

Agreement No. 12-30-09



N.V. NIHOUL  
 Director-Labor Relations  
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 Jacksonville, FL 32202  
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October 7, 2009

Mr. D. R. Albers, General Chairman  
 BWMED-Allied Federation  
 315 West Main Street, Suite 20  
 Hendersonville, TN 37075-7324

Mr. J. D. Knight, General Chairman  
 BMWED-Seaboard Federation  
 2153 Broadwater Drive  
 Jacksonville, FL 32225

Dear Mr. Albers and Mr. Knight:

As you both may be aware, the state of Florida in conjunction with CSX Transportation's Engineering Department had been participating in tests associated with certain at grade road crossings using a relatively new type of replacement track material on the Jacksonville Division. In general terms, this type of at grade road crossing has been referred to as a "tub crossing", and at locations where the state has tested these relatively new crossings the results have been extremely favorable.

Consequently, CSX Transportation has been receiving additional requests by the state of Florida to install tub crossings, rather than typical crossings, at various locations. The installation of tub crossings is specialized work that cannot currently be handled by CSXT's BMWED-represented without the assistance and/or supervision of the outside service provider.

Accordingly, the purpose of this agreement provides for an outside services provider to perform, train and assist with certain elements of "tub crossing" installations. In return, CSXT's BMWED-represented forces will receive specific training from the outside service provider that will allow them to acquire and develop additional knowledge, skills and expertise.

The following work will be performed by CSXT's BMWED-represented forces with regard to tub crossing installation:

1. Saw-cut asphalt parallel to track
2. Arrange for proper track protection
3. Remove existing crossing transitional surface material
4. Removal/disposal of used crossing surface timbers, rubber, etc.
5. Removal/disposal of used track materials (rail, other track material, ties, etc.) unless sold as scrap
6. Setting panels with assistance from the outside service provider
7. Aligning and leveling of crossing panels in track with assistance from the outside service provider
8. Thread rail into crossing with assistance from the outside service provider
9. Install Pandrol e-clips
10. Welding
11. Install grout with assistance from the outside service provider
12. Rail-seal installation

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The outside service provider will handle the following aspects of tub crossing installation, as well as all preliminary, managerial, and supervisory work:

1. Saw-cutting and milling of roadway approaches
2. Removal/replacement of subgrade
3. Assist BMWED in setting panels (the Contractor will provide the necessary heavy equipment to handle the panels)
4. Assist BMWED in placing/aligning crossing panels, including providing specialty construction supervision
5. Install specialty conduit
6. Assist BMWED with equipment and supervision for threading rail, grout installation (leveling and sealing), and rail-seal installation
7. Removal/disposal of used asphalt and unsuitable base materials

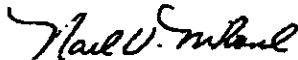
In addition, the following conditions will apply:

- A 15-day advance notice will be provided to the Organization that includes the specific location where the tub crossing is to be installed;
- Post-installation, the track speed will be 25 miles per hour (mph) or less; and
- The number of CSXT's BMWED-represented forces will equal that of the outside service provider on each installation, with the exception of any work that is preliminary or managerial in nature.

Furthermore, as discussed, in the event that the track speed increases, the outside service provider changes, or a material change occurs in the parts and pieces, all parties are agreeable to revisiting the terms and application of this agreement.

If this accurately reflects your understanding of our agreement, please sign below and return a copy to me for our files.

Sincerely,

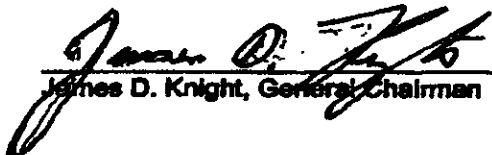


N. V. Nihoul  
Director, Labor Relations

Accepted:

  
Dennis R. Albers, General Chairman

11/7/2010  
Date

  
James D. Knight, General Chairman

Oct 13, 09  
Date