

STATE OF ILLINOIS
ILLINOIS COMMERCE COMMISSION
STIPULATED AGREEMENT 1788

This Agreement made and entered into, by and between the State of Illinois acting by and through the Illinois Commerce Commission (Commission), the Union Pacific Railroad (Company), the Village of Lombard (Village), and the State of Illinois, Department of Transportation (Department or IDOT).

WITNESSETH:

WHEREAS, it has come to the attention of the Commission through correspondence that inquiry should be made into the matter of improving public safety at the Elizabeth Street highway-rail grade crossing (AAR/DOT #174 944W, railroad milepost 20.11-CNWA) of the Union Pacific Railroad Company's tracks, in the Village of Lombard, Du Page County.

WHEREAS, proper investigation has been made of the circumstances surrounding the subject crossing by a representative of the Commission's Transportation Division Railroad Section; and

WHEREAS, the physical aspects, including geometrics of the intersection, train movements, vehicular traffic volume, and other pertinent data relating to the crossings have been obtained and shown on Exhibit A, attached to this Agreement; and

WHEREAS, the parties are mutually agreeable to accomplish proposed improvements to the crossing upon determination of the Commission by Order.

NOW, THEREFORE in consideration of the premises and of the mutual covenants and agreements as hereinafter contained the parties pray that the Commission enter an Order according to the provisions of Section 18c-7401 of the Illinois Commercial Transportation Law, 625 ILCS 5/18(c)-7401, requiring that certain improvements as hereinafter stated be made and that the cost for the proposed improvements be divided among the parties according to law and that in the interest of the traveling public the Grade Crossing Protection Fund (GCPF) of the Motor Fuel Tax Law (MFT) be required to bear a substantial portion of the cost; To Wit the parties agree as follows:

Section 1 All improvements encompassed by this Agreement shall be made in accordance with all applicable State laws, rules, standards, regulations and orders and procedures in general.

Section 2 The parties are of the opinion that the following improvements in the interest of public safety at the aforesaid crossings should be:

- (a) Installation of a demonstration four quadrant gate system at the Elizabeth Street grade crossing, by the Company.
- (b) Completion of roadway work with renewal of the existing surface at the Elizabeth Street grade crossing per Exhibit B, by the Company.

Section 3 To facilitate the installation of the four quadrant gate system, the crossing surface will be reconstructed with new track and concrete panels by the Company. For ease of installation and limiting potential conflicts, the Company will also complete the roadway work and detector loop installation in conjunction with the renewal of the crossing surface. Staff of the Commission, in coordination with the Company and Village, has completed roadway plans for the Elizabeth Street crossing, attached herein as Exhibit B. The Company has prepared a preliminary cost estimate, attached and incorporated herein by reference as Exhibits C1 and C2, to install the four quadrant gate system and accomplish the proposed railroad warning device improvements and associated roadway and track work, which may be required by Commission Order.

The Company shall upon a Commission Order, according to the requirements contained therein, prepare and submit duplicate copies of detailed drawings, detailed circuit plans, and any required specifications for the proposed improvements for the approval of the Commission. The Company agrees that an appropriate time for the submission of warning device plans should be one (1) month from the date of a Commission Order approving this Agreement.

The demonstration project will evaluate the four quadrant gate system operating in dynamic mode with vehicle detection and exit gate control equipment within a triple track commuter and freight environment. In addition, the project will evaluate the operation of the four quadrant gate system in relation to the traffic signal at the intersection of Elizabeth Street and St. Charles Road, which is interconnected to the railroad warning devices.

The demonstration project will consist of two main phases:

Phase I: GE ElectroLogIXS Exit Gate Control Testing – Exit Gates Not Installed

The demonstration project will begin with the testing of the GE ElectroLogIXS exit gate control system. The exit gate control system will be evaluated for a one (1) month evaluation period. In this phase, the exit gates will not be installed.

Phase II: Four Quadrant Gate Component

Upon concurrence of all parties as to the satisfactory performance of the GE ElectroLogIXS exit gate control system, a revised set of warning device plans will be submitted if necessary. Upon approval of the revised plans, the exit gates will be added and the four quadrant gate system will be placed in service.

Section 4 The Company shall upon Order, according to the requirements contained therein, proceed toward the completion of the proposed improvements, accomplishing the work with its own forces or appropriate contracted services and agrees that an appropriate time for the completion of the proposed improvements should be November 30, 2015.

Section 5 The parties agree that an equitable division of cost for the proposed improvements is as follows:

- COST DIVISION TABLE -

IMPROVEMENT	EST. COST	GCPF	COMPANY	VILLAGE	IDOT
Install Four Quadrant Gates, and in-pavement vehicle detector loops at the Elizabeth Street crossing, by the Company	\$558,872	\$454,402 ¹	\$0 ^{2,3,4,5}	\$104,470 ⁴	\$0
Renew Crossing Surface including, roadway work and track work, by the Company	\$509,800	\$170,951	\$338,849	\$0	\$0
TOTALS	\$1,068,672	\$625,353	\$338,849	\$104,470	\$0

Notes:

1. Total Grade Crossing Protection Fund (GCPF) assistance for installation not to exceed \$454,402; any installation costs above the estimated amount of \$558,872 will be assigned to the GCPF upon submittal and review of evidence to support the additional cost and subject to approval by the Commission. The estimate includes work items that provide alternatives for the demonstration project and may not be part of the final design. The Company shall bill for actual costs incurred.
2. The Company shall be responsible for all maintenance costs associated with the entire four quadrant gate system. For future actual costs incurred for maintenance of the in-pavement inductive detector loops, in accordance with Public Act 96-0034, the Company may request reimbursement from the GCPF. Payment would then be authorized through a subsequent order(s) upon submittal and review of evidence to support the maintenance costs, and subject to approval by the Commission.
3. Company shall be responsible for all future operating and maintenance costs associated with the new automatic warning devices and circuitry;
4. Company will be responsible for construction of the work detailed in Exhibit B in conjunction with the crossing surface renewal. Upon completion, the Village shall be responsible for the maintenance of the roadway, fencing, and swing gates;
5. GCPF assistance to provide reimbursement for material costs associated with the crossing surface renewal; Company responsible for labor costs.

Section 6 Special Provisions: The Company shall complete and submit the Project Manager Information portion of the Project Status Report sheet, attached as Exhibit D, along with this executed Agreement.

The Company shall, at six (6) month intervals from the date of the Commission Order approving this Agreement, submit to the Director of Processing and Information, Transportation Bureau of the Commission, the Project Status Report, attached as Exhibit D, regarding the progress it has made toward completion of the work required by this Agreement. Each Project Status Report shall include the Commission Order's docket number, the Order date, the project completion date as noted in the Order, crossing information (inventory number and railroad milepost), type of improvement, and the name,

title, mailing address, phone number, facsimile number, and electronic mailing address of the Company Project Manager.

All bills for work specified in Section 2 of this Agreement authorized for reimbursement from the Grade Crossing Protection Fund shall be submitted to the Fiscal Control Unit, Bureau of Local Roads and Streets, Illinois Department of Transportation, 2300 S. Dirksen Parkway, Springfield, IL 62764. The Department shall send a copy of all invoices to the Director of Processing and Information, Transportation Bureau of the Commission. All bills shall be submitted no later than twelve (12) months from the completion date specified in the Commission Order approving this Agreement. The final bill for expenditures from each party shall be clearly marked "Final Bill". The Department shall not obligate any assistance from the Grade Crossing Protection Fund for the cost of proposed improvements described in this Agreement without prior approval by the Commission. The Commission shall, at the end of the 12th month from the completion date specified in the Commission Order approving this Agreement or any Supplemental Order(s) issued for this project, notify the Department to de-obligate all residual funds accountable for this project. Notification may be by regular mail, electronic mail, fax, or phone.

SECTION 7 Billing: For all work specified in Section 2 of this Agreement, and authorized by an Order of the Commission, the Company shall assure that sufficient documentation for all bills is made available for review by the Department or the Department's representative. The minimum documentation that must be made available is outlined below:

- a) Labor Charges (including additives) - Copies of employee work hours charged to the railroad account code for the project.
- b) Equipment Rental - Copies of rental agreements for the equipment used, including the rental rate; number of hours the equipment was used and the railroad account code for the project.
- c) Material - An itemized list of all materials purchased and installed at the crossing location. If materials purchased are installed at multiple crossing locations, a notation must be made to identify the crossing location.
- d) Engineering - Copies of employee work hours charged to the railroad account code for the project.
- e) Supervision - Copies of employee work hours charged to the railroad account code for the project.
- f) Incidental Charges - An itemized list of all incidental charges along with a written explanation of those charges.
- g) Service Dates - Invoice shall include the beginning and ending date of the work accomplished for the invoice.
- h) Final or Progressive - Each invoice shall be marked as a Progressive or a Final Invoice.
- i) Reference Numbers - Each invoice shall include the AAR/DOT number, the ICC order number and the state job number when federal funds are involved.
- j) Locations - Each invoice shall show the location, with the street name and AAR/DOT crossing inventory number.

Section 8 This Agreement shall be binding upon the parties hereto, their successors or assigns. Upon execution of this Agreement by all parties, the Commission shall enter an appropriate Order, within 60 days accepting or rejecting such stipulation according to the provisions contained herein.

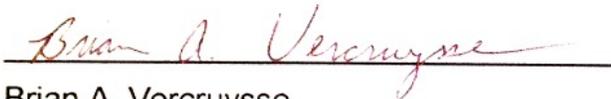
In Witness Whereof, the parties have caused this Agreement to be executed by their duly authorized officers, as of the dates indicated on their respective Execution Pages, attached hereto.

Executed by the Commission this 1st day of August 2014.

Handwritten signature of Michael E. Stead in black ink, with the initials "BA" written in the upper right corner.

Michael E. Stead
Rail Safety Program Administrator

Attest:

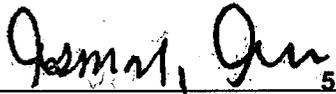
Handwritten signature of Brian A. Vercruyse in red ink, written over a horizontal line.

Brian A. Vercruyse
Senior Rail Safety Specialist

Illinois Commerce Commission Stipulated Agreement 1788, executed by Commission Staff on August 1, 2014, concerning improving public safety at the Elizabeth Street highway-rail grade crossing (AAR/DOT #174 944W, railroad milepost 20.11-CNWA) of the Union Pacific Railroad Company's tracks, in the Village of Lombard, Du Page County.

Executed by the Illinois Department of Transportation this 14th day of August 2014.

STATE OF ILLINOIS
DEPARTMENT OF TRANSPORTATION

By: 
Director of Highways

Illinois Commerce Commission Stipulated Agreement 1788, executed by Commission Staff on August 1, 2014, concerning improving public safety at the Elizabeth Street highway-rail grade crossing (AAR/DOT #174 944W, railroad milepost 20.11-CNWA) of the Union Pacific Railroad Company's tracks, in the Village of Lombard, Du Page County.

Executed by the Village of Lombard this 4th day of September 2014.

VILLAGE OF LOMBARD

By: 

Keith Giagnorio
Village President

Attest:



Sharon Kuderna
Village Clerk

Illinois Commerce Commission Stipulated Agreement 1788, executed by Commission Staff on August 1, 2014, concerning improving public safety at the Elizabeth Street highway-rail grade crossing (AAR/DOT #174 944W, railroad milepost 20.11-CNWA) of the Union Pacific Railroad Company's tracks, in the Village of Lombard, Du Page County.

Executed by the Union Pacific Railroad Company this 27th day of June 2015.

UNION PACIFIC RAILROAD COMPANY

By: John J. Hovanec
John J. Hovanec
AVP Engineering

Attest:

M D Boy

**ILLINOIS COMMERCE COMMISSION
STIPULATED AGREEMENT
CROSSING DATA FORM**

GENERAL INFORMATION: See Location Sketch

RAILROAD	Union Pacific Railroad Company
USDOT#, MILEPOST	1749 44W, MP 20.11
STREET, CITY, COUNTY	Elizabeth Street, Village of Lombard, DuPage County
JURISDICTION (RDWY)	Village of Lombard
LOCATION	Residential; School Zone; Commercial; Metra Station
STREET SURFACE	Bituminous; 27' to 30'

CROSSING DATA: See Location Sketch for roadway profile and track centers

TRACK (N-S)	SURFACE TYPE	SURFACE WIDTH	SURFACE CONDITION
1 N	Concrete Panel	82'	Settling
2	Concrete Panel	82'	Settling
3	Concrete Panel	82'	Settling

ROADWAY DATA: See Location Sketch

INTERSECTING ROADS:	McGuire Drive (35' North); Parkside (79' South); St. Charles (290' North)
TRAFFIC CONTROL	Traffic Signal Interconnect with St. Charles Road/Elizabeth St.
ADT & SPEED	7000 @ 30 MPH (3%Trucks)
TRAFFIC TYPE	Cars, trucks/trailers, buses
ADVANCE WARNING	Yes
PAVEMENT MARKING	Yes

RAILROAD DATA: See Location Sketch

FREIGHT TRAFFIC	50 Per day @ 60 MPH
PASSENGER TRAFFIC	54 @ 79 MPH
WARNING DEVICES	Automatic Flashing Light Signals/Road & Ped Gates/Bells

COMMENTS:

Crossing Meets Profile Requirements; no improvements are required.

See Exhibit B for a Location Sketch (Aerial Photo) of the crossing.

PLANS FOR ESTIMATING

UNION PACIFIC RAILROAD COMPANY

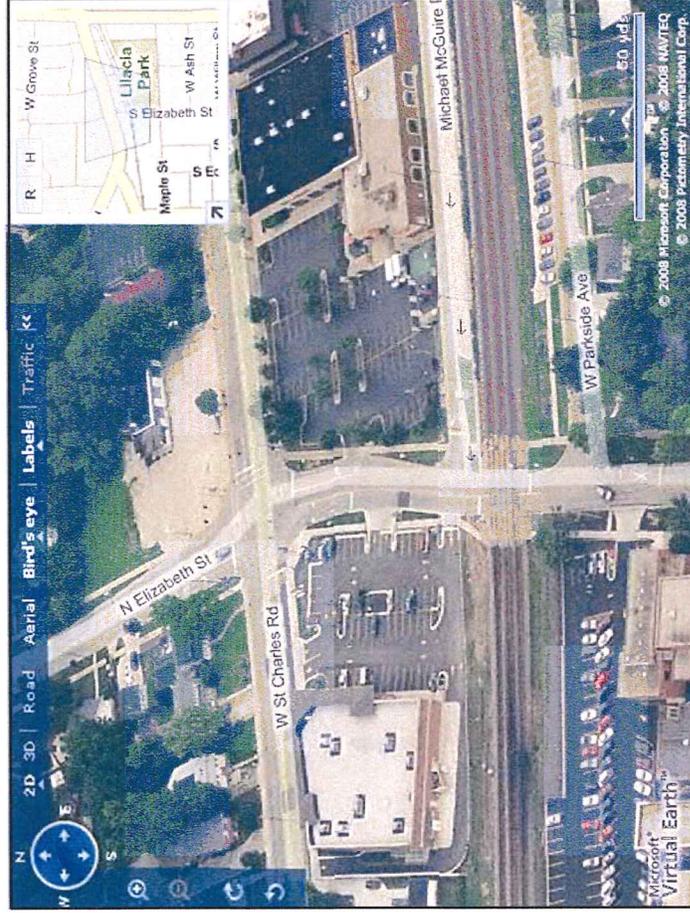
ELIZABETH STREET GRADE CROSSING IMPROVEMENTS
AAR/DOT #174 944W, RAILROAD MILEPOST 20.14
GENEVA SUBDIVISION

VILLAGE OF LOMBARD, DUPAGE COUNTY, IL

SUMMARY OF QUANTITIES

No.	Item Description	Unit	Quantity
1	Mobilization	LS	1
2	Traffic Control and Detour	LS	1
3	Concrete Curb and Gutter Removal	LF	61
4	PCC Sidewalk Removal	SF	565
5	Bituminous Concrete Pavement Removal (Full Depth - Assume 8" by tracks)	SF	1576
6	Bituminous Concrete Pavement Milling - 1-1/2"	SF	1944
7	Combination Concrete Curb and Gutter B6.12	LF	113'
8	PCC Sidewalk 5"	SF	480
9	PCC Sidewalk 6"	SF	390
10	HMA Bituminous Base Course, IL-19.0, N50	TN	53
11	HMA Bituminous Surface Course, Mix C, N50	TN	50
12	Bituminous Materials (Prime Coat)	GAL	196
13	Bituminous Butt Joint	EA	2
14	Driveway Grass-Crete	SF	200
15	Cast-In Place Detectable Warning Plates	EA	7
16	4" White Thermoplastic Pavement Marking	LF	80
17	4" Yellow Thermoplastic Pavement Marking	LF	174
18	6" White Thermoplastic Pavement Marking	LF	210
19	12" White Thermoplastic Pavement Marking	LF	54
20	24" White Thermoplastic Pavement Marking	LF	54
21	18" High Flexible Delineators (Yellow or Color per Village)	EA	33
22	18" High Flexible Delineators (White)	EA	8
23	14"x14" Sign - Do Not Enter Symbol	EA	4
24	14"x14" Sign - "PUSH TO EXIT"	EA	4
25	18"x24" Sign - RR Warning/Fine	EA	4
26	Gate, Special, (Exit Area Swing Gate)	EA	4
27	Fence Special, 3' - Galvanized Steel with Epoxy Primer & Acrylic Top Coat	LF	417

LOCATION MAP



USER NAME * BLINDS COMMERCIAL CORPORATION VILLAGE OF LOMBARD UNION PACIFIC RAILROAD COMPANY	DESIGNED - BY _____ DRAWN - BY _____ CHECKED - _____ DATE - 12/01/03	REVISED - _____ REVISED - _____ REVISED - _____ REVISED - _____	ELIZABETH STREET AT UNION PACIFIC RAILROAD COMPANY VILLAGE OF LOMBARD, ILLINOIS	SCALE: HTS _____ SHEET 1 OF 7 SHEETS STA. _____ TO STA. _____	COUNTY _____ AAR/DOT # / RR Milepost _____ / 174 944W / 20.14 SHEET NO. _____ OF _____ SHEETS
--	---	--	--	---	---

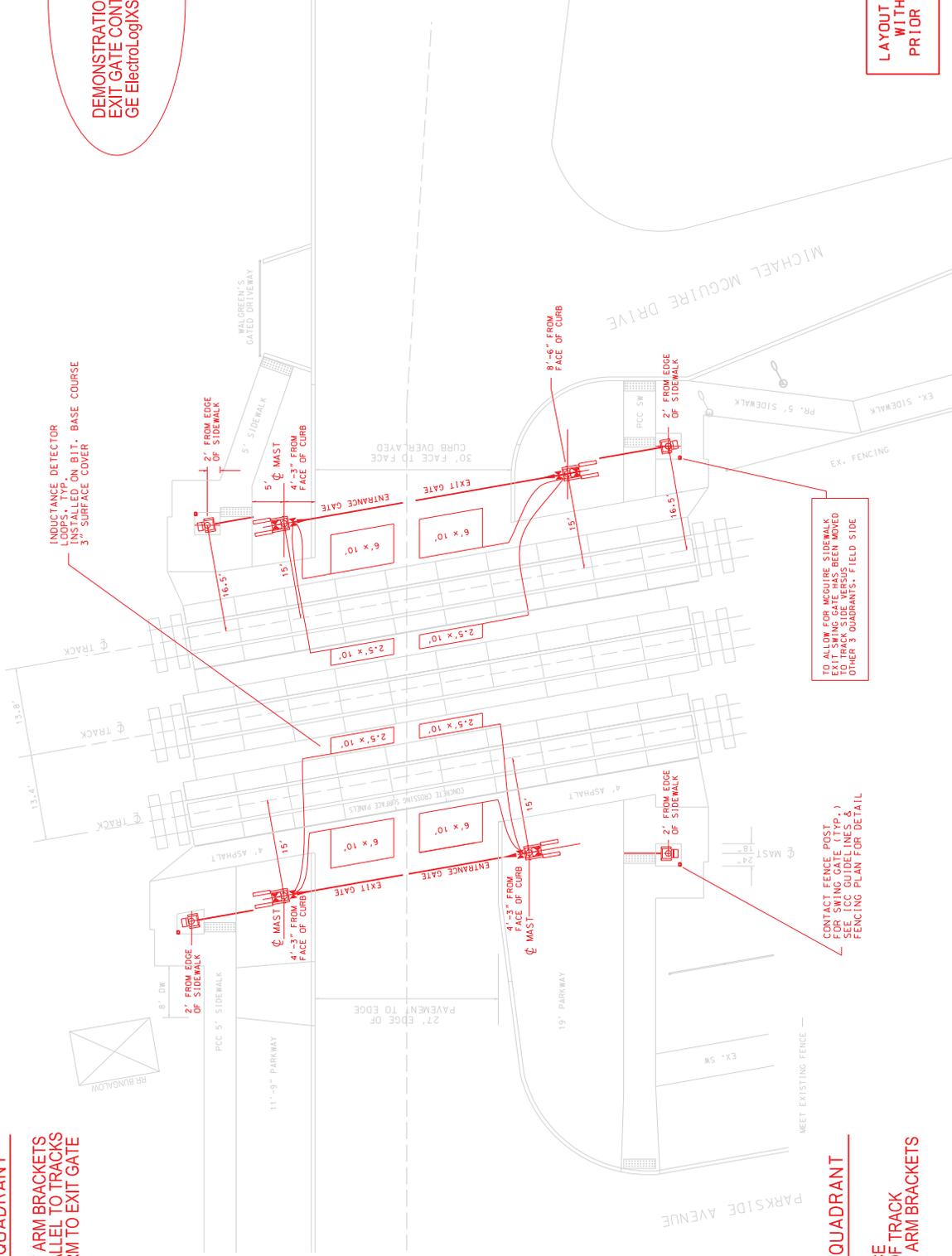


SOUTHWEST QUADRANT

EX. PED GATE
CUT OFF WEIGHT ARM BRACKETS
ROTATE TO PARALLEL TO TRACKS
EXTEND GATE ARM TO EXIT GATE

INDUCTANCE DETECTOR
LOOPS, TYP.
INSTALLED ON BIT. BASE COURSE
3" SURFACE COVER

DEMONSTRATION PROJECT
EXIT GATE CONTROL TO USE:
GE ElectroLogixS With Exit Gate Logic



SOUTHEAST QUADRANT

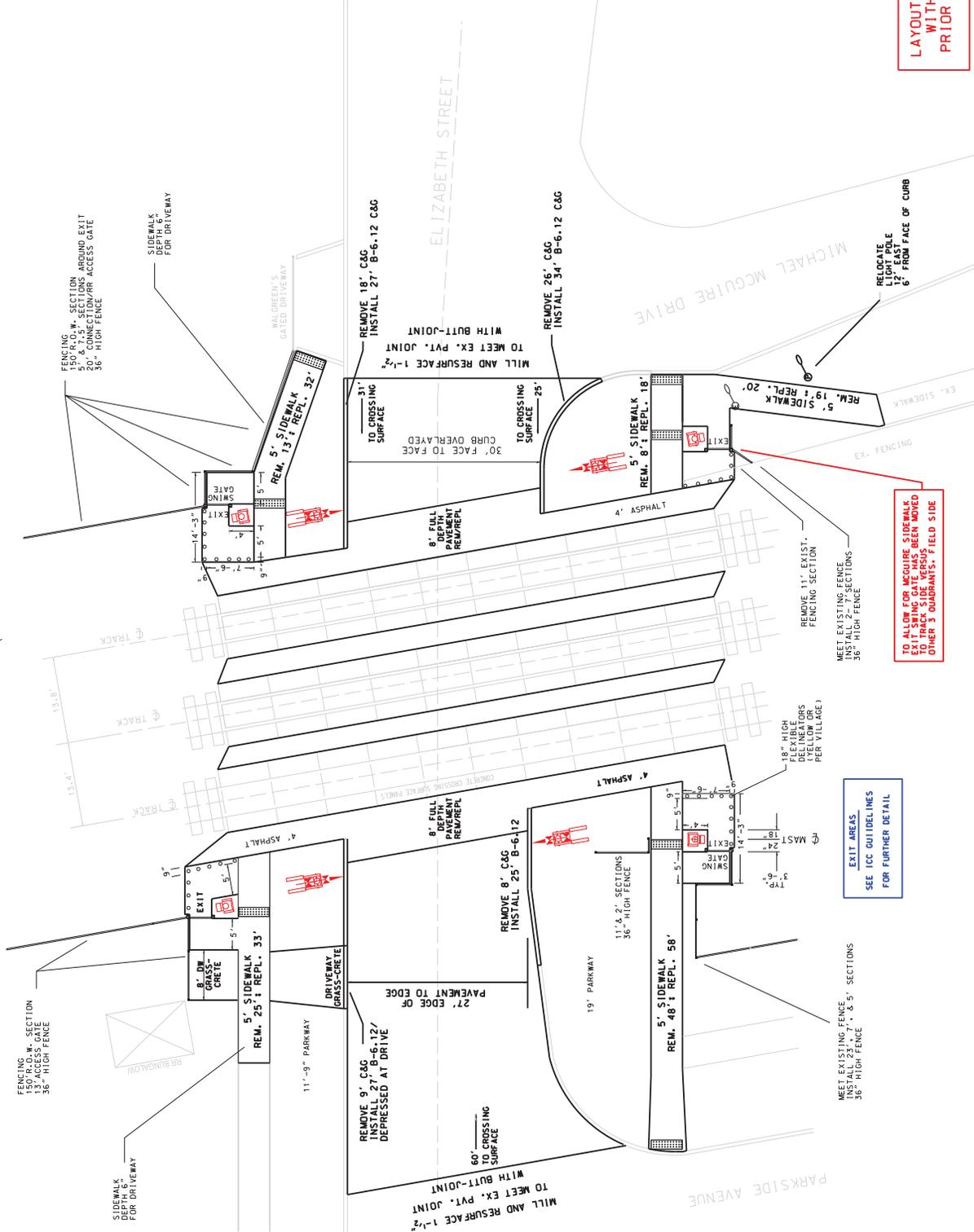
EX. PED GATE
REMAINS IN PLACE
AT 19' FROM CL OF TRACK
CUT OFF WEIGHT ARM BRACKETS

CONTACT FENCE POST
FOR SWING GATE (TYP.)
TO BE INSTALLED AT
19' FROM CL OF TRACKS
FENCING PLAN FOR DETAIL

TO ALLOW FOR MCGUIRE SIDEWALK
TO BE MOVED TO THE
FIELD SIDE OF TRACKS OF BEST
OTHER 3 QUADRANTS.

LAYOUT TO BE COMPLETED
WITH ICC ENGINEER
PRIOR TO INSTALLATION

ILLINOIS COMMERCE COMMISSION VILLAGE OF LOMBARD UNION PACIFIC RAILROAD COMPANY	USER NAME = NUSEP# DESIGNED = BJ DRAWN = BJ CHECKED = DATE = 12/23/13	REVISED = REVISED = REVISED = REVISED =	ELIZABETH STREET AT UNION PACIFIC RAILROAD COMPANY VILLAGE OF LOMBARD, ILLINOIS	SCALE: NTS. _____ OF 7. SHEETS 31A. _____ TO 31H.	WARING DEVICE LAYOUT	JAN/POI # / RR Milepost 174.3498 / 2014	COUNTY SHEETS DuPage 7	STATE SHEETS 2
--	---	--	--	---	----------------------	--	---------------------------	-------------------

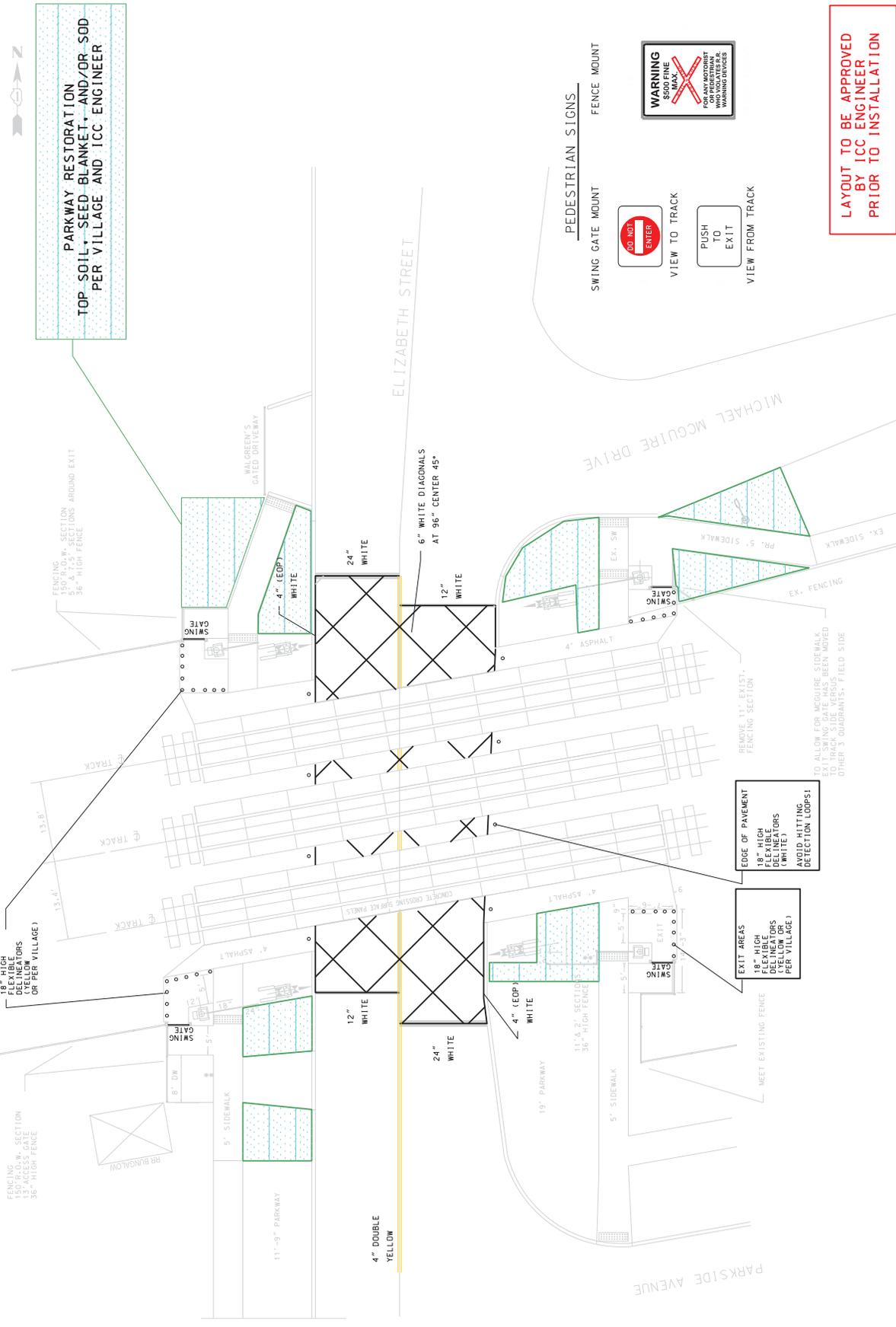


LAYOUT TO BE COMPLETED
WITH ICC ENGINEER
PRIOR TO INSTALLATION

TO ALLOW FOR MCGUIRE SIDEWALK
EXIT SWING GATE HAS BEEN MOVED
OTHER 3' QUADRANTS - FIELD SIDE

EXIT AREAS
SEE ICC GUIDELINES
FOR FURTHER DETAIL

ILLINOIS COMMERCE COMMISSION VILLAGE OF LOMBARD UNION PACIFIC RAILROAD COMPANY	DESIGNED - BY _____	REVISED - _____	USER NAME - USER##	REVISION - _____
	DRAWN - BY _____	REVISED - _____	PLOT SCALE - 1"=80'±	REVISION - _____
	CHECKED - _____	REVISED - _____	DATE - 12/23/23	REVISED - _____
ELIZABETH STREET AT UNION PACIFIC RAILROAD COMPANY VILLAGE OF LOMBARD, ILLINOIS	ROADWAY PLAN		SHEET 3 OF 7 SHEETS STA. _____ TO STA. _____	SCALE: NTS. _____
ILLINOIS COMMERCE COMMISSION VILLAGE OF LOMBARD UNION PACIFIC RAILROAD COMPANY	AAAR/DOIT # / RR MIDPOST 174.3498 / 2014	COUNTY DUPage	SHEET NO. 7	TOTAL SHEETS 7

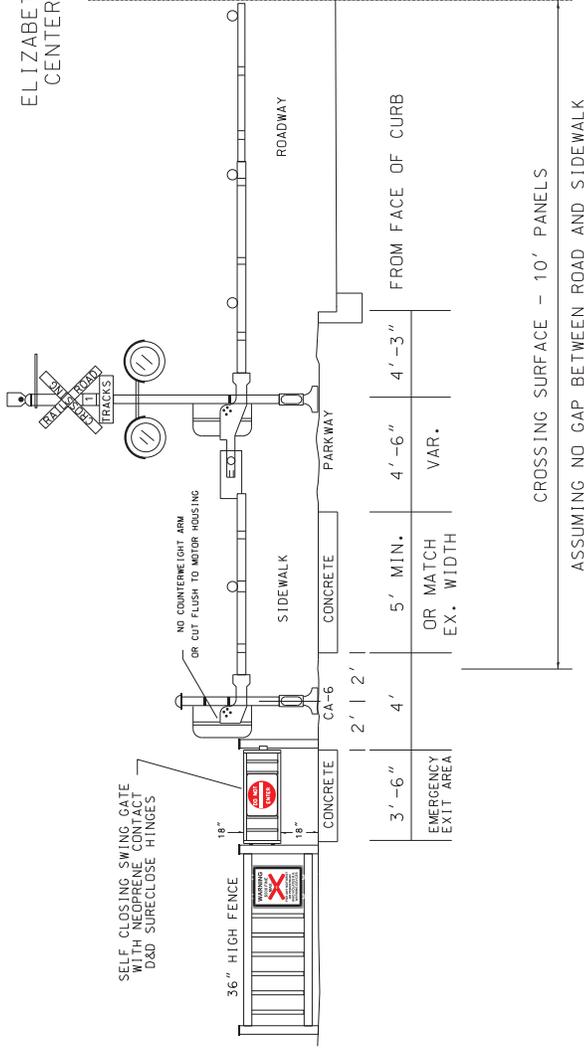


ILLINOIS COMMERCE COMMISSION VILLAGE OF LOMBARD UNION PACIFIC RAILROAD COMPANY	DESIGNED -	BY -	REVISED -	BY -
	DRAWN -	BY -	REVISED -	BY -
	CHECKED -	DATE - 12/23/23	REVISED -	
	USER NAME -	USER# -	DATE -	SCALE -
	PLOT SCALE -	SCALE -		
ELIZABETH STREET AT UNION PACIFIC RAILROAD COMPANY VILLAGE OF LOMBARD, ILLINOIS		PAVEMENT MARKING, SIGNING & RESTORATION		
SCALE: NTS	SHEET 4	OF 7	SHEETS STA.	TO STA.
JAN/2021	/ RR MILEPOST	COUNTY	STATE	SHEET
12/23/2023	124.3498 / 2014	DUPAGE	ILLINOIS	4
	GENEVA SUBDIVISION			

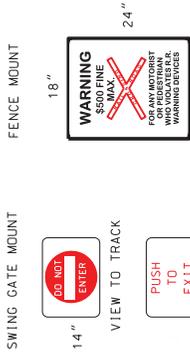
PEDESTRIAN VIEW AT EXIT GATE - TRAIN APPROACHING
CONCEPTUAL CROSS SECTION (NTS)

- NOTES:
 1. DESIGN TO COMPLY WITH MUTCD
 2. ESCAPE AREA DESIGN- COMPLY WITH CHAPTER 4: "ACCESSIBLE ROUTES" OF ADA AND ABA GUIDELINES AMENDED AUGUST 5, 2005, OR LATEST REVISION
 3. DETECTABLE WARNING - TRUNCATED DOMES PER CHAPTER 320 OF MUTCD AND ABA GUIDELINES
 4. *FINAL DIMENSIONS DETERMINED IN FIELD DUE TO VARIABILITY OF LOCATIONS *

ELIZABETH ST.
CENTERLINE



PEDESTRIAN SIGNS



ILLINOIS COMMERCE COMMISSION VILLAGE OF LOMBARD UNION PACIFIC RAILROAD COMPANY	DESIGNED - BJ	REVISED -	USER NAME - #USER#	FLY SHEET	NO. OF SHEETS	DATE	SCALE	SHEET	OF	SHEETS	STA.	TO	STA.	ILLINOIS
	DRAWN - BJ	REVISED -			7	12/22/23		5	7					
	CHECKED -	REVISED -												
	DATE	REVISED -												
ELIZABETH STREET AT UNION PACIFIC RAILROAD COMPANY VILLAGE OF LOMBARD, ILLINOIS														
TYPICAL CROSS SECTION AT EXIT AREA														

