



## Legislation Text

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**File #:** 15-0365, **Version:** 1

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### **PROPOSED AGREEMENT**

**Vendor:** Union Pacific Railroad, Omaha, Nebraska

**Request:** Requesting authorization for the Forest Preserve District of Cook County (“the Preserves”) to enter into an agreement

**Reason:** Requesting authorization for the Forest Preserve District of Cook County (the “Preserves”) to enter into and execute a “Public Highway At-Grade Crossing Agreement - Multi-Use Path Construction & Maintenance” (the “Agreement”) with the Union Pacific Railroad (“UP”), for construction of a new multi-use path on the south side of the existing Lake-Cook Road at-grade public road crossing (the “Path”). As part of the Agreement, UP is granting the Preserves an easement to construct the Path over a portion of UP’s property and trackage. The Preserves has received approval for the project from the Illinois Commerce Commission. At the Preserves’ expense, UP shall install pedestrian gates and additional crossing panels to widen the crossing area to accommodate the Path.

The proposed Agreement includes an easement fee of \$25,000.00 and estimated construction costs of \$315,578.00 for signal installation and trail surface that will be performed by contractors hired by “UP” for total costs of \$340,578.00. A portion of the total costs for this project are anticipated to be covered through a grant of \$180,536.00 from the Congestion Mitigation Air Quality Program “CMAQ” which is administered by the Illinois Department of Transportation “IDOT”. The remaining costs for this project will be paid by the Preserves, with \$63,000.00 anticipated to be reimbursed to the Preserves from the Chicago Horticultural Society. In addition to the costs described above, the proposed agreement includes provisions that could result in additional future costs to the Preserves that are unknown at this time. The Preserves will be responsible for future maintenance costs associated with any damage or vandalism to the pedestrian gates. The proposed agreement also requires the Preserves to indemnify the railroad for certain liabilities.

**Contract period:** (Perpetual) months from the issuance of the Purchase Order

**Estimated Fiscal Impact:** \$97,042.00

**Account(s):** Grant Account (Trails) #10-80-67-713-6780

**Concurrence(s):**

The Chief Financial Officer and Chief Attorney have approved this item.

**District(s):** 13