

Docket No.: T11-0065
Bench Date: 06/02/11
Deadline: N/A

MEMORANDUM

TO: The Commission

FROM: Latrice Kirkland-Montaque, Chief Administrative Law Judge

DATE: May 17, 2011

SUBJECT: Persifer Township Road District, Illinois, & Knox County, Illinois
Petitioners,

v.

BNSF Railway Company, a Delaware Corporation, and
State of Illinois, Illinois Department of Transportation
Respondents,

Petition for an Order from the Illinois Commerce Commission to reconstruct the existing overhead highway grade separation structure which carries Barefoot Road (Township Road 176), Persifer Township Road District, Illinois, over the BNSF Railway Company (BNSF) tracks (004639U at railroad milepost 168.50) (Project) and for partial funding from the Grade Crossing Protection Fund for the Project.

RECOMMENDATION: Enter Order granting the Petition.

The Petitioners desire to reconstruct a bridge that carries Barefoot Road over the BNSF's tracks in accordance with the type, size and location (TS&L) plans prepared by Hanson Professional Services Inc., consulting engineers, and attached as Exhibit B to the Petition.

The existing Barefoot Road overhead grade separation structure was designed and built by the Company in 1903. It is a structure with an unknown design loading and is considered "functionally obsolete" by present design standards. In 2004, IDOT completed a rating of the structure resulting in the structure being posted at less than legal loads.

The Petitioners purpose to reconstruct the structure with a new precast, prestressed concrete deck beam structure. It will be designed for HL-93 loading, have

a 24-foot wide travel surface with bridge railing on each side, and will provide 23 feet minimum vertical clearance over the railroad tracks. The Project should take two years to complete.

The Petitioners are planning to reconstruct the Barefoot Road grade separation structure of the BNSF's tracks in an effort to preserve and promote the safety and convenience of the travelling public.

The total cost of the new structure is estimated to be \$3,260,000. The Petitioners are seeking assistance from the GCPF to pay sixty percent (60%) of eligible project costs for the new bridge. Project costs eligible for reimbursement from the GCPF include preliminary engineering, land acquisition, utility relocation, construction engineering, and construction. The Petitioners are seeking assistance from the BNSF to pay 5% of the costs associated with the new structure. The Petitioners are seeking BNSF to pay 100% of the costs to remove the existing structure, relocate/replace the existing railroad signals and provide railroad flagging services.

The Petitioners will be responsible for the remainder of the project costs associated with construction of the new structure, and upon completion of the Barefoot Road reconstructed grade separation structure, assume ownership and maintenance of the proposed grade separation structure.

The BNSF Railway Company and IDOT support the Project and agree that an Order granting the Petition should be approved by the Commission without hearing.

Staff has no objection to the Petition, and recommends that an Order be issued without hearing. The structure will allow for improved mobility in the County and improve safety and convenience to the traveling public.

I recommend entry of the attached Order granting the Petition.