain the property of the DMTF

10.4.2. Final Inspection: Vendor shall participate in a final inspection with the Agency's project manager. The purpose of the final inspection will be to identify deficiencies that need to be remedied prior to Agency's final acceptance of the work. Vendor shall at all times be obligated to perform in accordance with the Contract and must take all actions necessary to ensure that work complies with requirements of Contract prior to final acceptance. Final acceptance does not waive or release Vendor from its obligation to ensure that work complies with the Contract requirements. Vendor shall submit any warranty documents to the Agency project manager at final inspection.

11. FACILITIES ACCESS: Performance of Contract Services may require access cards and/or keys to gain entrance to Agency's facilities. In the event that access cards and/or keys are required:

11.1. Vendor must coordinate with the DGVR for material delivery. Contractor can leave equipment at the Belington Yard MP 11.0.

12. MISCELLANEOUS:

12.1. Contract Manager: During its performance of this Contract, Vendor must designate and maintain a primary contract manager responsible for overseeing Vendor's responsibilities under this Contract. The Contract manager must be available during normal business hours to address any customer service or other issues related to this Contract. Vendor should list its Contract manager and his or her contact information below.

Contract Manager: JASON WILLIAMS / LEO M WILLIAMS, JR.

REQUEST FOR QUOTATION
Replacement of Crossies and Surfacing on the WCCR

Telephone Number: 570-274-6411

Fax Number:

Email Address: ctwra@servicesllc@gmail.com / lycominggc@aol.com

REQUEST FOR QUOTATION
Replacement of Crossties and Surfacing on the WVCR

Telephone Number: 570-274-6411

Fax Number: _____

Email Address: ctwrailservicesllc@gmail.com / lycominggc@aol.com

State of West Virginia
Purchasing Division

CERTIFIED DRUG-FREE WORKPLACE REPORT COVERSHEET

In accordance with *West Virginia Code* § 21-1D-7b, no less than once per year, or upon completion of the project, every contractor shall provide a certified report to the public authority which let the contract. That report must include each of the items identified below in the Required Report Content section.

Instructions: Vendor should complete this coversheet, attach it to the required report, and submit it to the appropriate location as follows: For contracts more than \$25,000, the report should be mailed to the West Virginia Purchasing Division at 2019 Washington Street East, Charleston, WV 25305. For contracts of \$25,000 or less, the vendor should mail the report to the public authority issuing the contract.

Contract Identification:

Contract Number: CRFQ0810DMT2600000005

Contract Purpose: REPLACING 4000 TIES

Agency Requesting Work: WV PURCHASING DIVISION ON BEHALF OF WV DIVISION OF
MULTIMODAL TRANSPORTATION FACILITIES

Required Report Content: The attached report must include each of the items listed below. The vendor should check each box as an indication that the required information has been included in the attached report.

- Information indicating the education and training service to the requirements of *West Virginia Code* § 21-1D-5 was provided;
- Name of the laboratory certified by the United States Department of Health and Human Services or its successor that performs the drug tests;
- Average number of employees in connection with the construction on the public improvement;
- Drug test results for the following categories including the number of positive tests and the number of negative tests: (A) Pre-employment and new hires; (B) Reasonable suspicion; (C) Post-accident; and (D) Random.

Vendor Contact Information:

Vendor Name: CTW RAIL SERVICES, LC

Vendor Telephone: 570-974-8097

Vendor Address: 759 CONTINENTAL BLVD.

Vendor Fax: 570-318-6119

DANVILLE, PA 17821

Vendor E-Mail: LYCOMINGGC1@AOL.COM



**State of West Virginia
DRUG FREE WORKPLACE CONFORMANCE AFFIDAVIT
West Virginia Code §21-1D-5**

I, LEO M. WILLIAMS, JR., after being first duly sworn, depose and state as follows:

1. I am an employee of CTW RAIL SERVICES, LLC; and,
(Company Name)
2. I do hereby attest that CTW RAIL SERVICES, LLC
(Company Name)

maintains a written plan for a drug-free workplace policy and that such plan and policy are in compliance with **West Virginia Code §21-1D**.

The above statements are sworn to under the penalty of perjury.

Printed Name: LEO M. WILLIAMS, JR.
 Signature: *Leo M. Williams*
 Title: MANAGING PARTNER
 Company Name: CTW RAIL SERVICES, LLC
 Date: 3/12/26

PENNSYLVANIA
STATE OF

COUNTY OF LYCOMING, TO-WIT:

Taken, subscribed and sworn to before me this 12 day of MARCH, 2026.

By Commission expires 10/29/26

(Seal)

Patricia B. Williams
(Notary Public)

Commonwealth of Pennsylvania - Notary Seal
 Patricia B. Williams, Notary Public
 Lycoming County
 My commission expires October 29, 2026
 Commission number 1179566
 Member, Pennsylvania Association of Notaries

Rev. July 7, 2017