



February 23, 2010

To the Honorable, the Common Council

Subject: North-South Mitchell Interchange (IH-94)
Municipal Utility Agreements

Dear Council Members:

The Wisconsin Department of Transportation (WISDOT) is currently reconstructing the North-South Mitchell Interchange (NSMI) within the City of Milwaukee for the period from spring 2009 through 2012. The project is to be accomplished in four major phases, being the (South 27th Street; West Grange Avenue; West College Avenue) scheduled for 2009, (North Leg; West Layton Avenue) scheduled for 2010, and Mitchell Interchange scheduled for 2011 and 2012. The Department of Public Works has assisted the WISDOT in the design and construction phasing of the contracts to best meet the needs of the citizens of the City of Milwaukee and the region as a whole and has worked diligently to minimize costs.

Common council resolution file numbers 080400, 081307, 081420 and 090892 adopted August 14, 2008, February 10, 2009, March 11, 2009 and December 10, 2009, respectively, approved and authorized the execution of utility agreements with WISDOT for work on City of Milwaukee facilities in conjunction with the NSMI (South 27th Street; West Grange Avenue; West College Avenue; Bolivar Avenue Realignment and collector distributor roads West Layton Avenue and 2009 Advanced Utilities) contracts. The utility agreements provided funding participation of 90 percent federal/state with 10 percent City of Milwaukee share.

The WISDOT is requesting amendments to the original utility agreements previously executed by the City of Milwaukee to include the utility work for the relocation of the South 21st Street and Louisiana Avenue sewers crossing I-894 and relocation, reconstruction and adjustments of City of Milwaukee water facilities and cable facilities at South 20th Street. The amendments include necessary alterations to city water, sewer, cable and conduit facilities. State statute § 84.294(4m) requires that the City of Milwaukee accommodate these types of freeway projects and that WISDOT pay 90 percent of the cost for alterations to municipal facilities with remaining 10 percent being the responsibility of the affected municipal jurisdiction. In addition WISDOT is requesting a WISDOT Audit Agreement to pay for relocation of an existing sanitary sewer, a portion of which is on private land, west of South 23rd Street and south of the North-South Freeway, which is necessary for reconstruction of the North-South Mitchell Interchange at 100% State compensable cost.

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In order to be reimbursed for the WISDOT share of the work, it is necessary for the City of Milwaukee to enter into amended utility agreements and the Audit Agreement, which define the work and the process for cost sharing on the project. The WISDOT has provided the City of Milwaukee with the necessary agreements and estimates.

The Department of Public Works has reviewed the estimates and find them to accurately reflect the required utility alterations in conjunction with the 2010 portion of the contracts. As such we have prepared the attached resolution which if adopted will approve the utility agreements associated with Amendment Nos. 79, 80, 81 and the WISDOT Audit Agreement and will allow for the City of Milwaukee's participation in the alteration of Water, Environmental Engineering, City of Milwaukee Cable, and City of Milwaukee Conduit facilities as necessary and will provide for 90 percent cost share and 100% as applicable by the WISDOT. Said resolution will also authorize the Commissioner of Public Works to execute the various agreements as well as take actions as necessary to accomplish the work and will authorize the City Engineer and the Comptroller to make periodic payments and billings in accord with established procedures to properly account for the costs associated with said work. We respectfully recommend adoption of the resolution.

Very truly yours,

Jeffrey S. Polenske, P.E.
City Engineer

Jeffrey J. Mantes
Commissioner of Public Works

AYH:amh

Attachments

c: Mr. W. Martin Morics (with attachments)
Ms. Lila Gorney (with attachments)
Ms. Cynthia Wisneski (with attachments)