

FILE  
(NC)

Public Utilities  
Commission of Ohio

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# Memo

RECEIVED-DOCKETING DIV  
2014 JUN 12 AM 10:35  
PUCO

**To:** Docketing Division  
**From:** George Martin, Grade Crossing Planner, Rail Division  
**Re:** In the matter of the authorization of Norfolk Southern Railway to install an active grade crossing warning device in Hamilton County  
**Date:** June 12, 2014

The Ohio Rail Development Commission (ORDC) has authorized funding for Norfolk Southern Railway (NS) to install mast-mounted flashing lights and roadway gates at Hamilton County, Village of Lockland, Wyoming Ave., DOT# 524722F, as part of the ongoing CJ Corridor project. The crossing was surveyed on May 2, 2013, and was found to warrant the upgrade.

The project will be paid for with federal funds, and is actual cost. As the plan and estimate, in the amount of \$223,621.00, has already been submitted and approved, staff requests a Finding & Order with completion of the project in nine months. Construction may commence at once. Staff requests that the following language be incorporated in the Entry:

**It is expected that all work necessary for FHWA acceptance of the warning devices will be completed by the in-service due date and that the railroad will be responsible for this work. This work includes, but is not limited to:**

**Any ancillary work to make the warning devices function as designed and visible to the roadway user, and**

**MUTCD compliance, including minor roadway work if necessary.**

A suggested case coding and heading would be:

PUCO Case No. 14- **1077** -RR-FED In the matter of the authorization of Norfolk Southern Railway to install an active grade crossing warning device in Hamilton County

C: Legal Department

Please serve the following parties of record



Ms Cathy Stout

Ohio Rail Development Commission

1980 West Broad St, Mailstop #3140

Columbus, Oh 43223

Ms Cayela Wimberly

Norfolk Southern Railway

1200 Peachtree St, Box 123

Atlanta, Ga 30309

Mr D Casey Talbot

Eastman & Smith Ltd

One Seagate, 24th Floor

PO Box 10032

Toledo, Oh 43699-0032

Mr Dean Walden

Village of Lockland

101 North Cooper Ave.

Lockland, Ohio 45215

Duke Energy



**OHIO RAIL DEVELOPMENT COMMISSION  
INTER-OFFICE COMMUNICATION**

**TO:** George Martin, Rail Division, PUCO  
**FROM:** Cathy Stout, Manager, Safety Section, ORDC  
**BY:** Tim Perkins, Project Manager *Tim Perkins*  
**SUBJECT:** Village of Lockland, HAM-Wyoming Ave., NS, DOT No. 524 722 F,  
PID No. 96025  
**DATE:** June 10, 2014

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The Ohio Rail Development Commission (ORDC) established a diagnostic survey at the subject location on May 2, 2013. The Diagnostic Team recommended the modernization of the existing warning devices. Copies of the diagnostic review form and the plan and estimate are attached.

PE has already been provided by the railroad. ORDC approves the site plans and estimates as provided. Please issue a construction-only order for the project outlined above. This authorization is made with the stipulation and understanding that an approved estimate may contain entries for items or activities that may be cited and found to be ineligible for federal participation during the project audit.

It is expected that all work necessary for FHWA acceptance of the warning devices will be completed by the in-service due date and that the railroad will be responsible for this work. This work includes, but is not limited to:

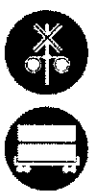
- any ancillary work to make warning devices function as designed and visible to the roadway user, and
- MUTCD compliance – including minor roadway work if necessary.

Thank you for your assistance with these matters.

Attachment: Diagnostic Review  
Plan & Estimate

c: George Martin, PUCO  
ORDC Project Manager (file)





# OHIO RAIL DEVELOPMENT COMMISSION

Mail Stop #3140, 1980 West Broad Street, Columbus OH 43223

John R. Kasich, Governor • Mark Policinski, ORDC Chairman

June 10, 2014

Cayela J. Wimberly  
Administrator, Highway Grade Crossings  
Norfolk Southern Corporation  
1200 Peachtree Street, N.E., Box 123  
Atlanta, Georgia 30309

RE: Village of Lockland, Hamilton County, Wyoming Avenue, DOT No. 524 722 F, PID  
96025, Mile Post: CJ 250.40, S&E Project No. 10.2063

Dear Ms. Wimberly:

The Norfolk Southern (NS) plan and estimate dated April 23, 2014, in the amount of \$223,621.00 for the referenced project has been reviewed and is acceptable. NS may proceed with the construction of the proposed grade crossing warning system in accordance with the abbreviated plan. This authorization is made with the stipulation and understanding that the approved estimate may contain entries for items or activities that may be cited and found to be ineligible for federal participation during the project audit. Reimbursement of eligible actual cost is limited to \$167,715.75. Additional costs must be approved in writing by the ORDC prior to being incurred. Emergency verbal authorizations by ORDC may be permitted and will be confirmed by ORDC in writing within ten (10) business days of the verbal approval.

This authorization is contingent upon NS accepting the following instructions:

1. NS will furnish prior written notification of their scheduled date to start construction to George Martin, PUCO, Railroad Division.
2. NS's project foreman will furnish FAX or written notification five (5) working days prior to the date work will start at the project site to Tim Perkins, Ohio Rail Development Commission (ORDC), 1980 West Broad Street, Columbus, Ohio 43223, email [Tim.Perkins@dot.state.oh.us](mailto:Tim.Perkins@dot.state.oh.us) or FAX (614) 728-4520, (telephone number 614-644-0284), and to the Public Utilities Commission of Ohio at 180 East Broad Street, Columbus, Ohio 43215, email [George.martin@puc.state.oh.us](mailto:George.martin@puc.state.oh.us), (telephone number 614-752-9107). NS's project foreman will also notify the same of any stops and re-starts of the work activity and of the date work was completed for the project.
3. NS will arrange for utilities to be located at the project site by the Ohio Utilities Protection Service (OUPS) prior to any construction activities at the site. Utilities that are not participating members of the service must be contacted directly by NS.
4. NS's project foremen will notify Tim Perkins of any changes in the scope of work, cost overruns, material changes, etc. which are not included in the approved plan and estimate and secure approval of same before the work is performed.



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phone: 614.644.0306

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5. NS will furnish two (2) copies of each partial bill to ORDC. Please find the enclosed Encumbrance Estimate to reference when billing.
6. NS will furnish two (2) copies of the final all-inclusive bill to ORDC stating the exact dates of starting and completing work, the initial and final dates of construction and location where the accounts may be audited.
7. This installation will include any ancillary work to make the warning devices function as designed and meet MUCTD.
8. The Village of Lockland has agreed to handle the curb construction and bill NS at project expense.

Thank you for your assistance with these matters.

Sincerely,

A handwritten signature in cursive script, reading "Tim Perkins".

Tim Perkins  
Project Manager

C: George Martin, PUCO, Grade Crossing Planner  
ORDC (file)