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**Public Utilities
Commission of Ohio**

Memo

RECEIVED-DOCKETING DIV

2015 JAN 16 AM 9:12

PUCO

To: Docketing Division
From: George Martin, Grade Crossing Planner, Rail Division
Re: In the matter of the authorization of Norfolk Southern Railway and the Wheeling & Lake Erie Railway to install active grade crossing warning devices in Ottawa and Tuscarawas Counties
Date: January 16, 2015

The Ohio Rail Development Commission (ORDC) has authorized funding for Norfolk Southern Railway (NS) and the Wheeling & Lake Erie Railway (WE) to install mast-mounted flashing lights and roadway gates at the following locations:

NS, Ottawa County, near Curtice, Wildacre Rd/CR 72, DOT# 473847M, approved cost \$240,990.00.

WE, Tuscarawas County, near Sandyville, Crossroads Rd/CR 108, DOT# 142829B, approved cost \$195,278.14.

The crossings were surveyed on November 1, 2013, and May 15, 2014, respectively, due to their hazard ranking and were found to warrant the upgrade.

The projects will be paid for with federal funds, and are actual cost. As the plans and estimates have already been approved staff requests a Finding & Order with completion 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. **150088** -RR-FED In the matter of the authorization of Norfolk Southern Railway and Wheeling & Lake Erie Railway to install active grade crossing warning devices in Ottawa and Tuscarawas Counties

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

Mr Stephen Klinger

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 Tim Andrews

Wheeling & Lake Erie Railway

100 East First St

Brewster, Oh 44613

Mr David Brunkhorst, PE, PS

Ottawa County Engineer

315 Madison Street

Room 106

Port Clinton, Ohio 43452

Mr Joe Bachman, PE, PS

Tuscarawas County Engineer

832 Front Avenue SW

New Philadelphia, Ohio 44663

Toledo Edison, AEP

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

TO: Randall Schumacher, Supervisor, Rail Division, PUCO
FROM: Cathy Stout, Manager, Safety Section, ORDC
BY: Don Damron, Project Manager, ORDC
SUBJECT: Ottawa County, CR 72, Wildacre Rd
DOT# 473847M
PID# 97217
DATE: January 12, 2015

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The Public Utilities Commission of Ohio (PUCO) established a Diagnostic Review Team Survey at the subject highway/railroad crossing location on 11/1/2013. The Ohio Rail Development Commission (ORDC) attended the Diagnostic Survey. The Diagnostic Review Team recommended the improvement of warning devices to flashing lights and roadway gates. Copies of the Diagnostic Review Team Survey form and the railroad plan and estimate are attached.

The 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.

Attachments:

Diagnostic Review Team Survey dated: 11/1/2013
Plan & Estimate dated: 10/17/14

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 • James G. Bradley, Chairman

January 12, 2015

Mr. Stephen Klinger
Norfolk Southern Corporation
Administrator Grade Crossing Program
1200 Peachtree St. NE, Box 123
Atlanta, GA 30309

RE: Automatic Grade Crossing Warning Devices – Construction Authorization
CR 72, Wildacre Rd. in Ottawa County, DOT# 473847M
PID# 97217

Dear Mr. Klinger:

The plan and estimate dated October 17, 2014 for the referenced project has been reviewed and is acceptable. Norfolk Southern 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 \$240,990.00. Additional costs must be approved in writing by the Ohio Rail Development Commission (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 Norfolk Southern Corporation accepting the following instructions:

1. Norfolk Southern's project foreman will furnish written notification five (5) working days prior to the date work will start at the project site to Don Damron, ORDC, Mail Stop #3140, 1980 West Broad Street, 2nd Floor, Columbus Ohio 43223, or email don.damron@dot.state.oh.us, or Fax 614-728-4520, (cell: 614-917-8466; office phone: 614-466-2509), and to the Public Utilities Commission of Ohio at George.martin@puc.state.oh.us (phone 614-752-9107). The CSX 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.
2. Norfolk Southern 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 CSX.



www.rail.ohio.gov

phone: 614.644.0306

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3. Norfolk Southern's project foremen will notify Don Damron at 614-917-8466 (cell) or don.damron@dot.state.oh.us (email) 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.
4. Norfolk Southern will furnish two (2) copies of each partial bill to ORDC. Please find the enclosed ODOT Purchase Order to reference when billing.
5. Norfolk Southern 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.

Thank you for your assistance with these matters.

Sincerely,



Donald J. Damron
Project Manager

C: Randall Schumacher, Supervisor, Rail Division, PUCO
George Martin, Grade Crossing Planner, PUCO
ORDC (file)

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

TO: Randall Schumacher, Supervisor, Rail Division, PUCO
FROM: Cathy Stout, Manager, Safety Section, ORDC
BY: Mike Forte', Project Manager, ORDC *MDF*
SUBJECT: Cross Roads Rd., Tuscarawas County, WLE, US DOT 142 829B
DATE: January 12, 2015 *CR 108*

The Public Utilities Commission of Ohio (PUCO) established a diagnostic survey at the subject location on May 15, 2014. The Ohio Rail Development Commission (ORDC) attended the review. The Diagnostic Team recommended the improvement of warning devices to flashing lights and roadway gates. 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: G. Martin, PUCO
M. Forte ORDC (file)



OHIO RAIL DEVELOPMENT COMMISSION

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

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

January 12, 2015

Tim Andrews
S & C Supervisor
Wheeling & Lake Erie Railway Company
100 East First Street
Brewster, OH 44613

Re: Grade Crossing Warning Project
Cross Roads, Tuscarawas County
US DOT 142 829B
PID 98163

Dear Mr. Andrews:

The plan and estimate submitted in your September 18, 2014 email for the referenced project, updated with the bid tab, has been reviewed and is acceptable. Wheeling & Lake Erie Railway Company (WLE) 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 \$195,278.14. Additional costs must be approved in writing by the Ohio Rail Development Commission (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.

5/15/14

This authorization is contingent upon WLE accepting the following instructions:

1. WLE's project foreman will furnish written notification five (5) working days prior to the date work will start at the project site to ORDC, email mike.forte@dot.state.oh.us, and to the Public Utilities Commission of Ohio at George.martin@puc.state.oh.us. WLE'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.
2. WLE 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 WLE.



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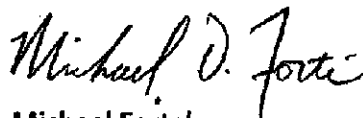
phone: 614.644.0306

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3. WLE's project foremen will notify Mike Forte at 614-374-9287 or mike.forte@dot.state.oh.us 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.
4. WLE will furnish one (1) copy of each partial bill to ORDC. Please find the enclosed ODOT P.O. Number to reference when billing.
5. WLE will furnish one (1) copy 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.

Thank you for your assistance with these matters.

Sincerely,



Michael Forte'
Project Manager

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

Attachment: Purchase Order