

ORIGINAL

STATE OF ILLINOIS

ILLINOIS COMMERCE COMMISSION

T04-0086

STIPULATED AGREEMENT NO. 1113

This agreement made and entered into, by and between the State of Illinois acting by and through the Illinois Commerce Commission ("COMMISSION"), the Grand Trunk Western Railroad, Inc. ("COMPANY"), and the State of Illinois, Department of Transportation ("DEPARTMENT").

WITNESSETH:

WHEREAS, it has come to the attention of the Commission through application for assistance from the Grade Crossing Protection Fund that inquiry should be made into the matter of improving public safety at the Volbrecht Road highway-rail grade crossing of the Company's track in the Village of Lansing, in Cook County, Illinois, designated as crossing AAR/DOT 283 186W, milepost 27.49-M; and

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

WHEREAS, the physical aspects, including geometrics of the intersection, train movements, vehicular traffic volume, and sight distances and 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 the 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 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:

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) Upgrade the existing control circuitry to constant warning time (CWT) circuitry on the southerly track.

DOCKETED

Section 3 The Company has prepared a detailed estimate of cost to accomplish the proposed safety improvements, which it may be required to perform. Execution of the Agreement by the Department will be considered as its acceptance and approval said estimate, attached hereto as Exhibit B.

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 completion of the proposed improvements should be twelve (12) months from the date of a Commission Order subsequent to this Agreement.

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

COST DIVISION TABLE:

IMPROVEMENT	EST. COST	GCPF	COMPANY	IDOT
Upgrade south track control circuitry to CWT	\$90,519	\$45,260 ¹	Remainder ²	\$0

Notes:

¹ Total Grade Crossing Protection Fund (GCPF) contribution not to exceed \$45,260.

² Company responsible for all future operating and maintenance costs associated with the new control circuitry.

Section 6 The Village of Lansing is not required to pay any portion of the cost for the proposed improvements.

Section 7 Special Provisions: Since the warning device improvements 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 complete and submit the Project Manager Information portion of the Project Status Report sheet, attached as Exhibit C, along with this executed Agreement.

The Company shall, at six (6) month intervals from the date of Commission Order subsequent to this Agreement, submit to the Director of Processing and Information, Transportation Bureau of the Commission, a Project Status Report, attached as Exhibit C, regarding the progress it has made toward completion of the work herein required. Each Project Status Report shall include the Commission Order number, the Order date, the project completion date as noted in the Order, crossing information (inventory number and railroad milepost), type of improvement, and the name, title, mailing address, phone number, facsimile number, and electronic mailing address of the Company Project Manager.

All bills for expenditures authorized for reimbursement from the Grade Crossing Protection Fund shall be submitted to the Fiscal Control Unit, Bureau of Local Roads and Streets, Illinois Department of Transportation, 2300 South Dirksen Parkway, Springfield, Illinois 62764. 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.

Section 8 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 8th day of December, 2004.



Michael E. Stead
Rail Safety Program Administrator

Attest:



Joseph J. Von De Bur
Railroad Safety Specialist

Illinois Commerce Commission Stipulated Agreement No. 1113 concerning improvements at the Volbrecht Road grade crossing of the Grand Trunk Western Railroad, Inc. tracks in the Village of Lansing, Cook County, Illinois, designated as crossing AAR/DOT 283 186W, milepost 27.49-M.

Executed by the Company this 13 day of December 2004.

GRAND TRUNK WESTERN RAILROAD,
INCORPORATED

By: Paul E. Ladue
Paul E. Ladue
Region Director
Contracts & Administration

Witness:

John E. Merrill

APPROVED AS TO FORM	
Materials Management	
Engineering	<i>T.R.</i>
Accounting	
Law	<i>[Signature]</i>
Law	<i>[Signature]</i>
EXECUTION	

Illinois Commerce Commission Stipulated Agreement No. 1113 concerning improvements at the Volbrecht Road grade crossing of the Grand Trunk Western Railroad, Inc. tracks in the Village of Lansing, Cook County, Illinois, designated as crossing AAR/DOT 283 186W, milepost 27.49-M.

Executed by the Department this 22nd day of December 2004.

STATE OF ILLINOIS
DEPARTMENT OF TRANSPORTATION

By: Victor A. Modler
Director of Highways *VM*

**ILLINOIS COMMERCE COMMISSION
STIPULATED AGREEMENT
CROSSING DATA FORM**

GENERAL INFORMATION: See Location Sketch

RAILROAD	Grand Trunk Western Railroad , Inc. (GTW)
USDOT#, MILEPOST	283 186W, 27.49-M
STREET, CITY, COUNTY	Volbrecht Road, In Lansing, Cook County
JURISDICTION (RDWY)	Village of Lansing
LOCATION	Urban, Commercial/Industrial
STREET SURFACE	24 ft. Width Bituminous, 2-Lane, 2-Way

CROSSING DATA: See Location Sketch for roadway profile and track centers

TRACK (N-S)	SURFACE TYPE	SURFACE WIDTH	SURFACE CONDITION
Main (N)	Full Depth Timber	40 Ft.	Very Good
Main (S)	Full Depth Timber	40 Ft.	Very Good

ROADWAY DATA: See Location Sketch

INTERSECTING ROADS:	Thornton-Lansing Road – 473 ft. south
TRAFFIC CONTROL	Automated Traffic Signals
ADT & SPEED	1750 Vehicles Per Day @ 35 MPH (SB), 45 MPH (NB), posted
TRAFFIC TYPE	Passenger, Possible Hazardous Materials, Possible Emergency Response
ADVANCE WARNING	South (Northbound) Only
PAVEMENT MARKING	None

RAILROAD DATA: See Location Sketch

FREIGHT TRAFFIC	22-28 Per day @ 60 MPH, Day & Night
PASSENGER TRAFFIC	None
WARNING DEVICES	Automatic Flashing Light Signals and Gates (AFLS&G)

NOTES:

Village should install advance-warning signs north of crossing for southbound traffic.

**STIPULATED AGREEMENT
NO. 1113**

VISIBILITY STUDY: See Location Sketch

Train Speed	60	MPH
Roadway Speed	45	MPH
Required Stopping Sight Distance (SSD)		
Along Roadway	550	FEET
Along Tracks	479	FEET
Required Clearing Sight Distance (CSD) (Along Tracks)	1532	FEET

Distances calculated per American Association of State Highway and Transportation Officials (AASHTO), A Policy on Geometric Design of Highways and Streets, 2001, Fourth Edition. (Adjustments have not been made for skew of crossing.)

QUADRANT	CSD (FT)	OBSTRUCTION	SSD (FT)	OBSTRUCTION
NE	*		*	
NW	*		*	
SE	*		*	
SW	*		*	

*Note: The installation of automatic flashing light signals and gates eliminates the need to satisfy minimum Sight Distance criteria.

APPROACH GRADES: See Location Sketch

DIRECTION: NORTH			DIRECTION: SOUTH		
DISTANCE (FT)	ELEVATION (FT)	GRADE (%)	DISTANCE (FT)	ELEVATION (FT)	GRADE (%)
0	100.0	---	0	100.0	---
25	99.7	-1.2	25	99.9	-0.4
50	99.5	-0.8	50	100.1	+0.8
100	98.7	-1.6	100	100.1	0.0

Distance measured from outermost rail.

COMMENTS:

Project includes the installation of new control circuitry for existing automatic warning devices at the Volbrecht Road highway-rail grade crossing of the Grand Trunk Western Railroad's tracks in Lansing, Cook County. The improvement is necessitated by an Illinois Department of Transportation/Illinois State Toll Highway Authority roadway-widening project on I-80/I-294/I-94.

Recommended Cost Division:

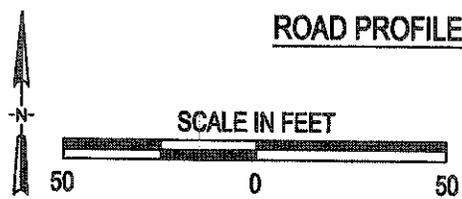
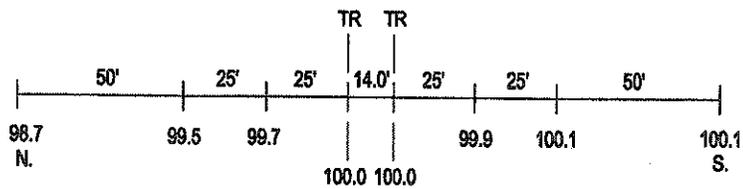
50% Grade Crossing Protection Fund
50% Grand Trunk Western Railroad, Inc. (GTW)

RAW PLAN 283186W
1/10/00 6.6:000



Control Box
15' dia. x 52' - eop

Standard
12' dia. x 6.6' - eop



Crossing #: 283186W

Location: Cook Co., City of Lansing (I)

Lat/Long: 41°34'17" / 87°34'41"

Railroad: Grand Trunk Western Railway Company

Street: Volbrecht Road

Railroad Milepost: 27.49-M

Crossing Protection: AFLS & G



DETAILED ESTIMATE

PROJ. NO. _____

SHEET NO. _____

OF _____

1

STATION / MILEAGE _____

27.45

SUBDIV'N. _____

Elsdon

Crossing Name _____

Volbrecht Road

DESCRIPTION OF PROJECT: _____

Modernize Control Circuits

Thorton Twp., IL _____

PLAN NO. _____

DATED _____

ESTIMATED BY: _____

Chuck Moberg

SIGNAL DESIGN OFFICER

DATE _____

September 20, 2004

APPROVED BY _____

M. RYON

(TITLE)

MNGR, SIGNAL INSTALLATION

FILE: _____

DESCRIPTION (MATERIAL & LABOR)	QUANTITY	UNIT PRICE	UNIT OF MEAS.	TOTAL COST	DISTRIBUTION			
					INVESTMENT	OTHER CO. & INDIV.		
Predictor, HXP-3R2 (#250729-4401)	1	25,072.00	EA	\$ 25,072	This column for CN use ONLY	Road Authority		
NBS-1, (#250250-156)	4	316.00	EA	\$ 1,264				
DWBS -1134D-4 (#250127-003)	6	262.00	EA	\$ 1,572				
Crossing Controller, 40amp (#91190)	1	4,448.00	EA	\$ 4,448				
SEAR II Analyzer Recorder w/expanded memory	1	2,913.00	EA	\$ 2,913				
2 - Channel Current Sensor	2	443.00	EA	\$ 886				
Charger, Battery 40 Amp	1	715.00	EA	\$ 715				
Battery, Mtce. Free 12V 265AH	7	186.00	EA	\$ 1,302				
Kit, Bootleg	4	53.00	EA	\$ 212				
Relay, Plug-In w/Base	1	647.00	EA	\$ 647				
Cable, 2c#6 TW. UG.	1500	0.50	FT	\$ 750				
Inner Duct 4"	100	1.60	FT	\$ 160				
Misc. Signal Material			LS	\$ 3,000				
Total Material Signal				\$ 42,941			\$ 42,941	\$ 42,941
Tax, Sales 7.75%				\$ 3,328				\$ 3,328
Handling CN 14%				\$ 6,012	\$ 6,012			
Handling DOT 5%				\$ 2,147		\$ 2,147		
Contracted Engineering			LS	\$ 4,500				
Engineering In House			LS	\$ 1,500				
Installation	600	\$ 21	MAN/HRS	\$ 12,600				
Accounting, Billing			LS	\$ 500				
				\$ 19,100	\$ 19,100	\$ 19,100		
Overheads								
DOT 68.05%						\$ 12,998		
CN 185%					\$ 35,335			
Total CN Labor				\$ 19,100				
OCS Expenses	45	\$ 75	DAY	\$ 3,375	\$ 3,375	\$ 3,375		
Bore Machine	2	\$ 100	DAY	\$ 200				
Backhoe w/Trailer	15	\$ 195	DAY	\$ 2,925				
Truck, Utility	15	\$ 107	DAY	\$ 1,605				
Truck, Crew cab	15	\$ 116	DAY	\$ 1,740				
Passenger Vehicle	2	\$ 80	DAY	\$ 160				
Steel Container		\$ 1,000	LS	\$ 1,000				
Total Other				\$ 6,630		\$ 6,630		
TOTAL					\$106,763	\$ 90,519		

Estimate "C" – Cost to upgrade Volbrecht Road AFLS/gates circuitry to be compatible with coded track circuits.

GTW

INSTALL CODED TRACK CIRCUITS FROM MP 25.4 (+/-) to MP 27.4 (+/-) TO ELIMINATE POLE LINE

	FHPM Cost	CN Cost (GAAP)
ESTIMATED COST (less Volbrecht Rd related work)	\$75,927	\$91,760
Less IDOT Reimbursement (for clearing pole line under OH Bridges 26.77 and 27.18)	\$70,856	\$70,856
CN Portion:	\$5,071	\$20,904
VOLBRECHT RD CIRCUIT UPGRADE COST	\$90,519	\$106,763
Less ICC Reimbursement (50% of FHPM Cost)	\$45,260	\$45,260
CN Portion:	\$45,259	\$61,504
TOTAL ESTIMATED COST	\$166,446	\$198,523
TOTAL CN PORTION	\$50,330	\$82,407

EXHIBIT B

**ILLINOIS COMMERCE COMMISSION
TRANSPORTATION DIVISION / RAIL SAFETY SECTION**

PROJECT STATUS REPORT:

TYPE: (CHECK ONE)

PROGRESS	<input type="checkbox"/>
COMPLETION*	<input type="checkbox"/>

DATE	<input type="text"/>
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PROJECT INFORMATION:

Reporting Party:	
Docket/Order #; Date:	
Status Reports Due:	
Ordered Completion Date:	
Completion Report Due ¹ :	
AAR/DOT#, Milepost:	283 186W, 27.49-M
Street, (in/near) City, County:	Volbrecht Road, Village of Lansing, Cook County
Railroad Company:	Grand Trunk Western Railroad Company (GTW)

¹Completion reports involving changes to the railroad crossing must include an updated USDOT Inventory Form.

PROJECT MANAGER INFORMATION²:

Name:	Mark A. Ryon
Title:	Manager – Signals & Communications
Representing:	Grand Trunk Western Railroad Company, Incorporated (GTW)
Street Address:	700 Pershing Road
City, State, Zip:	Pontiac, Michigan 48340
Office Phone:	248-452-4860
Office Fax:	248-452-4856
Cellular Phone:	248-431-1675
E-Mail Address:	Mark.Ryon@cn.ca

²Project Manager information to be submitted by the Railroad Company

DESCRIPTION OF IMPROVEMENT ORDERED:

Install new constant warning time circuitry at the Volbrecht Road highway-rail grade crossing of the GTW's track in Lansing, Cook County.

STATUS OF WORK:

**ILLINOIS COMMERCE COMMISSION
TRANSPORTATION DIVISION / RAIL SAFETY SECTION**

Mail directed to the **Rail Safety Section** or the **Director of Processing and Information**, Transportation Bureau of the Commission should be addressed to:

The Illinois Commerce Commission
527 East Capitol Avenue
Springfield, IL 62701-1827

If you have questions contact:

Joe Von De Bur, Railroad Safety Specialist
Phone: (217) 557-1286
Email: jvondebu@icc.state.il.us

A **Form 3** can be obtained from the Illinois Commerce Commission by calling 217/782-7660 or on the web at:

<http://www.icc.state.il.us/hq/library.aspx?key=Railroad%20Safety>

United States Department of Transportation Inventory Form #6180.71 can be obtained on the web at:

<http://safetydata.fra.dot.gov/OfficeofSafety/Forms/Default.asp>

Submit Inventory forms to:

Federal Railroad Administration Office of Safety 1120 Vermont Avenue, NW Washington, DC 20590	<u>And</u>	Chief of Data Services Illinois Department of Transportation 2300 S. Dirksen Parkway Springfield, IL 62764
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