

Staff Report

Subject: CSX Facility Encroachment Agreement

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Department: Procurement, Engineering

Meeting Date: September 1, 2026

Item Description: Consideration to approve the CSX Facility Encroachment Agreement

Summary Recommendation: Staff recommends approval of the CSX Facility Encroachment Agreement.

Executive Summary / Background:

The Effingham Regional Water Supply project includes a 42-inch potable-water pipeline crossing beneath the CSX rail corridor near Rincon at Milepost S-481.05. Facility Encroachment Agreement No. CSX1059995 grants the County a non-exclusive license to construct, operate, maintain, repair, replace, and remove the pipeline within the crossing shown in Exhibit A. The agreement is effective May 27, 2026, and installation must be completed within five years.

- The County must pay CSX a one-time, non-refundable encroachment fee of \$6,780 upon execution.
- No work or entry onto the CSX corridor may begin until the agreement is fully executed, required plans and submittals are approved, insurance is in place, and CSX provides authority to proceed.
- The County and contractor must follow CSX safety and construction requirements, give at least 30 days' notice before non-emergency work, coordinate protection services, restore the site, install markers, and submit as-builts.
- The County is responsible for additional CSX costs, including flagging, oversight, force-account work, track protection, repairs, relocation, and restoration.
- Required insurance applies to the County and contractor. Work within 50 feet of an active track requires Railroad Protective Liability coverage unless CSX approves another available option.
- The agreement includes continuing indemnity, risk-allocation, reimbursement, relocation, and removal obligations.

Department Review: Engineering, Procurement

Funding Source: N/A

Attachments: CSX Facility Encroachment Agreement