



ILLINOIS COMMERCE COMMISSION

October 22, 2008

State of Illinois, Department of Transportation,  
Petitioner,

v.

City of Chicago (City) and Northeast Illinois Regional Commuter Railroad  
Corporation (Metra),  
Respondents.

T08-0149

Petition to modernize safety related traffic signal components, including  
installation of supervisory interconnect cables, and to install safety related  
pavement striping and signage at various City traffic signals which are  
interconnected with Metra's automatic grade crossing warning devices at  
various locations throughout the City of Chicago, Cook County.

Mr. Lawrence D. Parrish  
SAAG – IDOT  
300 West Adams Street, 2<sup>nd</sup> Floor  
Chicago, IL 60606

Dear Mr. Parrish:

Receipt is acknowledged of the original and one (1) copy of the Petition filed October 22, 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](http://www.icc.illinois.gov) and apply for an E-docket  
account.**

Processing and Information Section

KI

Cc: Staff: Mr. Stan Milewski  
Ms. Christine Reed, IDOT  
Ms. Ellen Schanzle-Haskins, IDOT  
Mr. Lance T. Jones, IDOT  
Mr. Joseph Lorenzini, METRA

Mr. W. K. Tupper, METRA  
Mr. Richard Daley, Mayor, City of Chicago  
Mr. James Laski, Clerk, City of Chicago  
Ms. Mara Georges, City of Chicago

**ORIGINAL**

STATE OF ILLINOIS  
ILLINOIS COMMERCE COMMISSION

State of Illinois :  
Department of Transportation, :  
Petitioner, :

T08-0149

v. :

City of Chicago (City) :  
and Northeast Illinois Regional Commuter :  
Railroad Corporation (Metra), :  
Respondents. :

Petition to modernize safety related traffic :  
signal components, including installation :  
of supervisory interconnect cables, and to :  
install safety related pavement striping :  
and signage at various City traffic signals :  
which are interconnected with Metra's :  
automatic grade crossing warning devices :  
at various locations throughout the City of :  
Chicago, Cook County. :

**RECEIVED**

OCT 22 2008

Illinois Commerce Commission  
RAIL SAFETY SECTION

**PETITION**

Petitioner, State of Illinois, Department of Transportation ("Department"), by its attorney Lisa Madigan, Attorney General, files it Petition and in support thereof states as follows:

1. In the interest of public safety, the Department, the Illinois Commerce Commission ("Commission"), Railroad Companies, and Local Agencies throughout the State of Illinois coordinated the review of all known locations where traffic signals are interconnected with warning devices at adjacent railroad grade crossings to identify possible deficiencies, and to enact improvements, where necessary. These safety improvements have been completed at most locations throughout Illinois, except at most locations within the City of Chicago ("City").
2. The Department offered to assist the City by providing funding to make the necessary safety improvements at twelve (12) of the City's interconnected locations where traffic signals are interconnected with adjacent railroad warning devices. A table of specific identification information for each location is attached as Exhibit A. At all twelve locations, the automatic railroad grade crossing warning devices are governed by the Northeast Illinois Regional Commuter Railroad Corporation ("Metra") and the highway traffic signals are governed by the City.

**DOCKETED**

OCT 22 2008

3. At six (6) of the subject twelve (12) locations, necessary safety improvements were identified, scopes of work were prepared, and agreements were executed between the Department and the City in the year 2002 (the "agreements")

Copies of the executed agreements including the scopes of work for each of these locations are attached as Group Exhibit B. As work commenced at these locations, disputes arose surrounding the originally envisioned scopes of work. The City subsequently modified the proposed scopes of work and requested additional funding far in excess of the original programmed amounts to accomplish the work. The additional scope of work was beyond that identified by the Illinois Commerce Commission as necessary for the originally identified work needed to accommodate the METRA improvements. The Department agreed to fund the work as identified by the ICC, however, the City of Chicago did not provide revised estimates for the scope of work as identified by the ICC, and, as a result, work has been halted by the City.

4. The Department seeks enforcement of the agreements.
5. The Illinois Commerce Commission has jurisdiction over the parties and the subject matter herein pursuant to the Illinois Commercial Transportation Law (625 ILCS 5/18c-7401) and the Illinois Administrative Code (92 Ill. Adm. Code 1535 et seq.).

NOW, THEREFORE, petitioner, Illinois Department of Transportation, prays that the Illinois Commerce Commission order, in accordance with its authority, the following:

1. That a hearing be held at the Commission's offices in Springfield, Illinois, within 60 days of this filing;
2. That, after hearing the testimony of the parties, a determination be made by the Commission as to a reasonable scope of work for each location.
3. That, upon the Commission's determination of a reasonable scope of work for each location, the City of Chicago commence immediately the preparation of detailed plans and estimates to accomplish the work, and submit said plans and estimates within 90 days of Commission ruling;
4. That the costs associated with the work be apportioned fairly and reasonably between the parties in accordance with the terms of the agreements.
5. That upon issuance of an Order by the Commission, in the interest of public safety, the work so ordered shall be commenced without undue delay because existing components of the traffic signals at the subject locations are deficient per current safety standards;

6. That all work associated with these safety improvements be completed in accordance with current safety standards and that traffic signal control equipment specifications meet the requirements of the Department's Standard Specifications for Road and Bridge Construction, latest edition, to railroad interconnection. The above described safety improvements shall include traffic controller track clearance, green re-service capabilities and controller railroad preemption security that assures data integrity and precludes changes to critical railroad preemption programmed data.

Respectfully submitted,  
ILLINOIS DEPARTMENT OF TRANSPORTATION

By: Lisa Madigan  
Attorney General



Lawrence D. Parrish  
Special Assistant Attorney General

Dated Oct 15, 2008

Lawrence D. Parrish  
Special Assistant Attorney General  
300 W. Adams – 2<sup>nd</sup> floor  
Chicago, Illinois 60606  
(312)793-5736  
E-Mail: [Lawrence.Parrish@illinois.gov](mailto:Lawrence.Parrish@illinois.gov)

**SERVICE LIST**

Richard M. Daley, Mayor  
City of Chicago  
121 N. LaSalle St., Room 507  
Chicago, IL 60602-1202

James Laski, City Clerk  
City of Chicago  
121 N. LaSalle St., Room 507  
Chicago, IL 60602-1202

Mara S. Georges  
Corporation Counsel  
City of Chicago  
30 N. LaSalle St., Suite 900  
Chicago, Illinois 60602

Mr. J.L. Lorenzini, P.E.  
Chief Engineer Officer  
METRA  
547 West Jackson Blvd.  
Chicago, Illinois 60661

Mr. W.K. Tupper  
METRA  
547 West Jackson Blvd.  
Chicago, Illinois 60661

Chicago Traffic Signal Interconnect Improvement Locations

	Railroad	DOT #	Highway Crossing	Traffic Signal Location	Agreement Executed
1	METRA	289531X* 289533L*	Dorchester Avenue* 71 <sup>st</sup> Street*	Dorchester Avenue at 71 <sup>st</sup> Street ✓	Yes
2	METRA	289543S	Jeffery Blvd.	Jeffery Blvd. at 71 <sup>st</sup> Street ✓	Yes
3	METRA	608302L	99 <sup>th</sup> Street	99 <sup>th</sup> Street at Vincennes Avenue ✓	Yes
4	METRA	608304A	103 <sup>rd</sup> Street	103 <sup>rd</sup> Street at Vincennes Avenue ✓	Yes
5	METRA	608306N	105 <sup>th</sup> Street	105 <sup>th</sup> Street at Vincennes Avenue ✓	Yes
6	METRA	608307V	107 <sup>th</sup> Street	107 <sup>th</sup> Street at Vincennes Avenue ✓	Yes
7	METRA	289536G	Stony Island Avenue	Stony Island Avenue at 71 <sup>st</sup> Street	No
8	METRA	289550C	Yates Blvd.	Yates Blvd. at 71 <sup>st</sup> Street	No
9	METRA	608308C	111 <sup>th</sup> Street	111 <sup>th</sup> Street at Marshfield	No
10	METRA	608309J	112 <sup>th</sup> Street/Monterey Street	112 <sup>th</sup> Street/Monterey Street at Marshfield	No
11	METRA	608843N	US 12/20 (95 <sup>th</sup> Street)	US 12/20 (95 <sup>th</sup> Street) at Vanderpoel	No
12	METRA	609011A	US 12/20 (95 <sup>th</sup> Street)	US 12/20 (95 <sup>th</sup> Street) at Vincennes Avenue	No

\* 71<sup>st</sup> Street and Dorchester Ave. crossings operate simultaneously and in conjunction with traffic signals located at the 71<sup>st</sup> Street at Dorchester highway intersection.

City of Chicago  
Cook County  
Section 01-X0000-05-SP  
Job No. D-91-417-00 & C-91-417-00

AGREEMENT  
TRAFFIC SIGNAL INTERCONNECTS

THIS AGREEMENT made and entered into between the STATE OF ILLINOIS, acting by and through its Department of Transportation, hereinafter referred to as the "STATE", and the City of Chicago, State of Illinois, acting by and through its Department of Transportation, hereinafter referred to as the "LA".

WITNESSETH:

WHEREAS, in the interest of public safety, the parties desire to upgrade the traffic signals interconnected with the Commuter Rail Division of the Regional Transportation Authority, hereinafter referred to as "METRA" tracks at Jeffery Boulevard @ 71st Street, said improvements to be identified as Section 01-X0000-05-SP and STATE Job No. D-91-417-00 for Preliminary Engineering and C-91-417-00 for Construction and Construction Engineering, hereinafter referred to as the PROJECT; and,

WHEREAS, the parties hereto are desirous of utilizing STATE funds which have been made available for the PROJECT; and

THEREFORE, in consideration of the mutual covenants contained herein, the parties hereto agree as follows:

I. THE LA AGREES:

1. To perform or cause to be performed, all required installation work as prescribed in EXHIBIT A.
2. To prepare the plans, specifications and detailed estimates of cost. These plans, specifications and estimates shall be submitted to the STATE and the ILLINOIS COMMERCE COMMISSION for their approval within 90 days of the execution of this Agreement.

3. To begin work upon written authorization from the STATE to proceed. Upon receipt of authorization, the LA shall promptly begin the work set forth in the agreement and shall notify in writing the AGENCIES listed on EXHIBIT A before commencing work.

4. To maintain, for a minimum of 3 years after the completion of the contract, adequate books, records, and supporting documents to verify the amounts, recipients, and uses of all disbursements of funds passing in conjunction with the contract; the contract and all books, records, and supporting documents related to the contract shall be available for review and audit by the STATE'S AUDITOR GENERAL and the department; and the LA agrees to cooperate fully with any audit conducted by the STATE'S AUDITOR GENERAL and to provide full access to all relevant materials. Failure to maintain the books, records, and supporting documents required by this section shall establish a presumption in favor of the STATE for the recovery of any funds paid by the STATE under the contract for which adequate books, records, and supporting documentation are not available to support their purported disbursement.

5. To bill the STATE monthly for performance of its work as herein specified, for the STATE'S 100% share of its expense as incurred.

The LA, upon completion of its work, shall promptly render to the STATE a detailed final statement of its actual expenses as incurred.

6. To bill the state for preliminary engineering work previously performed by the LA or its consultant to determine minimum warning times for METRA'S signal system. This work is to be reimbursed 100% by the STATE.

7. To assure that the traffic signal work is coordinated with METRA and the ILLINOIS COMMERCE COMMISSION, and that the final cutover connection with METRA'S signal system is approved by the ILLINOIS COMMERCE COMMISSION.

8. The L A certifies to the best of its knowledge and belief that its officials:
- (a) are not presently debarred, suspended, proposed for debarment, declared ineligible or voluntarily excluded from covered transactions by any federal department or agency;
  - (b) have not within a three-year period preceding this Agreement been convicted of or had a civil judgement rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain or performing a public (federal, State or local) transaction or contract under a public transaction; violation of federal or state anti-trust statutes or commissions of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;
  - (c) are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (federal, State or local) with commission of any of the offenses enumerated in item (b) of this certification;
  - (d) have not within a three-year period preceding this Agreement had one or more public transactions (federal, State or local) terminated for cause or default; and
  - (e) have not been barred from signing this Agreement as a result of violation of Section 33E-3 and 33-4 of the Criminal Code of 1961 (720 ILCS 5/33E-3 (1992), as amended).
  - (f) The L A for purpose of this certification is defined as the Department of Transportation of the City of Chicago. Officials for the purpose of this Certification are the Mayor of the City of Chicago, the Commissioner of the Department of Transportation, the Chief Procurement Officer and the Comptroller of the City of Chicago.

II. THE STATE AGREES:

1. To reimburse the LA for its share of the preliminary engineering, construction and construction engineering costs upon receipt of a bill from the LA requesting such payment. The bills shall contain sufficient cost information and, if said services are performed by a contractor or consultant, show evidence of payment by the LA.
  
2. After the installation is completed, a final inspection will be performed by representatives of the STATE, the LA and the ILLINOIS COMMERCE COMMISSION.

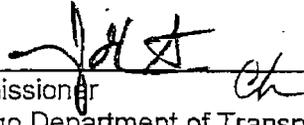
III. IT IS MUTUALLY AGREED:

1. After the completion of the improvement, the LA will retain jurisdiction and maintenance responsibility of the completed improvement including perpetual remote access.
  
2. The completed traffic signals shall conform to Part IV of the 2000 Edition of the National Manual on Uniform Traffic Control Devices (MUTCD), including any amendments which may be contained in the Illinois Supplement to the MUTCD.
  
3. That the project will be processed, let, and constructed in accordance with Motor Fuel Tax (MFT) standards, policies and procedures upon approval of plans and specifications by the STATE.
  
4. Obligations of the STATE shall cease immediately without penalty or further payment being required if, in any fiscal year, the Illinois General Assembly or applicable federal funding source fails to appropriate or otherwise make available funds for the work contemplated herein.

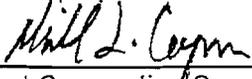
This Agreement shall be binding upon and inure to the benefits of the parties, their successors and assigns.

Executed by the LOCAL AGENCY

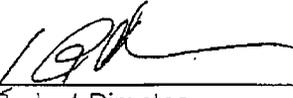
This 19<sup>th</sup> day of AUGUST, 2002

By:   
Commissioner  
Chicago Department of Transportation

REVIEWED AS TO FORM AND LEGALITY  
(Subject to proper execution)

  
Assistant Corporation Counsel

APPROVED:

By:   
Budget Director

Executed by the Department this 25<sup>th</sup>  
Day of September, 2002

STATE OF ILLINOIS  
DEPARTMENT OF TRANSPORTATION

By:   
Director of Highways

City of Chicago  
Cook County  
Section No. D1-X0000-05-SP  
Job No. D-91-417-00 & C-91-417-00

EXHIBIT A

Railroad: METRA

Road Name: Jeffery Boulevard @ 71st Street

SCOPE OF WORK:

1. Provide signal plans, cable plans, and chart sequences.
2. Upgrade controller and cabinet complete.
  - A. Track reservice capabilities must be provided.
  - B. CRC or comparable security is required (method must be approved by the State and ICC).
3. Install three conductor individually shielded railroad interconnect circuit cable (controller shall be programmed such that a failure in the interconnect circuit will result in a track clearance interval followed by an all red flashing condition).
4. Install phone line and remote monitoring capability to traffic controller.
5. Cross-hatch/stripe the crossing area for both NB and SB.
6. Install two "Do Not Stop on Tracks" signs for NB and two for SB.
7. Add one-way signs for 71<sup>st</sup> Street for both EB and WB.
8. Install pedestrian warning signs, see attached, at all pedestrian signal head locations.
9. Install any additional necessary RR warning signs and striping in accordance with the MUTCD.
10. Incidental work necessary to complete the items hereinabove specified.

ESTIMATED COST: \$ 75,000.00

100% State Participation

AGENCIES TO BE NOTIFIED BEFORE COMMENCING WORK:

Mr. Phil Marcyn, IDOT, Dist. 1, BLR&S, 201 West Center Court, Schaumburg, IL 600916  
(847/705-4201)

Mr. Stan Milewski, (630-378-1171) or Mr. Dan Powers (847-516-0733), ICC, 527 East  
Capitol, Springfield, IL 62701

SUBMIT ALL BILLS FOR THE STATE'S 100% SHARE TO:

Darrell W. McMurray, P. E.  
Engineer of Local Roads and Streets  
2300 South Dirksen Parkway  
Springfield, Illinois 62764

ID: DIST 1-N

TRAIN

1-23-99 10

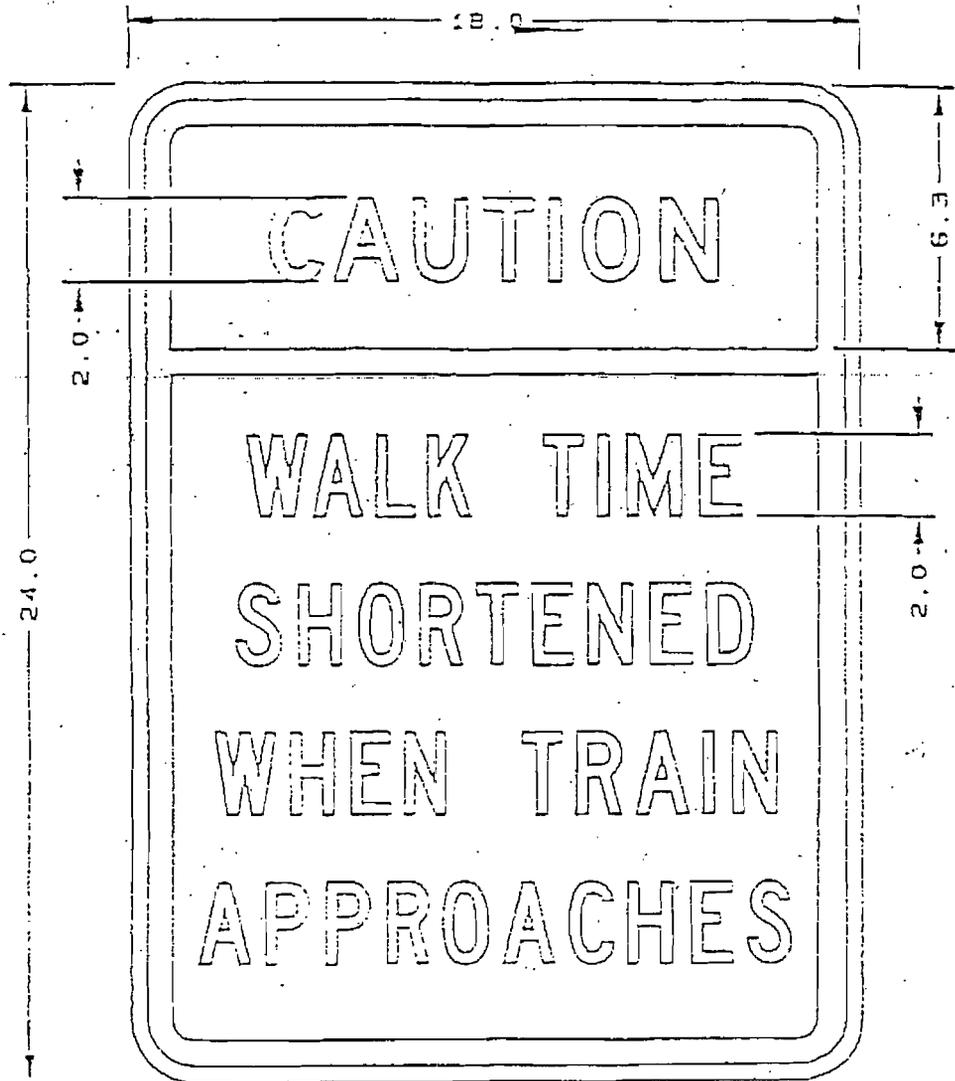
1-17-99

Scale 1: 4.00

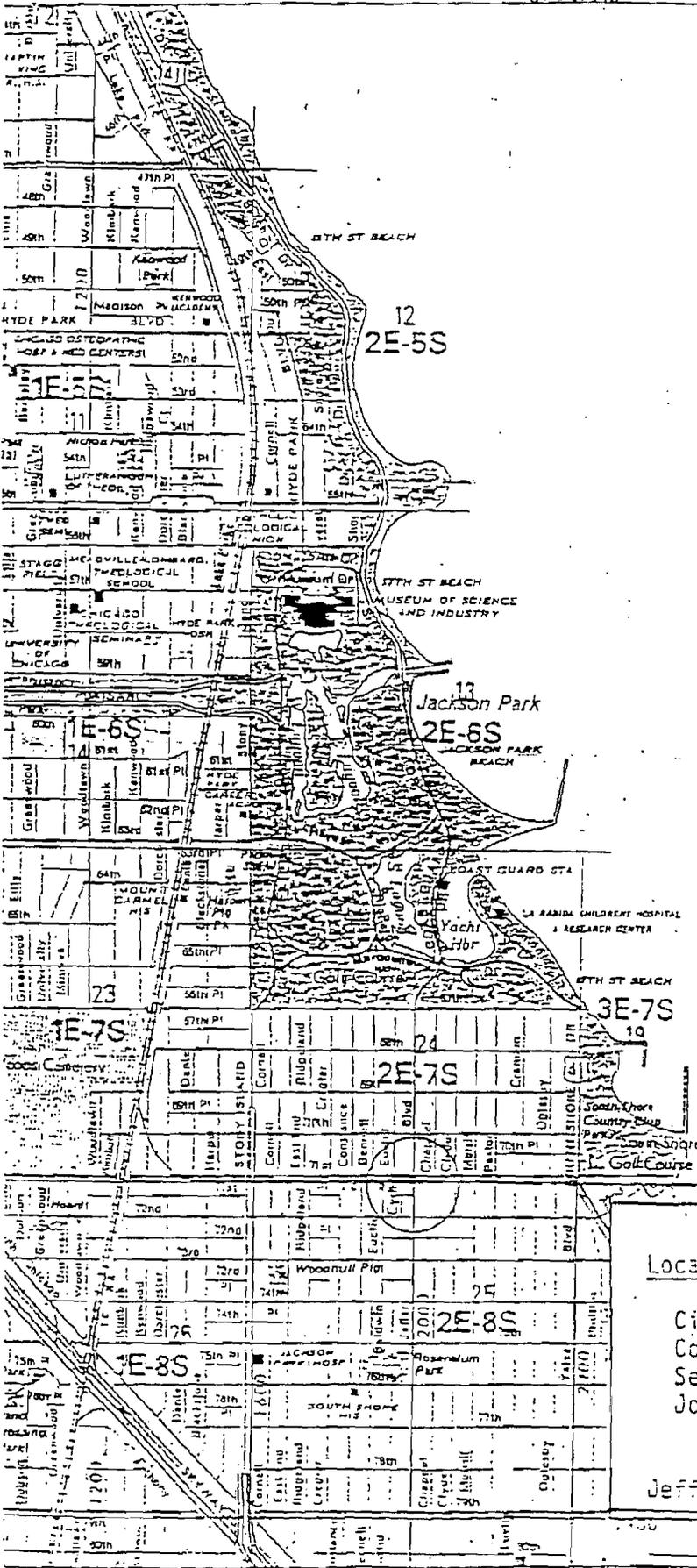
CD: KER

X10-1100

Top Yellow BB



Black legend and border on yellow reflectorized background.  
Border 0.6" Margin 0.4" Corner radius 1.5" Legend 2" C  
All dimensions in inches.



Location Map:

City of Chicago  
Cook County  
Section 01-X0000-05-SP  
Job No. D-91-417-00  
C-91-417-00

Jeffery Boulevard @ 71st Street

# RR INTERCONNECT COST ESTIMATES

	Bureau of Electricity	Office of Emergency Communication	Bureau of Signs and Markings	Bureau of Traffic	Total	Rounded Totals
71st Dorchester	\$36,360.94	\$390.52	\$3,087.80	\$5,000.00	\$44,839.26	\$45,000.00
<i>City - State</i> 71st/Jeffrey	\$55,519.34	\$7,595.80	\$3,245.20	\$6,000.00	\$72,360.34	\$75,000.00
99th/Vincennes	\$35,863.41	\$4,013.35	\$3,834.04	\$4,000.00	\$47,710.80	\$50,000.00
103rd/Vincennes	\$31,762.96	\$4,918.75	\$3,985.85	\$4,000.00	\$44,667.56	\$47,000.00
105th/Vincennes	\$31,147.56	\$6,942.11	\$2,542.31	\$4,000.00	\$44,631.98	\$45,000.00
107th/Vincennes	\$34,359.70	\$5,169.31	\$3,158.61	\$5,000.00	\$47,687.62	\$50,000.00
Totals	\$225,013.91	\$29,029.84	\$19,853.81	\$28,000.00	\$301,897.56	\$312,000.00

Exhibit B  
Page 9 of 115

*The estimates have been reviewed and are acceptable to IDOT  
JLH 9-20-02*

**Traffic Signal/Railroad Crossing Interconnect Improvements**  
**71st Steet at Jeffrey Boulevard**

Cost Estimate (Back-up attached)

DSS Bureau of Electricity	\$55,520
OEC	\$7,596
CDOT Bureau of Signs and Markings	\$3,246
CDOT Bureau of Traffic	<u>\$6,000</u>
<b>TOTAL</b>	<b>\$72,362</b>

CITY OF CHICAGO  
DEPARTMENT OF STREETS & SANITATION  
BUREAU OF ELECTRICITY

CONSTRUCTION COST ESTIMATE  
(EXCLUDES WORK TO BE DONE BY THE OFFICE OF EMERGENCY COMMUNICATIONS)

WORK ORDER # : 1113358  
SUBJOB :  
REVISION :  
DESCRIPTION : TRAFFIC SIGNAL RR INTERCONNECT  
LOCATION : JEFFERY BLVD & 71ST  
PURPOSE : TRAFFIC  
REQUESTOR : CDDT/TRAFFIC  
BILL TO : CDDT/TRAFFIC

WARD(S) : 5  
ATLAS PAGE(S) : V-39  
DWG#(S) : 23219

PROJECT # :  
ESTIMATE DATE : 06/10/2002

ITEM	DESCRIPTION	UNITS	QTY	LABOR	MATERIAL	UNIT COST	TOTAL COST
100	UNDERGROUND CONSTRUCTION ITEMS						\$0.00
107	SIDEWALK REMOVED & REPLACED	SQFT	349.0	\$8.76	\$1.10	\$9.86	\$3,439.82
108	T & B WITH SCREENINGS	LNFT	35.0	\$13.89	\$0.65	\$14.55	\$509.11
120	DRILL EXIST MNHOLE OR HNDHOLE	EACH	1.0	\$212.48	\$1.19	\$213.67	\$213.67
133	PVC COND IN TRENCH, 3", SCH 40	LNFT	175.0	\$13.72	\$1.21	\$14.93	\$2,612.63
145	CONC FDN FOR "P" CAB, 50"X58"	EACH	1.0	\$1,593.63	\$599.98	\$2,193.61	\$2,193.61
200	OVRHD CONSTRUCTION ITEMS - S L						\$0.00
250	CABLE IN CONDUIT, 1/C #4	LNFT	320.0	\$1.69	\$0.59	\$2.29	\$731.61
300	OVRHD CONSTRUCTION ITEMS - TS						\$0.00
348	CBL IN COND, #12, 7/C	LNFT	318.0	\$5.22	\$0.94	\$6.16	\$1,957.70
349	CBL IN COND, #12, 10/C	LNFT	255.0	\$5.65	\$1.26	\$6.91	\$1,761.72
350	CBL IN COND, #12, 19/C	LNFT	1,298.0	\$6.07	\$2.11	\$8.18	\$10,622.19
380	CNTRL, IS, 16-BAY, "P" CABINET	EACH	1.0	\$3,211.96	\$12,145.06	\$15,357.02	\$15,357.02
380B	MODEM, EXT., FOR RR PRE-EMPT	EACH	1.0		\$789.06	\$789.06	\$789.06
386	MAINTAIN EXIST IS INSTALLATION	WEEK	1.0	\$229.90		\$229.90	\$229.90
388	TRAFFIC CONTROL & PROTECTION	LUMP	1.0	\$1,883.32		\$1,883.32	\$1,883.32
500	REMOVE OBS EQUIPMENT - SL/TS						\$0.00
546	REM SVC CABLE IN COND, 2 #2	LNFT	600.0	\$1.22		\$1.22	\$731.50
572	REM CONTROLLER - BASE MTD	EACH	1.0	\$253.12		\$253.12	\$253.12
573	RM CBLIN COND-7,10,14,19OR22/C	LNFT	1,816.0	\$1.68		\$1.68	\$3,057.63
603	BRK DWN FDN FOR BASE-MTD CNTRL	EACH	1.0	\$290.28		\$290.28	\$290.28
999	Construction Crew Cost	HRS	8.0	\$393.51		\$393.51	\$3,148.04

CITY OF CHICAGO  
 DEPARTMENT OF STREETS & SANITATION  
 BUREAU OF ELECTRICITY

MATERIAL-ONLY COST ESTIMATE  
 (WORK TO BE DONE BY THE OFFICE OF EMERGENCY COMMUNICATIONS)

WORK ORDER # : 1113358  
 SUBJOB :  
 REVISION :  
 DESCRIPTION : TRAFFIC SIGNAL RR INTERCONNECT  
 LOCATION : JEFFERY BLVD & 71ST  
 PURPOSE : TRAFFIC  
 REQUESTOR : COOT/TRAFFIC  
 BILL TO : COOT/TRAFFIC

WARD(S) : 5  
 ATLAS PAGE(S) : V-39  
 DWG#(S) : 23219

PROJECT # :  
 ESTIMATE DATE : 06/10/2002

ITEM	DESCRIPTION	UNITS	QTY	MATERIAL	TOTAL COST
400	OVRHD CONST ITEMS - BY OEC				\$0.00
405	ELBOW, REVERSED & DRILL POLE	EACH	1.0	\$12.15	\$12.15
407	CLAMP, CABLE W/POLE BAND	EACH	8.0	\$18.22	\$145.76
409	CABLE, AERIAL - FA/PC, 6 PR	LNFT	900.0	\$0.79	\$710.49
417	CABLE IN CONDUIT, 6 PR	LNFT	186.0	\$0.43	\$79.06

ESTIMATED MATERIALS COST :

\$947.40  
 Exhibit B  
 Page 12 of 115

ENGINEER : SHAH  
 SUPERVISING ENGINEER : WE  
 ESTIMATOR : DILIP SHAH  
 APPROVED BY : GH

City of Chicago  
Cook County  
Section 01-B4531-00-SP  
Job No. D-91-410-00 & C-91-410-00

AGREEMENT  
TRAFFIC SIGNAL INTERCONNECTS

THIS AGREEMENT made and entered into between the STATE OF ILLINOIS, acting by and through its Department of Transportation, hereinafter referred to as the "STATE", the City of Chicago, State of Illinois, acting by and through its Department of Transportation, hereinafter referred to as the "LA", and Cook County, State of Illinois, acting by and through its Department of Highways, hereinafter referred to as the "COUNTY".

WITNESSETH:

WHEREAS, in the interest of public safety, the parties desire to upgrade the traffic signals interconnected with the Commuter Rail Division of the Regional Transportation Authority, hereinafter referred to as "METRA", tracks at 103rd Street @ Vincennes Ave./Beverly Ave., said improvements to be identified as Section 01-B4531-00-SP and STATE Job No. D-91-410-00 for Preliminary Engineering and C-91-410-00 for Construction and Construction Engineering, hereinafter referred to as the PROJECT; and,

WHEREAS, the parties hereto are desirous of utilizing STATE funds which have been made available for the PROJECT; and

THEREFORE, in consideration of the mutual covenants contained herein, the parties hereto agree as follows:

I. THE LA AGREES:

1. To perform or cause to be performed, all required installation work as prescribed in EXHIBIT A.
2. To prepare the plans, specifications and detailed estimates of cost. These plans, specifications and estimates shall be submitted to the STATE and the ILLINOIS COMMERCE COMMISSION for their approval within 90 days of the execution of this Agreement.

3. To begin work upon written authorization from the STATE to proceed. Upon receipt of authorization, the LA shall promptly begin the work set forth in the agreement and shall notify in writing the AGENCIES listed on EXHIBIT A before commencing work.

4. To maintain, for a minimum of 3 years after the completion of the contract, adequate books, records, and supporting documents to verify the amounts, recipients, and uses of all disbursements of funds passing in conjunction with the contract; the contract and all books, records, and supporting documents related to the contract shall be available for review and audit by the STATE'S AUDITOR GENERAL and the department; and the LA agrees to cooperate fully with any audit conducted by the STATE'S AUDITOR GENERAL and to provide full access to all relevant materials. Failure to maintain the books, records, and supporting documents required by this section shall establish a presumption in favor of the STATE for the recovery of any funds paid by the STATE under the contract for which adequate books, records, and supporting documentation are not available to support their purported disbursement.

---

5. To bill the STATE monthly for performance of its work as herein specified, for the STATE'S 100% share of its expense as incurred.

The LA, upon completion of its work, shall promptly render to the STATE a detailed final statement of its actual expenses as incurred.

6. To bill the state for preliminary engineering work previously performed by the LA or its consultant to determine minimum warning times for METRA'S signal system. This work is to be reimbursed 100% by the STATE.

7. To assure that the traffic signal work is coordinated with METRA and the ILLINOIS COMMERCE COMMISSION, and that the final cutover connection with METRA'S signal system is approved by the ILLINOIS COMMERCE COMMISSION.

---

8. The LA certifies to the best of its knowledge and belief that its officials:
- (a) are not presently debarred, suspended, proposed for debarment, declared ineligible or voluntarily excluded from covered transactions by any federal department or agency;
  - (b) have not within a three-year period preceding this Agreement been convicted of or had a civil judgement rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain or performing a public (federal, State or local) transaction or contract under a public transaction; violation of federal or State anti-trust statutes or commissions of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;
  - (c) are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (federal, State or local) with commission of any of the offenses enumerated in item (b) of this certification;
  - (d) have not within a three-year period preceding this Agreement had one or more public transactions (federal, State or local) terminated for cause or default; and
  - (e) have not been barred from signing this Agreement as a result of violation of Sections 33E-3 and 33-4 of the Criminal Code of 1961 (720 ILCS 5/33E-3 (1992), as amended).
  - (f) The L A for purpose of this certification is defined as the Department of Transportation of the City of Chicago. Officials for the purpose of this Certification are the Mayor of the City of Chicago, the Commissioner of the Department of Transportation, the Chief Procurement Officer and the Comptroller of the City of Chicago.

II. THE STATE AGREES:

1. To reimburse the LA for its share of the preliminary engineering, construction and construction engineering costs upon receipt of a bill from the LA requesting such payment. The bills shall contain sufficient cost information and, if said services are performed by a contractor or consultant, show evidence of payment by the LA.
  
2. After the installation is completed, a final inspection will be performed by representatives of the STATE, the LA and the ILLINOIS COMMERCE COMMISSION.

III. THE COUNTY AGREES:

1. Execution of this Agreement constitutes the COUNTY'S approval for the LA to conduct the work called for under the terms of this Agreement on County Highway W48, (Vincennes Avenue) and on County Highway B45, (103<sup>rd</sup> Street).
- 

IV. IT IS MUTUALLY AGREED:

1. After the completion of the improvement, the LA will retain maintenance responsibility of the completed improvement including perpetual remote access.
  
2. The completed traffic signals shall conform to Part IV of the 2000 Edition of the National Manual on Uniform Traffic Control Devices (MUTCD), including any amendments which may be contained in the Illinois Supplement to the MUTCD.
  
3. That the project will be processed, let, and constructed in accordance with Motor Fuel Tax (MFT) standards, policies and procedures upon approval of plans and specifications by the STATE.

4. Obligations of the STATE shall cease immediately without penalty or further payment being required if, in any fiscal year, the Illinois General Assembly or applicable federal funding source fails to appropriate or otherwise make available funds for the work contemplated herein.

---

---



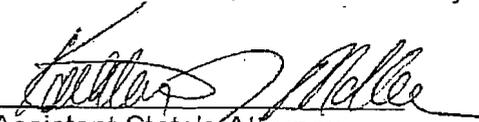
103rd Street at Vincennes Avenue  
Section: 01-B4531-00-SP

RECOMMENDED:

  
\_\_\_\_\_  
Superintendent of Highways  
Cook County Highway Department

APPROVED AS TO FORM:

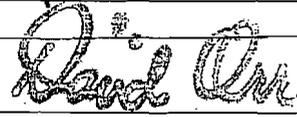
Richard A. Devine, State's Attorney

  
\_\_\_\_\_  
Assistant State's Attorney

EXECUTED BY COUNTY:

This 5<sup>TH</sup> day of September, 2002

ATTEST:

  
\_\_\_\_\_  
David D. Orr, County Clerk

APPROVED BY BOARD OF  
COOK COUNTY COMMISSIONERS  
SEP 05 2002

COM \_\_\_\_\_

I, DAVID D. ORR, County Clerk of Cook County, in the State of Illinois, aforesaid and keeper of the records and files of said Cook County, do hereby certify that The Board of Commissioners of the County of Cook, at their regular meeting held on September 5, 2002, passed the following Resolution:

**RESOLUTION**

**RESOLVED**, that the President of the Board of Commissioners of Cook County, Illinois, on behalf of the County of Cook, is hereby authorized and directed by the Members of said Board, to execute by original signature or his authorized signature stamp, three (3) copies of three (3) Agreements with the Illinois Department of Transportation and the City of Chicago, wherein the City will upgrade the controllers and cabinets, install new pre-signals, interconnect, sign and mark pavement at METRA rail crossings adjacent to Cook County Highway W48, Vincennes Avenue, at 107<sup>th</sup> Street (Section: 01-X0000-01-SP), 105<sup>th</sup> Street (Section: 01-X0000-02-SP) and 103<sup>rd</sup> Street (Section: 01-B4531-00-SP); that the work will be constructed and maintained by the City of Chicago, all at State expense; and, that the Department of Highways is authorized and directed to return three (3) copies of this Resolution with Agreements to the Illinois Department of Transportation for further processing.

All of which appears from the record and files of my office.

**IN WITNESS WHEREOF**, I have hereunto set my hand and affixed the SEAL of said County at my office in the City of Chicago, in said County, this 5<sup>th</sup> day of September, 2002 A.D.

(SEAL)



COUNTY CLERK

APPROVED BY BOARD OF  
COOK COUNTY COMMISSIONERS

SEP 05 2002

COM \_\_\_\_\_

EXHIBIT A

Railroad: METRA Road Name: 103rd Street @ Vincennes Ave./Beverly Ave.

SCOPE OF WORK:

1. Provide signal plans, cable plans, and chart sequences.
2. Upgrade controller and cabinet complete.
  - A. Track reservice capabilities must be provided.
  - B. CRC or comparable security is required (method must be approved by the State and ICC).
3. Install three conductor individually shielded railroad interconnect circuit cable (controller shall be programmed such that a failure in the interconnect circuit will result in a track clearance interval followed by an all red flashing condition).
4. Install phone line and remote monitoring capability to traffic controller.
5. Replace/upgrade both existing SB NLT blank out signs (2.). Install 2 new NB NRT blank out signs.
6. Add two far side left turn arrows for WB 103<sup>rd</sup> Street to be used during railroad preemption.
7. ~~Remove existing pre-signals and install new pre-signals closer to the crossing (one mast arm signal, one near right signal, and one near left signal).~~
8. Install a "Stop Here on Red" sign and a "No Turn on Red" sign at pre-signal. Install 2 "Do not Stop on Tracks" signs for WB 103<sup>rd</sup> Street, one before and one after the crossing. Install EB "Oncoming Traffic Has Longer Green" signs if necessary (dependant on proposed phasing).
9. Install pedestrian caution signs, see attached, at all pedestrian signal head locations.
10. Cross-hatch/stripe the crossing area for WB 103<sup>rd</sup> Street.
11. Install a stopbar for WB 103<sup>rd</sup> Street at the pre-signal.
12. Install any additional necessary RR warning signs and striping in accordance with the MUTCD.
13. Incidental work necessary to complete the items hereinabove specified.

ESTIMATED COST: \$ 47,000.00

100% State Participation

AGENCIES TO BE NOTIFIED BEFORE COMMENCING WORK:

Mr. Phil Marcyn, IDOT, Dist. 1, BLR&S, 201 West Center Court, Schaumburg, IL 60196  
(847/705-4201)

Mr. Stan Milewski, (630-378-1171) or Mr. Dan Powers (847-516-0733), ICC, 527 East  
Capitol, Springfield, IL 62701

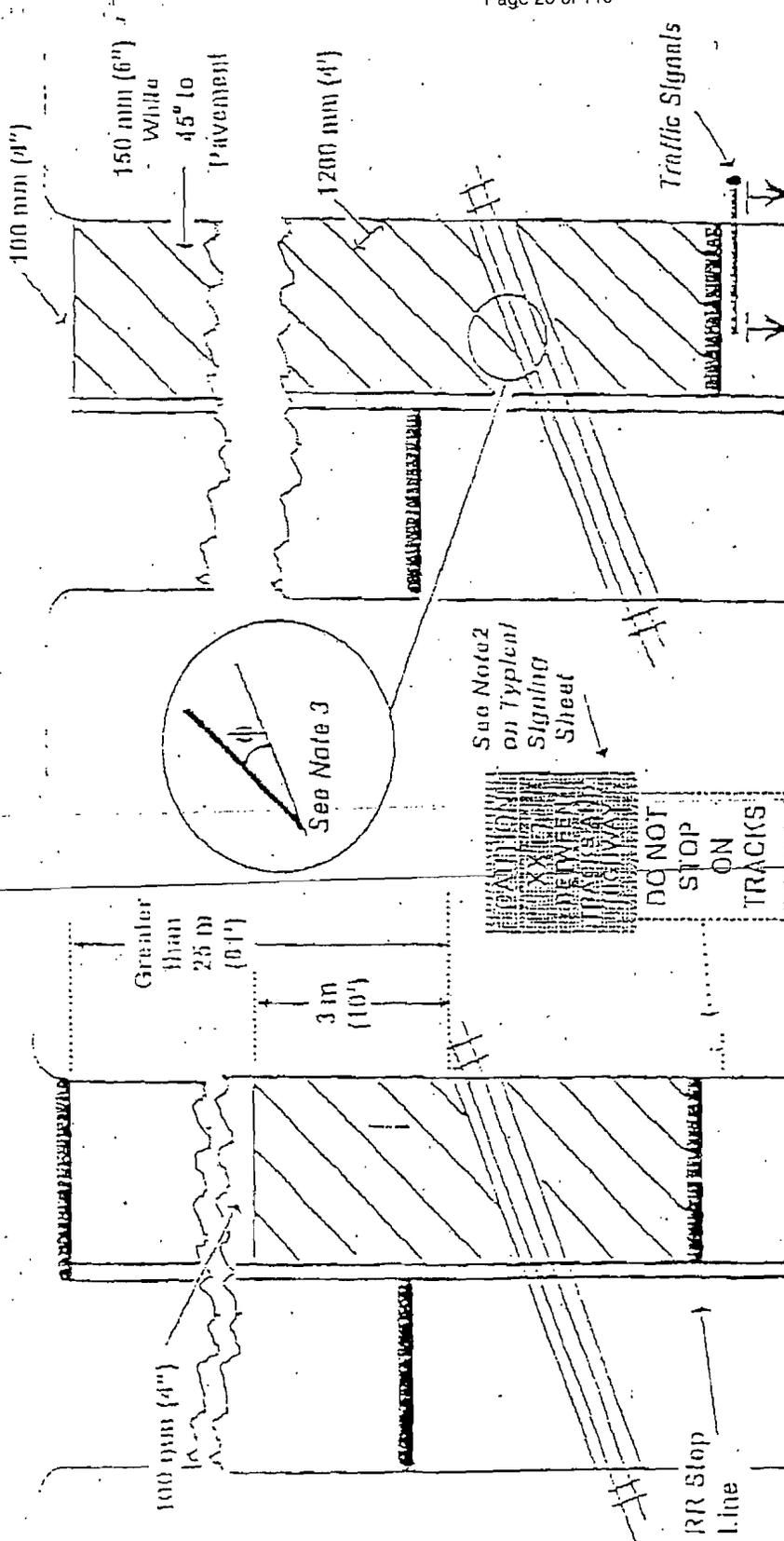
SUBMIT ALL BILLS FOR THE STATE'S 100% SHARE TO:

Darrell W. McMurray, P. E.  
Engineer of Local Roads and Streets  
2300 South Dirksen Parkway  
Springfield, Illinois 62764

s:\gen\wpdocs\barblwalt\121200.doc\

---

WITH INTERSECTION TRAFFIC SIGNALS  
IN ADVANCE OF GRADE CROSSING



WITH INTERSECTION TRAFFIC SIGNALS  
AT CROSS STREET

Note: 1. Pavement markings to be installed only on paved approaches to intersections controlled by traffic signals which are interconnected with the railroad warning signals.  
 2. Where near-side traffic signals are used the pavement markings extend to the intersection.  
 3. Where the angle between the diagonal stripes and the track ( $\theta$ ) would be less than approximately 20°, the stripes should be sloped in the opposite direction from that shown.

TYPICAL SUPPLEMENTAL PAVEMENT MARKING TREATMENT FOR RAILROAD  
CROSSINGS WHERE INTERSECTION TRAFFIC SIGNALS ARE INTERCONNECTED WITH  
ADJACENT RAILROAD WARNING SIGNALS

Illinois Dept of Trans

23.01

Springfield, IL

10:54

ID: DIST. 1-17

TRAIN

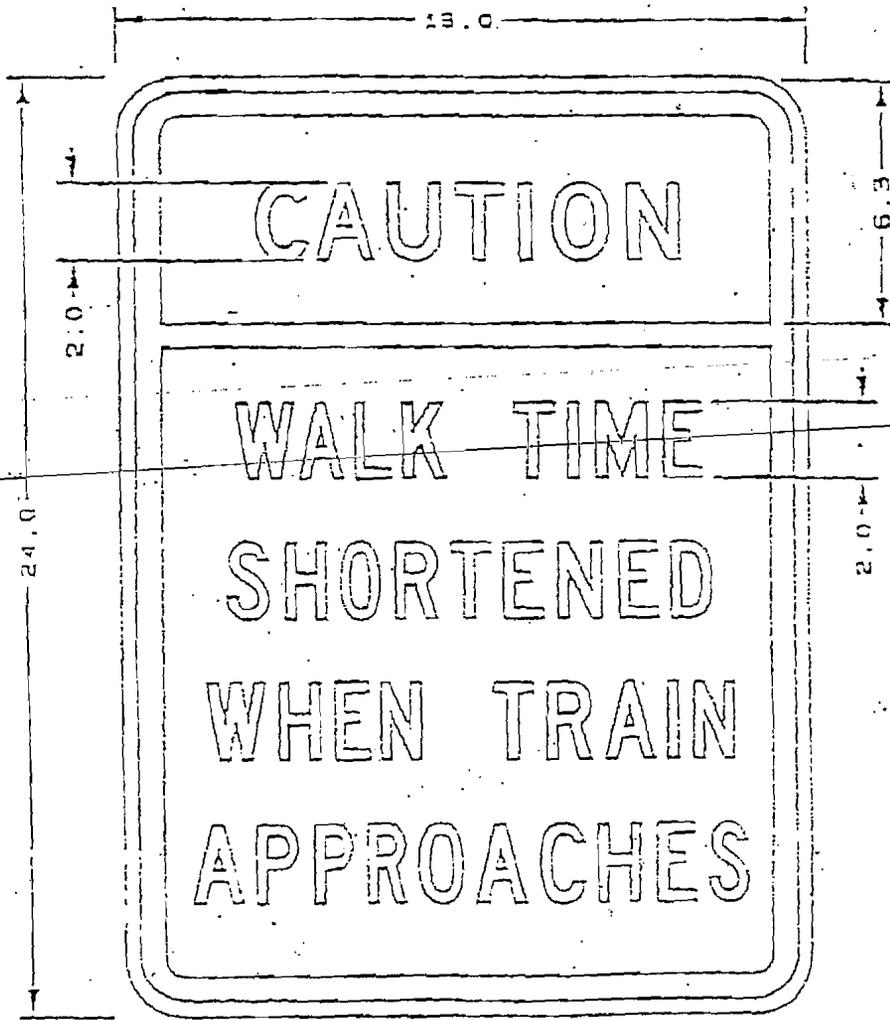
01 23.99 10 14 17.9

CLASS: 11 4.60

CD: WER

X10-1100

TOOL: YELLOW 05



Black legend and border on yellow reflectorized background.  
Border 0.6" Margin 2.4" Corner radius 1.5" Legend 2" C  
All dimensions in inches.