

ORIGINAL

STATE OF ILLINOIS

RECEIVED

ILLINOIS COMMERCE COMMISSION

JAN 13 2010

Illinois Commerce Commission  
RAIL SAFETY SECTION

County of Jefferson, :  
Petitioner, :

Vs. :

Illinois Central Railroad Company, :  
Respondents :

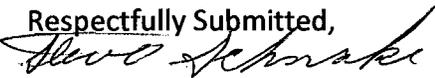
Petition to remove the existing grade separation structure :  
carrying Scheller Lane over the Illinois Central Railroad Company :  
track and construct a new roadway on embankment over the : T08-0123  
existing Railroad right of way situated near the City of Scheller, :  
Jefferson County, Illinois, and apportioning cost thereof. :

PETITION FOR SUPPLEMENTAL ORDER

NOW COMES Petitioner Jefferson County, by and through its County Engineer, Steve Schnake, and for its Petition Supplemental Order states as follows:

1. In the Commissions order of June 24, 2009 on page (4), Item 8a designated (60%), not to exceed \$68,400 for the project cost.
2. The project is complete and the final project costs (EXHIBIT B) have been determined.
3. The project costs exceed the original estimates due to the final low bid received from Lake Contractors and certain contract extras (EXHIBIT A,C,D).

WHEREFORE, the County of Jefferson respectfully requests that the Illinois Commerce Commission enter a Supplemental Order granting an increase from the Grade Crossing Protection Fund for their 60% share of the final project's extra costs in the amount of \$12,136 as shown in, **EXHIBIT B: FINAL PROJECT COST**. The County of Jefferson requests that this Petition of Supplemental Order be entered without a hearing.

Respectfully Submitted,  
  
Steve Schnake, P.E.  
County Engineer  
County of Jefferson

DOCKETED

JAN 13 2010

JU  
JOB

STATE OF ILLINOIS

ILLINOIS COMMERCE COMMISSION

County of Jefferson,	:	
Petitioner,	:	
Vs.	:	
Illinois Central Railroad Company,	:	
Respondents	:	
Petition to remove the existing grade separation structure	:	
carrying Scheller Lane over the Illinois Central Railroad Company	:	
track and construct a new roadway on embankment over the	:	T08-0123
existing Railroad right of way situated near the City of Scheller,	:	
Jefferson County, Illinois, and apportioning cost thereof.	:	

NOTICE OF FILING

TO ALL PARTIES OF RECORD:

PLEASE TAKE NOTE the project is complete and the final costs have been totaled. Due to costs exceeding the original estimates, the following Exhibits are respectively submitted to recover the difference in costs, a copy of which is hereby served upon you.

**EXHIBIT A:** Engineers Final Payment Estimate, **EXHIBIT B:** FINAL PROJECT COST

**EXHIBIT C:** Breakdown of extra contract expenditures, **EXHIBIT D:** Density testing invoices.

The above entitled matter has been filed with the Illinois Commerce Commission the 12<sup>th</sup> day of January, 2010. In addition, a copy of the aforementioned response has been sent to all parties of record.

Steve Schnake, P.E.  
 County Engineer  
 County of Jefferson  
 750 Old Fairfield Road  
 Mt. Vernon, Illinois 62864

Steve Schnake, P.E.  
County Engineer

### PROOF OF SERVICE

The undersigned hereby certifies that a copy of the foregoing instrument was served upon the addressee listed below by mailing a true and correct copy via first class mail, postage prepaid and depositing the same in the United States Mail, Mt. Vernon, Illinois, the 6<sup>th</sup> day of January, 2010.

#### Parties of Record

Ms. Christine M. Reed, P.E.  
Director of Highways – IDOT  
ATTN: JEFF HARPRING, ROOM 205  
2300 So. Dirksen Parkway  
Springfield, Illinois 62764

Mr. Lance T. Jones  
Deputy Chief Counsel - IDOT  
2300 Dirksen Parkway, Room 300  
Springfield, Illinois 62764

Ms. Ellen J. Schanzle-Haskins  
Chief Counsel  
Illinois Department of Transportation  
2300 So. Dirksen Parkway, Room 300  
Springfield, Illinois 62764

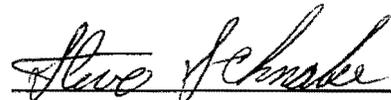
Mr. Lawrence Parrish  
Assistant Chief Counsel  
Illinois Department of Transportation  
300 West Adam Street, 2<sup>nd</sup> Floor  
Chicago, Il. 60606

Mr. John Henriksen  
Manager of Public Works  
Canadian National /Illinois Central  
17641 South Ashland Avenue  
Homewood, Illinois 60430

Mr. Michael J. Barron, Jr.  
Fletcher & Sippel LLC  
29 Wacker Dr. , Suite 920  
Chicago, Il. 60606-2832

Mr. Thomas Healey  
Counsel-Regulatory  
Illinois Central Railroad Company  
17641 South Ashland Avenue  
Homewood, Illinois 60430

Cindy Bushur-Hallam  
Illinois Department of Transportation  
2300 South Dirksen Parkway  
Springfield, Il. 62764



Steve Schnake PE  
County Engineer  
Jefferson County Highway Dept.



## FINAL PROJECT COST

1. RIGHT OF WAY ACQUISITION	\$ 0
2. CONSTRUCTION	<u>\$116,341</u>
SUBTOTAL	\$116,341
3. ENGINEERING	
PRELIMINARY STUDIES	\$ 2,000
DESIGN @ 6%	\$ 6,981
MATERIAL TESTING	\$ 1,923
CONSTRUCTION @ 6%	<u>\$ 6,981</u>
SUBTOTAL	\$ 17,885
TOTAL	<u>\$134,226</u>

## FINAL PROJECT FUNDING

JEFFERSON CO. (LOCAL FUNDS) @40% X \$134,226	\$ 53,690
GRADE CROSSING PROTECTION FUNDS @ 60% X \$134,226	<u>\$ 80,536</u>
TOTAL	<u>\$134,226</u>
FINAL GCPF COST	=\$80,536
ORIGINAL GCPF ALLOTMENT	= <u>\$68,400</u>
<u>REMBURSEMENT REQUESTED = \$12,136</u>	

**EXHIBIT B**



# EXHIBIT C

Amount of original contract	\$	<u>108,328.00</u>
Amount of previously adjusted contract	\$	
Amount of adjusted/final contract	\$	<u>116,340.98</u>

addition

Total net  deduction to date \$ 8,012.98 which is 7.400 % of Contract Price

State fully the nature and reason for the change 1.) 3" GRANULAR SUB-BASE SPECIAL-REPAIR UNSUITABLE  
EXISTING EARTH SUB-GRADE 2.) REMAINDER OF PAY ITEMS-BALANCE PLAN QUANTITIES AND FINAL OUT  
THE JOB

HOLCOMB FOUNDATION  
ENGINEERING CO., INC.

PO BOX 88  
CARBONDALE IL 62903-0088  
PH: (618) 529-5262 FAX: (618) 457-8991

# Invoice

Date	Invoice #	Due Date	HFE File No.
10/15/09	I-4479	11/14/09	H-09225

Bill To:

JEFFERSON COUNTY HIGHWAY DEPT.  
MR. STEVE SCHNAKE  
750 OLD FAIRFIELD ROAD  
MT. VERNON, ILLINOIS 62864

Total amount of invoice is due and payable  
30 days after date of invoice. Interest will  
be added each month at the rate of 1.5%  
on the unpaid balance.

PROJECT:

*Construction Testing  
Scheller Lane  
Scheller, Illinois*

**Total Amount Due**

**\$1,505.75**

Date	Description of Services	Quantity	Rate	Amount
9/15/09	Sample for Proctor / Hours	2.75	51.00	140.25
	Mileage/ per Mile		0.50	0.50
9/17/09	Standard Proctor	2	175.00	350.00
9/18/09	Nuclear Density Testing/ Hours	3	51.00	153.00
	Mileage/ per Mile		0.50	0.50
9/19/09	Nuclear Density Testing/ Hours (Saturday)	2.5	68.00	170.00
	Mileage/ per Mile		0.50	0.50
9/21/09	Nuclear Density Testing/ Hours	2.5	51.00	127.50
	Mileage/ per Mile		0.50	0.50
9/22/09	Nuclear Density Testing/ Hours	2.5	51.00	127.50
	Mileage/ per Mile		0.50	0.50
9/23/09	Nuclear Density Testing/ Hours	2.5	51.00	127.50
	Mileage/ per Mile		0.50	0.50
10/5/09	Nuclear Density Testing/ Hours	3.5	51.00	178.50
	Mileage/ per Mile		0.50	0.50
10/7/09	Nuclear Density Testing/ Hours	2.5	51.00	127.50
	Mileage/ per Mile		0.50	0.50

Timothy J. Holcomb P.E.



**EXHIBIT D**

JLCOMB FOUNDATION  
ENGINEERING CO., INC.

# Invoice

PO BOX 88  
CARBONDALE IL 62903-0088  
PH: (618) 529-5262 FAX: (618) 457-8991

Date	Invoice #	Due Date	HFE File No.
11/15/09	I-4536	12/15/09	H-09225

Bill To:

JEFFERSON COUNTY HIGHWAY DEPT.  
MR. STEVE SCHNAKE  
750 OLD FAIRFIELD ROAD  
MT. VERNON, ILLINOIS 62864

Total amount of invoice is due and payable  
30 days after date of invoice. Interest will  
be added each month at the rate of 1.5%  
on the unpaid balance.

We now accept credit cards.

PROJECT:

*Construction Testing  
Scheller Lane  
Jefferson County, Illinois*

**Total Amount Due**

**\$416.75**

Date	Description of Services	Quantity	Rate	Amount
10/21/09	Nuclear Density Testing/ Hours	7.25	51.00	369.75
	Mileage/ per Mile	94	0.50	47.00
<i>SEC 05-00187-00-BR</i>				

Timothy J. Holcomb P.E.

**EXHIBIT D**