



## Legislation Details (With Text)

---

<b>File #:</b>	16-0252	<b>Version:</b>	1	<b>Name:</b>	15-0365 Union Pacific Railroad, Omaha, Nebraska
<b>Type:</b>	Previously Approved Item Amendment	<b>Status:</b>		<b>Status:</b>	Approved
<b>File created:</b>	5/26/2016	<b>In control:</b>		<b>In control:</b>	FPD Board of Commissioners
<b>On agenda:</b>	6/7/2016	<b>Final action:</b>		<b>Final action:</b>	6/7/2016
<b>Title:</b>	PROPOSED PREVIOUSLY APPROVED ITEM AMENDMENT				

Department: Planning and Development

Request: Amend name of funding source from previously approved agreement

Item Number: 15-0365

Fiscal Impact: N/A

Account(s): N/A

District(s): 13

Original Text of Item:  
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 \$276,836.00 for signal installation and trail surface that will be performed by contractors hired by "UP" for total costs of \$340,578.00 \$301,836.00 + 10% contingency = (\$332,019.60. A portion of the total costs for this project are anticipated to be covered through a grant of \$180,536.00 \$208,000 from the Congestion Mitigation Air Quality Program "CMAQ" Illinois

Transportation Enhancement Program "ITEP" which is administered by the Illinois Department of Transportation "IDOT". An additional \$63,753.00 of unused ITEP funds from Stage 1 will be available upon closeout of Stage 1. 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 \$60,266.14

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

File Number Title Current Status

Concurrence(s):

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

District(s): 13

Introduced: 5/20/2015 Controlling Body: FPD Board of Commissioners

Meeting Date: 6/9/2015

Drafter: David.Kircher@cookcountyil.gov

**Sponsors:**

**Indexes:** (Inactive) ARNOLD RANDALL, General Superintendent

**Code sections:**

**Attachments:**

Date	Ver.	Action By	Action	Result
6/7/2016	1	FPD Board of Commissioners	approve	Pass

**PROPOSED PREVIOUSLY APPROVED ITEM AMENDMENT**

**Department:** Planning and Development

**Request:** Amend name of funding source from previously approved agreement

**Item Number:** 15-0365

**Fiscal Impact:** N/A

**Account(s):** N/A

**District(s):** 13

**Original Text of Item:**

**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~~ **\$276,836.00** for signal installation and trail surface that will be performed by contractors hired by “UP” for total costs of ~~\$340,578.00~~ **\$301,836.00 + 10% contingency = (\$332,019.60.** A portion of the total costs for this project are anticipated to be covered through a grant of ~~\$180,536.00~~ **\$208,000** from the ~~Congestion Mitigation Air Quality Program~~ “CMAQ” **Illinois**

**Transportation Enhancement Program “ITEP”** which is administered by the Illinois Department of Transportation “IDOT”. **An additional \$63,753.00 of unused ITEP funds from Stage 1 will be available upon closeout of Stage 1.** 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~~ **\$60,266.14**

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

**File Number Title Current Status**

**Concurrence(s):**

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

**District(s):** 13

**Introduced:** 5/20/2015 **Controlling Body:** FPD Board of Commissioners

**Meeting Date:** 6/9/2015

**Drafter:** David.Kircher@cookcountyil.gov