



OHIO RAIL DEVELOPMENT COMMISSION

1980 WEST BROAD STREET • COLUMBUS, OH 43223

JOHN R. KASICH, GOVERNOR • JAMES G. BRADLEY, ORDC CHAIRMAN

March 8, 2013

Mr. Dave Wyatt
System Engineer
1200 Peachtree Street
Atlanta, Ga 30309

Re: Grade Crossing Surface Project, Village of Ashville
Griggs Street, AAR #481432A, PID 94663

Dear Mr. Wyatt:

This letter sets forth the understanding and agreement between the Norfolk Southern (NS) and the Ohio Rail Development Commission (ORDC) regarding the subject Grade Crossing Surface Reconstruction project. The scope of the project shall be in accordance to Agreement No. 2875-A. Construction shall be coordinated with the Village of Ashville roadway project.

The ORDC will reimburse NS for 90% of the costs associated with the installation of the new railroad surface. Reimbursement of eligible actual cost is limited to ~~\$132,300.00~~ ^{218,700.} for the surface portion of the project.

It is imperative that the contractor follow the directions outlined in the communication and the specifications supplied. 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 and is also contingent upon the following instructions:

1. NS will furnish FAX (614-728-4520) or written notification to Joe Reinhardt, Project Manager of the ORDC, Joe.Reinhardt@dot.state.oh.us, five (5) working days prior to the date work will start at the project. NS 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. NS will furnish FAX or written notification to Franklin Christman, Ashville Village Administrator (740-983-4703), at least 14 working days prior to starting any work requiring the establishment for the dual coordination of the highway project and railroad surface project. (see attachment for his information).
3. In accordance with the Ohio Manual of Uniform Traffic Control Devices, NS will provide and use Type 3 barricades with lights at the grade crossing during any construction activity which obstructs the flow of highway traffic;
4. NS will notify the ORDC Project Manager of any change 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; and

5. NS will furnish one copy of the each partial bill and final all - inclusive bill to ORDC stating initial and final dates of construction and location where the accounts may be audited.

If the NS will solicit bids for this work notify ORDC when a contractor has been approved, at which time the ORDC will review the bid package, submissions and accepted plan and estimate. If the work is to be performed by railroad force account, please submit plan and estimate as soon as possible. At that time we will issue a separate Letter of Authorization for this activity. At the proper time, NS shall invoice the ORDC for the costs associated with this work under the same subject project.

Sincerely,



Joe Reinhardt
Project Manager

c: George Martin, Planner, PUCO Railroad Division
Franklin Christman, Village Administrator
File, ORDC

STATE: OHIO

PROJECT NO: E130(212)

NO: 2

STATE PROJ. NO(S): 94663

DESCRIPTION: PIC Griggs St Surface, NS, Grade crossing surface reconstruction

CLASSIFICATION OF PHASE OF WORK: CONSTR

THE PROJECT AGREEMENT FOR THE ABOVE-REFERENCED PROJECT ENTERED INTO BETWEEN THE UNDERSIGNED PARTIES AND EXECUTED BY THE DIVISION ADMINISTRATOR ON 11/08/2012 IS HEREBY MODIFIED AS FOLLOWS:

PROGRAM CODE	URBAN/ WITH		FORMER AMOUNT	REVISED AMOUNT
LS30		ESTIMATED TOTAL OF PROJECT	\$0.00	\$3,000.00
		FEDERAL FUNDS	\$0.00	\$2,700.00
		ADV CONSTRUCTION FUNDS	\$0.00	\$0.00
		PERCENT FEDERAL SHARE		90.00%
LS4E		ESTIMATED TOTAL OF PROJECT	\$150,000.00	\$243,000.00
		FEDERAL FUNDS	\$0.00	\$0.00
		ADV CONSTRUCTION FUNDS	\$135,000.00	\$218,700.00
		PERCENT FEDERAL SHARE		

STATE REMARKS:

Modified to revised estimate per Evelyn Winkfield and to convert a/c to conventional funding. All work to be done within existing RW. This agreement is subject to the following award terms: <http://edocket.access.gpo.gov/2010/pdf/2010-22705.pdf> and <http://edocket.access.gpo.gov/2010/pdf/2010-22706.pdf>.

DIVISION REMARKS:

This project is authorized IAW the October 19, 2006 FHWA – ODOT Stewardship and Oversight Agreement by which the authority is delegated and the state has accepted responsibility for project oversight through exemptions provided in Title 23 USC 106.

ALL OTHER TERMS AND CONDITIONS OF THE PROJECT AGREEMENT WILL REMAIN IN FULL FORCE AND EFFECT.

DEPARTMENT OF TRANSPORTATION

AVAILABLE FUNDS CERTIFIED BY:	PATRICIA A. HUTCHEISON	DATE:	05/16/2013
APPROVAL RECOMMENDED BY:	PATRICIA A. HUTCHEISON	DATE:	05/16/2013
APPROVED AND AUTHORIZED BY:	NICHOLE M. LAWHORN	DATE:	05/16/2013

FEDERAL HIGHWAY ADMINISTRATION

APPROVAL RECOMMENDED BY:	STEVEN A. JACOBS SR.	DATE:	05/17/2013
APPROVED AND AUTHORIZED BY:	STEVEN A. JACOBS SR.	DATE:	05/17/2013
MODIFICATION APPROVED BY:	JESSICA M. PATTERSON	DATE:	05/17/2013