

NC FILE

17

**Public Utilities
Commission of Ohio**

RECEIVED-DOCKETING DIV

2014 JUN -4 AM 10:56

PUCO

Memo

To: Docketing Division

From: George Martin, Grade Crossing Planner, Rail Division

Re: In the matter of the authorization of CSX Transportation, Norfolk Southern Railway, and the Wheeling & Lake Erie Railway to install active grade crossing warning devices in Hancock, Sandusky, and Portage Counties

Date: June 4, 2014

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

- CSX**, Hancock County, Jackson Township, Yates Rd/TR 168, DOT# 513728R
- NS**, Sandusky County, Rice Township, Zienta-Horn RD/TR 109, DOT# 473730E
- WE**, Portage County, Brimfield Township, Tallmadge Rd/CR 18, DOT# 472659U
- Portage County, Brimfield Township, Sunnybrook Rd/CR 11, DOT# 472655S

The crossings were surveyed on November 4, 2013, May 9, 2013, November 7, 2013, and November 21, 2013 respectively, and were found to warrant the upgrade to lights and gates.

The projects will be paid for with federal funds, and are actual cost. As the plans and estimates have already been submitted and approved, staff requests a Finding & Order with completion of the projects in nine months. Construction may commence at once. Staff requests that the following language be incorporated in the Finding & Order:

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- **1031** -RR-FED : In the matter of the authorization of CSX Transportation, Norfolk Southern Railway, and the Wheeling & Lake Erie Railway to install active grade crossing warning devices in Hancock, Sandusky, and Portage Counties

This is to certify that the images appearing are an accurate and complete reproduction of a case file document delivered in the regular course of business
 Technician fe Date Processed JUN 04 2014

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 Amanda DeCesare

CSX Transportation

1717 Dixie Hwy, Ste 400

Ft Wright, KY 41011

Mr Tim Andrews

Wheeling & Lake Erie Railway

100 East First St

Brewster, Oh 44613

Ms Cayela Wimberly

Norfolk Southern Railway

1200 Peachtree St NE, Box 123

Atlanta, Ga 30309

Jackson Township Trustees

16110 CR 26

Arlington, oh 45814

Rice Township Trustees

1450 CR 129

Fremont, Oh 43420

Mr Doug Dimaro

Portage County Engineer

5000 Newton Falls Rd

Ravenna, OH 44266

Ohio Power Co

Toledo Edison

Hancock/Wood Rural Electric Association

**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: Hancock County, TR 168 / CSX Transportation
DOT# 513728R
PID# 97218
DATE: June 2, 2014

The Ohio Rail Development Commission (ORDC) established a Diagnostic Review Team Survey at the subject highway/railroad crossing location on 11/4/13. The Public Utilities Commission of Ohio (PUCO) 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:

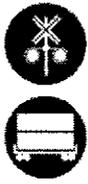
- any ancillary work to make warning devices function as designed and visible to the roadway user, and
- MUTCD compliance – including minor roadway work if necessary.

Thank you for your assistance with these matters.

Attachments:

Diagnostic Review Team Survey dated 11/4/2013
Force Account Estimate dated 4/24/2014
Proposed Crossing Layout – PE Approved Plan

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

June 2, 2014

Amanda DeCesare
Project Manager – Public Projects
CSX Transportation
1717 Dixie Highway, Suite 400
Ft. Wright, KY 41011

RE: Grade Crossing Warning Device Improvement – Construction Authorization
Hancock County, TR 168, Yates Rd.
DOT# 513728R
PID# 97218
CSX ACCT. CODE: OH0978

Dear Ms. DeCesare:

The Force Account Estimate dated 4/24//2014 and the Proposed Crossing Layout for the referenced project have been reviewed and are acceptable. CSX Transportation 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 \$345,747.00. 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 CSX Transportation accepting the following instructions:

1. CSX'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, (phone: 614-466-2509; cell phone: 614-917-8466), 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. CSX 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.



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3. CSX 's project foremen will notify Don Damron at 614-917-8466 (cell phone) 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. CSX will furnish two (2) copies of each partial bill to ORDC. Please find the enclosed ODOT Purchase Order to reference when billing.
5. CSX 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: Don Damron, Project Manager, ORDC
SUBJECT: Sandusky County, TR 109, Zienta-Horn Rd N §
DOT# 473730E
PID# 96175
DATE: June 2, 2014

The Public Utilities Commission of Ohio (PUCO) established a Diagnostic Review Team Survey at the subject highway/railroad crossing location on 5/9/2013. 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: 5/9/2013
Plan & Estimate dated: 10/8/2013
PE Approved Plan

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

June 2, 2014

Ms. Cayela J. Wimberly
Public Projects Engineer
Norfolk Southern Corporation
1200 Peachtree Street, Box 123
Atlanta, GA 30309

RE: Automatic Grade Crossing Warning Devices – Construction Authorization
TR 109, Zienta-Horn Rd in Sandusky County, DOT# 473730E
PID# 96175

Dear Ms. Wimberly:

The plan and estimate dated October 8, 2013 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 \$323,052.00. 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; 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.
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,



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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,

A handwritten signature in black ink, appearing to read "Donald J. Damron". The signature is written in a cursive, flowing style.

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: Portage CR 18, Tallmadge Road, WLE, US DOT 472 659U
DATE: June 2, 2014

PUCO

~~The Ohio Rail Development Commission (ORDC) established a diagnostic survey at the subject location on November 7, 2013. The Public Utilities Commission of Ohio (PUCO) 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.~~

ORDC

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 – M. Forte' (file)



OHIO RAIL DEVELOPMENT COMMISSION

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

John R. Kasich, Governor • James G. Bradley, Chairman

June 2, 2014

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

Re: Grade Crossing Warning Project
Portage County Road 18, Tallmadge Road
US DOT 472 659U
PID 97286

Dear Mr. Andrews:

The plan and estimate submitted in your April 21 & 28, 2014 email for the referenced project 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 \$212,126.42. 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 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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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

STATE OF OHIO
PURCHASE ORDER
 OHIO DEPARTMENT OF TRANSPORTATION

PAGE: 1 of 1

P.O. DATE: 1/7/2014

ODOT P.O. NUMBER: 585961

DOCUMENT CNTE
 TYPE:

CHANGE ORDER: RR

OAKS P.O. NUMBER: 0000074704

| PID NUMBER | CONTRACT/BID/OIH | | CONTROL BOARD NBR. | DOC. AMOUNT | |
|--------------|------------------|----------------|--------------------|--------------|---------|
| 97286 | DOTC00001A-1 | | | \$212,126.42 | |
| PROJECT NBR. | SIB LOAN NBR. | AGREEMENT NBR. | COUNTY | ROUTE | SECTION |
| | | | POR | 18 | TALL |

VENDOR INFORMATION:

NAME: WHEELING & LAKE ERIE RAIL

OAKS VENDOR NUMBER: 0000089796

ADDRESS: PO BOX 72204

ADDRESS CODE: 002

CITY, STATE: CLEVELAND, OH

ZIP CODE: 44192

DESCRIPTION:

RAILROAD CROSSING PROTECTION

NEW

| LINE NBR | FUND | FISCAL YEAR | SAC | SPRC | RCAT | ACTIVITY | ACCOUNT CODE |
|-------------|------|-----------------|------|---------------|------|--------------|--------------|
| 01 | 7002 | 2014 | 4FP7 | 0004 | NOCC | 0071 | 573067 |
| ELIGIBILITY | | FAN | | STATE JOB NBR | | LINE AMOUNT | |
| E | | DOT1E140 000147 | | 441244 | | \$212,126.42 | |

THE DIRECTOR OF BUDGET AND MANAGEMENT HEREBY CERTIFIES THAT THERE IS A BALANCE IN THE APPROPRIATION NOT ALREADY OBLIGATED TO PAY EXISTING OBLIGATIONS IN AN AMOUNT AT LEAST EQUAL TO THE PORTION OF THE CONTRACT, AGREEMENT, OBLIGATION, RESOLUTION OR ORDER TO BE PERFORMED IN THE CURRENT FISCAL YEAR.

**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: Portage CR 11, Sunnybrook Road, WLE, US DOT 472 655S
DATE: June 2, 2014

The Ohio Rail Development Commission (ORDC) established a diagnostic survey at the subject location on November 21, 2013. The Public Utilities Commission of Ohio (PUCO) 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: George Martin, PUCO – M. Forte' (file)



OHIO RAIL DEVELOPMENT COMMISSION

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

John R. Kasich, Governor • James G. Bradley, Chairman

June 2, 2014

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

Re: Grade Crossing Warning Project
Portage County Road 11, Sunnybrook Road
US DOT 472 655S
PID 97364

Dear Mr. Andrews:

The plan and estimate submitted in your April 28, 2014 email for the referenced project 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 \$223,004.03. 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 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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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

STATE OF OHIO
PURCHASE ORDER
 OHIO DEPARTMENT OF TRANSPORTATION

PAGE: 1 of 1

P.O. DATE: 1/28/2014

ODOT P.O. NUMBER: 586104

DOCUMENT CNTE
 TYPE:

CHANGE ORDER: RR

OAKS P.O. NUMBER: 0000075354

| PID NUMBER | CONTRACT/BID/OIH | | CONTROL BOARD NBR. | DOC. AMOUNT | |
|--------------|------------------|----------------|--------------------|--------------|---------|
| 97364 | DOTC0001A-1 | | | \$223,004.03 | |
| PROJECT NBR. | SIB LOAN NBR. | AGREEMENT NBR. | COUNTY | ROUTE | SECTION |
| | | | POR | 11 | SUNN |

VENDOR INFORMATION:

NAME: WHEELING & LAKE ERIE RAIL

OAKS VENDOR NUMBER: 0000089796

ADDRESS: PO BOX 72204

ADDRESS CODE: 002

CITY, STATE: CLEVELAND, OH

ZIP CODE: 44192

DESCRIPTION:

NEW

RR CROSSING PROTECTION

| LINE NBR | FUND | FISCAL YEAR | SAC | SPRC | RCAT | ACTIVITY | ACCOUNT CODE |
|-------------|------|-----------------|------|---------------|------|--------------|--------------|
| 01 | 7002 | 2014 | 4FP7 | 0004 | NOCC | 0071 | 573067 |
| ELIGIBILITY | | FAN | | STATE JOB NBR | | LINE AMOUNT | |
| E | | DOT1E140 000171 | | 441251 | | \$223,004.03 | |

THE DIRECTOR OF BUDGET AND MANAGEMENT HEREBY CERTIFIES THAT THERE IS A BALANCE IN THE APPROPRIATION NOT ALREADY OBLIGATED TO PAY EXISTING OBLIGATIONS IN AN AMOUNT AT LEAST EQUAL TO THE PORTION OF THE CONTRACT, AGREEMENT, OBLIGATION, RESOLUTION OR ORDER TO BE PERFORMED IN THE CURRENT FISCAL YEAR.