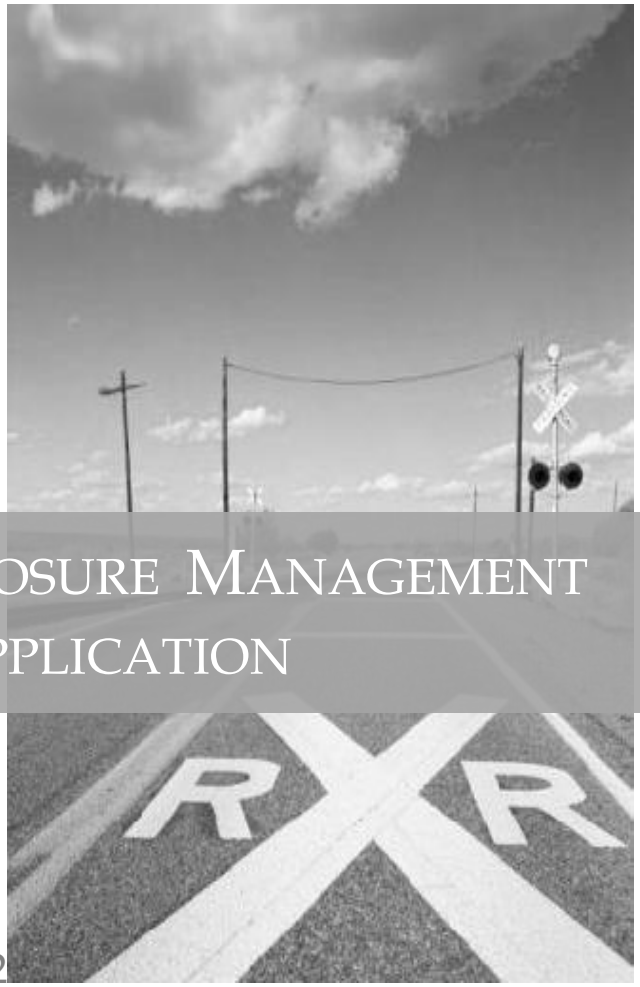

STATE OF INDIANA

CROSSING CLOSURE MANAGEMENT PLAN AND APPLICATION

4/5/2012

Crossing Closure Program | FY13

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I. PURPOSE

The Indiana State Legislature established Indiana Code 8-6-7.7-6.1 the Railroad Grade Crossing Fund (RRGCF) to provide funding for railroad crossing safety improvement projects throughout Indiana. The RRGCF applies to both passive and train activated improvements. The amount of available funds effectively limits the type of improvements at active crossings. This program will assist railroads and local jurisdictions improve safety at railroad-highway intersections.

Passively warned grade crossings are those that utilize non train-activated warning devices. The RRGCF program management principles are designed to promote uniform application of administrative rules and procedures, obligate funds and pay valid claims promptly, and fulfill oversight duties.

This management plan explains the policies and procedures used by the Indiana Department of Transportation (INDOT) Rail Office to administer the RRGCF. This will assist INDOT project managers and local recipients to meet their program responsibilities.

According to the Federal Railroad Administration (FRA), the most effective way to improve railroad crossing safety is to close crossings. Thus, INDOT will continue this program for communities that choose to permanently close crossings.

The Indiana Department of Transportation (INDOT) Rail Office will manage this program as a lump sum payment grant. Once the crossing is closed, the community will receive a lump sum payment. The source of this funding is the Indiana Motor Vehicle Highway Fund. The local public agency has the discretion to select the projects funded by the payment. A local public agency can receive from $20,000 up to $50,000.00 to close a crossing. The award amount is based on the predicted accident rate. INDOT will make awards until funds are exhausted.

The amount awarded through this program by INDOT is independent of any contribution made by a railroad.

II. STATUTORY AUTHORITY

An entity undertaking a passive railroad crossing safety project shall be responsible for the maintenance and operation of the completed project.

III. ROLES AND RESPONSIBILITIES

Eligible Recipients

Eligible recipients for the Closure program as defined by the Indiana Code (I.C. 8-6-7.7-6.1) include units of government. Units of government include cities, counties, and towns. Railroads are not eligible for the Crossing Closure Fund.

The eligible recipient is responsible for:

• Assessing local railroad crossing safety needs;
• Completing and submitting project applications; and
• Completing and submitting grant agreements.

Additionally, an eligible recipient is responsible for the following reporting requirements:

• Completing the project spending report; and
• Providing INDOT with copies of project-related bills and/or invoices.

No matching contribution is required.

ADMINISTERING AGENCY

The Indiana Department of Transportation is responsible for administering the RRGCF. This includes:

• Allocating funds using the criteria noted in Section IV;
• Monitoring and accounting for RRGCF expenditures; and
• Providing technical assistance concerning the RRGCF program.

Project selection decisions will be made by the Railroad Grade Crossing Fund Committee. This committee will be comprised of the following individuals: Senior Rail Planner and a Code Enforcement Officer.

IV. THE RRGCF FUNDING PROCESS

The RRGCF funding process is divided into the following steps:

• Appropriations;
• Applications;
• Project Selection;
• Grant Agreements; and
• Claims and Payments.

Each of these steps is discussed in further detail below.

APPROPRIATIONS

The Indiana State Legislature is responsible for making funding appropriations to the RRGCF program. The State Legislature makes appropriations every two years to the RRGCF program in conjunction with the State's biennial budget process.

APPLICATIONS

To apply for a crossing closure project funding from the RRGCF, an eligible recipient must submit an application to INDOT. The application forms is included in this packet. Applications will be accepted through **July 29, 2012** or until RRGCF funds are exhausted. The Review Committee will meet when applications are received.

PROJECT SELECTION

According to the Federal Railroad Administration (FRA), the most effective way to improve railroad crossing safety is to close crossings. Thus, INDOT has developed this program to compensate communities that choose to permanently close passive crossings. Projects will be funded on a first come first selected basis. Crossings with tracks out of service, in the process of abandonment or associated with a rail line relocation or quiet zone are not eligible for this program.

GRANT AGREEMENT

After selecting projects to be funded, INDOT will execute a grant agreement with the recipient that must be signed and returned. Grant agreements are effective for 12 months from the date the agreement is fully executed and a purchase order has been generated. The project will be inspected by INDOT personnel prior to the applicant receiving a Notice to Proceed. The Notice to Proceed will be sent by the Rail Office.

CLAIMS AND PAYMENT

INDOT will provide each grant recipient a copy of the signed agreement, the purchase order, and the instructions for reimbursement.

After the crossing is permanently closed, the grantee may submit a claim for the full amount of the grant, regardless of the actual cost incurred to close the crossing. The claim should include an invoice, and copies of project-related bills.

An on-site inspection by an INDOT staff member will be conducted prior to payment.

V. APPEALS

Any applicant not receiving approval of their application may appeal the selection decision to the Manager, Rail Office. The Manager, Rail Office will review all appeals. The process for filing an appeal is as follows:

1. The affected applicant must send, by certified mail, an appeal within 15 calendar days after receiving notification of INDOT's decision. Mail the appeal to:

Manager, Rail Office
Indiana Department of Transportation
100 North Senate Avenue, Room N955
Indianapolis, IN 46204-2228.

2. INDOT will conduct a preliminary review within five working days, and if necessary, request by certified mail additional information from the applicant;

3. INDOT will allow five working days for receipt of additional materials;

4. The Rail Office Manager will make a final decision and notify the applicant in writing within 15 working days from the receipt of the appeal request or from the receipt of all requested additional information

5. The applicant may appeal INDOT's final decision in accordance with Indiana Code 4- 21.5-3-1, et seq.

VI. TIME EXTENSIONS AND PROJECT CLOSE-OUT

Purchase orders will be closed after final payment.

INDOT will consider up to a six month time extension for good cause shown.

Requests for time extensions should be forwarded to:

Mr. Michael Riley
Manager, Rail Office
Indiana Department of Transportation
100 North Senate Avenue, Room N955
Indianapolis, IN 46204-2228

VII. APPLICATION PROCEDURES

Only one crossing can be included in each application submitted by a unit of government for the Crossing Closure Program; however, units can submit more than one application per fiscal year.

If a crossing is not selected for funding in a given year, the applicant may resubmit an application for the crossing to be included in the subsequent year's pool of crossing closure candidates.

A complete application includes the Project Summary and the Predicted Accident Report from the FRA Office of Safety. The Project Summary is included at the end of this packet. This form can be completed on-line and printed, or it can be reproduced, provided it is reproduced exactly as it appears. Directions on how to generate the Predicted Accident Rate Report are:

First identify the AARDOT crossing number, which can be located on the crossbuck assembly, example: 123456X and secondly, record the number. If you cannot locate this information, please contact the Rail Office at (317) 232-1474.

Next, access the FRA Office of Safety Web Accident Prediction System at the internet site: http://safetydata.fra.dot.gov/webaps/

You will be brought to the Accident Prediction System (WBAPS) – select search by crossing number. Enter the crossing identification number into the Single Crossing box.

Select "Cover Sheet" "30;" "Prediction Report;" "View Report;" "Annual Report;" and

Generate Report.

You have now generated a report that provides the predicted accident rate for a given crossing.

The applicant must provide a copy of this report with the Project Summary. A display of this web page is at the end of this packet.

SELECTION PROCESS

Projects will be funded in the order of their U.S. Department of Transportation (USDOT) predicted accident rate (highest to lowest) or on a first come, first served basis until available funds are exhausted. The funding matrix below will be used to determine the amount INDOT will pay a city, county, or town to close a crossing.

Crossing Closure Grant Award Amounts

R<0.001	0.001<R<0.01	0.01<R<0.02	>0.02
$20,000.00	$ 30,000.00	$ 50,000.00	$60,000.00

PREDICTED ACCIDENT RATE

When two crossings have identical predicted accident rates, and funds are not available for both, the selection committee will make the final decision as to which application is funded. If a crossing is not selected for funding in a given fiscal year, the applicant may resubmit an application for the crossing to be included in the subsequent year's pool of Crossing Closure candidates.

GRANT MONITORING

The Local Public Agency should notify INDOT when the crossing has been closed, so that INDOT can conduct a site inspection. Grantees have twelve (12) months following the date of the purchase order to complete the Crossing Closure. The State of Indiana encourages the use of minority owned business enterprises (MBE) and women owned business enterprises (WBE) participation on state funded grants when possible.

FRA Web Accident Prediction System (WBAPS)

Welcome to the newly redesigned FRA Office of Safety Accident/Prediction Web Site. This site was established for the purpose of making railroad safety information readily available to a broad onstituency which includes FRA personnel, railroad companies, research and planning organizations and the public, in general.
Visitors have access to railroad safety information including accidents and incidents and highway-rail crossing data. From this site users can run dynamic queries and view current statistical information on railroad safety.

Search by : Location Crossing

Select Location(s) and/or Railroad(s), and Choose 'Select'

State: Indiana

Entire State

County/City*: ADAMS, ALLEN, BARTHOLOMEW, BENTON

County City

Select

*Select more than one County/City in the list by holding down your PC's ctrl key while you click.

Railroad:

Click here for a complete listing of Railroads

Select

Location selected:

Remove

Railroad selected:

Remove

How many Records?

30 50 100 All

Reports

- [x] Cover Sheet
- [x] Disclaimer/Abbreviation Key
- [x] Prediction Report
- [ ] Sorted By Crossing Number
- [ ] Crossing Profile
- [ ] Accident History
- [ ] Contact Sheet

View Report Download Report

Annual Report Cyclic Report

Generate Report

Frequently Asked Questions
On the Crossing Closure Program

1. When will I receive the reimbursement from this grant?
The local public agency will receive the grant award after INDOT has been advised the project is completed and an INDOT employee inspects the Crossing Closure project and verifies it is completed.

2. Who should execute the contracts?
The highest ranking elected official or their designee; usually the city mayor, president of the county board of commissioners, or town president.

3. How can I spend the lump sum payment?
INDOT has developed this program to compensate communities that choose to permanently close passive crossings.

4. How long does it take to get a fully executed contract after it is submitted to the State?
Approximately 8-10 weeks. Each grantee must receive clearance from the Department of Revenue and the Department of Workforce Development.

5. Are project funds eligible for use at crossings with train activated warning devices?
No, the Crossing Closure Program is for passively warned crossing locations

6. Can I apply for more than one Crossing Closure project?
Yes, an application should be submitted for each project.

7. May I apply for funding in successive years?
Yes, but there is no guarantee funds will be awarded in successive years.

8. How much time do I have to complete the project?
Twelve months from the date the purchase order is generated the crossing closure should be completed.

9. Is there a maximum grant award?
Yes, the maximum grant award is $50,000.00 per project depending on the predicted accident rate.

10. Will I receive the original contract back?
No, the fully executed, is kept by the Contract Administration division. You will receive a copy.

11. Who do I contact if I have questions?
Venetta Keefe at 317-232-1474 or Michael Riley at 317-232-1491.