



ILLINOIS COMMERCE COMMISSION

April 6, 2005

Village of Buda, Buda, Illinois,
Petitioner,

v.

State of Illinois, Department of Transportation and Burlington Northern Santa
Fe Railroad Company,
Respondents.

T05-0020

Petition for authorization to replace the grade separation structure situated
over BNSF's tracks located approximately 1200' East of IL Rt. 40 at railroad
milepost 116.92 in Buda, Bureau County, Illinois.

Mr. Daniel F. Tracy
Angel, Isaacson & Tracy
111 Park Avenue East
Princeton, IL 61356

Dear Mr. Tracy:

Receipt is acknowledged of the original Petition filed April 5, 2005 in the above matter.

**All future correspondence/pleadings should be filed with an original and two (2) copies
and addressed to: Mr. Dave Lazarides, Acting Director of Processing, Illinois Commerce
Commission, 527 East Capitol Avenue, Springfield, IL 62701 or you may file the original
electronically through E-docket if you have an account. To apply for an account, please log on to
www.icc.state.il.us and apply for an E-docket account.**

Processing and Information Section

KI

Cc: Mr. Victor A. Modeer, IDOT
Mr. Thomas Benson, IDOT
Mr. W. Douglas Werner, BNSF
Mr. Mark Leemon, BNSF
C T Corporation System, BNSF
Mr. Joel Van Drew, Mayor
Ms. Virginia Bollinger, Clerk

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ORIGINAL

STATE OF ILLINOIS
ILLINOIS COMMERCE COMMISSION

VILLAGE OF BUDA,
BUDA, ILLINOIS,)

Petitioner,)

v.)

STATE OF ILLINOIS DEPARTMENT
OF TRANSPORTATION, and)
BURLINGTON NORTHERN SANTA FE)
RAILROAD COMPANY,)

Respondents.)

Petition for authorization to replace the)
grade separation structure situated over)
BNSF's tracks located approximately 1200')
East of IL Rt. 40 at railroad milepost 116.92)
in Buda, Bureau County, Illinois.)

RECEIVED
APR 5 2005

Illinois Commerce Commission
RAIL SAFETY SECTION

No. 705-0070

PETITION

The Village of Buda by and through its attorney, Daniel F. Tracy, hereby petitions the Illinois Commerce Commission ("Commission") for authority to replace the grade separation structure ("bridge") situated over the Railroad tracks of the BNSF ("Railroad") approximately 1200' East of Illinois Route. 40 at Railroad milepost 116.92 in Buda, Bureau County, Illinois, and in support of the petition the Village states as follows:

1. The Commission has jurisdiction of the subject matter of this Petition and of the parties pursuant to Chapter 18 of the Illinois Commercial Transportation Law. (625 ILCS 5/18(c)-7401)

2. The existing bridge was constructed in 1916 and carries the local road, High Street, over the BNSF Railroad and serves as an important grade separation over the Railroad within the Village limits.

DOCKETED

APR 6 2005

3. In the event of an emergency, the use of the grade separation structure on State Route 40 over the BNSF Railroad would involve a 5-½ mile detour should the existing grade crossing on Main Street be blocked.

4. The existing High Street bridge is in poor condition and substandard in width, vertical alignment, and vertical clearance for rail traffic.

5. The village proposes to replace the existing bridge as indicated in the proposed plans attached hereto and incorporated herein as Exhibit A.

6. As part of its proposal the village seeks to increase the existing vertical clearance over the Railroad's tracks to 23'6", increase the width of the bridge to 36' and improve both the horizontal and vertical alignments of the proposed structure.

7. The village seeks a contribution of funds from the Railroad and from the Department of Transportation for the replacement project.

8. The Railroad has no objection to the proposed replacement plans as submitted by the village.

9. The Department of Transportation has programmed their funds for this project for FY-2005.

10. The village anticipates a letting date of November 2005 and a completion date of November 30, 2006.

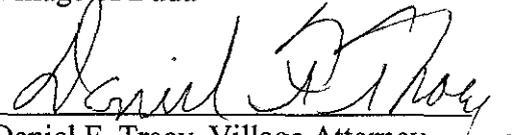
11. The village requests that the Commission's Order incorporate the provisions of said Agreement.

WHEREFORE, the Village of Buda prays that the Illinois Commerce Commission enter an Order, *without hearing*, in which it authorizes the replacement of the grade separation

structure situated over the Railroad tracks located approximately 1200' East of Illinois Route 40
at Railroad milepost 116.92 in Buda, Bureau County, Illinois.

Respectfully submitted,
Village of Buda

DATE: April 1, 2005

BY: 
Daniel F. Tracy, Village Attorney

Angel, Isaacson & Tracy
111 Park Avenue East
Princeton, IL 61356
815-875-6551

STATE OF ILLINOIS
ILLINOIS COMMERCE COMMISSION

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Illinois Commerce Commission
RAIL SAFETY SECTION

VILLAGE OF BUDA,
BUDA, ILLINOIS,)

Petitioner,)

v.)

No.)

STATE OF ILLINOIS DEPARTMENT
OF TRANSPORTATION, and)
BURLINGTON NORTHERN SANTA FE)
RAILROAD COMPANY,)

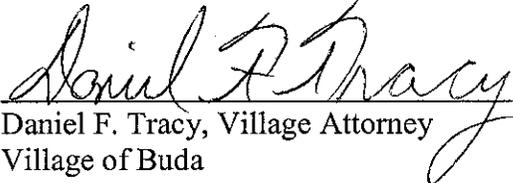
Respondents.)

Petition for authorization to replace the)
grade separation structure situated over)
BNSF's tracks located approximately 1200')
East of IL Rt. 40 at railroad milepost 116.92)
in Buda, Bureau County, Illinois.)

NOTICE OF FILING

TO: Burlington Northern and Santa Fe Railway Company, CT Corporation System,
208 S. LaSalle St., Chicago, IL 60604
Mr. W. Douglas Werner, Burlington Northern and Santa Fe Railway Company,
P.O. Box 961039, Fort Worth, TX 76161-0039
Mr. Michael L. Sazdanoff, Kenneth J. Wysoglad & Associates, 118 S. Clinton St.,
Suite 700, Chicago, IL 60661
Mr. Jason Nelson, Illinois Department of Transportation, Division of Local Roads, 819
Depot Ave., Dixon, IL 61021

PLEASE TAKE NOTICE that I have this 1st day of April, 2005 forwarded to Mr. Mike
Stead, Rail Safety Program Administrator, Illinois Commerce Commission, 527 East Capitol
Ave., Springfield, Illinois 62701, for filing in the above matter, the Village of Buda's Petition, a
copy of which is attached hereto and hereby served upon you.


Daniel F. Tracy, Village Attorney
Village of Buda
111 Park Avenue East
Princeton, IL 61356
815-875-6551

PROOF OF SERVICE

The undersigned hereby certifies that a copy of the foregoing instrument was served upon the addressee listed below by sending a true and correct copy via certified mail return receipt requested from 111 Park Avenue East, Princeton, IL 61356 this 1st day of April, 2005.

Burlington Northern and Santa Fe Railway Company
CT Corporation System
208 S. LaSalle St.
Chicago, IL 60604

Mr. W. Douglas Werner
Burlington Northern and Santa Fe Railway Company
P.O. Box 961039
Fort Worth, TX 76161-0039

Mr. Michael L. Sazdanoff
Kenneth J. Wysoglad & Associates
118 S. Clinton St., Suite 700
Chicago, IL 60661

Mr. Jason Nelson
Illinois Department of Transportation
Division of Local Roads
819 Depot Ave.
Dixon, IL 61021

Amy B. Peterson

Subscribed and sworn to before
me this 1st day of April, 2005.

Tracy Ann Shereus
Notary Public



Angel, Isaacson & Tracy
111 Park Avenue East
Princeton, IL 61356
815-875-6551

Exhibit A

McClure Engineering Associates, Inc.
 Project: High Street Bridge
 MEAI Project No: BU 06-30-04-032
 Section No. 01-00008-00-BR

ESTIMATE OF COST

Bridge Items					
PAY ITEM	ITEM	QTY	UNIT	UNIT PRICE	EXTENSION
1	Removal of Existing Structure	1	EACH	20,000.00	20,000.00
2	Structure Excavation	370	CU.YD.	20.00	7,400.00
3	Concrete Structures	250	CU.YD.	700.00	175,000.00
4	Concrete Superstructure	40	CU.YD.	850.00	34,000.00
5	Protective Coat	680	SQ.YD.	2.50	1,700.00
6	Precast Prestressed Conc Deck Beams, 33"	6213	SQ.FT.	43.00	267,159.00
7	Reinforcement Bars, Epoxy Coated	14000	POUND	1.80	25,200.00
8	Bit. Coated Aggregate SlopeWall, 6"	290	SQ.YD.	100.00	29,000.00
9	Furnishing Steel Piles HP14x73	1800	FOOT	40.00	72,000.00
10	Driving Steel Piles	1800	FOOT	1.00	1,800.00
11	Test Piles Steel HP 14x73	2	EACH	4,500.00	9,000.00
12	Name Plates	1	EACH	300.00	300.00
13	Water Proofing Membrane System	680	SQ.YD.	35.00	23,800.00
14	Bit. Concrete Surface Course, Class I	85	TON	50.00	4,250.00
15	Railroad Protective Liability Insurance	1	L. SUM	3,500.00	3,500.00
16	Flag Men	100	DAYS	500.00	50,000.00
17	Pedestrian Fencing	1360	SQ.FT.	10.00	13,600.00
18	Bridge Railing	175	FOOT	100.00	17,500.00
Subtotal					\$ 755,209.00
Approach Items					
PAY ITEM	ITEM	QTY	UNIT	UNIT PRICE	EXTENSION
19	Tree Removal (Over 15 Units Diameter)	1	UNIT	200.00	200.00
20	Embankment	3220	CU.YD.	7.00	22,540.00
21	Trench Backfill	25	CU.YD.	25.00	625.00
22	Topsoil Furnish and Place, 4"	400	SQ.YD.	3.00	1,200.00
23	Grading and Shaping Ditches	705	FOOT	5.00	3,525.00
24	Hydraulic Seeding	0.109	ACRE	5,000.00	545.00
25	Erosion Control Blanket	34	SQ.YD.	5.00	170.00
26	Erosion Control Fabric	34	SQ.YD.	5.00	170.00
27	Stone Riprap, Class A4	11	SQ.YD.	30.00	330.00
28	Filter Fabric for use with Riprap	11	SQ.YD.	3.00	33.00
29	Aggregate Base Course, Type B 8"	1750	SQ.YD.	8.00	14,000.00
30	Preparation of Base	1750	SQ.YD.	1.00	1,750.00
31	Bituminous Materials (Prime Coat)	525	GALLON	1.75	918.75
32	Leveling Binder (Machine Meth), Mix B, Ty1	150	TON	50.00	7,500.00
33	Bit Conc Surf Crse, Mix C, Class I, Type 1	150	TON	50.00	7,500.00
34	Bituminous Aggregate Mixture	187	SQ.YD.	73.50	13,744.50
35	Combination Conc Curb and Gutter	800	FOOT	15.00	12,000.00
36	Portland Cement Concrete Sidewalk 4 inch	2900	SQ.FT.	4.00	11,600.00
37	Portland Cement Concrete Sidewalk Special	160	SQ.FT.	8.00	1,280.00
38	Driveway Pavement Removal	362	SQ.YD.	15.00	5,430.00
39	Sidewalk Removal	575	SQ.FT.	2.00	1,150.00
40	Aggregate Shoulders, Type A 4"	120	SQ.YD.	10.00	1,200.00
41	Pipe Culvert Removal	10	FOOT	10.00	100.00

42	Furnishing Steel Piles HP14x73	3400	FOOT	40.00	136,000.00
43	Driving Steel Piles	3400	FOOT	1.00	3,400.00
44	Corrugated Metal Pipe 12"	120	FOOT	20.00	2,400.00
45	End Sections 12"	8	EACH	130.00	1,040.00
46	Storm Sewers, Type 1, Class IV 12"	250	FOOT	40.00	10,000.00
47	Catch Basin, Type B	8	EACH	850.00	6,800.00
48	Removing Inlets	2	EACH	500.00	1,000.00
49	Paved Ditch Type A-15	200	FOOT	25.00	5,000.00
50	Steel Plate Beam Guard Rail, Type A	600	FOOT	15.00	9,000.00
51	Traffic Barrier Terminal Type 1B	6	EACH	1,080.00	6,480.00
52	Woven Wire Fence, 4'	150	FOOT	8.00	1,200.00
53	Field Office	12	MONTH	1,200.00	14,400.00
54	Traffic Control and Protection	1	L. SUM	10,000.00	10,000.00
55	Temporary Aggregate Pavement 10"	166	TON	30.00	4,980.00
56	Relocate existing utilities	1	L. SUM	10,000.00	10,000.00
57	Precast Concrete Panels	3275	SQ.FT.	15.00	49,125.00
58	Temporary Easement	1	L.Sum	3,000.00	3,000.00
Subtotal					\$ 381,336.25
Total (Bridge and Approach)					\$ 1,136,545.25
Additional Engineering (redesign per RR)					\$ 12,000.00
Contingency, 15%					170,481.79
TOTAL					\$ 1,319,027.04