

(100) 1737

STATE OF ILLINOIS
ILLINOIS COMMERCE COMMISSION
STIPULATED AGREEMENT NO. 888

100-0086

This agreement made and entered into, by and between the State of Illinois acting by and through the Illinois Commerce Commission, hereinafter referred to as "COMMISSION", the Illinois Central Railroad Company, hereinafter referred to as "COMPANY", the City of Mount Pulaski, hereinafter referred to as "CITY", and the State of Illinois, Department of Transportation, hereinafter referred to as the "DEPARTMENT".

WITNESSETH:

WHEREAS, it has come to the attention of the COMMISSION through informal correspondence that inquiry should be made into the matter of improving public safety at the crossing of the COMPANY track with a public highway known as Washington Street located in Mount Pulaski, Logan County, Illinois, designated as crossing AAR/DOT 289 495E, milepost 169.04-D; and

WHEREAS, proper investigation has been made of the circumstances surrounding the aforesaid crossing by a staff member of the Commission's Transportation Division, Railroad Section; and

WHEREAS, the physical aspects, including geometrics of the intersection, train movements, vehicular traffic volume, and all other pertinent data relating to the crossing have been obtained and shown on Exhibit A, attached to the Agreement; and

WHEREAS, the parties are mutually agreeable to accomplish the proposed improvements upon a determination of COMMISSION by Order.

NOW, THEREFORE in consideration of the premises and of the mutual covenants and agreements as hereinafter contained the parties pray that the COMMISSION enter an Order according to the provisions of Section 18c-7401 of the Illinois Commercial Transportation Law requiring that certain improvements as hereinafter stated be made and that the cost for the proposed improvements be divided among the parties according to law and that in the interest of the statewide traveling public the Grade Crossing Protection Fund of the Motor Fuel Tax Law be required to bear a substantial portion of the cost; To Wit the parties agree as follows:

DOCKETED

Section 1 All improvements encompassed by this Agreement shall be made in accordance with all applicable State laws, rules, standards, regulations and orders and procedures in general.

Section 2 The parties are of the opinion that the proper improvements in the interest of public safety at the aforesaid crossing should be:

- (a) the installation of automatic flashing light signals controlled by constant warning time circuitry ("CWT").

Section 3 The COMPANY has prepared a preliminary estimate of cost to accomplish the proposed improvements which it may be required to perform. Said estimate is attached as Exhibit B. The COMPANY shall, upon Order, according to the requirements contained therein, prepare detailed drawings, detailed circuit plans, estimates of cost and any required specifications for the proposed improvements for the approval of the COMMISSION and DEPARTMENT.

Section 4 The COMPANY shall upon Order, according to the requirements contained therein, proceed toward the completion of the proposed improvements, accomplishing the work with its own forces or appropriate contracted services and agrees that an appropriate time for the submission of plans should be 30 days and for the completion of the proposed improvements should be twelve (12) months, from the date of COMMISSION Order subsequent to this Agreement.

Section 5 The parties hereto agree that an equitable division of cost for the proposed improvements should be:

- a) the cost to install the automatic flashing light signals controlled by CWT circuitry at Washington / Illinois Street, estimated to be \$81,230, should be divided 95% in an amount not to exceed \$77,170 to the Grade Crossing Protection Fund ("Fund"), with all remaining installation cost and all cost of future maintenance and operation of the warning devices being borne by the Company.

Section 6 Special Provisions:

Since the warning device improvement at the subject crossing will be performed by railroad crews, no flagging or contractor liability insurance will be required for said work.

The COMPANY shall file a written report with the Director of Processing and Information within fifteen (15) days of the conclusion of each calendar quarter, stating the status of expenditures of the project and the percentage of completion of the project; if the project is behind schedule the report must include a brief explanation of the reasons for the delay.

All bills for expenditures authorized to be reimbursed from the Grade Crossing Protection Fund shall be submitted to Mr. Henry Cronister, Illinois Department of

Transportation, Central Bureau of Local Roads and Streets, 2300 South Dirksen Parkway, Springfield, Illinois 62674. The DEPARTMENT shall send a copy of all bills to the Director of Processing and Information, Transportation Division of the COMMISSION. The final bill for expenditures from each party shall be clearly marked "Final Bill". All bills shall be submitted no later than twenty four (24) months from the date of COMMISSION Order subsequent to this Agreement. The DEPARTMENT shall, at the end of the 24th month from the COMMISSION Order date, de-obligate all residual funds accountable for installation cost for this project.

The COMPANY shall within ninety (90) days of the date of COMMISSION Order subsequent to this Agreement, submit to the Director of Processing and Information, Transportation Division of the COMMISSION, the name, title, mailing address, phone number and facsimile number of the project manager.

Section 7 This Agreement shall be binding upon the parties hereto, their successors or assigns. Upon execution of this Agreement by all parties, the COMMISSION shall enter an appropriate Order, within 60 days, accepting or rejecting such Stipulation according to the provisions contained herein.

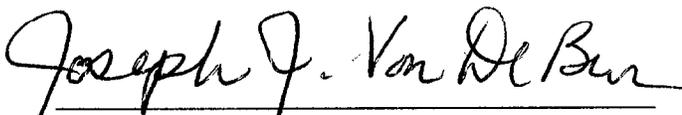
In Witness Whereof, the parties have caused this Agreement to be executed by their duly authorized officers, as of the dates indicated herein.

Executed by the COMMISSION this 18th day of July, 2000.



Michael E. Stead
Rail Safety Program Administrator

Attest:



Joseph J. VonDeBur,
Railroad Safety Specialist

Illinois Commerce Commission Stipulated Agreement No. 888 concerning improvements at the Washington Street grade crossing of the Illinois Central Railroad Company tracks located in Mount Pulaski, Logan County, Illinois, designated as crossing AAR/DOT 289 495E, milepost 169.04-D.

Executed by the DEPARTMENT this 28TH day of JULY 2000.

STATE OF ILLINOIS
DEPARTMENT OF TRANSPORTATION

By: 
Director of Highways

Illinois Commerce Commission Stipulated Agreement No. 888 concerning improvements at the Washington Street grade crossing of the Illinois Central Railroad Company tracks located in Mount Pulaski, Logan County, Illinois, designated as crossing AAR/DOT 289 495E, milepost 169.04-D.

Executed by the CITY this 31ST day of JULY 2000.

CITY OF MOUNT PULASKI

By: *John J. Bate Jr.*

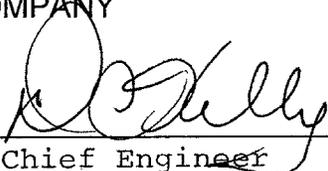
Attest:

Marla K. Durst

Illinois Commerce Commission Stipulated Agreement No. 888 concerning improvements at the Washington Street grade crossing of the Illinois Central Railroad Company tracks located in Mount Pulaski, Logan County, Illinois, designated as crossing AAR/DOT 289 495E, milepost 169.04-D.

Executed by the COMPANY this 17th day of August 2000.

ILLINOIS CENTRAL RAILROAD
COMPANY

By: 

Chief Engineer

Attest:



STATE OF ILLINOIS
ILLINOIS COMMERCE COMMISSION
STIPULATED AGREEMENT SURVEY FORM

RR Illinois Central Milepost/Line 169.04-D Inventory # 289 495E

City Mt. Pulaski Street Washington Street County Logan

Jurisdiction City Urban x Rural Commercial Residential x

Street Surface Oil & Chip (South of xing); Asphalt (north of xing) Width 24' Condition Good

Angle 135° Tracks Tangent No Degree of Curve Unkown Superelevation Unkown

Depth of Cut 0' Height of Fill 0'

Crossing Surface

Track Centers	Elevation	Track	Type	Width	Condition
		<u>South Leg Wye</u>	<u>Full Depth Timber</u>	<u>58 ft.</u>	<u>Good</u>

Intersecting Roads <100' 15' South to Scroggins Avenue; 80' North to McDonald

Traffic Control Devices Present: None at Scroggins, Yield sign on Washington at McDonald

ADT 250 (Estimated) Speed 30 mph Statewide Yes

School Buses Yes Hazardous Materials Yes Other Grain trucks

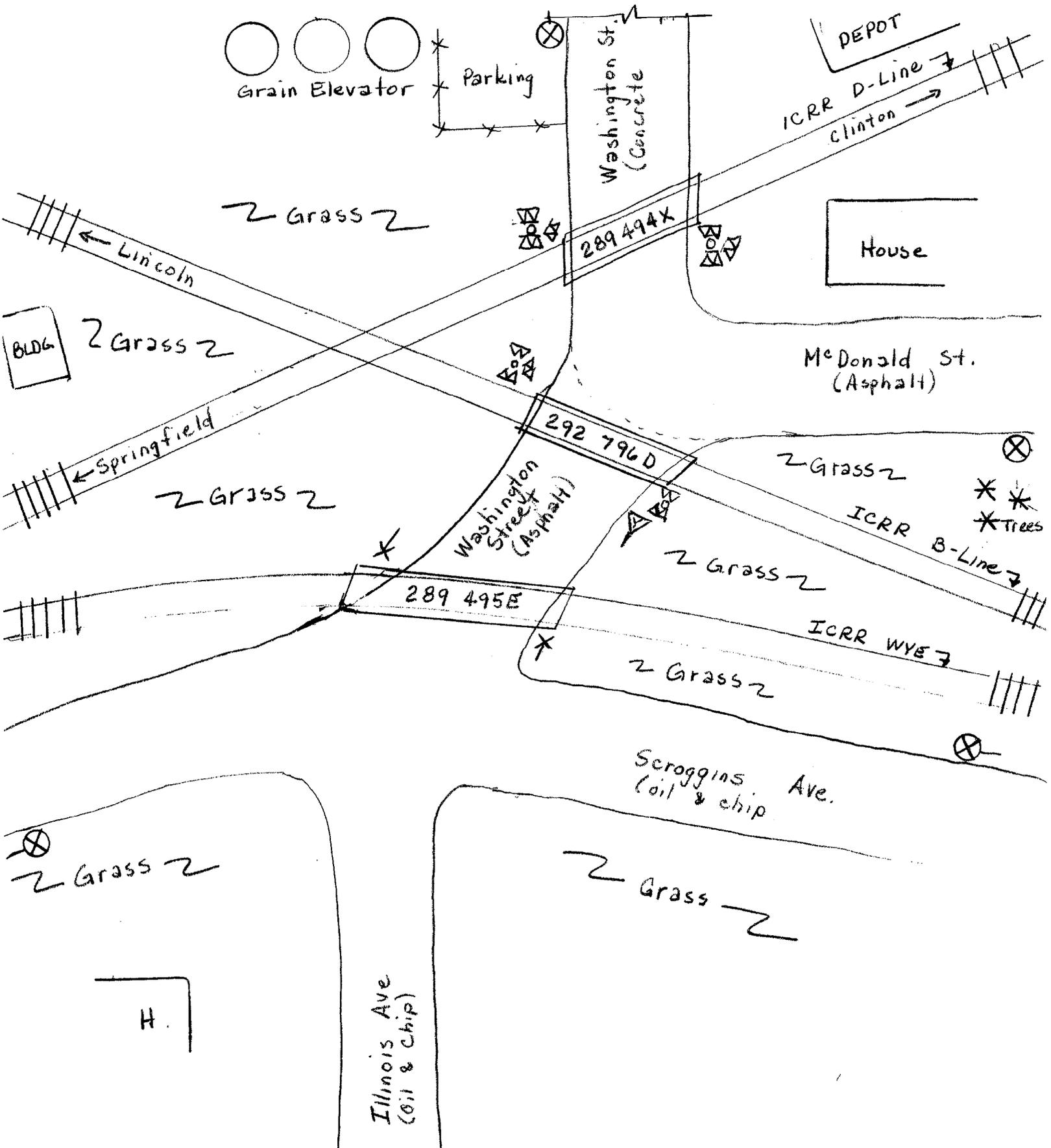
Rail Traffic: Ft. 8 @ 10 mph Pass. N/A @ mph Switch Yes

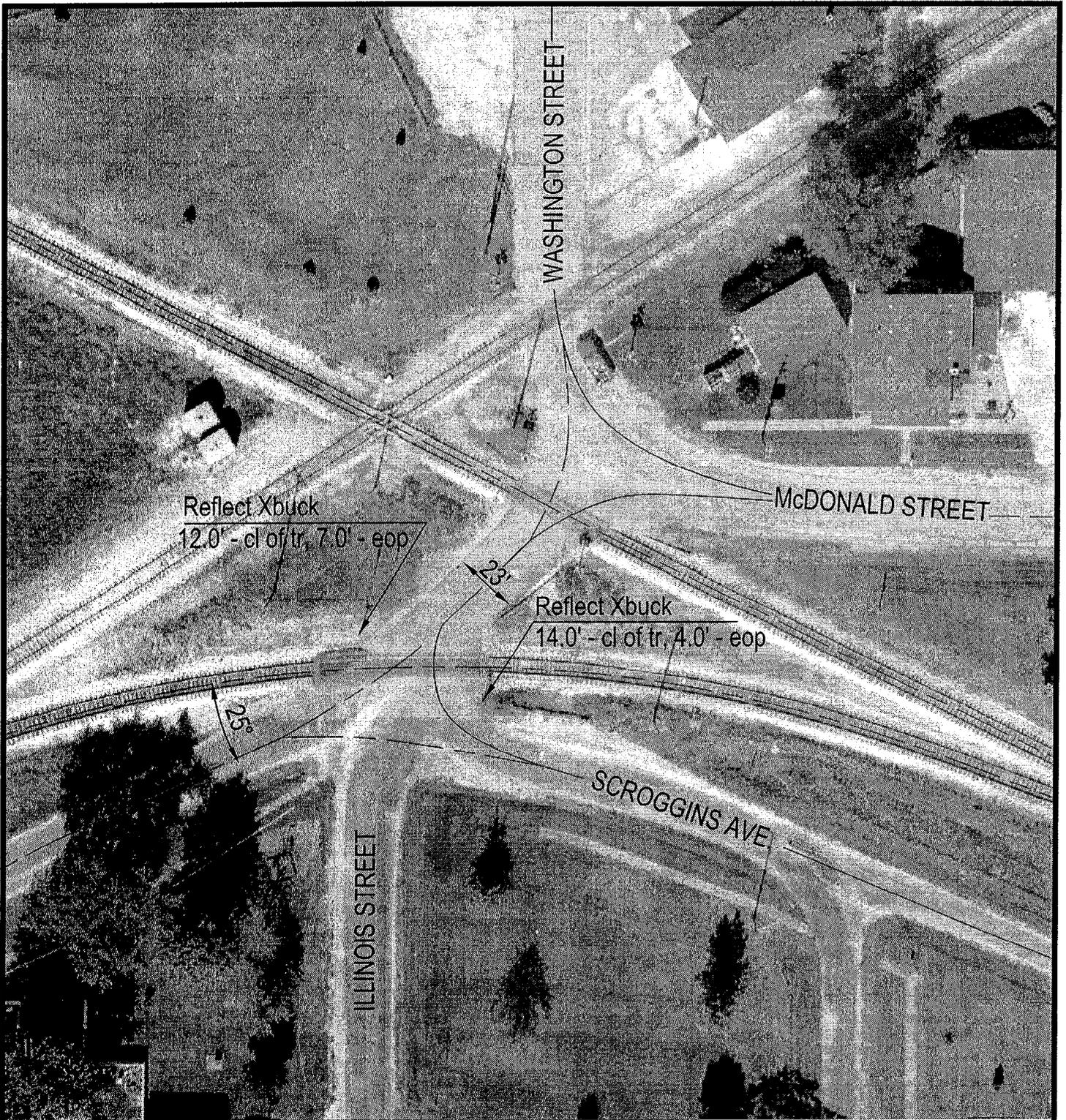
Simultaneous Movements: No Daylight and Dark: Yes

Present Protection: Crossbucks

Advance Warning Signs Yes Pavement Marking No

SKETCH OF CROSSING: DOT 289 495E





WASHINGTON STREET

MCDONALD STREET

SCROGGINS AVE

ILLINOIS STREET

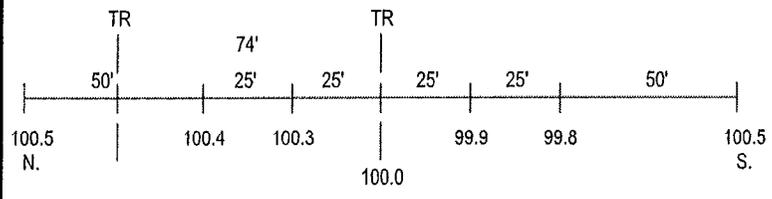
Reflect Xbuck
12.0' - cl of tr, 7.0' - eop

Reflect Xbuck
14.0' - cl of tr, 4.0' - eop

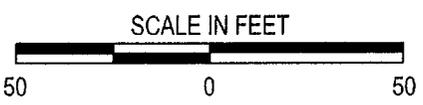
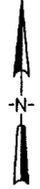
25°

23°

J:\LOGAN\289493R\289493R.DWG 06/21/00 11:27 TFG



ROAD PROFILE



Crossing #: 289495E
 Location: Logan Co., City of Mt. Pulaski (I)
 Lat/Long: 40°00'16" / 89°17'09"
 Railroad: Illinois Central Railroad Company
 Street: Washington Street
 Railroad Milepost: 169.04-D
 Crossing Protection: Reflective Crossbuck Signs

ILLINOIS CENTRAL RAILROAD
 ENGINEERING DEPARTMENT
 OFFICE OF GENERAL MANAGER-C&S

Mt. Pulaski, IL

Est 1018-001

Estimated cost of Signal work to install FLS & one (1) Cantilever at Washington Street.

Midwest Division

Val Sec Il-2

ITEM DESCRIPTION	QUANTITY	UNIT	UNIT COST	TOTAL COST
=====				
FAPG				

<u>CROSSING MATERIALS PACKAGE</u>				
PSO TRK CKT,7A444-F	2.	EACH @	2306.00	4612.00
SHORT MOD TRK CKT,71150-IPI	2.	EACH @	1527.00	3054.00
RELAY, PLUG-IN, 500 OHM	5.	EACH @	550.00	2750.00
RELAY, PLUG-IN, 194 OHM	2.	EACH @	500.00	1000.00
RECTIFIER, CRC 20EC-12V	2.	EACH @	535.00	1070.00
ERICO SURGE RACK	1.	LOT @	1450.00	1450.00
EQUIPMENT RACK	2.	EACH @	311.00	622.00
LED FLASHER ASSEMBLY	1.	EACH @	2800.00	2800.00
CANTILEVER, WNR, 35' ARM	1.	EACH @	12835.00	12835.00
FLX-2000, 2-WAY, MAIN MAST	1.	EACH @	1725.00	1725.00
FLX-2000, 2-WAY, JURY MAST	1.	EACH @	1715.00	1715.00
RR CROSSING SIGN	1.	EACH @	135.00	135.00
BELL, ELECTRONIC	1.	EACH @	235.00	235.00
BATTERY, GNB 265AH	12.	EACH @	217.00	2604.00
FOUNDATION, S2 4FT-6IN HI	1.	EACH @	369.00	369.00
FDN, DP6B, 5FT-7IN HI	1.	EACH @	3000.00	3000.00
INST CASE, ALUM, HIGH DOUBLE	1.	EACH @	2075.00	2075.00
CABLE, 5c/6, 121-M (O)	300.	FEET @	2.75	825.00
CABLE, 7c/14, 121-C (O)	300.	FEET @	1.50	450.00
MISC. SIGNAL MATERIAL	1.	L.S. @	300.00	300.00
5 MAN GANG	8.	DAY @	1000.00	8000.00
PRELIMINARY ENGINEERING	1.	L.S. @	3200.00	3200.00
CONSTRUCTION ENGINEERING	1.	L.S. @	275.00	275.00

Mt. Pulaski, IL

Est 1018-001

SUMMARY

MATERIAL	43626.00 *
HANDLING 0.0610	2661.19
LABOR	8000.00 *
ENGINEERING	3475.00
ACCOUNTING	200.00
COMPOSITE ADD.-DIRECT LABOR 1.0706	8564.80
COMPOSITE ADD.-ENG 1.0088 -ACCT 1.0706	3719.70
SUBSISTENCE	2000.00
RENTAL OF EQUIPMENT	1600.00
CONTINGENCIES	7383.31

TOTAL COST	81230.00