

**STATE OF ILLINOIS**

**ILLINOIS COMMERCE COMMISSION**

Grand Trunk Western Railroad, Inc., the State of Illinois, :  
Department of Transportation and the Village of Evergreen :  
Park :

Stipulated Agreement regarding improving public safety at :  
the following highway-rail grade crossings of the Grand :  
Trunk Western Railroad's track, all located in Cook County: :  
87<sup>th</sup> Street (AAR/DOT #283 147F, railroad milepost 13.31-M) :  
and 103<sup>rd</sup> Street (AAR/DOT #283 153J, railroad milepost :  
15.53-M) in the City of Chicago; 91<sup>st</sup> Street (AAR/DOT #283 :  
148M, railroad milepost 13.86-M) and 99<sup>th</sup> Street (AAR/DOT :  
#283 152C, railroad milepost 15.03-M) in the Village of :  
Evergreen Park; 115<sup>th</sup> Street (AAR/DOT #283 155X, railroad :  
milepost 17.04-M) and 119<sup>th</sup> Street (AAR/DOT #283 156E, :  
railroad milepost 17.54-M) in the Village of Merrionette Park; :  
and 123<sup>rd</sup> Street (AAR/DOT #283 157L, railroad milepost :  
18.05-M) in the City of Blue Island.

T06-0096

**AMENDED ORDER**

By the Commission:

On November 29, 2006, the Illinois Commerce Commission ("Commission") entered its original Order in this matter, which accepted the terms of Stipulated Agreement 1230 and required that the terms be met by the parties to the Agreement. The Order required the Grand Trunk Western Railroad, Inc. ("Company") to install new automatic flashing light signals and gates with constant warning time circuitry at the following highway-rail grade crossings of the Company's track in Cook County, Illinois:

<b>STREET</b>	<b>AAR/DOT #</b>	<b>MILEPOST</b>	<b>MUNICIPALITY</b>	<b>COUNTY</b>
87 <sup>th</sup> Street	283147F	13.31-M	City of Chicago	Cook
91 <sup>st</sup> Street	283148M	13.86-M	Village of Evergreen Park	Cook
99 <sup>th</sup> Street	283152C	15.03-M	Village of Evergreen Park	Cook
103 <sup>rd</sup> Street	283153J	15.53-M	City of Chicago	Cook
115 <sup>th</sup> Street	283155X	17.04-M	Village of Merrionette Park	Cook
119 <sup>th</sup> Street	283156E	17.54-M	Village of Merrionette Park	Cook
123 <sup>rd</sup> Street	283157L	18.05-M	City of Blue Island	Cook

On August 1, 2007, August 14, 2007, August 20, 2007, and September 5, 2007, the Staff of the Commission, the Village of Evergreen Park, the Grand Trunk Western Railroad, Inc. and the Illinois Department of Transportation, respectively, executed Amendment to Stipulated Agreement 1230 according to the provisions of Section 18c-7401 of the Illinois Commercial Transportation Law. The Amendment to Stipulated Agreement 1230, which is appended hereto, adds the Village of Evergreen Park as a party to the Agreement, expands the scope of work at the 99<sup>th</sup> Street crossing in Evergreen Park to include pedestrian gates, revises the cost estimate for the 99<sup>th</sup> Street crossing improvements, and replaces the cost division table with a new table.

The Commission, having given due consideration to the Amendment to Stipulated Agreement 1230, finds that:

- (1) The Village of Evergreen Park should be made a party to this case, and the Commission has jurisdiction over the parties and the subject matter of this proceeding;
- (2) The parties agree that in the interest of public safety the Amendment to Stipulated Agreement 1230, appended hereto, should be approved;
- (3) All terms and conditions of the original Order dated November 29, 2006, are hereby affirmed and shall remain in full force and effect except as herein modified.

IT IS THEREFORE ORDERED that the Village of Evergreen Park shall be made a party to this case.

IT IS FURTHER ORDERED that the terms of Amendment to Stipulated Agreement 1230, executed by the Staff of the Commission, the Village of Evergreen Park, the Grand Trunk Western Railroad, Inc. and the Illinois Department of Transportation on August 1, 2007, August 14, 2007, August 20, 2007 and September 5, 2007, respectively, be, and they are hereby accepted and required to be met by all the parties.

IT IS FURTHER ORDERED that Grand Trunk Western Railroad, Inc. is hereby required and directed to proceed immediately in performing the work set forth in the Amendment to Stipulated Agreement 1230, appended hereto and shall complete the work no later than November 29, 2007.

IT IS FURTHER ORDERED that the cost of making the improvements herein required shall be divided among the parties and the Grade Crossing Protection Fund of the Motor Fuel Tax Law, as set forth in the Amendment to Stipulated Agreement 1230, appended hereto.

IT IS FURTHER ORDERED that all terms and conditions of the original Order, dated November 29, 2006, are hereby affirmed and shall remain in full force and effect except as herein modified.

IT IS FURTHER ORDERED that, subject to Section 18c-2201 and 18c-2206 of the Law, this is a final decision subject to the Administrative Review Law.

By Order of the Commission this 26<sup>th</sup> day of September 2007.



CHARLES E. BOX  
Chairman

JUDGE
SECTION CHIEF <i>mes</i>
<i>NW</i> ORDERS SUPERVISOR

**STATE OF ILLINOIS  
ILLINOIS COMMERCE COMMISSION  
AMENDMENT TO STIPULATED AGREEMENT 1230**

**WITNESSETH:**

WHEREAS 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" or "IDOT") hereby agree to amend Stipulated Agreement 1230, as fully executed by the parties on October 24<sup>th</sup>, 2006, as follows:

- 1) The Village of Evergreen Park ("Village") is added as a party to the agreement;
- 2) Section 2 (c) is changed to read: *"99<sup>th</sup> Street - Install new automatic flashing light signals and gates, pedestrian gates and constant warning time circuitry to replace existing antiquated equipment, by the Company. (See Amended Exhibit B3)"*
- 3) The Cost Division Table located in Section 5 is replaced with the following table:

**- COST DIVISION TABLE -**

<b>IMPROVEMENT</b>	<b>EST. COST</b>	<b>GCPF</b>	<b>COMPANY</b>	<b>IDOT</b>	<b>Evergreen Park</b>
87 <sup>th</sup> Street – Install new Automatic Flashing Light Signals and Gates, controlled by CWT Circuitry	\$136,670	\$0 <sup>1</sup>	Remainder <sup>2</sup>	<b>(100%)</b> \$136,670	
91 <sup>st</sup> Street – Install new Automatic Flashing Light Signals and Gates, controlled by CWT Circuitry	\$131,690	<b>(100%)</b> \$131,690 <sup>1</sup>	Remainder <sup>2</sup>	\$0	
99 <sup>th</sup> Street – Install new Automatic Flashing Light Signals and Gates and Pedestrian Gates, controlled by CWT Circuitry	\$187,081	<b>(70.183%)</b> \$131,300 <sup>1</sup>	Remainder <sup>2</sup>	\$0	<b>(29.817%)</b> \$55,781 <sup>4</sup>
103 <sup>rd</sup> Street – Install new Automatic Flashing Light Signals and Gates, controlled by CWT Circuitry	\$109,760	\$0 <sup>1</sup>	Remainder <sup>2</sup>	<b>(100%)</b> \$109,760	
115 <sup>th</sup> Street – Install new Automatic Flashing Light Signals and Gates, controlled by CWT Circuitry	\$139,850	\$0 <sup>1</sup>	Remainder <sup>2</sup>	<b>(100%)</b> \$139,850	
119 <sup>th</sup> Street – Install new Automatic Flashing Light Signals and Gates, controlled by CWT Circuitry	\$124,500	\$0 <sup>1</sup>	Remainder <sup>2</sup>	<b>(100%)</b> \$124,500	
123 <sup>rd</sup> Street – Install new Automatic Flashing Light Signals and Gates, controlled by CWT Circuitry	\$154,900	<b>(100%)</b> \$154,900 <sup>1</sup>	Remainder <sup>2</sup>	\$0	
<b>TOTALS</b>	<b>\$984,451</b>	<b>\$417,890</b>	<b>Remainder<sup>2</sup></b>	<b>\$510,780</b>	<b>\$55,781</b>

**Notes:**

<sup>1</sup> Total Grade Crossing Protection Fund (GCPF) assistance not to exceed \$417,890; any installation costs above the estimated amount of \$984,451 will be divided between the GCPF and the Company in the same percentages noted above, upon submittal and review of evidence to support the additional cost and subject to approval by the Commission.;

<sup>2</sup> Company responsible for all future operating and maintenance costs associated with the new automatic warning devices.

<sup>3</sup> Total Illinois Department of Transportation assistance not to exceed \$510,780.

<sup>4</sup> Evergreen Park to pay amount with a State of Illinois Train Horn Abatement in Cook County Grant.

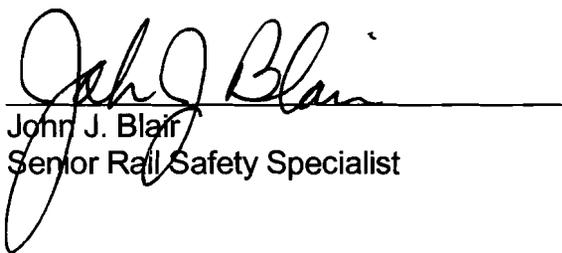
- 4) Section 6 is changed to read: "Excluding the pedestrian gate improvement at 99<sup>th</sup> Street, the City of Chicago, the Village of Evergreen Park, the Village of Merrionette Park, and the City of Blue Island are not required to pay any portion of the cost for the proposed improvements.
- 5) Exhibit B3 of the agreement is replaced with the attached Amended Exhibit B3 which is a copy of the Company's revised estimate of cost for the improvements at 99<sup>th</sup> Street.
- 6) All other terms and conditions of the original agreement executed by the parties are hereby affirmed and remain in full force and effect except as herein modified.

In Witness Whereof, the parties have caused this Amended Agreement to be executed by their duly authorized officers, as of the dates indicated on their respective Execution Pages, attached hereto.

Executed by the Commission this 1<sup>st</sup> day of August 2007.



Michael E. Stead  
Rail Safety Program Administrator



John J. Blair  
Senior Rail Safety Specialist

Illinois Commerce Commission Amendment to Stipulated Agreement No. 1230, executed by Commission Staff on August 1, 2007.

Executed by the Village of Evergreen Park this 14<sup>TH</sup> day of AUGUST 2007.



VILLAGE OF EVERGREEN PARK

By: James J. Septon

Witness:

Catherine T. Puro

Illinois Commerce Commission Amendment to Stipulated Agreement No. 1230, executed by Commission Staff on August 1, 2007.

Executed by the Grand Trunk Western Railroad, Inc. this 20 day of August 2007.

GRAND TRUNK WESTERN RAILROAD, INC.

By: Paul E Ladue

ok  
TGH

Witness:

[Signature]

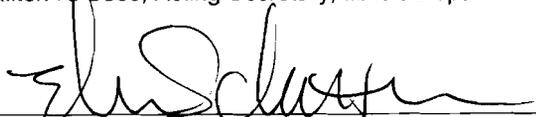
RECEIVED  
AUG 21 2007  
Illinois Commerce Commission  
RAIL SAFETY SECTION

Illinois Commerce Commission Amendment to Stipulated Agreement No. 1230,  
executed by Commission Staff on August 1, 2007

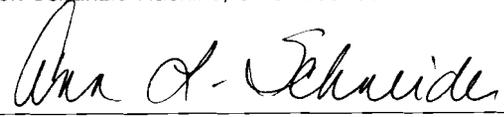
Local Agency	Blue Island, City of Chicago, Marionette Park, Evergreen Park
Section Number	06-00171-00-RR
Job Number	C91-353-06, C-91-055-07

  
\_\_\_\_\_  
Milton R. Sees, Acting Secretary, Illinois Department of Transportation

9/5/07  
Date

  
\_\_\_\_\_  
Ellen Schanzle-Haskins, Chief Counsel

8-29-07  
Date

  
\_\_\_\_\_  
Ann Schneider, Director of Finance & Administration

9/4/07  
Date

# ILLINOIS CENTRAL RAILROAD COMPANY

A WHOLLY OWNED SUBSIDIARY OF

CANADIAN NATIONAL RAILWAY COMPANY

## HIGHWAY/RAIL GRADE CROSSING SIGNAL ESTIMATE

Roadway Name: 99th Street  
 Nearest Station: Evergreen Park, IL  
 Railroad Region: Southern  
 Railroad Subdivision: Elsdon  
 Railroad Milepost: 15.03  
 DOT Crossing No.: 283 152C  
 Valuation Section: IL-1

Date: December 6, 2006

Est CSB-603a

Prepared by: WCR

Description of Work: Signal work to upgrade crossing warning devices.

**MATERIAL:**

<u>Item</u>	<u>Quantity</u>	<u>Units</u>	<u>Unit Cost</u>	<u>Cost</u>
Landfill	1	LOT	\$800.00	\$ 800.00
Misc. Signal Material	1	LOT	\$500.00	\$ 500.00
<b><u>CROSSING MATERIALS PACKAGE</u></b>				
GCP4000, 4 Trk, 8140-80460-00280	1	EACH	\$33,738.00	\$ 33,738.00
Narrow Band Shunt, 62775-1543	2	EACH	\$533.00	\$ 1,066.00
PSO II Track Circuit, 7A444-1770	1	EACH	\$3,257.00	\$ 3,257.00
Relay, ST, .5 Ohm, 400511	2	EACH	\$903.00	\$ 1,806.00
Rectifier, NRS 15110, 20A	1	EACH	\$446.00	\$ 446.00
Rectifier, NRS 18120, 40A	1	EACH	\$645.00	\$ 645.00
Intelligent Current Sensor, 80271	2	EACH	\$470.00	\$ 940.00
FLX-4000 & Gate Assembly, 2-Way	2	EACH	\$7,160.00	\$ 14,320.00
Arm, E-Z Gate, 16-24'	2	EACH	\$569.00	\$ 1,138.00
Gatekeeper, SK-1000	2	EACH	\$1,975.00	\$ 3,950.00
Bell, Electronic	1	EACH	\$235.00	\$ 235.00
Gate Assy, Sidewalk, 074000-W00008	4	EACH	\$3,475.00	\$ 13,900.00
Gate Arm, 10' w/1 Light	4	EACH	\$225.00	\$ 900.00
Battery, Ni-Cad, 250 AH	9	EACH	\$250.00	\$ 2,250.00
Battery, Ni-Cad, 340 AH	11	EACH	\$378.00	\$ 4,158.00
Foundation, S-2	7	EACH	\$410.00	\$ 2,870.00
Enclosure, Shunt	2	EACH	\$588.00	\$ 1,176.00
Pre-Wired Aluminum Bungalow, 6X6'	1	EACH	\$13,450.00	\$ 13,450.00
Signal, CLS-20R, 3 Posn	1	EACH	\$890.00	\$ 890.00
Mast & Ladder Assembly, 1C-1W	1	EACH	\$2,847.00	\$ 2,847.00
Number Plate Assembly	1	EACH	\$150.00	\$ 150.00
Wire, 2c/6, T10456	1000	FEET	\$1.26	\$ 1,260.00
Cable, 3c/6 TECK, T10458	100	FEET	\$4.30	\$ 430.00
Cable, 5c/6, T10460	300	FEET	\$4.03	\$ 1,209.00
Cable, 7c/6,9c/14, T12481	1000	FEET	\$6.80	\$ 6,800.00
				=====
SUBTOTAL MATERIAL				\$ 115,131.00

*AMENDED EXHIBIT B3 P1*

99th Street  
Evergreen Park, IL

Page 2  
Est CSB-603a

LABOR:

SIGNAL LABOR

<u>Item</u>	<u>Gang Days</u>	<u>Cost/Day</u>	<u>Cost</u>
5-man Gang	16	1200.00	\$ 19,200.00
SUBTOTAL SIGNAL LABOR			\$ 19,200.00

MISCELLANEOUS LABOR

<u>Item</u>	<u>Quantity</u>	<u>Units</u>	<u>Unit Cost</u>	<u>Cost</u>
Preliminary Engineering	1	L.S.	\$2,500.00	\$ 2,500.00
Construction Engineering	1	L.S.	\$275.00	\$ 275.00
Accounting	1	L.S.	\$300.00	\$ 300.00
SUBTOTAL MISCELLANEOUS LABOR				\$ 3,075.00
TOTAL LABOR				\$ 22,275.00

OTHER

<u>Item</u>	<u>Quantity</u>	<u>Units</u>	<u>Unit Cost</u>	<u>Cost</u>
Per Diem/Business Expense	1	L.S.	\$5,152.00	\$ 5,152.00
Contractor/Rented Equipment	1	L.S.	\$3,200.00	\$ 3,200.00
Power Tap	1	L.S.	\$1,500.00	\$ 1,500.00
Contract-Crossing System Wiring	1	L.S.	\$6,000.00	\$ 6,000.00
Freight on Crossing Package	1	L.S.	\$3,300.00	\$ 3,300.00
Contract Engineering	1	L.S.	\$6,000.00	\$ 6,000.00
TOTAL OTHER				\$ 25,152.00
TOTAL DIRECT COSTS				\$ 162,558.00

AMENDED EXHIBIT B3 P2

99th Street

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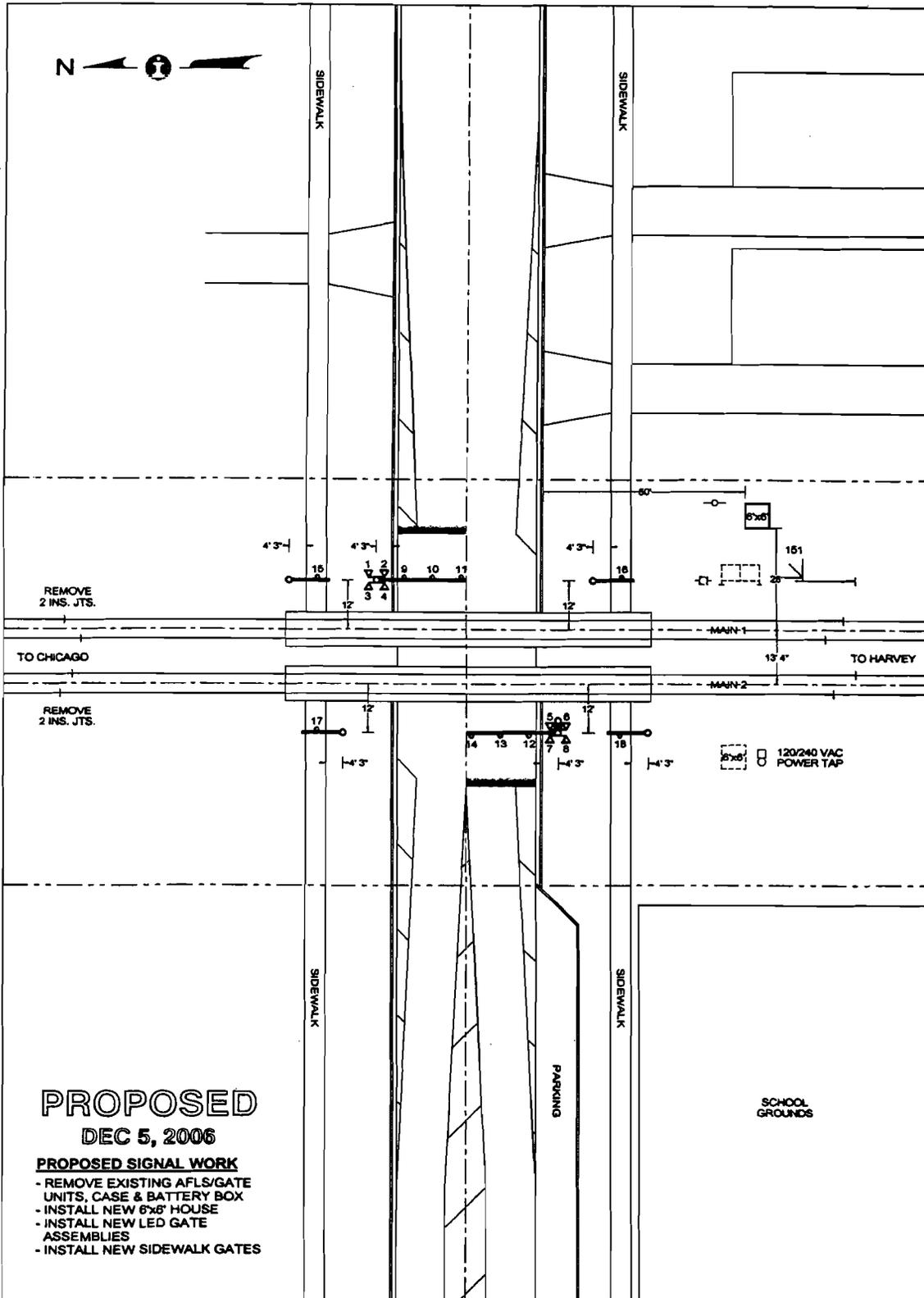
Evergreen Park, IL

Est CSB-603a

FAPG ADDITIVES

Material	\$ 115,131.00	
Material Additive ( 4.20%)		\$ 4,835.50
Signal Labor	\$ 19,200.00	
Signal Labor Additive ( 89.34%)		\$ 17,153.28
Engineering Labor	\$ 2,775.00	
Engineering Labor Additive ( 83.29%)		\$ 2,311.30
Accounting Labor	\$ 300.00	
Accounting Labor Additive ( 74.34%)		\$ 223.02
Other	\$ 25,152.00	
	=====	=====
TOTAL DIRECT COSTS	\$ 162,558.00	
TOTAL FAPG ADDITIVES		\$ 24,523.10
		=====
GRAND TOTAL FAPG BASIS		\$ 187,081.10

AMENDED EXHIBIT 83 P.3



# PROPOSED

DEC 5, 2006

## PROPOSED SIGNAL WORK

- REMOVE EXISTING AFLS/GATE UNITS, CASE & BATTERY BOX
- INSTALL NEW 6x6 HOUSE
- INSTALL NEW LED GATE ASSEMBLIES
- INSTALL NEW SIDEWALK GATES

QUADRANT	NE	NW	SW	SE	 <b>SIGNALS &amp; COMMUNICATIONS, ENGINEERING DEPARTMENT</b>	
STANDARD AFLS	LED	-	LED	-	CITY & STATE	
CANTILEVER, FT.	-	-	-	-	EVERGREEN PARK, IL	
GATE, FT.	22	-	22	-	SD CSB 15.03 X	
SIDEWALK GATE, FT.	10	10	10	10	DATE	
ADDED LIGHTS	-	-	-	-	APRIL 20, 2006	
BARRICADE	-	-	-	-	CROSSING	
MULTI-TK SIGH	-	-	-	-	99th ST	
BELL	-	-	X	-	GTW - 15.03 - SB	
REVISIONS					DOT - 283 152C	
					MIDWEST DIVISION	
					ELSDON SUBDIVISION	
					IN SERVICE	SCALE
						1"=30'
						DRAWN BY
						AVS

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AMENDED EXHIBIT 133 P.4