

**Public Utilities
Commission of Ohio**

Memo

RECEIVED-DOCKETING DIV
2015 SEP -8 PM 2:10
PUCO

To: Docketing Division
From: George Martin, Grade Crossing Planner, Rail Division
Re: In the matter of the authorization of the Wheeling & Lake Erie Railway to install active grade crossing warning devices in Wayne County
Date: September 8, 2015

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

Arnold Rd, Sugar Creek Township, DOT# 473172N, approved cost \$235,172.00
Elton Rd/CR 424, near Brewster, DOT# 473158T, approved cost \$234,805.64
West Lebanon Rd/CR 105, near Brewster, DOT# 473161B, approved cost \$228,504.13
Wenger Rd/CR 97, near Dalton, DOT# 473166K, approved cost \$261,908.18

These crossings were surveyed on April 22, 2015 due to their hazard ranking, and were found to warrant the upgrades.

The projects will be paid for with federal funds, and are actual cost. The plans and estimates for these projects, in the amounts detailed above, have been submitted and approved. Staff requests a *Finding & Order with completion due in 9 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. 15- **1570** -RR-FED In the matter of the authorization of the Wheeling & Lake Erie Railway to install active grade crossing warning devices in Wayne County

C: Legal Department

Please serve the following parties of record.

Ms Cathy Stout

Ohio Rail Development Commission

1980 W Broad St, Mailstop # 3140

Columbus, Oh 43223

Mr Tim Andrews

Wheeling & Lake Erie Railway

100 East First St

Brewster, Oh 44613

Mr Mark Spademan

Wayne County Engineer's Office

3151 W Old Lincoln Way

Wooster, OH 44691

Sugar Creek Township Trustees

Box 224

Dalton, Oh 44618

Ohio Power Company

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

TO: George Martin, Rail Division, PUCO

FROM: Cathy Stout, Manager, Safety Section, ORDC

BY: Joe Reinhardt, Project Manager, ORDC

SUBJECT: Wayne County, Arnold Road, DOT 473172N, PID 100201,
Elton Road, DOT 473158T, PID 100202, W. Lebanon Road,
DOT 473161B, PID 100203 and Wenger Road, DOT 473166K,
PID 100206, W&LE Projects

DATE: September 8, 2015

The Public Utilities Commission of Ohio (PUCO) established a diagnostic surveys at the subject locations on Arnold Road, Elton Road, W. Lebanon Road and Wenger Road. The Ohio Rail Development Commission (ORDC) attended the reviews. The Diagnostic Team recommended the improvement of warning devices to flashing lights and roadway gates. Copies of the diagnostic review forms 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 construction authorization is made with the stipulation and understanding that any field work needs prior approval before the work begins. 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

September 8, 2015

Mr. Tim Andrews
Wheeling & Lake Erie Railway
100 East First Street
Brewster, Ohio 44613

RE: Wayne County, Arnold Road
DOT 473172N, PID# 100201

Dear Mr. Andrews:

The plan and estimate dated August 27, 1915, for the referenced project has been reviewed and is acceptable. 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 \$235,172.22. 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 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 Joseph Reinhardt, ORDC, email joe.reinhardt@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.
3. WLE's project foremen will notify Joe Reinhardt at joe.reinhardt@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. Open cut of roadways is not permitted except in unusual circumstances and must be coordinated with the local highway authority and preapproved by ORDC.
5. WLE will furnish two (2) copies of each partial bill to ORDC. Please find the enclosed ODOT Purchase Order to reference when billing.



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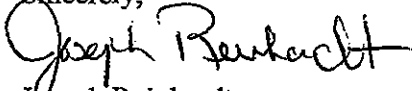
phone: 614.644.0306

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6. WLE 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 MUTCD.

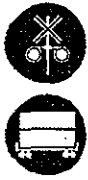
Thank you for your assistance with these matters.

Sincerely,

A handwritten signature in cursive script, appearing to read "Joseph Reinhardt".

Joseph Reinhardt
Project Manager

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



OHIO RAIL DEVELOPMENT COMMISSION

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

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

September 8, 2015

Mr. Tim Andrews
Wheeling & Lake Erie Railway
100 East First Street
Brewster, Ohio 44613

RE: Wayne County, Elton Road
DOT 473158T, PID# 100202

Dear Mr. Andrews:

The plan and estimate dated August 27, 1915, for the referenced project has been reviewed and is acceptable. 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 \$234,805.64. 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 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 Joseph Reinhardt, ORDC, email joe.reinhardt@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.
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4. Open cut of roadways is not permitted except in unusual circumstances and must be coordinated with the local highway authority and preapproved by ORDC.
5. WLE will furnish two (2) copies of each partial bill to ORDC. Please find the enclosed ODOT Purchase Order to reference when billing.



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Thank you for your assistance with these matters.

Sincerely,


Joseph Reinhardt
Project Manager

C: Randall Schumacher, Rail Division Supervisor, PUCO
George Martin, Grade Crossing Planner, PUCO
Susan Arduini, ORDC
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September 8, 2015

Mr. Tim Andrews
Wheeling & Lake Erie Railway
100 East First Street
Brewster, Ohio 44613

RE: Wayne County, West Lebanon Road
DOT 473161B, PID# 100203

Dear Mr. Andrews:

The plan and estimate dated August 27, 1915, for the referenced project has been reviewed and is acceptable. 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 \$228,504.13. 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.

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Project Manager

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George Martin, Grade Crossing Planner, PUCO
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September 8, 2015

Mr. Tim Andrews
Wheeling & Lake Erie Railway
100 East First Street
Brewster, Ohio 44613

RE: Wayne County, Wenger Road
DOT 473166K, PID# 100206

Dear Mr. Andrews:

The plan and estimate dated August 27, 1915, for the referenced project has been reviewed and is acceptable. 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 \$261,908.18. 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.

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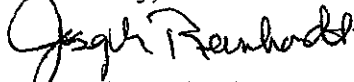
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Joseph Reinhardt
Project Manager

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