

IAIS under FAI Route 74 (I-74)
DOT/AAR No.: _____, M.P. _____
Section No.: (81-1)R & 81-1HVBR
Job No.: C-92-063-15
Contract No. 64C08
Agreement No.: RR2-15-064
City of Moline, Rock Island County, Illinois

This agreement, hereinafter referred to as the "AGREEMENT", made and entered into by and between the STATE OF ILLINOIS, acting by and through its Department of Transportation, hereinafter referred to as the "STATE", and IOWA INTERSTATE RAILROAD, LTD., hereinafter referred to as the "COMPANY", collectively referred to as the "PARTIES" and individually referred to as "PARTY".

WITNESSETH:

WHEREAS, Route FAI 74 (I-74) as presently located and constructed in the north half of Section 32, Township 18 North, Range 1 West of the Fourth Principal Meridian in the City of Moline, Rock Island County, Illinois, there crosses the property of the COMPANY by means of a highway overpass structure (Existing Structure Nos. 081-0142 WB & 081-0143 EB, DOT/AAR No. 093 673T, M.P. 249.46); and

WHEREAS, the existing highway overpass structure was originally constructed in 1975 by the STATE under Section 81B; and

WHEREAS, the said highway overpass structure is currently maintained by the STATE; and

WHEREAS, in the interest of public safety and convenience, the STATE hereto desires to completely remove the existing overpass structures and replace them on a new alignment and perform other necessary work substantially as shown on the prints of the general drawings marked Exhibit "A", (Sheets 1 through 13) attached hereto and made a part hereof; and hereinafter referred to as the "PROJECT"; and

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WHEREAS, the STATE will seek the necessary approval from the Illinois Commerce Commission ("ICC") in accordance with ILCS 5/18c-7401 and 92 Illinois Administrative Code 1535 to take jurisdiction in this matter and enter such Orders as may be necessary; and

NOW, THEREFORE, in consideration of the premises and of the mutual covenants and agreements hereinafter contained, the PARTIES hereto agree as follows:

SECTION 1. The preliminary and detailed plans, specifications and special provisions for the PROJECT shall be prepared by or for the STATE at its expense.

SECTION 2. No changes shall be made on any ICC approved plans, specifications or special provisions by either PARTY hereto without the consent in writing of the other PARTY.

SECTION 3. The PARTIES hereto shall construct or cause to be constructed, in substantial accordance with the approved plans, specifications and special provisions, the following items of work:

- (I) WORK BY THE STATE. The STATE shall furnish or cause to be furnished, at its expense, all the labor, materials and work equipment required to perform and complete:
 - (a) The preliminary engineering required for preparation of plans, specifications and special provisions for the PROJECT as set forth in this AGREEMENT.
 - (b) The removal of the existing structures (081-0142 WB & 081-0143 EB) and replacing them with proposed structures (081-0177 WB & 081-0178 EB) along with Ramp 6th - C (081-0186) and Ramp 6th - D (081-0187).
 - (c) Engineering and inspection as set forth in this AGREEMENT.
 - (d) Incidental work necessary to complete the items hereinabove specified.

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The STATE's work shall be awarded to a competent and experienced contractor(s) who has (have) adequate equipment, organization and finances, and the COMPANY shall be notified of the contractor(s) receiving such award for all work affecting the COMPANY's interest.

(II) WORK BY THE COMPANY. The COMPANY shall furnish or cause to be furnished, at the expense of the STATE, and in accordance with the stipulations as contained in the Federal-Aid Policy Guide, 23 C.F.R. §140.900, and supplements, all the labor, materials and work equipment required to perform and complete:

(a) None.

Per the Alternative Federal-State procedure in 23 CFR § 646.220, the STATE will certify that the work at the job site is complete, acceptable and in accordance with the terms of this AGREEMENT. A representative of the STATE shall be present at the job site during construction to inspect the work and to assure that all work and materials meet the requirements as set forth in the STATE's "Standard Specifications for Road and Bridge Construction" adopted April 1, 2016, and the "Supplemental Specifications and Recurring Special Provisions" in effect on the date of the invitation for bids.

SECTION 4. The STATE shall require its contractor(s) to perform his/her (their) work in accordance with the STATE's "Standard Specifications for Road and Bridge Construction" adopted April 1, 2016, and the "Supplemental Specifications and Recurring Special Provisions" in effect on the date of invitation for bids. A single Railroad Protective Liability Insurance policy, naming the COMPANY, shall be carried in limits of \$5,000,000 combined single limit per occurrence for bodily injury liability and property damage liability with an aggregate limit of

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\$10,000,000 over the life of the policy as set forth in Federal-Aid Policy Guide, Chapter I, Subchapter G, Part 646, Subpart A (23 CFR 646A).

SECTION 5. Reserved.

SECTION 6. Subsequent to the award of any contract(s), and before any construction work is started on this PROJECT, a pre-construction conference shall be held between the STATE, COMPANY, and the interested contractor(s), at a time and place as designated by the STATE's representative, for the purpose of coordinating the work to be performed by the several PARTIES, and at which time a schedule of operations will be adopted.

SECTION 7. Each PARTY for carrying out its work as herein set forth, will provide the necessary preliminary and construction engineering and inspection and the costs for such services shall be borne by the STATE.

SECTION 8. Reserved.

SECTION 9. The STATE shall require its contractor(s), upon the completion of the work of such contractor(s), to remove from within the limits of the COMPANY's right-of-way all machinery, equipment, surplus materials, falsework, rubbish or temporary buildings of such contractor(s), and to leave the right-of-way upon which the said contractor(s) carried on operations in a neat condition, reasonably satisfactory to the authorized representative of the COMPANY.

SECTION 10. The STATE shall require its contractor(s), before entering upon the COMPANY's right-of-way for performance of any construction work, or work preparatory thereto, to secure a fully executed, right-of-entry agreement from the COMPANY prior to entry onto the COMPANY's right-of-way for the occupancy and use of the COMPANY's right-of-way, regardless of whether it is within the limits of the STATE's easements, and to comply with all

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COMPANY recommendations relative to the requirements for right-of-entry agreements, required insurance and general safety regulations.

SECTION 11. The safety and continuity of operation of the operations of the COMPANY shall be at all times protected and safeguarded, and the STATE shall require its employees and contractor(s) to perform the work accordingly. While the COMPANY currently has no tracks of its own in the area covered by the PROJECT, it is possible that tracks will be built, maintained and operated on in the future by the COMPANY in the PROJECT area and the STATE must ensure that neither the PROJECT, the structures contemplated by the PROJECT nor any future maintenance on the structures will interfere with the future construction, operation or maintenance of any COMPANY tracks. Whenever the State plans maintenance activities the method of doing such work shall first be submitted to the COMPANY's authorized representative for his/her approval without which it shall not be commenced or performed; such approval must not be unreasonably withheld. The approval of the COMPANY's authorized representative shall not be considered as a release from responsibility, or liability for any damage which the COMPANY may suffer, or for which it may be held liable by the acts of the contractor(s), or those of their subcontractor(s), or their employees.

SECTION 12. When the construction of this PROJECT is completed, the STATE shall maintain at its expense, or by agreement with others, provide for the maintenance of, the highway overpass structure, the highway approaches and all other highway facilities.

In order to fulfill its maintenance obligation, the STATE shall have access to the structure for the performance of inspections, repair, construction, reconstruction and maintenance.

The COMPANY shall be notified by the STATE prior to commencing any such activities on or over COMPANY right-of-way. Prior to commencing any activities to fulfill its maintenance obligation, the STATE shall provide COMPANY with plans for such activities. Additionally,

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STATE contractors shall, before entering upon the COMPANY's right-of-way for performance of any of these maintenance activities, secure a fully executed, right-of-entry agreement from the COMPANY prior to entry onto the COMPANY's right-of-way for the occupancy and use of the COMPANY's right-of-way, regardless of whether it is within the limits of the STATE's easements, and to comply with all COMPANY recommendations relative to the requirements for right-of-entry agreements, required insurance and general safety regulations. All construction, reconstruction, inspections, repair or maintenance work shall be performed in accordance with the applicable STATE's "Standard Specifications for Road and Bridge Construction" and the "Supplemental Specifications and Recurring Special Provisions" and COMPANY's insurance policies and safety regulations (such as those concerning flagging and track protection) in effect on the date the work is performed.

In accordance with existing maintenance policies, the STATE will not cause snow, ice or other materials to be plowed over the sides of the highway overpass structure. In consideration of this practice, the COMPANY agrees to waive its request for the STATE to attach splash boards to the sides of the highway overpass structure.

The STATE shall accept responsibility to review the need for fencing in the future. If it is determined by both PARTIES hereto, that because of the ejection of objects from the structure onto the COMPANY's property, that a fencing system will be an effective deterrent, then the STATE at its sole cost, shall install and maintain a protective fencing system on the highway overpass structure.

The STATE and the COMPANY agree to comply with all applicable provisions of federal, state, and local law. Per 225 ILCS 440, 23 U.S.C. 101 and Public Law 89-285 the COMPANY further agrees not to erect any advertising signs that would be visible from the highway pavement on the COMPANY's property within the limits of the highway right-of-way lines

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extended across the COMPANY's property. COMPANY reserves the right to seek compensation in any eminent domain proceeding for any loss of advertising rights.

SECTION 13. Reserved.

SECTION 14. Reserved.

SECTION 15. Reserved.

SECTION 16. In compliance with Federal-Aid Policy Guide, Chapter I, Subchapter G, Part 646, Subpart B, (23 CFR 646B) and supplements, which determines (among other things) the railway benefit and liability, the construction of the PROJECT as herein proposed meets Classification 2 of Section 646.210(b), a category not considered as a benefit to the COMPANY, and no contribution by the COMPANY is required.

SECTION 17. In the event that delays or difficulties arise in securing federal approval, or in acquiring right-of-ways, or in settling damages or damage claims, or for any other cause which in the opinion of the STATE render it impracticable to proceed with the construction of the PROJECT, then at any time before a construction contract is executed or actual construction is started, the STATE may serve formal notice of cancellation upon the COMPANY and this AGREEMENT shall thereupon become null and void.

SECTION 18. At the time this AGREEMENT was executed, there were funds available for the PROJECT; however, obligations assumed by the STATE under this AGREEMENT shall cease immediately, without penalty or payment beyond that which the COMPANY has already accumulated, should the Illinois General Assembly or the Federal Highway Administration fail to appropriate or otherwise make available funds for the PROJECT.

SECTION 19. By separate agreement or by condemnation the COMPANY shall convey to the STATE any temporary or permanent property rights necessary to construct, maintain or reconstruct the PROJECT.

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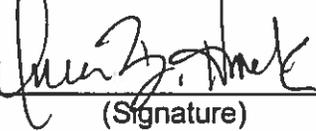
SECTION 20. Reserved.

SECTION 21. This AGREEMENT shall be binding upon the PARTIES hereto, their successors or assigns.

SECTION 22. This AGREEMENT shall be construed and interpreted according to the laws of the State of Illinois.

IN WITNESS WHEREOF, the PARTIES hereto have caused this AGREEMENT to be executed in duplicate counterparts, each of which shall be considered as an original, by their duly authorized officials as of the dates below indicated.

Executed by the COMPANY, this 1
day of December, 2016.

Witness: 
(Signature)

Print Name: Donna B. Huck

IOWA INTERSTATE RAILROAD, LTD.

By: 
(Signature)

Print Name: CHAD LEWIS

Title: CHIEF ENGINEER

Date: 12/1/16

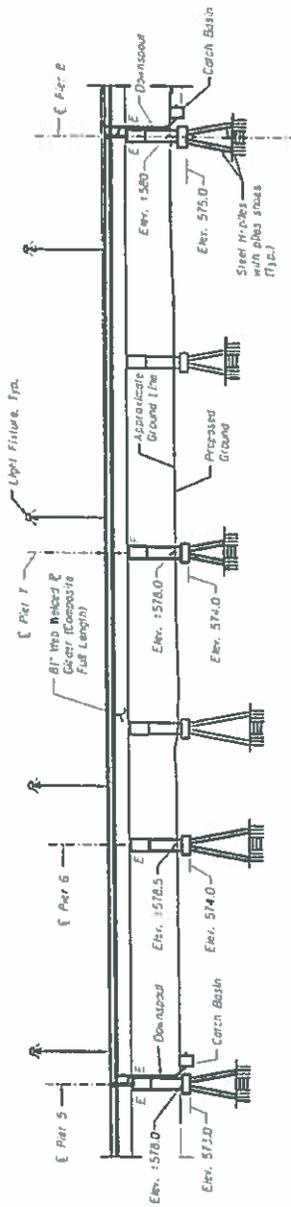
STATE OF ILLINOIS, acting by and through its Department of Transportation

By: 
Kevin Marchek, P.E.
Region Two Engineer

Date: 12-5-2016

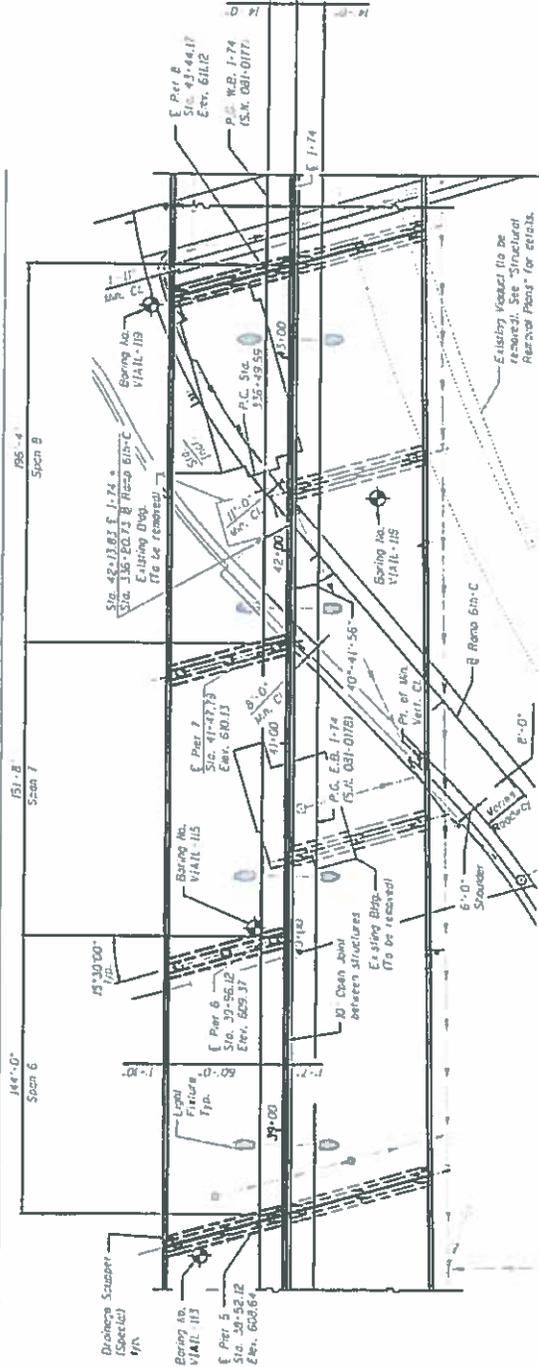
CURVE DATA RAMP 611-C-4

Δ = 31° 43' 31" (RT)
 D = 20' 27" 46"
 R = 250.00'
 L = 197.56'
 E = 1108'
 P.C. = Sta. 136+49.59
 P.T. = Sta. 139+04.63
 P.I. = Sta. 137+29.15
 S.E. = Normal Clear

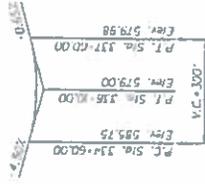


ELEVATION

1537'-5 1/2" Best fit Elev. of Abutments measured along centerline



PLAN



PROFILE GRADE RAMP 611-C

GENERAL PLAN - SHEET 4 OF 5
I-74 OVER ILL. RTE. 92 AND BNSF R.R.
FA-174 SECTION (81-1116)
ROCK ISLAND COUNTY

STATION 36+16.49
STRUCTURE NO. 081-0177 (W.B.)
Exhibit 'A' sheet 5 of 13

NOTES

1. See Civil Plans for Drainage and Utility Information.
2. See sheet S1 for Utility Layout.

| | | | |
|---|----------------------------|--|-----------------------|
| <p>GENERAL PLAN AND ELEVATION - UNIT 3 STRUCTURE NO. 081-0177 (WESTERLY)</p> | | <p>STATE OF ILLINOIS DEPARTMENT OF TRANSPORTATION</p> | |
| <p>DESIGNED BY: [Blank]</p> | <p>CHECKED BY: [Blank]</p> | <p>DATE: [Blank]</p> | <p>SCALE: [Blank]</p> |
| <p>PROJECT NO.: [Blank]</p> | <p>DATE: [Blank]</p> | <p>BY: [Blank]</p> | <p>DATE: [Blank]</p> |
| <p>PROJECT NO.: [Blank]</p> | <p>DATE: [Blank]</p> | <p>BY: [Blank]</p> | <p>DATE: [Blank]</p> |



Edward Benesch & Company, Inc.
 1110 North Dearborn Street, Suite 1000
 Chicago, Illinois 60610
 Tel: 312.329.1000
 Fax: 312.329.1001

Beach View, Chicago 77, in base of vertical light at southeast corner of intersection of 13th Street and 7th Avenue. Elevation 4410.88 ± 582.27

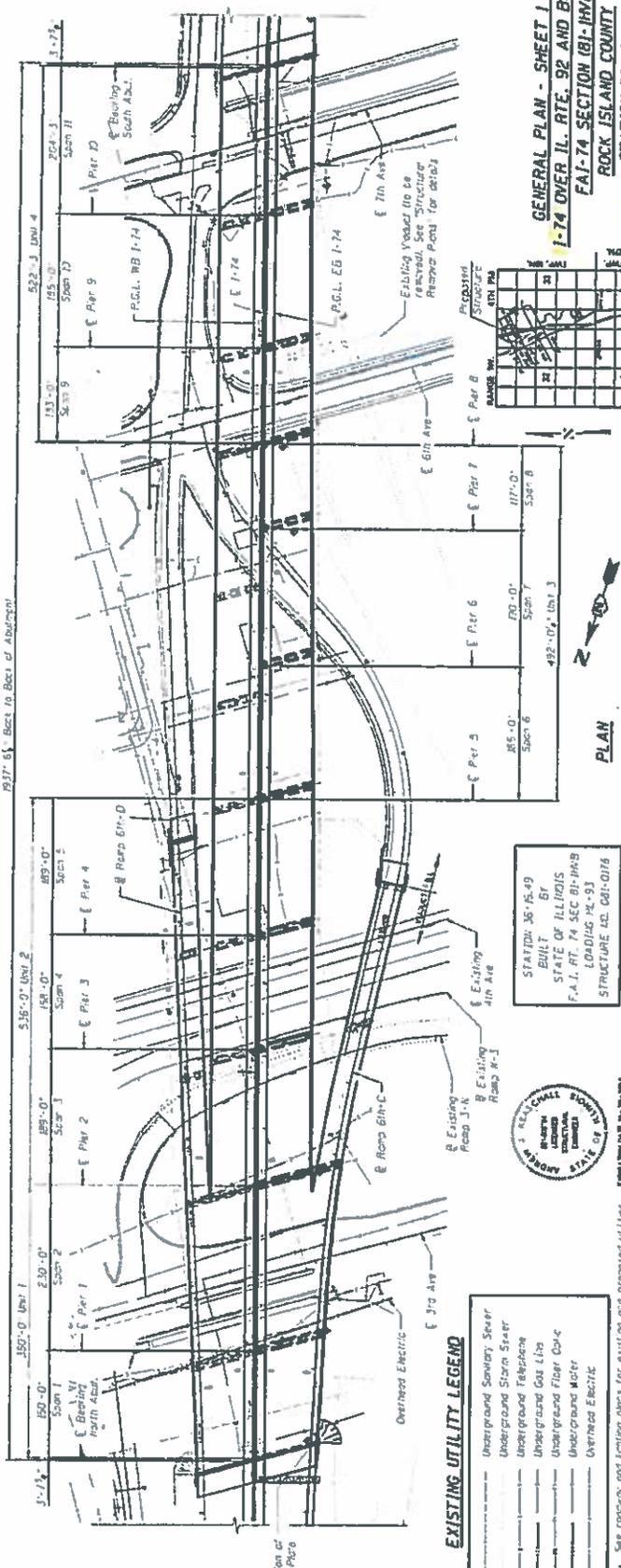
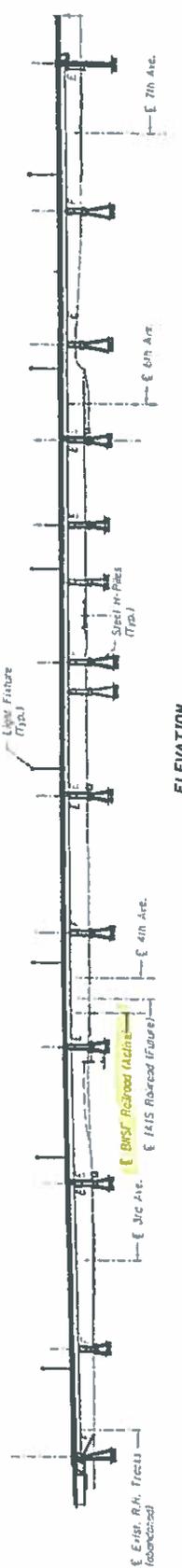
Existing Structures: The existing structures were built in 1975 at F.A.I. Road 74, S.R. 081-0142 and S.A. 081-0143. The existing steel structures consisted of 26 spans of reinforced concrete deck on masonry steel plate girders. The total length of existing structures is 2880'. The deck which is vertically with typical width of 42'-0" for each structure. Structures to be removed and replaced. A minimum of 2 lanes in each direction shall be maintained during slope construction. No detours.

DESIGN SPECIFICATIONS
 2012 AASHTO LRFD Bridge Design Specifications, 6th Edition

SEISMIC DATA
 Seismic Performance Factor (R_f) = 1
 Design Spectral Acceleration at 1.0 sec. (S_{1.0}) = 0.20g
 Design Spectral Acceleration at 0.2 sec. (S_{0.2}) = 0.50g
 Soil Site Class: C

LOADING HL-93
 Allow 50#/sq. ft. for future wearing surface.

DESIGN STRESSES
FIELD MOMENTS
 f_c = 4.0 ksi (27.6 MPa)
 f_s = 65,000 psi (4500 MPa)
 f_t = 50,000 psi (3450 MPa)



- EXISTING UTILITY LEGEND**
- Underground Sanitary Sewer
 - Underground Storm Sewer
 - Underground Telephone
 - Underground Gas Lits
 - Underground Fiber Optic
 - Underground Water
 - Overhead Electric

NAME PLATE
 STA 36+15.49
 BUILT BY
 STATE OF ILLINOIS
 F.A.I. RT. 74 SEC 81-1148
 LOADING HL-93
 STRUCTURE NO. 081-0178

STATION: 36+15.49
 BUILT BY
 STATE OF ILLINOIS
 F.A.I. RT. 74 SEC 81-1148
 LOADING HL-93
 STRUCTURE NO. 081-0178

benesch
 See nearby and lighting data for existing and proposed utilities

| | | | |
|---|-------------------------|--|------------------|
| DATE: 11/11/2011 | BY: [Signature] | CHECKED: [Signature] | DATE: 11/11/2011 |
| SCALE: AS SHOWN | PROJECT: [Project Name] | SECTION: [Section Name] | DATE: 11/11/2011 |
| STATE OF ILLINOIS DEPARTMENT OF TRANSPORTATION | | OVERALL GENERAL PLAN AND ELEVATION STRUCTURE NO. 081-0178 (EASTBOUND) | |

GENERAL PLAN - SHEET 1 OF 5
1-74 OVER IL. RTE. 92 AND BNSF R.R.
F.A.I. RT. SECTION 81-1148
ROCK ISLAND COUNTY
STATION 36+15.49
STRUCTURE NO. 081-0178 (E.B.)
Exhibit "A" sheet 7 of 13

| | | |
|----------------------|-----------------|--------------|
| P.C. Sta. 6003+75.00 | Elev. 581.95 | V.C. +150' |
| P.T. & P.C. | Sta. 6004+25.00 | Elev. 582.82 |
| P.L. Sta. 6005+00.00 | Elev. 582.85 | |
| Elev. 582.87 | | |
| Elev. 580.89 | | |
| Sta. 6009+00.00 | Elev. 577.51 | |

PROFILE GRADE 6TH AVE. (IL RTE. 92 E.B.)

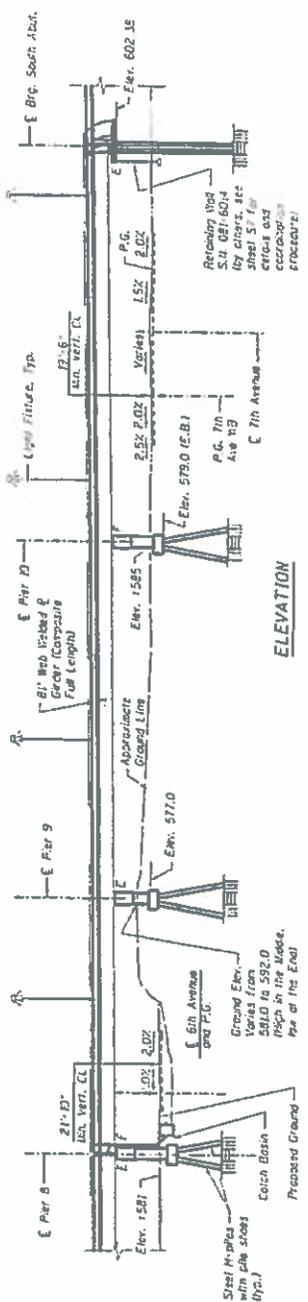
| | |
|-----------------|--------------|
| Sta. 6008+20.00 | Elev. 588.76 |
| Sta. 6009+00.00 | Elev. 580.98 |
| Sta. 6010+00.00 | Elev. 580.98 |

PROFILE GRADE 7TH AVE.

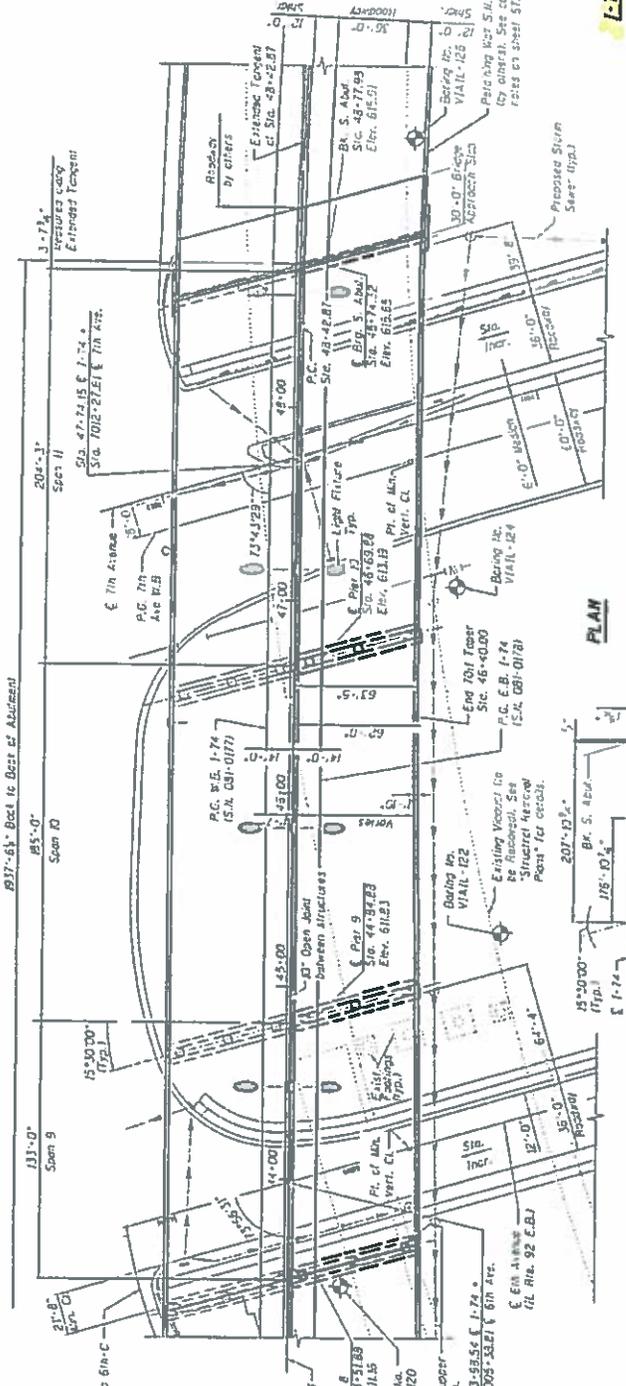
- NOTES:**
- See City Plan for Driveway and Utility Information.
 - See Sheet S1 for Existing Utility Legend.

GENERAL PLAN - SHEET 5 OF 5
I-74 OVER IL RTE. 92 AND BNSF R.R.
FAI-74 SECTION (61-14V1)
ROCK ISLAND COUNTY
STATION 36+16.49
STRUCTURE NO. 081-0178

| | | |
|----------|-------------|-----|
| DATE | DESCRIPTION | BY |
| 11/11/10 | REVISED | ALP |
| 11/11/10 | REVISED | ALP |
| 11/11/10 | REVISED | ALP |



ELEVATION



PLAN

OFFSET SKETCH

GENERAL PLAN AND ELEVATION - SHEET 4
STRUCTURE NO. 081-0178 (EASTBOUND)

STATE OF ILLINOIS
DEPARTMENT OF TRANSPORTATION



benesch

1321 W. Lake Street, Suite 1000
 Chicago, IL 60606-3000
 Tel: 312.467.1000
 Fax: 312.467.1001
 www.benesch.com

Branch West, Chained "Y" in base of traffic light at southeast corner of intersection of 6th Street and 4th Avenue. Elevation MVD 88 = 589227
Existing Structure Zone

TOP OF RAIL BNSF R.R.
BNSF Sta. 1155:98 = MVD Pkt 299.35

| | |
|--------------|--------------|
| Sta. 1365-36 | Elev. 512.25 |
| Sta. 1365-97 | Elev. 512.25 |
| Sta. 1366-03 | Elev. 512.25 |
| Sta. 1367-83 | Elev. 512.40 |
| Sta. 1368-36 | Elev. 512.45 |
| Sta. 1368-94 | Elev. 512.54 |

DESIGN SPECIFICATIONS
2012 AASHTO LRFD BRIDGE Design Specifications, 6th Edition

SEISMIC DATA
Seismic Performance Zone (SPZ) = 1
Design Spectral Acceleration at 10 sec. (S_{a10}) = 0.06g
Design Spectral Acceleration at 0.2 sec. (S_{a0.2}) = 0.20g
Soil Site Class = C

LOADING HL-93
Allow 50 k/ft; 16 ft for 10 ft wide wearing surface.

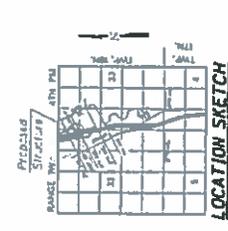
DESIGN STRESSES
FIELD LIMITS
f_c = 3,500 psi
f_y = 60,000 psi (Reinforcement)
f_y = 50,000 psi (Deck Steel)

DRAINAGE SCUPPER STATIONS
425+82.00
437+81.50

NOTE: All scuppers are at east gutterline.

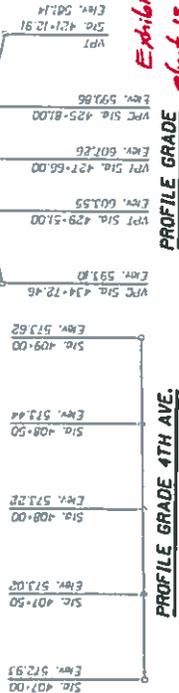
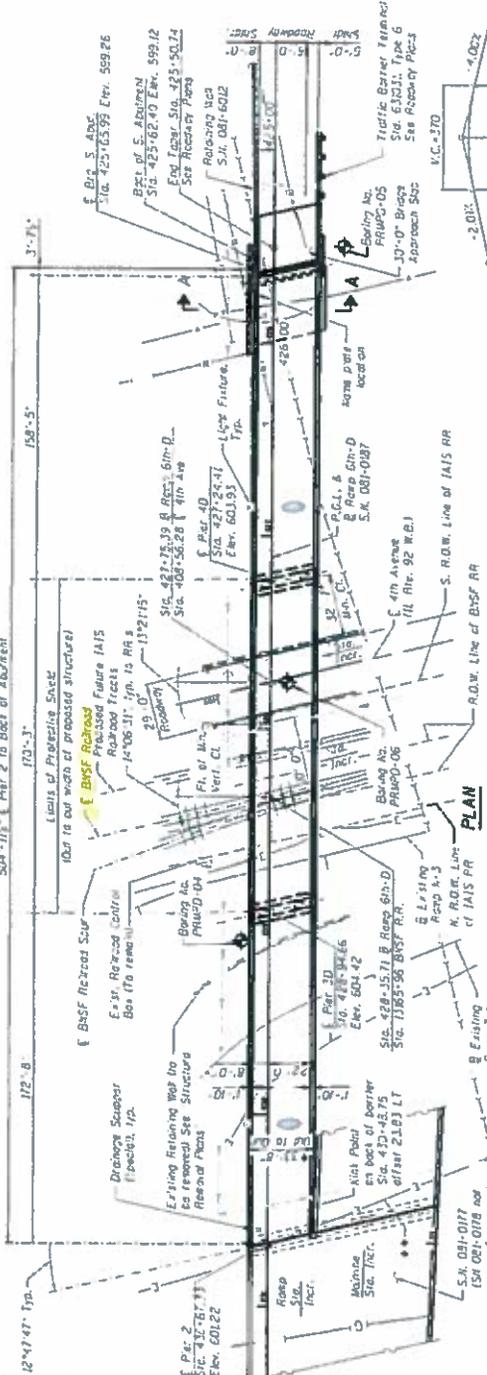
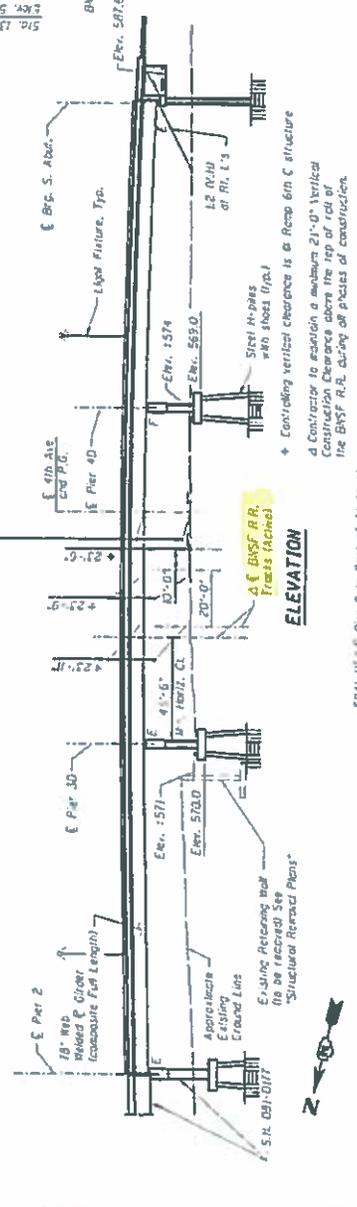
NAME PLATE
See Sta. 310001

STATEN 427-75.39
BUILT BY
STATE OF ILLINOIS
F.A.I. RT. 73 SEC 81-44/8
LOADING HL-93
STRUCTURE NO. 081-087



GENERAL PLAN & ELEVATION
RAMP 6TH-D OVER BNSF R.R. AND 4TH AVE.
F.A.I. ROUTE 73-SECTION 81-44/8
ROCK ISLAND COUNTY
STATION 427+75.39
STRUCTURE NUMBER 081-087

Exhibit 'A'
Sheet 15 of 19



benesch
1000 North Lincoln, Suite 100
Rock Island, Illinois 61201
Tel: 309.399.1111 Fax: 309.399.1112

STATE OF ILLINOIS
DEPARTMENT OF TRANSPORTATION

GENERAL PLAN AND ELEVATION
STRUCTURE NO. 081-087 RAMP 6TH-D

| | |
|--------------|----------|
| DESIGNED BY | 081-087 |
| CHECKED BY | 081 |
| APPROVED BY | 081 |
| DATE | 08/21/13 |
| PROJECT NO. | 081-087 |
| CONTRACT NO. | 081-087 |
| SHEET NO. | 15 |