

Agreement for North 35th Street and West Roosevelt Drive Improvements

This intergovernmental cooperation agreement is made between the Milwaukee Metropolitan Sewerage District (the “District”), acting through its executive director, and the City of Milwaukee (the “City”), acting through its commissioner of public works, to establish the parties’ responsibilities for the construction and maintenance of sewer improvements in the City of Milwaukee. This agreement is effective as of the date all parties have signed below.

The District is authorized under Wis. Stat. § 200.31 to collect, transmit, and dispose of all sewage and drainage of the sewerage service area.

In 2020, the District evaluated bypass pumping station BS0503, which pumps excess sanitary sewer flow in times of tremendous exertion on the conveyance system into a City stormwater box culvert that in turn discharges into the Lincoln Creek at West Congress Street.

Bypass pumping station BS0503 has overflowed 10 times in the past 20 years, contributing to flooding and causing sanitary sewer overflows, which are not authorized under the District’s Wisconsin Pollutant Discharge Elimination System permit.

Sewer improvements can alleviate such flooding and overflows by relieving bypass pumping station BS0503 but will impact both District and City facilities, including connected infrastructure, instrumentation, controls, traffic signals, and street lighting.

The District’s North 35th Street and West Roosevelt Drive Improvements project (the “Project”) is intended to alleviate the flooding and overflow issues by upsizing sewers and replacing associated manholes and structures.

The District executed contract C05055D01 for the design of the Project on April 7, 2021, as authorized by Milwaukee Metropolitan Sewerage Commission resolution 21-030-3. The District paid for the Project design and gave the City the opportunity to review the Project plans and specifications before construction.

The District executed contract C05055C01 for the construction of the Project on September 25, 2023, as authorized by Milwaukee Metropolitan Sewerage Commission resolution 23-110-9 and is overseeing construction. The Project includes constructing and installing 17 City precast concrete manholes and segments of local small-diameter sanitary sewer. The District is paying all construction costs.

Municipalities, not the District, must operate, maintain, and repair local sewers and appurtenant local facilities under Wis. Stat. § 200.33.

The parties are collaborating to reduce flooding and overflows in the Project area. In accordance with Wis. Stat. § 66.0301, the District and the City therefore agree as follows.

1. District Responsibilities

The District will design and construct the Project's local sewers and manholes (the "Local Infrastructure") substantially as shown in drawings 401-PP-7 through 401-PP-11 in the conformed plan set, subject to any change orders, attached and made part of this agreement.

The District will invite the City to participate in the substantial completion walkthrough and require its contractor address any issues the City raises.

After construction, the District will inspect the new sewer using closed-caption televising (CCTV) and provide the video and any accompanying reports to the City.

Within one year of substantial completion, as defined in District contract C05055C01, the District will provide record drawings of the Local Infrastructure to the City.

2. City Responsibilities

The City will attend the District's substantial completion walkthrough and may request any punch-list tasks.

Upon substantial completion of contract C05055C01, the City will own and thereafter operate and maintain the Local Infrastructure.

3. Contacts

For the District, the contact person is:

Ryan Holzem, Senior Project Manager
Milwaukee Metropolitan Sewerage District
260 West Seeboth Street
Milwaukee, Wisconsin 53204
rholzem@mmsd.com

For the City, the contact person is:

Rob Seleen, Flood Hazard Mitigation Manager
City of Milwaukee Department of Public Works
841 North Broadway Street
Milwaukee, Wisconsin 53202
rselee@milwaukee.gov

4. Modifying this Agreement

Any modification to this agreement must be in writing and signed by the City and the District.

5. Severability

If a court of competent jurisdiction holds any part of this agreement unenforceable, the remainder will continue in effect.

6. Governing Law

The laws of Wisconsin govern any dispute arising under or related to this agreement.

7. Resolving Disputes

If a dispute arises under or relates to this agreement, then the City and the District will first try to resolve it with the help of a mutually acceptable mediator in Milwaukee County. The City and the District will equally share any costs and fees associated with the mediation, except that each party will be responsible for its own attorney fees. If the dispute is not resolved within 30 days after the mediation session, then either party may take the matter to court. Venue in any action brought under this agreement is proper only in the Milwaukee County Circuit Court.

8. No Conflict of Interest

No officer, employee, or agent of the District or the City who has any responsibility for implementing this agreement may have any interest in any consultant, contractor, or vendor providing services to the District or the City under this agreement.

9. Independence of the Parties

This agreement does not create a partnership, and neither party may enter into contracts on behalf of the other party.

10. Authority of Signatories; Counterparts

All signatories to this agreement certify that they are properly authorized by their governing body to execute this agreement. The parties may execute this agreement in one or more counterparts, each of which, when taken together, constitutes one and the same document.

11. Liability

The City and the District will be liable each for their own negligent acts, errors, and omissions. If litigation requires one party to respond for the acts, errors, or omissions of the other party, then the City and the District will hold each other harmless for any losses, damages, costs, and expenses, including but not limited to attorney fees and litigation expenses. Nothing in this agreement is a waiver of any otherwise applicable immunity, limited immunity, or limitation of liability under Wisconsin law.

SIGNATURES ON NEXT PAGE

**MILWAUKEE METROPOLITAN SEWERAGE
DISTRICT**

CITY OF MILWAUKEE

By: _____
Kevin L. Shafer, P.E.
Executive Director

By: _____
Jerrel Krushke, P.E.
Commissioner of Public Works

Approved as to form

By: _____
Attorney for the District

By: _____
James R. Owczarski
City Clerk

By: _____
James R. Owczarski

COUNTERSIGNED

Bill Christianson
Comptroller

Common Council Resolution _____

CITY ATTORNEY APPROVAL

Alexander Carson
Assistant City Attorney

670 _____

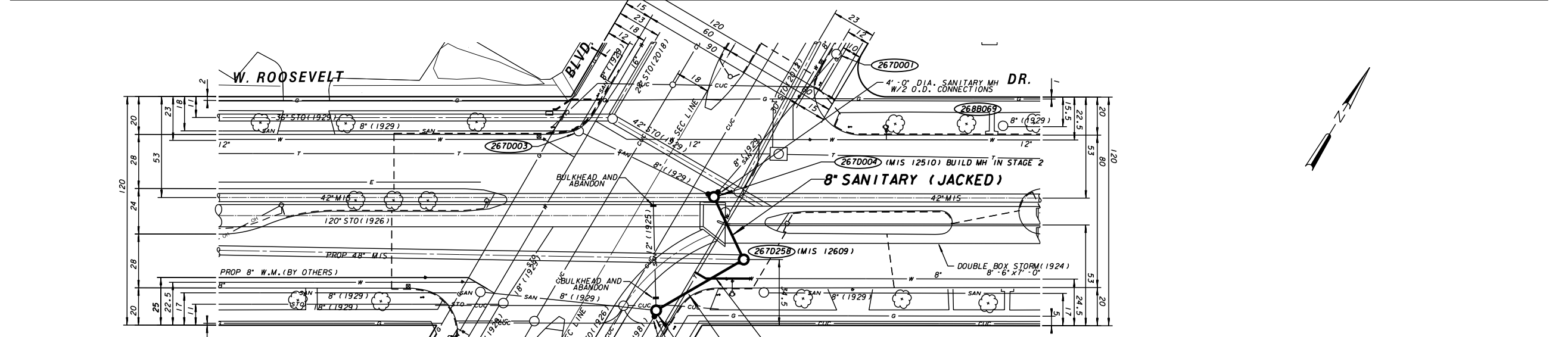
660 _____

650 _____

640 _____

630 _____

620 _____



LINE CODE LEGEND			
GAS	G	SANITARY SEWER	SN
ELECTRIC	E	STORM SEWER	STO
TELEPHONE	T	COMBINED SEWER	CMB
CABLE TELEVISION	TV	SEW/DISTRICT SEWER	MMSD
FIBER OPTICS	FO	WATER MAIN	W
CITY UNDERGROUND CONDUIT	CUC	SEWER/WATER 24" & OVER	W
COMMUNICATIONS	COM	STREET LIGHTING	SL
		PAVING LIMITS	X X X X
		STRUCTURE / BUILDING	/ / / / /
		FENCE	- - - - -
		HYDRANT	⊕ ⊕ ⊕
		ALUMINUM POLE ⊕ CONCRETE POLE ⊕ WOOD POLE ⊕	

BE ADVISED THAT THIS INFORMATION HEREBY GIVEN TO YOU IS BASED UPON THE BEST AVAILABLE RECORDS. THE EXACT LOCATION IS UNKNOWN FOR ALL UTILITIES SHOWN WITHOUT DIMENSIONS. HOWEVER WE CANNOT GUARANTEE THE CORRECTNESS OR ACCURACY OF THE SAME.

△			
△			
NO.	BY	REVISION	DATE
DATE ENT'D.		ENT'D. BY	

ENVIRONMENTAL ENGINEERING SECTION					
INFRASTRUCTURE SERVICES DIVISION					
DEPARTMENT OF PUBLIC WORKS					
MILWAUKEE, WISCONSIN					
SEWER MAIN PLAN					
IN AT		W. ROOSEVELT DR. N. SHERMAN BLVD.			
SCALE HORIZONTAL 1" = 30' VERTICAL 1" = 20'		APPROVED _____ DATE _____  _____ 04/27/2023 DESIGN ENGINEER			
1/4 SEC. NO. 267D		 _____ 04/27/2023 ENGINEER IN CHARGE			
PLAN DATE 04/25/2023					
DESIGNED BY R. BLAUVELT					
DRAWN BY M. POLINSKE					
CHECKED BY R. SELEEN					
SYSTEM NO. 3094		 _____ 04/27/2023			
EASEMENT NO.		CITY ENGINEER & SPECIAL DEPUTY COMMISSIONER OF PUBLIC WORKS			
CONTRACT NO.		PROJECT NO.		C.C. FILE NO.	
PROJ. ID.		OFF. NOTICE NO.		DATE ADOPTED	
SHEET NO. 1 OF 1 PLAN FILE NO. 2022-549					

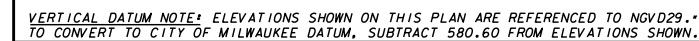
DRAWING NO.:	401-PP-7
SHEET:	26
DATE:	MAY 2023
CONTRACT:	C05055C01
MMSD FILE:	401-3225.dgn

					 MMSD PARTNERS FOR A CLEANER ENVIRONMENT
REV. NO.	DATE	REVISION DESCRIPTION	BY	APVD	



MILWAUKEE METROPOLITAN SEWERAGE DISTRICT
CONVEYANCE
N. 35th STREET AND W. ROOSEVELT DRIVE IMPROVEMENTS

PLAN AND PROFILE
W. ROOSEVELT DR. AT N. SHERMAN BLVD.

[illegible]

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TOLL FREE TO OBTAIN LOCATION OF UNDERGROUND
BEFORE YOU DIG. WISCONSIN STATUTE 182.0715 REQUIRES
MIN. OF 3 WORK DAYS NOTICE BEFORE YOU EXCAVATE

ESTIMATE OF QUANTITIES		
ITEM NO.	QUANTITY	DESCRIPTION
10121	52 FT	12" DIA. SANITARY CLASS "C" BEDDING
10241	42 FT	24" DIA. SANITARY CLASS "C" BEDDING
41400	1	4'-0" DIA. SANITARY MANHOLE WITH INTERNAL MANHOLE SEAL
41401	2	4'-0" DIA. SANITARY MANHOLE WITH INTERNAL MANHOLE SEAL AND 1 O.D. CONNECTION
41702	1	7'-0" DIA. SANITARY MANHOLES WITH INTERNAL MANHOLE SEALS AND 2 O.D. CONNECTIONS
50201	1 LS	BULKHEAD AND ABANDON 26 LF OF 12" SANITARY SEWER
50202	1 LS	BULKHEAD AND ABANDON 9 LF OF 18" SANITARY SEWER

HORIZONTAL 1" = 30' SCALE VERTICAL 1" = 20'		APPROVED 04/27/2023 DESIGN ENGINEER	
1/4 SEC. NO. 267D PLAN DATE 04/25/2023 DESIGNED BY R. BLAUVELT DRAWN BY M. POLINSKE CHECKED BY R. SELEEN SYSTEM NO. 3094 EASEMENT NO.		 04/27/2023 ENGINEER IN CHARGE 04/27/2023 CITY ENGINEER & SPECIAL DEPUTY COMMISSIONER OF PUBLIC WORKS	
CONTRACT NO. PROJ. ID.		PROJECT NO. OFF. NOTICE NO. C.C. FILE NO. DATE ADOPTED	

SHEET NO. 1 OF 1 PLAN FILE NO. 2022-548

REUSE OF DOCUMENTS

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HORIZONTAL DATUM
NAD83/2011 WISCONSIN
STATE PLANE SOUTH ZONE
COORDINATE SYSTEM

VERTICAL DATUM
NGVD29 NATIONAL
GEODETIC VERTICAL
DATUM OF 1929.

DSGN	R. BLAUVELT
DR	M. POLINSKE
CHK	R. BLAUVELT
APVD	T. REINBOLD

This Design Prepared For MMSD By:



					 MMSD PARTNERS FOR A CLEANER ENVIRONMENT
REV. NO.	DATE	REVISION DESCRIPTION	BY	APVD	

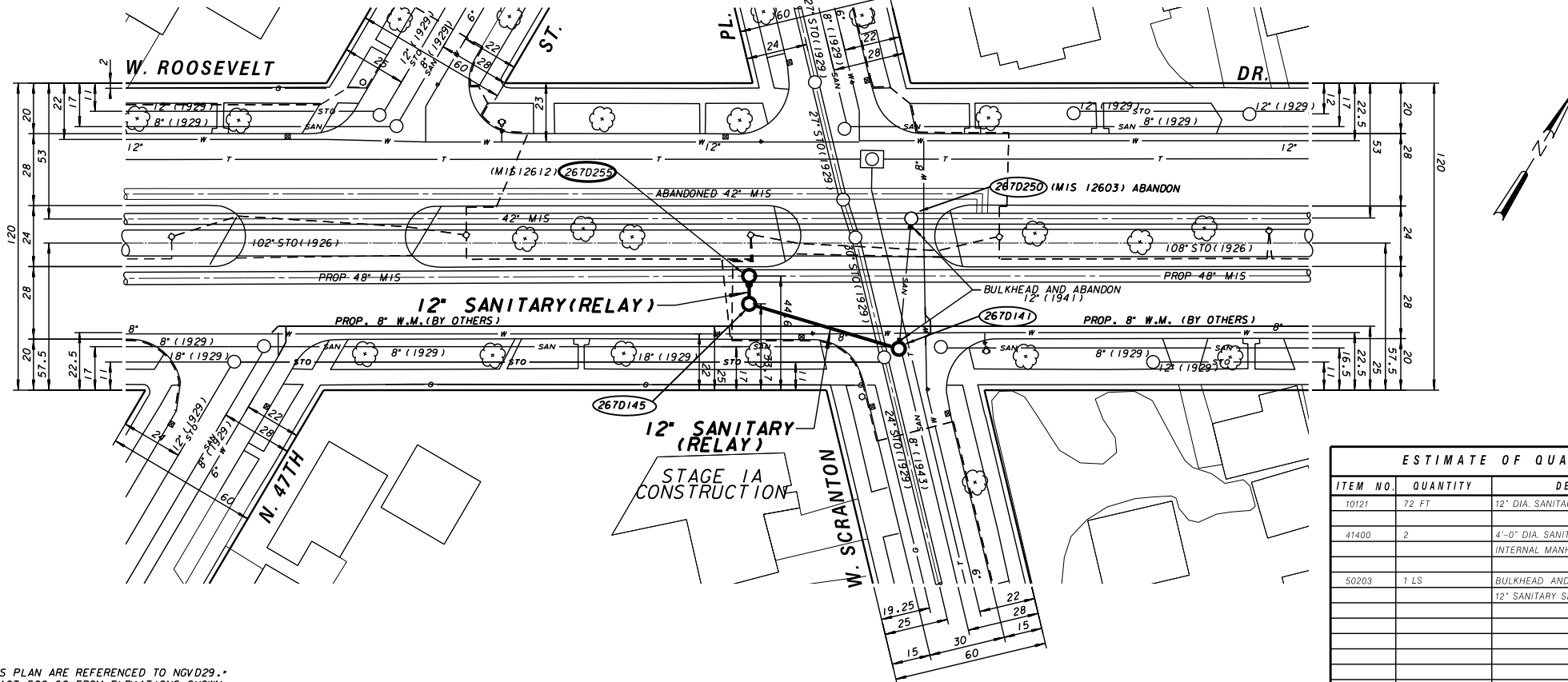


MILWAUKEE METROPOLITAN SEWERAGE DISTRICT
CONVEYANCE
N. 35th STREET AND W. ROOSEVELT DRIVE IMPROVEMENTS

PLAN AND PROFILE
W. ROOSEVELT DR. FROM N. 44TH ST. TO W. FOND DU LAC AVE.

DRAWING NO.:	401-PP-8
SHEET:	27
DATE:	MAY 2023
CONTRACT:	C05055C01
MMSD FILE:	401-3226.dgn

12" SANITARY CLASS "C" BEDDING
CL IV R.C.P. OR PVCP



LINE CODE LEGEND

GAS	0	SANITARY SEWER	SAN	PAVING LIMITS	X	X	X	X
ELECTRIC	E	STORM SEWER	STO	STRUCTURE / BUILDING	/	/	/	/
TELEPHONE	T	COMBINED SEWER	CWB	FENCE				
CABLE TELEVISION	TV	SEW.DISTRICT SEWER	MUSD	HYDRANT			X	
FIBER OPTICS	FO	WATER MAIN		ALUMINUM POLE O				
CITY UNDERGROUND CONDUIT	CUC	SEWER/WATER 24" & OVER		CONCRETE POLE O				
COMMUNICATIONS	COM	STREET LIGHTING		WOOD POLE O				

TOLL FREE TO OBTAIN LOCATION OF UNDERGROUND
BEFORE YOU DIG. WISCONSIN STATUTE 182.0715 REQUIRES
MIN. OF 3 WORK DAYS NOTICE BEFORE YOU EXCAVATE

△			
△			
NO.	BY	REVISION	DATE
DATE ENT'D.		ENT'D. BY	

ENVIRONMENTAL ENGINEERING SECTION
INFRASTRUCTURE SERVICES DIVISION
DEPARTMENT OF PUBLIC WORKS
MILWAUKEE, WISCONSIN

W. ROOSEVELT DR.
W. SCRANTON PL.

SHEET NO. 1 OF 1

PLAN FILE NO. **2022-547**

SHEET NO. 1 OF 1 PLAN FILE NO. 2022-547

FOR BIDDING AND CONSTRUCTION

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AUTHORIZATION OF THE MILWAUKEE
METROPOLITAN SEWERAGE DISTRICT.

NAD83/2011 WISCONSIN
STATE PLANE SOUTH ZONE
COORDINATE SYSTEM
VERTICAL DATUM
NGVD29 NATIONAL
GEODETIC VERTICAL
DATUM OF 1988

R. BLAUVELT
DR M. POLINSKE
CHK R. BLAUVELT
APVD T. REINOLD



REV. NO.

DATE _____

REVISION DESCRIPTION

BY

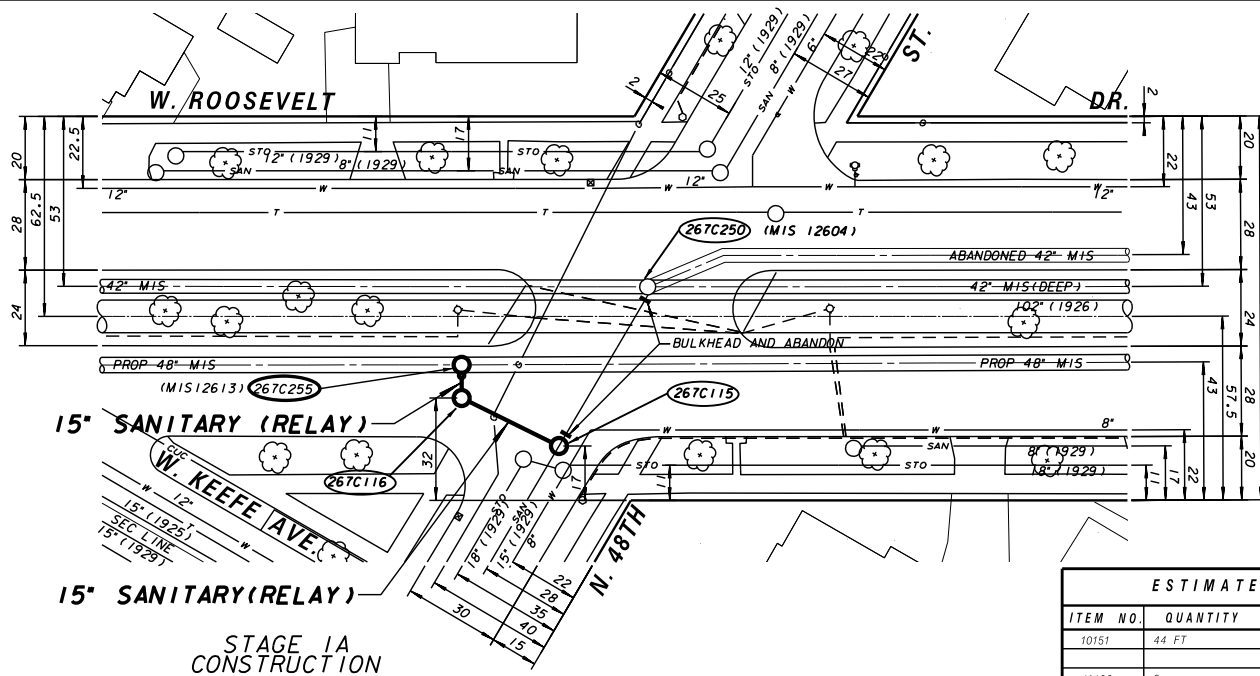
APVD

PLAN AND PROFILE
W. ROOSEVELT DR. AT W. SCRANTON PL.

CONTRACT:	C63055C01
MMSD FILE:	401-3227.dgn

This technical drawing illustrates the details of a sanitary relay station. The station is shown as a rectangular structure with a width of 15 feet and a depth of 8 feet. It is designed to handle a 15-inch diameter sanitary sewer line. The drawing includes the following information:

- Stationing and Elevation:** The station is located at station 672+01. The existing surface grade is noted as 686.41, and the proposed sewer grade is 685.23. The station is situated between elevations 620 and 690.
- Structural Details:** The station is constructed with a 15-foot wide opening and an 8-foot deep structure. The drawing shows the internal layout, including the 15-inch sanitary sewer line and the 15-inch gas line.
- Sanitary (Relay) Station:** The station is labeled "SANITARY (RELAY)" and is designed to handle a 15-inch sanitary sewer line.
- Notes and Callouts:**
 - EXISTING SURFACE GRADE ABOVE PROPOSED SEWER (01-17-2022)
 - CONNECT TO NEW DROP MANHOLE 15" SANITARY SE 672+01
 - BUILD NEW MANHOLE 15" SANITARY E 672+63
 - BUILD NEW MANHOLE 15" SANITARY W 671+00



ESTIMATE OF QUANTITIES			ENVIRONMENTAL ENGINEERING SECTION INFRASTRUCTURE SERVICES DIVISION DEPARTMENT OF PUBLIC WORKS MILWAUKEE, WISCONSIN	
ITEM NO.	QUANTITY	DESCRIPTION		
10151	44 FT	15" DIA. SANITARY CLASS "C" BEDDING		
41400	2	4'-0" DIA. SANITARY MANHOLE WITH INTERNAL MANHOLE SEAL		
50204	1 LS	BULKHEAD AND ABANDON 51 LF OF 15" SANITARY SEWER	SEWER MAIN PLAN W. ROOSEVELT DR. N. 48TH ST.	
			IN AT	
			APPROVED  04/27/2023 DESIGN ENGINEER	
			04/27/2023 ENGINEER IN CHARGE  04/27/2023	
			CITY ENGINEER & SPECIAL DEPUTY COMMISSIONER OF PUBLIC WORKS PROJECT NO. _____ C.C. FILE NO. _____ OFF. NOTICE NO. _____ DATE ADOPTED _____	
			SHEET NO. 1 OF 1 PLAN FILE NO. 2022-546	

VERTICAL DATUM NOTE: ELEVATIONS SHOWN ON THIS PLAN ARE REFERENCED TO NGVD29.* TO
CONVERT TO CITY OF MILWAUKEE DATUM, SUBTRACT 580.60 FROM ELEVATIONS SHOWN.

LINE CODE LEGEND			
GAS	G	SANITARY SEWER	SAN
ELECTRIC	E	STORM SEWER	STO
TELEPHONE	T	COMBINED SEWER	CMB
CABLE TELEVISION	TV	SEW DISTRICT SEWER	MSD
FIBER OPTICS		WATER MAIN	WMS
CITY UNDERGROUND CONDUIT	CUC	SEWER/WATER 24" & OVER	
COMMUNICATIONS	COM	STREET LIGHTING	

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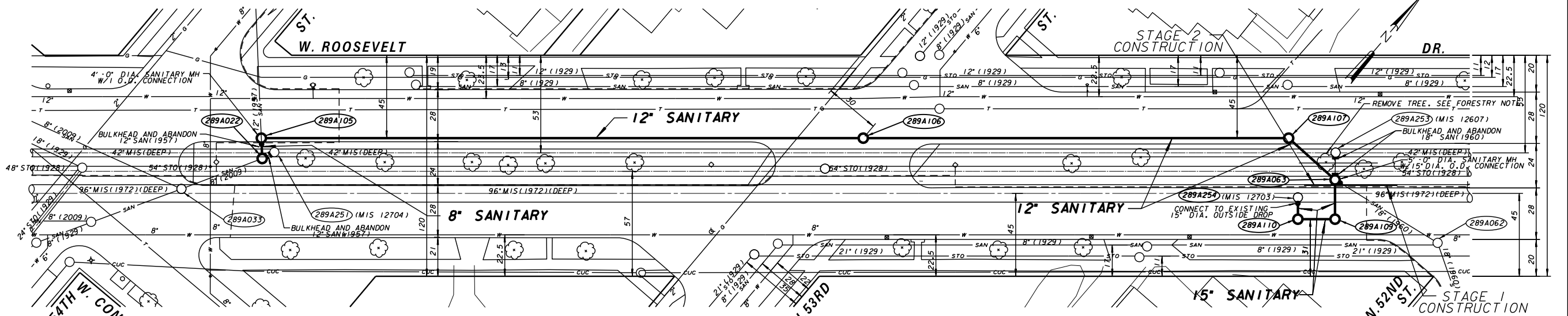
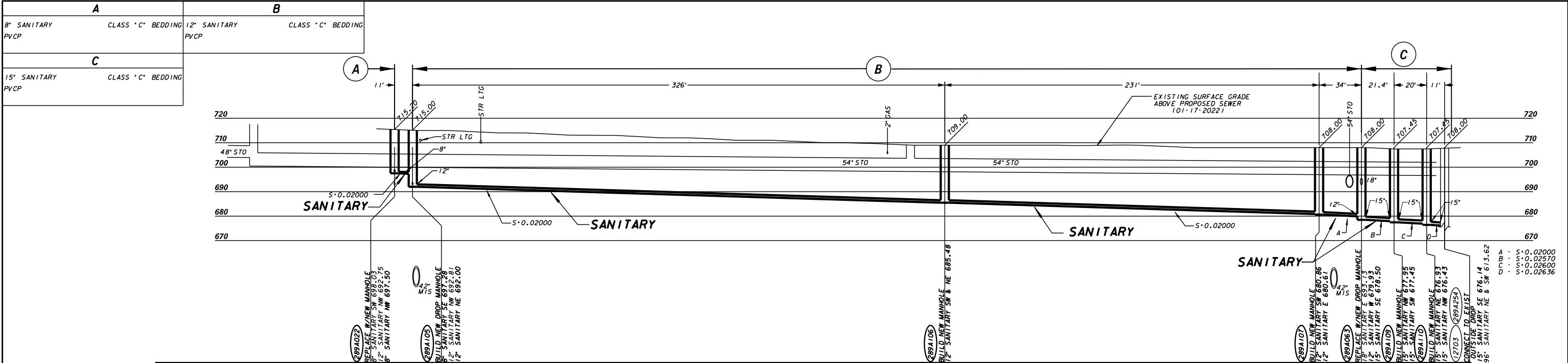


CALL DIGGERS HOTLINE
1-800-242-8511

TOLL FREE TO OBTAIN LOCATION OF UNDERGROUND
BEFORE YOU DIG. WISCONSIN STATUTE 182.0715 REQUIRES
MIN. OF 3 WORK DAYS NOTICE BEFORE YOU EXCAVATE

△			
△			
NO.	BY	REVISION	DATE
DATE ENT'D.		ENT'D. BY	

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				REV. NO.	DATE	REVISION DESCRIPTION		BY	APVD	CONVEYANCE
							PLAN AND PROFILE	DATE:	MAY 2023	
							W. ROOSEVELT DR. AT N. 48TH ST.	CONTRACT:	C0505C01	
								MMSD FILE:	401-3228.dgn	



VERTICAL DATUM NOTE: ELEVATIONS SHOWN ON THIS PLAN ARE REFERENCED TO NGVD29. TO CONVERT TO CITY OF MILWAUKEE DATUM, SUBTRACT 580.60 FROM ELEVATIONS SHOWN.

LINE CODE LEGEND			
GAS	----- G	SANITARY SEWER	----- SAN
ELECTRIC	----- E	STORM SEWER	----- STO
TELEPHONE	----- T	COMBINED SEWER	----- CMB
CABLE TELEVISION	----- TV	SEW. DISTRICT SEWER	----- MMSD
FIBER OPTICS	----- FO	WATER MAIN	----- W
CITY UNDERGROUND CONDUIT	----- CUC	SEWERWATER 24" & OVER	----- W
COMMUNICATIONS	----- COM	STREET LIGHTING	----- STR LGT

FORESTRY NOTE:
FORESTRY HAS APPROVED THE REMOVAL OF ONE TREE AS PART OF THIS PROJECT THAT WILL NEED TO BE REMOVED PRIOR TO EXCAVATION. ALL WORK AND MATERIALS NECESSARY TO REMOVE THE EXISTING TREE SHALL BE INCLUDED IN THE UNIT BID PRICE. THE WORK SHALL INCLUDE, BUT NOT BE LIMITED TO, A COMPLETE REMOVAL OF THE EXISTING TREE AND COMPLETE GRUBBING OF THE AREA OF THE STUMP AND ALL SURFACE ROOTS.

CALL DIGGERS HOTLINE
1-800-242-8511
TOLL FREE TO OBTAIN LOCATION OF UNDERGROUND BEFORE YOU DIG. WISCONSIN STATUTE 182.0715 REQUIRES MIN. OF 3 WORK DAYS NOTICE BEFORE YOU EXCAVATE.

ESTIMATE OF QUANTITIES		
ITEM NO.	QUANTITY	DESCRIPTION
10081	11 FT	8" DIA. SANITARY CLASS "C" BEDDING
10121	591 FT	12" DIA. SANITARY CLASS "C" BEDDING
10151	53 FT	15" DIA. SANITARY CLASS "C" BEDDING
41400	5	4'-0" DIA. SANITARY MANHOLES WITH INTERNAL MANHOLE SEAL
41401	1	4'-0" DIA. SANITARY MANHOLE WITH INTERNAL MANHOLE SEAL AND 1 O.D. CONNECTION
41501	1	5'-0" DIA. SANITARY MANHOLE WITH INTERNAL MANHOLE SEAL AND 1 O.D. CONNECTION
50205	1 LS	BULKHEAD AND ABANDON 18 LF OF 12" SANITARY SEWER
50206	1 LS	BULKHEAD AND ABANDON 15 LF OF 18" SANITARY SEWER

ENVIRONMENTAL ENGINEERING SECTION INFRASTRUCTURE SERVICES DIVISION DEPARTMENT OF PUBLIC WORKS MILWAUKEE, WISCONSIN	
SEWER MAIN PLAN W. ROOSEVELT DR. 200' EAST OF N. 53RD ST. N. 54TH ST.	
IN FROM TO	
SCALE HORIZONTAL 1" = 30' VERTICAL 1" = 20'	APPROVED DATE 04/27/2023 DESIGN ENGINEER
1/4 SEC. NO. 289A	PLAN DATE 04/25/2023
DESIGNED BY R. BLAUVELT	DRAWN BY M. POLINSKE
CHECKED BY R. SEELEN	SYSTEM NO. 3094
EASEMENT NO.	CONTRACT NO.
PROJECT NO.	C.C. FILE NO.
OFF. NOTICE NO.	DATE ADOPTED
SHEET NO. 1 OF 1 PLAN FILE NO. 2022-545	

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