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ADVISORY · ENGINEERING · IN THE FIELD

EXPOSURE READ 29 · OVERVIEW

THE CONTRACTOR

For anyone who hires a contractor to work on its own track.

A read of track work let to a contractor: what the contract and the specification require, what the gang actually built, and what is still open before the work is accepted and paid. This overview sets out the question the Read answers and the seven things it examines.

07

WHAT WE EXAMINE

Each one read in your contract, then on the ballast.

ISSUED BY
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v.22 · effective 25 NOV 2026 · the current edition comes from solutions@steelwheels.co

CONTACT
solutions@steelwheels.co
928.605.7984

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§ 01 THE GANG MOVES ON, THE TRACK STAYS

WHAT YOU CAME HERE FOR

> *What you came here for:* **How do we know the contractor built what we paid for?**

You want the ties in, the surface up, the work accepted on schedule and the invoice paid once. *You want the track to hold after the gang has moved on to its next project.*

And under it, mostly unsaid: you want to know whether anyone on your side watched the work closely enough to say so, before whoever knows the work has gone.

§ 02 · THE QUESTION, RESTATED · *what was required, what was done, what remains*

> *The question this Read asks:* **what the contract required, what was actually done on the ground, and what remains to be resolved before the work is accepted and paid.**

In our field experience, a contractor is paid on progress, and progress is reported by the contractor. *A progress report cannot say by itself what was built, what is unresolved and what the record supports.*

The federal track rule requires a contractor who performs any function the rule requires to perform it in accordance with the rule. It does not move the track off the owner's books. The day the work is accepted, the gang's work is your track.

WORK THAT IS NEVER CHECKED BEFORE IT IS COVERED WILL ALWAYS LOOK FINISHED

The ties, the plates and the ballast section show what was done only while they are open to the eye.

So whether the contractor finished is the second question. The first is whether what he finished is what you paid for, and what is still open.

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§ 03 EACH ONE READ IN YOUR CONTRACT, THEN ON THE BALLAST

WHAT WE EXAMINE

Seven things decide whether contracted track work was done as agreed, and whether the record shows it. *Each is read in your contract documents, then on the ballast.*

	WHAT WE LOOK AT	WHY IT MATTERS TO YOUR RAILROAD
01	What the contract and the specification require, item by item	A requirement nobody can point to is one nobody can enforce.
02	Who on your side is designated to supervise the work under traffic	The rule puts that designation on the owner, whoever holds the tools.
03	Whose on-track safety program protects the contractor's men	Men on your railroad work under your railroad's program, and it has to say how.
04	What was installed, against what was billed	Ties counted in the track and ties counted on the invoice are two different figures.
05	Each deficiency, documented before it is covered or accepted	In the open, it is a punch-list item. Under fresh ballast, it is a dispute.
06	Each change order, against the field condition said to justify it	A change order is a price, and the ground either supports it or it does not.
07	What the record holds on the day the work is accepted	It is what remains when whoever knows the work has moved on.

§ 04 · WHAT THIS ADDS UP TO · *and how to reach us*

Seven things show whether the work was done as agreed, before you accept it. *Found before acceptance, a deficiency is the contractor's to correct. Found after, it is yours.*

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Where the Wheels meet the Steel

The work is done on the day the contracted work is accepted against the contract, and every deficiency is closed with a date. The railroader who takes it reads your contract documents, then walks the work with your crew and the contractor's, signs what he finds and answers for it from the first day to the last, and after. Nobody we send learns railroading on your property. Write with the railroad, the work under contract and the date it is set to be accepted. You will have a reply within one business day, from the principal and not from a form. Writing puts you on no list. If what we find says you have no problem, you will be told so, in so many words.

solutions@steelwheels.co · 928.605.7984 · steelwheels.co · Flagstaff, Arizona

FIND IT. NAME IT. DISSOLVE IT. · READ ON THE BALLAST, NOT THE CHART.

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