



ILLINOIS COMMERCE COMMISSION

August 18, 2008

County of Ogle, Illinois (Ogle County)
Petitioner,

Vs.

Burlington Northern Santa Fe Railroad Company, City of Rochelle and the
Illinois Department of Transportation,
Respondents.

T08-0116

Petition for the construction of a new grade separation to replace the existing
Steward Rd. highway-rail grade crossings (AAR/DOT #069-794E) of the BNSF
Railroad Company and (AAR/DOT #926-121H) of the City of Rochelle railroad
located near Rochelle, Ogle County, Illinois.

Mr. Curtis D. Cook
Ogle County Highway Engineer
1989 IL Route 2, South
Oregon, IL 61061

Dear Mr. Cook:

Receipt is acknowledged of the original Petition filed August 18, 2008 in the above matter.

All future correspondence/pleadings should be filed and addressed to: Mr. Dave Lazarides, 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.illinois.gov and apply for an E-docket account.

Processing and Information Section

KI

Cc: Staff: Mr. John Saladino
Ms. Christine Reed, IDOT
Ms. Ellen Schanzle-Haskins, IDOT
Mr. Lance T. Jones, IDOT
Mr. Chet Olson, Mayor

Mr. Robert Prendergast, BNSF
Mr. W. Douglas Werner, BNSF
Mr. Craig Rasmussen, BNSF
Mr. Bruce W. McKinney, City Clerk

ORIGINAL

**STATE OF ILLINOIS
BEFORE THE
ILLINOIS COMMERCE COMMISSION**

COUNTY OF OGLE, ILLINOIS)
(Ogle County))
Petitioner,)

vs.)

BURLINGTON NORTHERN SANTA FE)
RAILROAD COMPANY, City of)
Rochelle and THE ILLINOIS)
DEPARTMENT OF TRANSPORTATION,)
Respondents.)

Petition for the construction of a)
new grade separation to replace the)
existing Steward Rd highway-rail)
grade crossings (AARDOT #069-794E))
of the BNSF Railroad Company and)
(AARDOT #926-121H) of the City of)
Rochelle railroad located near)
Rochelle, Ogle County, Illinois.)

No.)

T08-0116

RECEIVED

AUG 18 2008

**Illinois Commerce Commission
RAIL SAFETY SECTION**

P E T I T I O N

TO THE ILLINOIS COMMERCE COMMISSION:

The Petitioner, County of Ogle, Illinois, respectfully represents to the Illinois Commerce Commission the following:

- Ogle County has jurisdiction under the laws of the State of Illinois, being the Illinois Highway Code and Illinois Municipal Code, over Steward Road (County Highway 17) which carry local and regional traffic across the Burlington Northern Santa Fe (hereinafter referred to as the "BNSF") tracks in Section 31, Township 40 North, Range 2 East of the Third Principal Meridian, County of Ogle, State of Illinois, and proposes a grade separation structure

DOCKETED

AUG 18 2008

to be constructed at Steward Road to replace the existing Steward Road highway-rail grade crossings (AARDOT # 069-794E) of the BNSF's tracks at the locations shown on **Exhibit A**, attached hereto and hereby made a part hereof.

2. Ogle County has jurisdiction under the laws of the State of Illinois, being the Illinois Highway Code and Illinois Municipal Code, over Steward Road (County Highway 17) which carry local and regional traffic across the City of Rochelle Railroad (hereinafter referred to as the "Rochelle Railroad") tracks in Section 31, Township 40 North, Range 2 East of the Third Principal Meridian, County of Ogle, State of Illinois, and proposes a grade separation structure to be constructed at Steward Road to replace the existing Steward Road highway-rail grade crossings (AARDOT #926-121H) of the Rochelle Railroad's tracks at the locations shown on **Exhibit A**.
3. The existing two mainline tracks and one siding track of the BNSF Railroad are oriented in a Northwest and Southeast direction intersecting Steward Road at the edge of the City of Rochelle, Ogle County, Illinois (Rochelle).
4. The existing one shortline track of the Rochelle Railroad is oriented in a Northwest and Southeast direction, parallel to the BNSF tracks, and intersects Steward Road at the edge of the City of Rochelle, Ogle County, Illinois (Rochelle).
5. Rochelle has jurisdiction under the laws of the State of Illinois, being the Illinois Highway Code and Illinois Municipal Code, over Caron Road which

carries local and regional traffic and currently intersects Steward Road from the North in a "T" intersection approximately 20' East of the Rochelle Railroad at-grade crossing and approximately 110' East of the BNSF at-grade crossings.

6. Steward Road is a designated Class III Truck Route from IL Rt. 251 Easterly across these at-grade crossings and then Southerly to the Lee County line. Caron Road is a designated Class III Truck Route from Steward Road Northerly to the existing Rochelle Industrial Park area.
7. The proximity of the existing intersection of Caron Road and Steward Road to the existing at-grade crossings will require re-alignment of Caron Road to a new intersection with Steward Road to accommodate the new grade separation structure. Due to the discussed railroad tracks being immediately west of the existing intersection and an existing 500,000 square foot warehouse development being immediately east of the existing intersection, the only feasible re-alignment of Caron Road to a new intersection with Steward Road is to extend Caron Road southerly under the proposed grade separation structure and loop the Caron Road extension easterly and then northerly back to Steward Road, just east of the grade separation's point of touchdown.
8. Properties adjacent to Steward Road, in the immediate vicinity of these at-grade crossings, either have developed or are developing, as warehousing and industrial uses. These include Illinois River Energy ethanol plant, Bay Valley

Foods Distribution Center, Clark Steel manufacturing, and Del Monte Foods Warehousing.

9. The current average daily traffic on Steward Road at the crossings is 1250 vehicles per day. The traffic volume for Caron Road is currently 750 vehicles per day. An intersection design study approved by the Illinois Department of Transportation in 2008 projects that by 2028 these traffic volumes will increase to 12,920 vehicles per day on Steward Road and 6,380 vehicles per day on Caron Road. The through train traffic volume of the BNSF railroad averages 36 trains per day and the train traffic volume of the City Industrial Rail averages 2 trains per day for their switching operations. In addition numerous BNSF switching movements take place daily at these crossings. The large number of train crossings, whether they be switching movements or through trains, create long delays for vehicular traffic at these crossings. The potential for vehicle-train grade crossing accidents and the regular delays for traffic at the at-grade crossings justify the need for a grade separation.
10. The existing BNSF Steward Road highway-rail crossing (AARDOT #069-794E) has pedestal mounted flashing lights with gate arms and precast concrete plank crossing surface. The existing Rochelle Railroad Steward Road highway-rail crossing has crossbucks and precast concrete plank crossing surface.
11. The geometric and general information for the proposed improvements for Steward Road are detailed in **Exhibit B**.

12. The Petitioner proposes a grade separation structure carrying Steward Road over the tracks of the BNSF and Rochelle Railroad and a new intersection of Steward Road and Caron Road be constructed to accommodate a re-alignment of Caron Road (hereinafter referred to as the "Project"). The actual Caron Road re-alignment will be performed by others in the Fall of 2008 prior to construction of this grade separation and intersection. Ogle County is proposed to be the responsible agency to perform the design, permitting, land acquisition, and construction of the Project, a 2-span steel girder, concrete deck bridge to carry Steward Road over the tracks of the BNSF, Rochelle Railroad and Caron Road re-alignment and design, permitting, land acquisition, and construction of the new Caron Road /Steward Road intersection as shown on the attached **Exhibit C** which is made a part hereof. This Project will provide for the public health, safety, welfare, and convenience of the vehicles and pedestrian traffic.
13. The estimated cost of the project is \$6,459,635.85. See **Exhibit D**.
14. The Petitioner and BNSF are involved in good faith negotiations towards the execution of a construction and maintenance agreement.

WHEREFORE, the Petitioner prays that the Illinois Commerce Commission hold a hearing to establish a new grade separation structure to replace the existing Steward Road highway-rail crossings, (AARDOT # 069-794E) of the BNSF's tracks and (AARDOT #926-121H) of the Rochelle Railroad's

tracks located near Rochelle, Ogle County, Illinois, and enter such Order pursuant to subsection (3) of Section 18c-7401 of "The Illinois Commercial Transportation Law," effective January 1, 1986, as amended (625 ILCS 5/18c-7401), providing for the above mentioned separation of grades by construction of the subject grade separation structure at Steward Road and related closing of the existing grade crossings, apportioning costs thereof, directing an appropriate portion thereof be borne by the Grade Crossing Protection Fund and directing disbursements in relation thereto, all as may be necessary to preserve, promote, and protect the safety and convenience of the public in the premises herein described.

Petitioner further specifically requests that all necessary steps be taken by the Illinois Commerce Commission to expedite, accelerate, and advance upon its' docket for immediate consideration, the matter of this Petition.

Respectfully submitted this 13th day of August, 2008,

THE COUNTY OF OGLE, STATE OF ILLINOIS

By: _____


Curtis D, Cook, PE
Ogle County Engineer

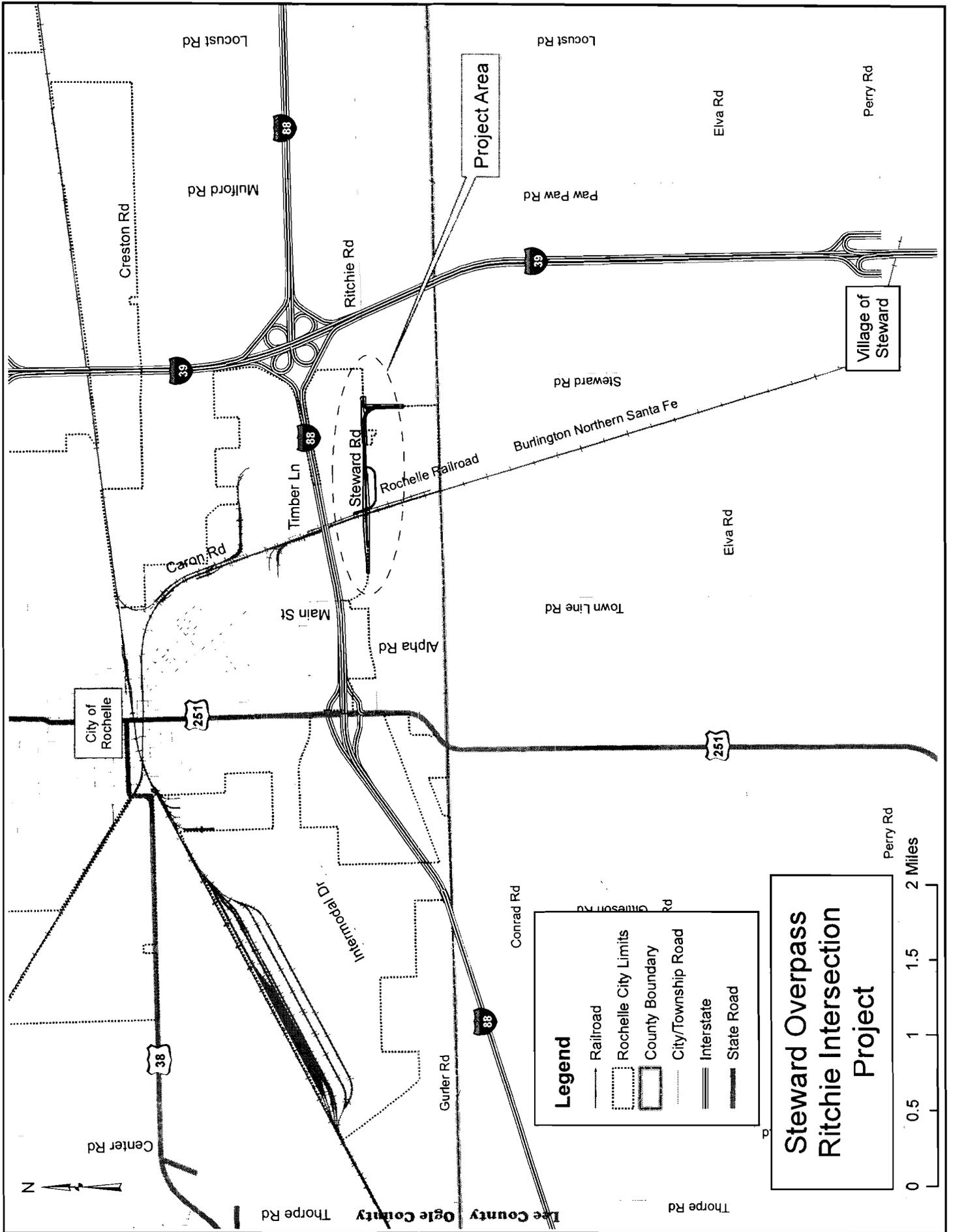


EXHIBIT A



(Construction) Estimate of Cost

Location and brief description (Sta. and land description of beginning; Sta. only for end for county and road districts; street limits for municipality.)
Station 59+50 thru 82+51, Overpass Section

Total Project Length	1.12 Miles
Net Length	0.44 Miles

Surface Type	HMA
Width	24'

Shoulder Type	Agg
Width	8'

Bridge or Culvert	
Length	212'
Width	40' F-F

Item Number	Items	Unit	Quantity	Unit Price	Total Cost
CARRIED FORWARD					
1	Earth Excavation (Special)	Ton	1,839.00	13.00	\$23,907.00
2	Removal and Disposal of Unsuitable Material	CY	167.00	10.00	\$1,670.00
3	Furnished Excavation	CY	102,549.00	10.00	\$1,025,490.0
4	Seeding, Class 7	Acre	4.00	350.00	\$1,400.00
5	Seeding, Class 1(Special)	Acre	4.00	3,500.00	\$14,000.00
6	Mulch Method 2	Acre	3.54	200.00	\$ 708.00
7	Erosion Control Blanket	SY	6,900.00	1.75	\$12,075.00
8	Temporary Ditch Checks	Each	20.00	125.00	\$2,500.00
9	Perimeter Erosion Barrier	Ft	1,445.00	4.50	\$6,502.50
10	Inlet and Pipe Protection	Each	3.00	175.00	\$ 525.00
11	Stone Riprap, Class A4	SY	20.00	30.00	\$ 600.00
12	Sub-Base Granular Material, Type B	Ton	2,602.00	12.00	\$31,224.00
13	Aggregate Base Course, Type A	Ton	2,618.00	13.00	\$34,034.00
14	Aggregate Surface Course, Type B	Ton	34.00	15.00	\$ 510.00
15	Bituminous Materials (Prime Coat)	Gal	2,813.00	3.00	\$8,439.00
16	Aggregate (Prime Coat)	Ton	8.00	20.00	\$ 160.00
17	HMA Surface Removal - Butt Joint	SY	67.00	21.00	\$1,407.00
18	HMA Binder Course, IL-19.0, N70	Ton	3,712.00	80.00	\$296,960.00
19	HMA Surface Course, Mix "D", N70	Ton	1,687.00	85.00	\$143,395.00
20	Bridge Approach Pavement	SY	267.00	225.00	\$60,075.00
21	Bridge Approach Pavement Connector (Flexible)	SY	60.80	50.00	\$3,040.00
22	Pavement Removal	SY	501.00	14.00	\$7,014.00
23	Aggregate Shoulders, Type A	Ton	518.00	25.00	\$12,950.00
24	HMA Shoulders	Ton	936.00	75.00	\$70,200.00
25	Pipe Culverts, Class D, Type 1 15"	Ft	64.00	30.00	\$1,920.00
26	End Sections 15"	Each	4.00	200.00	\$ 800.00
27	Pipe Drains 12"	Ft	268.00	45.00	\$12,060.00
28	Combination Concrete C&G, Type B-6.18	Ft	270.00	30.00	\$8,100.00

Page Total Total Estimated Cost **\$1,781,665.5**

Made by T.S.R. Date 08/12/2008

Checked by CDC Date 8/13/2008



(Construction) Estimate of Cost

Location and brief description (Sta. and land description of beginning; Sta. only for end for county and road districts; street limits for municipality.)
 Station 59+50 thru 82+51, Overpass Section

Total Project Length	1.12 Miles
Net Length	0.44 Miles

Surface Type	HMA
Width	24'

Shoulder Type	Agg
Width	8'

Bridge or Culvert	
Length	212'
Width	40' F-F

Item Number	Items	Unit	Quantity	Unit Price	Total Cost
	CARRIED FORWARD				\$1,781,665.5
29	Type D Inlet Box, Standard 609006	Each	6.00	1,800.00	\$10,800.00
30	Concrete Thrust Blocks	Each	6.00	300.00	\$1,800.00
31	Steel Plate Beam Guardrail, Type A	Ft	1,800.00	25.00	\$45,000.00
32	Traffic Barrier Terminal, Type 6	Each	4.00	2,800.00	\$11,200.00
33	Traffic Barrier Terminal, Ty 1 Special (Target)	Each	4.00	3,000.00	\$12,000.00
34	Furnishing and Erecting ROW Markers	Each	14.00	125.00	\$1,750.00
35	Traffic Control and Protection	L Sum	0.33	25,000.00	\$8,250.00
36	Short Term Pavement Marking	Ft	178.00	1.00	\$ 178.00
37	Work Zone Pavement Marking Removal	SF	59.00	12.00	\$ 708.00
38	Thermoplastic Pavement Marking - Line 4"	Ft	6,206.00	0.50	\$3,103.00
39	Thermoplastic Pavement Marking - Line 12"	Ft	175.00	1.00	\$ 175.00
40	Raised Reflective Pavement Markers	Each	22.00	35.00	\$ 770.00
41	Guardrail Markers	Each	37.00	11.00	\$ 407.00
42	Breaker-Run Crushed Stone	Ton	342.00	13.00	\$4,446.00
43	Structure Excavation	CY	4,601.00	20.00	\$92,020.00
44	Concrete Structures	CY	129.20	750.00	\$96,900.00
45	Concrete Superstructures	CY	345.70	800.00	\$276,560.00
46	Bridge Deck Grooving	SY	949.00	8.00	\$7,592.00
47	Protective Coat	SY	1,000.00	2.00	\$2,000.00
48	Furnishing and Erecting Structural Steel	L Sum	1.00	561,000.00	\$561,000.00
49	Stud Shear Connectors	Each	6,870.00	7.00	\$48,090.00
50	Reinforcement Bars, Epoxy Coated	Pound	95,470.00	2.00	\$190,940.00
51	Bar Splicers	Each	82.00	35.00	\$2,870.00
52	Furnishing Steel Piles - HP 12x53	Ft	797.00	35.00	\$27,895.00
53	Driving Piles	Ft	797.00	7.00	\$5,579.00
54	Test Pile - Steel HP 12x53	Each	3.00	3,500.00	\$10,500.00
55	Pile Shoes	Each	36.00	150.00	\$5,400.00
56	Name Plate	Each	1.00	300.00	\$ 300.00
	<input checked="" type="checkbox"/> Page Total				\$3,209,898.5
	<input type="checkbox"/> Total Estimated Cost				\$3,209,898.5

Made by T.S.R. Date 08/12/2008

Checked by CDC Date 08/13/2008



(Construction) Estimate of Cost

Location and brief description (Sta. and land description of beginning; Sta. only for end for county and road districts; street limits for municipality.)
 Station 82+51 thru 102+60, Relocated Caron Road/ Steward Road Intersection

Total Project Length	1.12 Miles
Net Length	0.38 Miles

Surface Type	HMA
Width	24'

Shoulder Type	Agg
Width	8'

Bridge or Culvert	
Length	212'
Width	40' F-F

Item Number	Items	Unit	Quantity	Unit Price	Total Cost
	CARRIED FORWARD				\$477,196.80
29	Thermoplastic Pavement Marking - Line 4"	Ft	4,446.00	0.50	\$2,223.00
30	Thermoplastic Pavement Marking - Line 8"	Ft	1,521.00	0.80	\$1,216.80
31	Thermoplastic Pavement Marking - Line 12"	Ft	243.00	1.00	\$ 243.00
32	Thermoplastic Pavement Marking - Line 24"	Ft	79.00	15.00	\$1,185.00
33	Raised Reflective Pavement Markers	Each	121.00	35.00	\$4,235.00
34	Terminal Marker - Direct Applied	Each	4.00	30.00	\$ 120.00
35	Breaker-Run Crushed Stone	Ton	341.00	13.00	\$4,433.00
36	Service Installation, Type A	Each	1.00	1,600.00	\$1,600.00
37	Conduit in Trench, 1-1/4" Dia., PVC	Ft	86.00	5.00	\$ 430.00
38	Conduit in Trench, 2" Dia., PVC	Ft	834.00	8.00	\$6,672.00
39	Conduit in Trench, 3" Dia., PVC	Ft	115.00	10.00	\$1,150.00
40	Conduit in Trench, 5" Dia., PVC	Ft	47.00	15.00	\$ 705.00
41	Conduit Pushed, 5" Dia., PVC	Ft	50.00	20.00	\$1,000.00
42	Handhole	Each	10.00	1,200.00	\$12,000.00
43	Double Handhole	Each	1.00	2,200.00	\$2,200.00
44	Trench and Backfill for Electrical Work	Ft	1,082.00	4.50	\$4,869.00
45	Electric Cbl in Couit, 600V(XLP Ty use)1/C # 10	Ft	1,350.00	1.25	\$1,687.50
46	Electric Cbl in Couit, 600V(XLP Ty use)1/C # 6	Ft	675.00	2.25	\$1,518.75
47	Lumi, Sodm Vapor, Hor. Mnt Photo Cll Cnt, 250W	Each	4.00	1,000.00	\$4,000.00
48	Full-Act Controller and Type IV Cabinet	Each	1.00	16,000.00	\$16,000.00
49	Electric Cable in Conduit, Signal No 14 5C	Ft	1,279.00	1.50	\$1,918.50
50	Electric Cable in Conduit, Signal No 14 7C	Ft	1,656.00	1.80	\$2,980.80
51	Electric Cable in Conduit, Lead in No. 18 3 Pr	Ft	2,640.00	1.25	\$3,300.00
52	Steel Comb. Mast Arm Assem. & Pole 42 Ft	Each	1.00	10,000.00	\$10,000.00
53	Steel Comb. Mast Arm Assem. & Pole 44 Ft	Each	1.00	12,000.00	\$12,000.00
54	Steel Comb. Mast Arm Assem. & Pole 48 Ft	Each	2.00	14,000.00	\$28,000.00
55	Concrete Foundation, Ty D	Ft	3.00	400.00	\$1,200.00
56	Concrete Foundation, Ty E 36" Dia	Ft	52.00	200.00	\$10,400.00
	<input checked="" type="checkbox"/> Page Total				\$614,484.15
	<input type="checkbox"/> Total Estimated Cost				\$614,484.15

Made by T.S.R. Date 08/12/2008

Checked by CDC Date 08/13/2008

**Steward Road Overpass & Caron Road Intx.
Proposed Cost Allocation
Sections 05-00233-00-BR**

13-Aug-08

05-00233-00-BR

Item	Total Cost	ICC	BNSF	Rochelle RR	Local
Preliminary		\$ -	\$ -	\$ -	\$ -
Engineering	\$ 180,000	\$ 108,000	\$ 9,000	\$ 9,000	\$ 54,000
ROW Acquisition	\$ 65,585	\$ 39,351	\$ 3,279	\$ 3,279	\$ 19,676
Construction	\$ 5,671,607	\$ 3,402,964	\$ 283,580	\$ 283,580	\$ 1,701,482
5% Contingency	\$ 283,580	\$ 170,148	\$ 14,179	\$ 14,179	\$ 85,074
Constr. Engineering	\$ 226,864	\$ 136,119	\$ 11,343	\$ 11,343	\$ 68,059
Constr. Stakeout	\$ 32,000	\$ 19,200	\$ 1,600	\$ 1,600	\$ 9,600
Totals	\$ 6,459,636	\$ 3,875,782	\$ 322,982	\$ 322,982	\$ 1,937,891
Proposed Project shares	100.00%	60.00%	5.00%	5.00%	30.00%

**STATE OF ILLINOIS
BEFORE THE
ILLINOIS COMMERCE COMMISSION**

COUNTY OF OGLE, ILLINOIS)
(Ogle County))
 Petitioner,)
)
 vs.) No.
)
BURLINGTON NORTHERN SANTA FE)
RAILROAD COMPANY, CITY OF)
ROCHELLE and THE ILLINOIS)
DEPARTMENT OF TRANSPORTATION,)
)
 Respondents.)
)
Petition for the construction of a)
new grade separation to replace the)
existing Steward Rd highway-rail)
grade crossings (AARDOT #069-794E))
of the BNSF Railroad Company and)
(AARDOT #926-121H) of the City of)
Rochelle Railroad located near)
Rochelle, Ogle County, Illinois.)

TO ALL PARTIES OF RECORD:

NOTICE OF FILING

Notice is hereby given that the attached Petition has been filed in the above entitled matter before the Illinois Commerce Commission in Springfield, Illinois at the offices of the Commission as follows: David Lazarides, Director of Processing, 527 East Capitol Avenue, Springfield, Illinois 62701, by mailing the same to the Commission at the aforementioned addresses this 13th day of August, 2008 by placing the same in the United States Mail at 1989 South IL Route 2, Oregon, IL at or about 4:00 p.m. on said date.

In addition, copies of the aforementioned Petition seeking review and determination as to the establishment of a new grade separation to replace the at-grade crossings of the BNSF and Steward Road and Rochelle Railroad and Steward Road, Southeast of Rochelle, Ogle County, Illinois and for the permanent closure of existing at-grade crossings AARDOT #069-794E, (BNSF/Steward Road) and AARDOT #926-121H, (Rochelle

Railroad/Steward Road) have been sent to all parties of record.

A handwritten signature in black ink, appearing to read "C. D. Cook", written over a horizontal line.

CURTIS D. COOK, PE
Ogle County Engineer

(CDC\steward-Notice of Filing)

**STATE OF ILLINOIS
BEFORE THE
ILLINOIS COMMERCE COMMISSION**

COUNTY OF OGLE, ILLINOIS)	
(Ogle County))	
Petitioner,)	
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vs.)	No.
)	
BURLINGTON NORTHERN SANTA FE)	
RAILROAD COMPANY, City of)	
Rochelle and THE ILLINOIS)	
DEPARTMENT OF TRANSPORTATION,)	
)	
Respondents.)	
)	
Petition for the construction of a)	
new grade separation to replace the)	
existing Steward Rd highway-rail)	
grade crossings (AARDOT #069-794E))	
of the BNSF Railroad Company and)	
(AARDOT #926-121H) of the City of)	
Rochelle railroad located near)	
Rochelle, Ogle County, Illinois.)	

CERTIFICATE OF SERVICE

The undersigned certifies that on August 13, 2008, 2008, a copy of the foregoing instrument was served upon the following parties by depositing said instrument in the U.S. Mail, with postage thereon fully prepaid, at 1989 South IL Route 2, Oregon, IL, addressed as follows:

CHARLES J. INGERSOLL, PE
Engineer of Local Roads and Streets
Illinois Department of Transportation
2300 South Dirksen Parkway, Room 311
Springfield, IL 62764

MICHAEL E. STEAD, PE
Railroad Safety Program Administrator
Illinois Commerce Commission
527 East Capitol Avenue, 6th Floor
Springfield, IL 62701

KEN ALBERTS
City Manager
City of Rochelle
420 North 6th Street
Rochelle, IL 61068

ROBERT PENDERGAST
Daley & Mohan
55 West Monroe Street, Suite 1600
Chicago, IL 60603

CRAIG RASMUSSEN, PE
Public Projects Manager
BNSF Railway Company
80 44th Avenue, NE
Minneapolis, MN 55421



CURTIS D. COOK, PE
County Engineer
Ogle County Highway Department
1989 South IL RT. 2
Oregon, IL 61061

(steward\Cert of Service)