



City of Milwaukee

City Hall
200 East Wells Street
Milwaukee, WI 53202

Meeting Agenda PUBLIC WORKS COMMITTEE

ALD. ROBERT BAUMAN, CHAIR
Ald. Joseph Dudzik, Vice-Chair
Ald. Willie Wade, Ald. Robert Donovan, and Ald. Robert Puente
Staff Assistant, Tobie Black, 286-2231
Fax: 286-3456, tblack@milwaukee.gov
Legislative Liaison, Aaron Cadle, 286-8666,
acadle@milwaukee.gov

Wednesday, December 7, 2011

9:00 AM

Room 301-B, City Hall

1. [111023](#) Resolution relative to approving the levying of assessments and construction of assessable public improvement projects at various locations and appropriating funds for these purposes.
Sponsors: THE CHAIR
Attachments: [Cover Letter](#)
[Official Notice Number 46](#)
[Hearing Notice List](#)

2. [111022](#) Resolution determining it necessary to make various assessable public improvements at various locations and appropriating funds for these purposes with the City engineering cost estimated to be \$1,634,000 for a total estimated cost of these projects being \$18,905,500.
Sponsors: THE CHAIR
Attachments: [Proposed Substitute A](#)
[Hearing Notice List](#)

3. [111024](#) Resolution determining it necessary to make various nonassessable public improvements at various locations and appropriating funds for these purposes with the City engineering cost estimated to be \$694,000 for a total estimated cost of these projects being \$23,062,000.
Sponsors: THE CHAIR
Attachments: [Proposed Substitute A](#)
[Hearing Notice List](#)

4. [111025](#) Resolution approving construction of nonassessable public improvements at various locations and appropriating funds for these purposes with the City construction cost estimated to be \$1,625,000 for a total estimated cost of these projects being \$1,775,000.
Sponsors: THE CHAIR
Attachments: [Proposed Substitute A](#)
[Hearing Notice List](#)

5. [111125](#) A substitute ordinance relating to the securing of boats to docks or dockwalls located in navigable waters of the city.
Sponsors: Ald. Bauman
Attachments: [Hearing Notice List](#)
6. [111035](#) Resolution accepting the donation of a privately owned vacant lot at 3526 West Galena Street in the Washington Park neighborhood from the Wisconsin Preservation Fund, in the 15th Aldermanic District.
Sponsors: THE CHAIR
Attachments: [Hearing Notice List](#)
7. [111127](#) Resolution relating to the use of the Airline Yards as a public park.
Sponsors: Ald. Donovan
Attachments: [Hearing Notice List](#)
8. [111014](#) Resolution relative to the 2012 Capital Improvements Program to provide funds for traffic signs and signal work at various locations.
Sponsors: THE CHAIR
Attachments: [Hearing Notice List](#)
9. [111015](#) Resolution relative to the 2012 Capital Improvements Program to provide funds for street lighting work at various locations.
Sponsors: THE CHAIR
Attachments: [Hearing Notice List](#)
10. [110984](#) Resolution relative to the cost participation and installation of traffic control devices in conjunction with the Federal and State Aid paving of West Morgan Avenue from South 68th Street to South 84th Street in the 11th Aldermanic District at a total estimated cost of \$99,191.88, with an estimated grantor share of \$79,353.50, and an estimated City share of \$19,838.38.
Sponsors: THE CHAIR
Attachments: [Comptroller's Certification Agreement](#)
[Hearing Notice List](#)
11. [111050](#) Resolution relative to the cost participation and installation of traffic control devices in conjunction with the Federal/State Aid paving of West Capitol Drive from North 60th Street to North 84th Street in the 2nd, 5th, and 10th Aldermanic Districts at a total estimated cost of \$367,689.88, with one hundred percent of the total cost funded by the Wisconsin Department of Transportation.
Sponsors: THE CHAIR

Attachments: [Agreement](#)
[Unit Cost Analysis](#)
[Comptroller's Certificate](#)
[Hearing Notice List](#)

12. [110985](#) Resolution directing the Commissioner of Public Works to execute a revised project agreement titled "State/Municipal Agreement" for a Highway Improvement Project with the Wisconsin Department of Transportation for the reconstruction of West Capitol Drive from North 60th Street to Mayfair Road with State/Federal Aid, the total cost of the project is \$18,783,080 of which the City's share is \$1,588,640 and the grantor's share is \$17,194,440.

Sponsors: THE CHAIR

Attachments: [Agreement](#)
[Comptroller's Certification](#)
[Hearing Notice List](#)

13. [111013](#) Resolution directing the Commissioner of Public Works to execute a document titled "State/Municipal Agreement for a Locally Let Bicycle and Pedestrian Facilities Program Project" with the Department of Transportation for the programming of a project known as City of Milwaukee Pedestrian Plan with total project costs of \$169,568, with a Grantor share of \$135,654 and a City share of \$33,914.

Sponsors: THE CHAIR

Attachments: [Agreement Template](#)
[Hearing Notice List](#)

14. [111020](#) Resolution authorizing the Commissioner of Public Works to issue a Request for Proposals and award a contract for professional services for the Milwaukee Water Works for the imprinting and mailing of City of Milwaukee municipal services bills and bills for water service to suburban retail customers.

Sponsors: THE CHAIR

Attachments: [Hearing Notice List](#)

15. [110989](#) Resolution authorizing the Commissioner of Public Works to enter into an Out-of-Program Agreement with Northtown Church for the installation of a public water main.

Sponsors: THE CHAIR

Attachments: [Agreement](#)
[Exhibit A](#)
[Hearing Notice List](#)

16. [111016](#) Resolution authorizing the Commissioner of Public Works to enter into an Out-of-Program Agreement with HD Development, LLC for the installation of a public water main.

Sponsors: THE CHAIR

Attachments: [Agreement](#)
[Exhibit A](#)
[Hearing Notice List](#)

17. [101428](#) Resolution amending a special privilege for change of ownership to Dixon 1818, LLC for encroachment into the public right-of-way for retaining walls, steps, concrete sidewalks, and a brick patio for the premises at 1818 N. Hubbard Street, in the 6th Aldermanic District.
- Sponsors:** THE CHAIR
- Attachments:** [Petition](#)
[Map](#)
[Photos](#)
[Survey](#)
[Hearing Notice List](#)
18. [110021](#) Substitute resolution granting a special privilege to Riverfront Lofts Condominium Owners' Association Inc for a covered walk with decorative drapes for the premises at 730 North Plankinton Avenue, in the 4th Aldermanic District.
- Sponsors:** THE CHAIR
- Attachments:** [Cover Letter](#)
[Petition](#)
[Map](#)
[Photos](#)
[Hearing Notice List](#)
19. [110494](#) Resolution granting a special privilege to the Christian Fellowship Community Church to construct and maintain a handicapped access ramp and handrails for the premises at 2176 N. 39th Street, in the 15th Aldermanic District.
- Sponsors:** THE CHAIR
- Attachments:** [Petition and Drawing](#)
[Map](#)
[Photos](#)
[Hearing Notice List](#)
20. [100701](#) Resolution granting a special privilege to North Avenue CDC to construct and maintain a concrete stoop for the premises at 3829 W. North Avenue, in the 15th Aldermanic District.
- Sponsors:** THE CHAIR
- Attachments:** [Petition](#)
[Drawings](#)
- May be placed on file as no longer needed.*

This meeting will be webcast live at www.milwaukee.gov/channel25.

Common Council members who are not members of this committee may attend this meeting to participate or to gather information. This meeting may constitute a meeting of the Common Council or any of its standing committees although no formal action will be taken at this meeting.

Upon reasonable notice, efforts will be made to accommodate the needs of persons with disabilities through sign language interpreters or auxiliary aids. For assistance contact the Legislative Services ADA Coordinator at 286-2998, (FAX)286-3456, (TDD)286-2025 or by writing to Room 205, City Hall, 200 E. Wells Street, Milwaukee, WI 53202.

Parking for persons attending City Hall meetings is available at reduced rates (5 hour limit) at the Milwaukee Center (southwest corner of E. Kilbourn Ave. and N. Water St.) Parking tickets must be validated in Room 205, (City Clerk's Office) or the first floor Information Booth in City Hall.

Persons engaged in lobbying as defined in s. 305-43-4 of the Milwaukee Code are required to register with the City Clerk's License Division. Lobbyists appearing before a Common Council committee are required to identify themselves as such. More information is available at www.milwaukee.gov/lobby.



Legislation Details (With Text)

File #: 111023 **Version:** 0

Type: Resolution **Status:** In Committee

File created: 11/30/2011 **In control:** PUBLIC WORKS COMMITTEE

On agenda: **Final action:**

Effective date:

Title: Resolution relative to approving the levying of assessments and construction of assessable public improvement projects at various locations and appropriating funds for these purposes.

Sponsors: THE CHAIR

Indexes: PUBLIC IMPROVEMENTS, STREET IMPROVEMENTS

Attachments: Cover Letter, Official Notice Number 46, Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
11/30/2011	0	COMMON COUNCIL	ASSIGNED TO		
12/5/2011	0	PUBLIC WORKS COMMITTEE	HEARING NOTICES SENT		
12/5/2011	0	PUBLIC WORKS COMMITTEE	HEARING NOTICES SENT		
12/5/2011	0	PUBLIC WORKS COMMITTEE	HEARING NOTICES SENT		

Number
111023
Version
ORIGINAL
Reference

Sponsor
THE CHAIR
Title

Resolution relative to approving the levying of assessments and construction of assessable public improvement projects at various locations and appropriating funds for these purposes.

Requestor
INFRASTRUCTURE SERVICES DEPARTMENT
Drafter
MLD:dr
Report 5
11/23/2011

November 23, 2011

File Number 111023

To the Honorable, the Common Council

Dear Council Members:

The Common Council has adopted preliminary resolutions which determined it necessary and in the public interest to make various public improvements and to make special assessments therefore.

The Commissioner of Public Works is filing this report consisting of a list of projects. This report is subject to amendment at the next Public Works Committee Hearing. The plans and specifications of said improvements are on file in the City Engineer's Office.

I am herewith submitting a report regarding the above matter and recommend adoption of the amended resolution approving same.

Very truly yours,

Jeffrey S. Polenske, P.E.
City Engineer

MLD:dr
Afr 5
Report Appended

**OFFICIAL NOTICE NUMBER 46
PUBLIC HEARING ON PROPOSED IMPROVEMENTS
AND SPECIAL ASSESSMENTS**

There will be a public hearing held by the Public Works Committee of the Common Council of the City of Milwaukee concerning the following improvements and special assessments. The Commissioner of Public Works has determined these improvements are necessary and in the public interest.

The hearing will be held at the date and time shown below:

<p>WEDNESDAY</p> <p>DECEMBER 7, 2011</p> <p>ROOM 301-B – CITY HALL</p> <p>9:00 A.M.</p>

2nd Aldermanic District

W. Winfield Ave. – A point east of N. 89th St. to N. 90th St. (Including N. 90th St. – W. Bender Rd. to W. Winfield Ave.) (ST211110136):

Asphalt pavement resurfacing, replace curb and gutter, sidewalk and driveway approaches where necessary, sodding (5 - 13-foot width of tree border area), and grading.

3rd Aldermanic District

N. Oakland Ave. – N. Cambridge Ave. to 480 feet m/l north of E. Windsor Pl. (Including N. Cambridge Ave. – E. Brady St. to N. Oakland Ave.) (ST211040106):

Concrete pavement reconstruction, replace curb and gutter and sidewalk and driveway approaches where necessary, sodding (0 – 7-foot width of tree border area), and grading.

5th Aldermanic District

W. Auer Ave. – N. 84th St. to N. 87th St. (ST211110125):

Asphalt pavement resurfacing, replace curb and gutter, sidewalk and driveway approaches where necessary, sodding (6 – 8-foot width of tree border area), and grading.

6th Aldermanic District

N. Port Washington Ave. – N. Dr. Martin Luther King Jr. Dr. to North City Limits (W. Olive St.) (ST320100601):

Concrete pavement reconstruction, replace all curb and gutter, sidewalk and driveway approaches, sodding (0 – 4-foot width of tree border area), grading, and tree removal where necessary.

7th Aldermanic District

N. 29th St. – W. Melvina St. to W. Capitol Dr. (ST21110118):

Concrete pavement reconstruction, replace all curb and gutter, replace sidewalk and driveway approaches where necessary, sodding (3 – 6-foot width of tree border area), and grading.

11th Aldermanic District

W. Morgan Ave. – S. 68th St. to S. 84th St. (ST320101201):

Concrete pavement reconstruction, replace all curb and gutter, replace sidewalk and driveway approaches where necessary, sodding (width of tree border area 4-5 feet), grading, repairs to culvert/bridge over Honey Creek, including concrete surface repairs, new railing and rubberized membrane waterproofing of the entire deck.

S. 80th St. – W. Morgan Ave. to W. Oklahoma Ave. (ST211110119):

Asphalt pavement resurfacing, replace curb and gutter, sidewalk and driveway approaches where necessary, sodding (6-foot width of tree border area), and grading.

You may examine a copy of the report recommending these projects in Room 908, 841 North Broadway, Milwaukee, Wisconsin during the hours of 8:30 A.M. and 4:30 P.M., Monday through Friday, except November 24th and 25th, 2011.

This notice is published by authority of the Common Council of the City of Milwaukee in accordance with Section 66.0703 and any other pertinent sections of the Wisconsin Statutes and in the manner directed by Section 115-42 of the Milwaukee Code of Ordinances.

Office of the City Clerk, Milwaukee

Ronald D. Leonhardt, City Clerk

November 21, 2011



Legislation Details (With Text)

File #: 111022 **Version:** 0

Type: Resolution **Status:** In Committee

File created: 11/30/2011 **In control:** PUBLIC WORKS COMMITTEE

On agenda: **Final action:**

Effective date:

Title: Resolution determining it necessary to make various assessable public improvements at various locations and appropriating funds for these purposes with the City engineering cost estimated to be \$1,634,000 for a total estimated cost of these projects being \$18,905,500.

Sponsors: THE CHAIR

Indexes: ALLEY IMPROVEMENTS, STREET IMPROVEMENTS

Attachments: Proposed Substitute A, Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
11/30/2011	0	COMMON COUNCIL	ASSIGNED TO		
12/5/2011	0	PUBLIC WORKS COMMITTEE	HEARING NOTICES SENT		
12/5/2011	0	PUBLIC WORKS COMMITTEE	HEARING NOTICES SENT		

Number
111022

Version
ORIGINAL

Sponsor
THE CHAIR

Title
Resolution determining it necessary to make various assessable public improvements at various locations and appropriating funds for these purposes with the City engineering cost estimated to be \$1,634,000 for a total estimated cost of these projects being \$18,905,500.

Analysis
This resolution authorizes engineering studies and directs the Commissioner of Public Works to determine any benefits or damages which would result if the projects were to be constructed. After the Commissioner files his report, a Public Hearing will be held on those projects determined assessable. A resolution will be submitted after the Public Hearing authorizing construction. The City cost for engineering these projects is estimated to be \$1,634,000 with the total cost estimated to be \$18,905,500.

Body
Resolved, By the Common Council of the City of Milwaukee that it is necessary and in the public interest to do the following described work according to City specifications, and that such public improvements and resulting special assessments be made pursuant to Section 66.0703 and any other pertinent sections of the Wisconsin Statutes and in the manner directed by Section 115-42 of the Milwaukee Code of Ordinances:

5th Aldermanic District

N. 8th St. - W. Michigan St. to W. Wisconsin Ave. (ST211130134): Paving the roadway with asphalt. Laying a concrete curb and gutter. Laying concrete sidewalk. Doing all the necessary grading pertaining to said work. (Nonassessable Reconstruction Paving Fund -- \$10,000). The total estimated cost for this project including the requested amount is \$80,000. This project is anticipated to be completed during the 2013 construction season.

8th Aldermanic District

Alley between W. National Ave., W. Scott St., S. 31st St., and S. 32nd St. (ST212130101): Paving the alley with concrete. Doing all the necessary grading pertaining to said work. (Nonassessable Alley Paving Fund -- \$15,000). The total estimated cost for this project including the requested amount is \$205,000. This project is anticipated to be completed during the 2013 construction season.

14th Aldermanic District

Alley between W. Dakota St., S. 13th St., S. 14th St., and the Union Pacific Railroad Co. Right-of-Way (ST212130109): Paving the alley with concrete. Doing all the necessary grading pertaining to said work. (Nonassessable Alley Paving Fund -- \$9,000). The total estimated cost for this project including the requested amount is \$80,000. This project is anticipated to be completed during the 2012 construction season.

Various Aldermanic Districts

Administration cost for alley paving engineering (ST212120001): (Nonassessable Alley Paving Fund 2012 Budgeted Funds -- \$150,000). The total estimated cost for the program is \$3,000,000. This project is anticipated to be completed during the 2012 construction season.

Administration cost for 2012 scattered site sidewalk engineering (ST230120141): (Nonassessable 2012 Budgeted Funds -- \$50,000). The total estimated cost for this program is \$1,345,000. This project is anticipated to be completed during the 2012 construction season.

Administration cost for street paving engineering (ST211120001): (Nonassessable Reconstruction Paving Fund -- \$1,000,000). The total estimated cost for this program is \$13,795,500. This project is anticipated to be completed during the 2012 construction season.

Administration cost for new street paving engineering (ST210120001): (Nonassessable New Paving Fund - 2012 Budgeted Funds -- \$25,000). The total estimated cost for this program is \$400,000. This project is anticipated to be completed during the 2012 construction season.

; and, be it

Further Resolved, That the abutting and adjacent properties be assessed a portion of the cost, said assessment to be recommended by the Commissioner of Public Works in his report; and, be it

Further Resolved, That all assessments and payments be made in accordance with Section 115-42 of the Milwaukee Code of Ordinances; and, be it

Further Resolved, That all City departments are authorized to do engineering, surveying, preparing of

plans, and estimates of cost thereof, to be utilized in the preparation of said report of the Commissioner of Public Works; and, be it

Further Resolved, That the Department of Public Works is authorized to use the funding as specified in the above description of work; and, be it

Further Resolved, That the City Comptroller is authorized and directed to transfer such funds which are available for this purpose to the appropriate capital Project/Grant accounts.

Requestor
Infrastructure Services Division
Drafter
MLD:dr
Apr 5
11/22/2011

..Number

111022

..Version

Proposed Substitute A

..Sponsor

THE CHAIR

..Title

Substitute resolution determining it necessary to make various assessable public improvements at various locations and appropriating funds for these purposes with the City engineering cost estimated to be \$1,347,000 for a total estimated cost of these projects being \$20,644,500.

..Analysis

This resolution authorizes engineering studies and directs the Commissioner of Public Works to determine any benefits or damages which would result if the projects were to be constructed. After the Commissioner files his report, a Public Hearing will be held on those projects determined assessable. A resolution will be submitted after the Public Hearing authorizing construction. The City cost for engineering these projects is estimated to be \$1,347,000 with the total cost estimated to be \$20,644,500.

..Body

Resolved, By the Common Council of the City of Milwaukee that it is necessary and in the public interest to do the following described work according to City specifications, and that such public improvements and resulting special assessments be made pursuant to Section 66.0703 and any other pertinent sections of the Wisconsin Statutes and in the manner directed by Section 115-42 of the Milwaukee Code of Ordinances:

3rd Aldermanic District

Alley between E. Center St., N. Humboldt Ave., and the CMC Real Estate Corp. Right-of-Way (ST212050113): Paving the alley with concrete. Doing all the necessary grading pertaining to said work. (Nonassessable Alley Paving Fund -- \$2,000, Additional Funds). The total estimated cost for this project including the requested amount is \$52,000. This project is anticipated to be completed during the 2012 construction season.

4th Aldermanic District

N. 8th St. – W. Michigan St. to W. Wisconsin Ave. (ST211130134): Paving the roadway with asphalt. Laying a concrete curb and gutter. Laying concrete sidewalk. Doing all the necessary grading pertaining to said work. (Nonassessable Reconstruction Paving Fund -- \$10,000). The total estimated cost for this project including the requested amount is \$80,000. This project is anticipated to be completed during the 2013 construction season.

5th Aldermanic District

Alley between W. Hadley St., W. Locust St., N. 76th St., and N. 77th St. (ST21210114): Paving the alley with concrete. Doing all the necessary grading pertaining to said work. (Nonassessable Alley Paving Fund -- \$2,000, Additional Funds). The total estimated cost for this project including the requested amount is \$105,000. This project is anticipated to be completed during the 2012 construction season.

6th Aldermanic District

Alley between N. Buffum St., E. Clarke St., N. Holton St., and E. Wright St. (ST21200113): Paving the alley with concrete. Doing all the necessary grading pertaining to said work. (Nonassessable Alley Paving Fund -- \$2,000, Additional Funds). The total estimated cost for this project including the requested amount is \$85,000. This project is anticipated to be completed during the 2012 construction season.

7th Aldermanic District

Alley between W. Nash St., W. Vienna Ave., N. 58th Blvd., and N. 60th St. (ST21210120): Paving the alley with concrete. Doing all the necessary grading pertaining to said work. (Nonassessable Alley Paving Fund -- \$2,000, Additional Funds). The total estimated cost for this project including the requested amount is \$100,000. This project is anticipated to be completed during the 2012 construction season.

8th Aldermanic District

Alley between W. Arthur Ave., W. Forest Home Ave., S. 30th St., and S. 31st St. (ST212050136): Paving the alley with concrete. Doing all the necessary grading pertaining to said work. (Nonassessable Alley Paving Fund -- \$2,000, Additional Funds). The total estimated cost for this project including the requested amount is \$65,000. This project is anticipated to be completed during the 2012 construction season.

Alley between W. National Ave., W. Scott St., S. 31st St., and S. 32nd St. (ST212130101): Paving the alley with concrete. Doing all the necessary grading pertaining to said work. (Nonassessable Alley Paving Fund -- \$15,000). The total estimated cost for this project including the requested amount is \$205,000. This project is anticipated to be completed during the 2013 construction season.

9th Aldermanic District

Alley between W. Rohr Ave., W. Villard Ave., N. 44th St., and N. 45th St. (ST212040111): Paving the alley with concrete. Doing all the necessary grading pertaining to said work. (Nonassessable Alley Paving Fund -- \$2,000, Additional Funds). The total estimated cost for this project including the requested amount is

\$85,000. This project is anticipated to be completed during the 2012 construction season.

10th Aldermanic District

Alley between W. Galena St., W. Vliet St., N. 59th St., and N. 60th St. (ST212060121): Paving the alley with concrete. Doing all the necessary grading pertaining to said work. (Nonassessable Alley Paving Fund -- \$2,000, Additional Funds). The total estimated cost for this project including the requested amount is \$40,000. This project is anticipated to be completed during the 2012 construction season.

12th Aldermanic District

Alley between S. Congo Ave., W. Rogers St., and S. 19th St. (ST212020105): Paving the alley with concrete. Doing all the necessary grading pertaining to said work. (Nonassessable Alley Paving Fund -- \$2,000, Additional Funds). The total estimated cost for this project including the requested amount is \$30,000. This project is anticipated to be completed during the 2012 construction season.

12th and 14th Aldermanic Districts

E. Greenfield Ave. – Kinnickinnic River to S. 1st St. (ST211130136): Paving the roadway with concrete. Laying a concrete curb and gutter. Laying concrete sidewalk. Doing all the necessary grading pertaining to said work. (Nonassessable Reconstruction Paving Fund -- \$50,000). The total estimated cost for this project including the requested amount is \$700,000. This project is anticipated to be completed during the 2013 construction season.

13th Aldermanic District

Alley between W. Holt Ave., W. Morgan Ave., S. 20th St., and the C & NW Railroad Co. Right-of-Way (ST212010147): Paving the alley with concrete. Doing all the necessary grading pertaining to said work. (Nonassessable Alley Paving Fund -- \$2,000, Additional Funds). The total estimated cost for this project including the requested amount is \$80,000. This project is anticipated to be completed during the 2012 construction season.

Alley between S. Honey Creek Dr., S. Madeline Ave., W. Parnell Ave., and S. 39th St. (ST21290149): Paving the alley with concrete. Doing all the necessary grading pertaining to said work. (Nonassessable Alley Paving Fund -- \$2,000, Additional Funds). The total estimated cost for this project including the requested amount is \$124,000. This project is anticipated to be completed during the 2012 construction season.

14th Aldermanic District

Alley between W. Dakota St., S. 13th St., S. 14th St., and the Union Pacific Railroad Co. Right-of-Way (ST212130109): Paving the alley with concrete. Doing all the necessary grading pertaining to said work. (Nonassessable Alley Paving Fund -- \$9,000). The total estimated cost for this project including the requested amount is \$80,000. This project is anticipated to be completed during the 2012 construction season.

15th Aldermanic District

N. 25th St. – W. Lisbon Ave. to W. Brown St. (ST211130135): Paving the roadway with asphalt. Laying a concrete curb and gutter. Laying concrete sidewalk. Doing all the necessary grading pertaining to said work. (Nonassessable Reconstruction Paving Fund -- \$10,000). The total estimated cost for this project including the requested amount is \$140,000. This project is anticipated to be completed during the 2013 construction season.

N. 28th St. – W. Lisbon Ave. to W. North Ave. (ST211080152): Install traffic calming devices. (Assessable Reconstruction Paving Fund -- \$3,000, Additional Funds). The total estimated cost for this project including the requested amount is \$11,000. This project was constructed in 2009.

Alley between W. Clarke St., W. Wright St., N. 18th St., and N. 19th St. (ST212120110): Paving the alley with concrete. Doing all the necessary grading pertaining to said work. (Nonassessable Alley Paving Fund -- \$5,000). The total estimated cost for this project including the requested amount is \$122,000. This project is anticipated to be completed during the 2012 construction season.

Various Aldermanic Districts

Administration cost for alley paving engineering (ST212120001): (Nonassessable Alley Paving Fund 2012 Budgeted Funds -- \$150,000). The total estimated cost for the program is \$3,000,000. This project is anticipated to be completed during the 2012 construction season.

Administration cost for 2012 scattered site sidewalk engineering (ST230120141): (Nonassessable 2012 Budgeted Funds -- \$50,000). The total estimated cost for this program is \$1,345,000. This project is anticipated to be completed during the 2012 construction season.

Administration cost for street paving engineering (ST211120001): (Nonassessable Reconstruction Paving Fund -- \$1,000,000). The total estimated cost for this program is \$13,795,500. This project is anticipated to be completed during the 2012 construction season.

Administration cost for new street paving engineering (ST210120001): (Nonassessable New Paving Fund – 2012 Budgeted Funds -- \$25,000). The total estimated cost for this

program is \$400,000. This project is anticipated to be completed during the 2012 construction season.

; and, be it

Further Resolved, That the abutting and adjacent properties be assessed a portion of the cost, said assessment to be recommended by the Commissioner of Public Works in his report; and, be it

Further Resolved, That all assessments and payments be made in accordance with Section 115-42 of the Milwaukee Code of Ordinances; and, be it

Further Resolved, That all City departments are authorized to do engineering, surveying, preparing of plans, and estimates of cost thereof, to be utilized in the preparation of said report of the Commissioner of Public Works; and, be it

Further Resolved, That the Department of Public Works is authorized to use the funding as specified in the above description of work; and, be it

Further Resolved, That the City Comptroller is authorized and directed to transfer such funds which are available for this purpose to the appropriate capital Project/Grant accounts.

..Requestor
Infrastructure Services Division
..Drafter
MLD:dr
Apr 5
12/2/2011



Legislation Details (With Text)

File #: 111024 **Version:** 0

Type: Resolution **Status:** In Committee

File created: 11/30/2011 **In control:** PUBLIC WORKS COMMITTEE

On agenda: **Final action:**

Effective date:

Title: Resolution determining it necessary to make various nonassessable public improvements at various locations and appropriating funds for these purposes with the City engineering cost estimated to be \$694,000 for a total estimated cost of these projects being \$23,062,000.

Sponsors: THE CHAIR

Indexes: SANITARY SEWERS, SEWER IMPROVEMENTS, STORM SEWERS

Attachments: Proposed Substitute A, Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
11/30/2011	0	COMMON COUNCIL	ASSIGNED TO		
12/5/2011	0	PUBLIC WORKS COMMITTEE	HEARING NOTICES SENT		
12/5/2011	0	PUBLIC WORKS COMMITTEE	HEARING NOTICES SENT		

Number
111024

Version
ORIGINAL

Sponsor
THE CHAIR

Title
Resolution determining it necessary to make various nonassessable public improvements at various locations and appropriating funds for these purposes with the City engineering cost estimated to be \$694,000 for a total estimated cost of these projects being \$23,062,000.

Analysis
This resolution authorizes engineering studies on projects which by City Charter are nonassessable. After design plans and estimates of costs have been prepared, a resolution authorizing construction will be submitted to the Common Council. The City cost for engineering these projects is estimated to be \$694,000 with the total cost estimated to be \$23,062,000.

Body
Resolved, By the Common Council of the City of Milwaukee, that it is necessary and in the public interest to do the following described improvements according to City specifications:

1st and 6th Aldermanic Districts

W. Atkinson Ave. - W. Capitol Dr. to N. 20th St. (SM495110071): Relaying sanitary sewer. (Nonassessable Sewer Maintenance Relay Fund -- \$12,000). The total estimated cost for this project including the requested amount is \$69,000. This project is anticipated to be completed during the 2012 construction season.

W. Capitol Dr. (South Side) - N. 19th Pl. to N. 21st St. (SM495110077): Relaying sanitary sewer. (Nonassessable Sewer Maintenance Relay Fund -- \$15,000). The total estimated cost for this project including the requested amount is \$112,000. This project is anticipated to be completed during the 2012 construction season.

N. 20th St. (Various Locations) - W. Nash St. to W. Fiebrantz Ave. (SM495110069): Sanitary sewer relay and lining and combined sewer relay. (Nonassessable Sewer Maintenance Relay Fund -- \$15,000). The total estimated cost for this project including the requested amount is \$335,000. This project is anticipated to be completed during the 2012 construction season.

3rd Aldermanic District

E. Auer Ave. - N. Humboldt Blvd. to 575 feet m/l east of N. Dousman St. (SM495110056): Combined sewer LD lining. (Nonassessable Sewer Maintenance Relay Fund -- \$15,000). The total estimated cost for this project including the requested amount is \$639,000. This project is anticipated to be completed during the 2012 construction season.

N. Humboldt Blvd. - E. Keefe Ave. to E. Auer Ave. (SM495110098): Combined sewer relay and LD lining. (Nonassessable Sewer Maintenance Relay Fund -- \$20,000). The total estimated cost for this project including the requested amount is \$940,000. This project is anticipated to be completed during the 2012 construction season.

E. Ogden Ave. - N. Jackson St. to N. Farwell Ave. (SM495110304): Combined sewer relay and lining, and sanitary sewer lining. (Nonassessable Sewer Maintenance Relay Fund -- \$15,000). The total estimated cost for this project including the requested amount is \$435,000. This project is anticipated to be completed during the 2012 construction season.

N. Stowell Ave. - E. Linnwood Ave. to E. Kenwood Blvd. (SM495110055): Relaying combined sewer. (Nonassessable Sewer Maintenance Relay Fund -- \$15,000). The total estimated cost for this project including the requested amount is \$203,000. This project is anticipated to be completed during the 2012 construction season.

N. Van Buren St. - E. Ogden Ave. to E. Wells St. (SM495110306): Combined sewer relay and lining. (Nonassessable Sewer Maintenance Relay Fund -- \$15,000). The total estimated cost for this project including the requested amount is \$472,000. This project is anticipated to be completed during the 2012 construction season.

3rd and 4th Aldermanic Districts

N. Jackson St. - E. Ogden Ave. to E. Juneau Ave. (SM495110302): Combined sewer lining. (Nonassessable Sewer Maintenance Relay Fund -- \$15,000). The total estimated cost for this project including the requested amount is \$172,000. This project is anticipated to be completed during the 2012 construction season.

4th Aldermanic District

N. Broadway - E. Wells St. to E. St. Paul Ave. (SM495110301): Combined sewer relay and lining. (Nonassessable Sewer Maintenance Relay Fund -- \$20,000). The total estimated cost for this project including the requested amount is \$893,000. This project is anticipated to be completed

during the 2012 construction season.

E. Kilbourn Ave. - N. Jackson St. to N. Van Buren St. (SM495110303): Combined sewer relay and lining and sanitary sewer lining. (Nonassessable Sewer Maintenance Relay Fund -- \$15,000). The total estimated cost for this project including the requested amount is \$594,000. This project is anticipated to be completed during the 2012 construction season.

E. St. Paul Ave. - N. 4th St. to N. Broadway (SM495110305): Combined sewer LD lining and sanitary sewer lining. (Nonassessable Sewer Maintenance Relay Fund -- \$15,000). The total estimated cost for this project including the requested amount is \$472,000. This project is anticipated to be completed during the 2012 construction season.

E. State St. - N. Jackson St. to N. Van Buren St. (SM495110307): Sanitary sewer lining and combined sewer lining. (Nonassessable Sewer Maintenance Relay Fund -- \$15,000). The total estimated cost for this project including the requested amount is \$113,000. This project is anticipated to be completed during the 2012 construction season.

E. Wells St. - N. Van Buren St. to N. Broadway (SM495110308): Combined sewer lining and sanitary sewer lining. (Nonassessable Sewer Maintenance Relay Fund -- \$15,000). The total estimated cost for this project including the requested amount is \$533,000. This project is anticipated to be completed during the 2012 construction season.

4th and 8th Aldermanic Districts

N. 26th St. - W. McKinley Blvd. to W. St. Paul Ave. (SM495110087): Combined sewer slip lining. (Nonassessable Sewer Maintenance Relay Fund -- \$25,000). The total estimated cost for this project including the requested amount is \$8,484,000. This project is anticipated to be completed during the 2012 construction season.

6th Aldermanic District

N. Dr. Martin Luther King Jr. Dr. - N. 6th St. (Extended) to N. 8th St. (SM495110100): Relaying sanitary sewer. (Nonassessable Sewer Maintenance Relay Fund -- \$15,000). The total estimated cost for this project including the requested amount is \$332,000. This project is anticipated to be completed during the 2012 construction season.

6th and 7th Aldermanic Districts

W. Chambers St. - N. 18th St. to N. 24th St. (SM495110060): Relaying combined sewer. (Nonassessable Sewer Maintenance Relay Fund -- \$25,000). The total estimated cost for this project including the requested amount is \$1,389,000. This project is anticipated to be completed during the 2012 construction season.

7th Aldermanic District

W. Concordia Ave. - N. 38th St. to 230 feet m/l west of N. 38th St. (SM495110096): Relaying sanitary sewer. (Nonassessable Sewer Maintenance Relay Fund -- \$12,000). The total estimated cost for this project including the requested amount is \$54,000. This project is anticipated to be completed during the 2012 construction season.

N. Sherman Blvd. (East Side) - 220 feet m/l north of W. Roosevelt Dr. to W. Roosevelt Dr. (SM495110050): Relaying storm sewer. (Nonassessable Sewer Maintenance Relay Fund -- \$15,000). The total estimated cost for this project including the requested amount is \$84,000. This project is anticipated to be completed during the 2012 construction season.

Alley between W. Roosevelt Dr., N. Sherman Blvd., and N. 42nd St. (SM495110051): Relaying storm sewer. (Nonassessable Sewer Maintenance Relay Fund -- \$12,000). The total estimated cost for this project including the requested amount is \$65,000. This project is anticipated to be completed during the 2012 construction season.

8th Aldermanic District

S. 28th St. - W. Becher St. to W. Rogers St. (SM495110102): Relaying combined sewer. (Nonassessable Sewer Maintenance Relay Fund -- \$15,000). The total estimated cost for this project including the requested amount is \$115,000. This project is anticipated to be completed during the 2012 construction season.

S. 28th St. - W. Forest Home Ave. to W. Hayes Ave. (SM495110107): Relaying combined sewer. (Nonassessable Sewer Maintenance Relay Fund -- \$12,000). The total estimated cost for this project including the requested amount is \$96,000. This project is anticipated to be completed during the 2012 construction season.

S. 34th St. - W. National Ave. to W. Pierce St. (SM495110101): Relaying combined sewer. (Nonassessable Sewer Maintenance Relay Fund -- \$15,000). The total estimated cost for this project including the requested amount is \$144,000. This project is anticipated to be completed during the 2012 construction season.

S. 36th St. - W. Burnham St. to W. Maple St. (SM495110103): Sanitary sewer lining. (Nonassessable Sewer Maintenance Relay Fund -- \$10,000). The total estimated cost for this project including the requested amount is \$18,000. This project is anticipated to be completed during the 2012 construction season.

10th Aldermanic District

W. Hadley St. - N. Emery Ave. to N. 67th St. (SM495110081): Relaying sanitary and storm sewers. (Nonassessable Sewer Maintenance Relay Fund -- \$15,000). The total estimated cost for this project including the requested amount is \$225,000. This project is anticipated to be completed during the 2012 construction season.

N. Hartung Ave. - 200 feet m/l south of W. Lisbon Ave. to N. 67th St. (SM495110082): Relaying sanitary sewer. (Nonassessable Sewer Maintenance Relay Fund -- \$15,000). The total estimated cost for this project including the requested amount is \$194,000. This project is anticipated to be completed during the 2012 construction season.

W. Lisbon Ave. - N. 64th St. to N. 67th St./W. Girard Ave. (SM495110105): Relaying storm sewer and sanitary sewer. (Nonassessable Sewer Maintenance Relay Fund -- \$12,000). The total estimated cost for this project including the requested amount is \$295,000. This project is anticipated to be completed during the 2012 construction season.

W. Locust St. - W. Lisbon Ave./N. 66th St. to W. Appleton Ave. (SM495110104): Relaying storm sewer and sanitary sewer. (Nonassessable Sewer Maintenance Relay Fund -- \$12,000). The total estimated cost for this project including the requested amount is \$611,000. This project is anticipated to be completed during the 2012 construction season.

W. Wisconsin Ave. - N. 51st St. to N. 53rd St. (SM495110076): Relaying combined sewer. (Nonassessable Sewer Maintenance Relay Fund -- \$15,000). The total estimated cost for this project including the requested amount is \$157,000. This project is anticipated to be completed during the 2012 construction season.

N. 52nd St. - 170 feet m/l north of W. Blue Mound Rd. to W. Wisconsin Ave. (SM495110080): Relaying combined sewer. (Nonassessable Sewer Maintenance Relay Fund -- \$15,000). The total estimated cost for this project including the requested amount is \$155,000. This project is anticipated to be completed during the 2012 construction season.

N. 54th St. - W. Lloyd St. to W. North Ave. (SM495110070): Relaying combined sewer. (Nonassessable Sewer Maintenance Relay Fund -- \$15,000). The total estimated cost for this project including the requested amount is \$231,000. This project is anticipated to be completed during the 2012 construction season.

N. 58th St. - 325 feet m/l north of W. Meinecke Ave. to W. Lisbon Ave. (SM495110088): Relaying sanitary sewer. (Nonassessable Sewer Maintenance Relay Fund -- \$15,000). The total estimated cost for this project including the requested amount is \$254,000. This project is anticipated to be completed during the 2012 construction season.

N. 67th St. - W. Center St. to W. Lisbon Ave. (SM495110083): Relaying sanitary and storm sewers. (Nonassessable Sewer Maintenance Relay Fund -- \$15,000). The total estimated cost for this project including the requested amount is \$378,000. This project is anticipated to be completed during the 2012 construction season.

N. 70th St. - W. Center St. to W. Locust St. (SM495110092): Relaying sanitary sewer. (Nonassessable Sewer Maintenance Relay Fund -- \$15,000). The total estimated cost for this project including the requested amount is \$150,000. This project is anticipated to be completed during the 2012 construction season.

11th Aldermanic District

Area bounded by W. Crawford Ave., W. St. Francis Ave., S. 46th St., and S. 50th St. (SM494110107): Sanitary sewer lining. (Infiltration/Inflow Reduction Fund -- \$15,000). The total estimated cost for this project including the requested amount is \$209,000. This project is anticipated to be completed during the 2012 construction season.

12th Aldermanic District

W. Grant St. - S. 10th Pl. to S. 15th St. (SM495110091): Combined sewer lining. (Nonassessable Sewer Maintenance Relay Fund -- \$15,000). The total estimated cost for this project including the requested amount is \$274,000. This project is anticipated to be completed during the 2012 construction season.

S. 4th St. - W. Washington St. to W. Mineral St. (SM495110094): Relaying combined sewer. (Nonassessable Sewer Maintenance Relay Fund -- \$15,000). The total estimated cost for this project including the requested amount is \$120,000. This project is anticipated to be completed during the 2012 construction season.

13th Aldermanic District

S. 17th St. - W. Euclid Ave. to W. Oklahoma Ave. (SM495110058): Relaying sanitary sewer. (Nonassessable Sewer Maintenance Relay Fund -- \$15,000). The total estimated cost for this project including the requested amount is \$187,000. This project is anticipated to be completed during the 2012 construction season.

14th Aldermanic District

S. Hanson Ave. - 190 feet m/l north of E. Euclid Ave. to E. Oklahoma Ave. (SM495110089): Relaying combined sewer. (Nonassessable Sewer Maintenance Relay Fund -- \$15,000). The total estimated cost for this project including the requested amount is \$102,000. This project is anticipated to be completed during the 2012 construction season.

S. Linebarger Terr. - E. Iron St. to E. Pryor Ave. (SM495110095): Relaying combined sewer. (Nonassessable Sewer Maintenance Relay Fund -- \$15,000). The total estimated cost for this project including the requested amount is \$106,000. This project is anticipated to be completed during the 2012 construction season.

E. Oklahoma Ave. - S. Nevada Ave. to S. Hanson Ave. (SM495110090): Relaying combined sewer. (Nonassessable Sewer Maintenance Relay Fund -- \$15,000). The total estimated cost for this project including the requested amount is \$62,000. This project is anticipated to be completed during the 2012 construction season.

S. Whitnall Ave. - E. Norwich St. to E. Howard Ave. (SM495110097): Relaying sanitary sewer. (Nonassessable Sewer Maintenance Relay Fund -- \$15,000). The total estimated cost for this project including the requested amount is \$141,000. This project is anticipated to be completed during the 2012 construction season.

S. 8th St. - W. Euclid Ave. to W. Holt Ave. (SM495110106): Relaying sanitary sewer. (Nonassessable Sewer Maintenance Relay Fund -- \$12,000). The total estimated cost for this project including the requested amount is \$255,000. This project is anticipated to be completed during the 2012 construction season.

15th Aldermanic District

W. Brown St. - N. 33rd St. to N. 36th St. (SM495110093): Relaying combined sewer. (Nonassessable Sewer Maintenance Relay Fund -- \$15,000). The total estimated cost for this project including the requested amount is \$167,000. This project is anticipated to be completed during the 2012 construction season.

N. 33rd St. - W. Center St. to W. Hadley St. (SM495110079): Relaying combined sewer. (Nonassessable Sewer Maintenance Relay Fund -- \$15,000). The total estimated cost for this

project including the requested amount is \$118,000. This project is anticipated to be completed during the 2012 construction season.

N. 41st St. - W. Center St. to W. Hadley St. (SM495100124): Relaying combined sewer. (Nonassessable Sewer Maintenance Relay Fund -- \$15,000). The total estimated cost for this project including the requested amount is \$308,000. This project is anticipated to be completed during the 2012 construction season.

Various Aldermanic Districts

Asphalt resurfacing of various streets by contract (ST211120177): The total estimated cost for this project is \$600,000. This project is anticipated to be completed during the 2012 construction season.

Asphalt resurfacing of various streets by contract (ST211120178): The total estimated cost for this project is \$500,000. This project is anticipated to be completed during the 2012 construction season.

Sealcoating of various streets by contract (ST211120179): (Nonassessable Reconstruction Paving Fund -- \$300,000). The total estimated cost for this project is \$300,000. This project is anticipated to be completed during the 2012 construction season.

Crackfilling of various streets by contract (ST211120180): The total estimated cost for this project is \$200,000. This project is anticipated to be completed during the 2012 construction season.

;and, be it

Further Resolved, That all City Departments are authorized to perform engineering, surveys, plan preparation, and determine an estimated cost thereof; and, be it

Further Resolved, That the Department of Public Works is authorized to use the funding as specified in the above description of work; and, be it

Further Resolved, That the City Comptroller is authorized and directed to transfer such funds which are available for this purpose to the appropriate capital Project/Grant accounts.

Requestor
Infrastructure Services Division
Drafter
MLD:dr
Npr 5
11/22/2011

..Number

111024

..Version

Proposed Substitute A

..Sponsor

THE CHAIR

..Title

Substitute resolution determining it necessary to make various nonassessable public improvements at various locations and appropriating funds for these purposes with the City engineering cost estimated to be \$694,000 for a total estimated cost of these projects being \$23,362,000.

..Analysis

This resolution authorizes engineering studies on projects which by City Charter are nonassessable. After design plans and estimates of costs have been prepared, a resolution authorizing construction will be submitted to the Common Council. The City cost for engineering these projects is estimated to be \$694,000 with the total cost estimated to be \$23,362,000.

..Body

Resolved, By the Common Council of the City of Milwaukee, that it is necessary and in the public interest to do the following described improvements according to City specifications:

1st and 6th Aldermanic Districts

W. Atkinson Ave. – W. Capitol Dr. to N. 20th St. (SM495110071): Relaying sanitary sewer. (Nonassessable Sewer Maintenance Relay Fund -- \$12,000). The total estimated cost for this project including the requested amount is \$69,000. This project is anticipated to be completed during the 2012 construction season.

W. Capitol Dr. (South Side) – N. 19th Pl. to N. 21st St. (SM495110077): Relaying sanitary sewer. (Nonassessable Sewer Maintenance Relay Fund -- \$15,000). The total estimated cost for this project including the requested amount is \$112,000. This project is anticipated to be completed during the 2012 construction season.

N. 20th St. (Various Locations) – W. Nash St. to W. Fiebrantz Ave. (SM495110069): Sanitary sewer relay and lining and combined sewer relay. (Nonassessable Sewer Maintenance Relay Fund -- \$15,000). The total estimated cost for this project including the requested amount is \$335,000. This project is anticipated to be completed during the 2012 construction season.

3rd Aldermanic District

E. Auer Ave./E. Hampshire St. (Extended) at the Milwaukee River (WT410110782): 36-inch Joint Seal. The total estimated cost for this project including the requested amount

is \$300,000. This project is anticipated to be completed during the 2012 construction season.

E. Auer Ave. – N. Humboldt Blvd. to 575 feet m/l east of N. Dousman St. (SM495110056): Combined sewer LD lining. (Nonassessable Sewer Maintenance Relay Fund -- \$15,000). The total estimated cost for this project including the requested amount is \$639,000. This project is anticipated to be completed during the 2012 construction season.

N. Humboldt Blvd. – E. Keefe Ave. to E. Auer Ave. (SM495110098): Combined sewer relay and LD lining. (Nonassessable Sewer Maintenance Relay Fund -- \$20,000). The total estimated cost for this project including the requested amount is \$940,000. This project is anticipated to be completed during the 2012 construction season.

E. Ogden Ave. – N. Jackson St. to N. Farwell Ave. (SM495110304): Combined sewer relay and lining, and sanitary sewer lining. (Nonassessable Sewer Maintenance Relay Fund -- \$15,000). The total estimated cost for this project including the requested amount is \$435,000. This project is anticipated to be completed during the 2012 construction season.

N. Stowell Ave. – E. Linnwood Ave. to E. Kenwood Blvd. (SM495110055): Relaying combined sewer. (Nonassessable Sewer Maintenance Relay Fund -- \$15,000). The total estimated cost for this project including the requested amount is \$203,000. This project is anticipated to be completed during the 2012 construction season.

N. Van Buren St. – E. Ogden Ave. to E. Wells St. (SM495110306): Combined sewer relay and lining. (Nonassessable Sewer Maintenance Relay Fund -- \$15,000). The total estimated cost for this project including the requested amount is \$472,000. This project is anticipated to be completed during the 2012 construction season.

3rd and 4th Aldermanic Districts

N. Jackson St. – E. Ogden Ave. to E. Juneau Ave. (SM495110302): Combined sewer lining. (Nonassessable Sewer Maintenance Relay Fund -- \$15,000). The total estimated cost for this project including the requested amount is \$172,000. This project is anticipated to be completed during the 2012 construction season.

4th Aldermanic District

N. Broadway – E. Wells St. to E. St. Paul Ave. (SM495110301): Combined sewer relay and lining. (Nonassessable Sewer Maintenance Relay Fund -- \$20,000). The total estimated cost for this project including the requested amount is \$893,000. This project is anticipated to be completed during the 2012 construction season.

E. Kilbourn Ave. – N. Jackson St. to N. Van Buren St. (SM495110303): Combined sewer relay and lining and sanitary sewer lining. (Nonassessable Sewer Maintenance

Relay Fund -- \$15,000). The total estimated cost for this project including the requested amount is \$594,000. This project is anticipated to be completed during the 2012 construction season.

E./W. St. Paul Ave. – N. 4th St. to N. Broadway (SM495110305): Combined sewer LD lining and sanitary sewer lining. (Nonassessable Sewer Maintenance Relay Fund -- \$15,000). The total estimated cost for this project including the requested amount is \$472,000. This project is anticipated to be completed during the 2012 construction season.

E. State St. – N. Jackson St. to N. Van Buren St. (SM495110307): Sanitary sewer lining and combined sewer lining. (Nonassessable Sewer Maintenance Relay Fund -- \$15,000). The total estimated cost for this project including the requested amount is \$113,000. This project is anticipated to be completed during the 2012 construction season.

E. Wells St. – N. Van Buren St. to N. Broadway (SM495110308): Combined sewer lining and sanitary sewer lining. (Nonassessable Sewer Maintenance Relay Fund -- \$15,000). The total estimated cost for this project including the requested amount is \$533,000. This project is anticipated to be completed during the 2012 construction season.

4th and 8th Aldermanic Districts

N. 26th St. – W. McKinley Blvd. to W. St. Paul Ave. (SM495110087): Combined sewer slip lining. (Nonassessable Sewer Maintenance Relay Fund -- \$25,000). The total estimated cost for this project including the requested amount is \$8,484,000. This project is anticipated to be completed during the 2012 construction season.

6th Aldermanic District

N. Dr. Martin Luther King Jr. Dr. – N. 6th St. (Extended) to N. 8th St. (SM495110100): Relaying sanitary sewer. (Nonassessable Sewer Maintenance Relay Fund -- \$15,000). The total estimated cost for this project including the requested amount is \$332,000. This project is anticipated to be completed during the 2012 construction season.

6th and 7th Aldermanic Districts

W. Chambers St. – N. 18th St. to N. 24th St. (SM495110060): Relaying combined sewer. (Nonassessable Sewer Maintenance Relay Fund -- \$25,000). The total estimated cost for this project including the requested amount is \$1,389,000. This project is anticipated to be completed during the 2012 construction season.

7th Aldermanic District

W. Concordia Ave. – N. 38th St. to 230 feet m/l west of N. 38th St. (SM495110096): Relaying sanitary sewer. (Nonassessable Sewer Maintenance Relay Fund -- \$12,000). The total estimated cost for this project including the requested amount is \$54,000. This project is anticipated to be completed during the 2012 construction season.

N. Sherman Blvd. (East Side) – 220 feet m/l north of W. Roosevelt Dr. to W. Roosevelt Dr. (SM495110050): Relaying storm sewer. (Nonassessable Sewer Maintenance Relay Fund -- \$15,000). The total estimated cost for this project including the requested amount is \$84,000. This project is anticipated to be completed during the 2012 construction season.

Alley between W. Roosevelt Dr., N. Sherman Blvd., and N. 42nd St. (SM495110051): Relaying storm sewer. (Nonassessable Sewer Maintenance Relay Fund -- \$12,000). The total estimated cost for this project including the requested amount is \$65,000. This project is anticipated to be completed during the 2012 construction season.

8th Aldermanic District

S. 28th St. – W. Becher St. to W. Rogers St. (SM495110102): Relaying combined sewer. (Nonassessable Sewer Maintenance Relay Fund -- \$15,000). The total estimated cost for this project including the requested amount is \$115,000. This project is anticipated to be completed during the 2012 construction season.

S. 28th St. – W. Forest Home Ave. to W. Hayes Ave. (SM495110107): Relaying combined sewer. (Nonassessable Sewer Maintenance Relay Fund -- \$12,000). The total estimated cost for this project including the requested amount is \$96,000. This project is anticipated to be completed during the 2012 construction season.

S. 34th St. – W. National Ave. to W. Pierce St. (SM495110101): Relaying combined sewer. (Nonassessable Sewer Maintenance Relay Fund -- \$15,000). The total estimated cost for this project including the requested amount is \$144,000. This project is anticipated to be completed during the 2012 construction season.

S. 36th St. – W. Burnham St. to W. Maple St. (SM495110103): Sanitary sewer lining. (Nonassessable Sewer Maintenance Relay Fund -- \$10,000). The total estimated cost for this project including the requested amount is \$18,000. This project is anticipated to be completed during the 2012 construction season.

10th Aldermanic District

W. Hadley St. – N. Emery Ave. to N. 67th St. (SM495110081): Relaying sanitary and storm sewers. (Nonassessable Sewer Maintenance Relay Fund -- \$15,000). The total estimated cost for this project including the requested amount is \$225,000. This project is anticipated to be completed during the 2012 construction season.

N. Hartung Ave. – 200 feet m/l south of W. Lisbon Ave. to N. 67th St. (SM495110082): Relaying sanitary sewer. (Nonassessable Sewer Maintenance Relay Fund -- \$15,000). The total estimated cost for this project including the requested amount is \$194,000. This project is anticipated to be completed during the 2012 construction season.

W. Lisbon Ave. – N. 64th St. to N. 67th St./W. Girard Ave. (SM495110105): Relaying storm sewer and sanitary sewer. (Nonassessable Sewer Maintenance Relay Fund -- \$12,000). The total estimated cost for this project including the requested amount is \$295,000. This project is anticipated to be completed during the 2012 construction season.

W. Locust St. – W. Lisbon Ave./N. 66th St. to W. Appleton Ave. (SM495110104): Relaying storm sewer and sanitary sewer. (Nonassessable Sewer Maintenance Relay Fund -- \$12,000). The total estimated cost for this project including the requested amount is \$611,000. This project is anticipated to be completed during the 2012 construction season.

W. Wisconsin Ave. – N. 51st St. to N. 53rd St. (SM495110076): Relaying combined sewer. (Nonassessable Sewer Maintenance Relay Fund -- \$15,000). The total estimated cost for this project including the requested amount is \$157,000. This project is anticipated to be completed during the 2012 construction season.

N. 52nd St. – 170 feet m/l north of W. Blue Mound Rd. to W. Wisconsin Ave. (SM495110080): Relaying combined sewer. (Nonassessable Sewer Maintenance Relay Fund -- \$15,000). The total estimated cost for this project including the requested amount is \$155,000. This project is anticipated to be completed during the 2012 construction season.

N. 54th St. – W. Lloyd St. to W. North Ave. (SM495110070): Relaying combined sewer. (Nonassessable Sewer Maintenance Relay Fund -- \$15,000). The total estimated cost for this project including the requested amount is \$231,000. This project is anticipated to be completed during the 2012 construction season.

N. 58th St. – 325 feet m/l north of W. Meinecke Ave. to W. Lisbon Ave. (SM495110088): Relaying sanitary sewer. (Nonassessable Sewer Maintenance Relay Fund -- \$15,000). The total estimated cost for this project including the requested amount is \$254,000. This project is anticipated to be completed during the 2012 construction season.

N. 67th St. – W. Center St. to W. Lisbon Ave. (SM495110083): Relaying sanitary and storm sewers. (Nonassessable Sewer Maintenance Relay Fund -- \$15,000). The total estimated cost for this project including the requested amount is \$378,000. This project is anticipated to be completed during the 2012 construction season.

N. 70th St. – W. Center St. to W. Locust St. (SM495110092): Relaying sanitary sewer. (Nonassessable Sewer Maintenance Relay Fund -- \$15,000). The total estimated cost

for this project including the requested amount is \$150,000. This project is anticipated to be completed during the 2012 construction season.

11th Aldermanic District

Area bounded by W. Crawford Ave., W. St. Francis Ave., S. 46th St., and S. 50th St. (SM494110107): Sanitary sewer lining. (Infiltration/Inflow Reduction Fund -- \$15,000). The total estimated cost for this project including the requested amount is \$209,000. This project is anticipated to be completed during the 2012 construction season.

12th Aldermanic District

W. Grant St. – S. 10th Pl. to S. 15th St. (SM495110091): Combined sewer lining. (Nonassessable Sewer Maintenance Relay Fund -- \$15,000). The total estimated cost for this project including the requested amount is \$274,000. This project is anticipated to be completed during the 2012 construction season.

S. 4th St. – W. Washington St. to W. Mineral St. (SM495110094): Relaying combined sewer. (Nonassessable Sewer Maintenance Relay Fund -- \$15,000). The total estimated cost for this project including the requested amount is \$120,000. This project is anticipated to be completed during the 2012 construction season.

13th Aldermanic District

S. 17th St. – W. Euclid Ave. to W. Oklahoma Ave. (SM495110058): Relaying sanitary sewer. (Nonassessable Sewer Maintenance Relay Fund -- \$15,000). The total estimated cost for this project including the requested amount is \$187,000. This project is anticipated to be completed during the 2012 construction season.

14th Aldermanic District

S. Hanson Ave. – 190 feet m/l north of E. Euclid Ave. to E. Oklahoma Ave. (SM495110089): Relaying combined sewer. (Nonassessable Sewer Maintenance Relay Fund -- \$15,000). The total estimated cost for this project including the requested amount is \$102,000. This project is anticipated to be completed during the 2012 construction season.

S. Linebarger Terr. – E. Iron St. to E. Pryor Ave. (SM495110095): Relaying combined sewer. (Nonassessable Sewer Maintenance Relay Fund -- \$15,000). The total estimated cost for this project including the requested amount is \$106,000. This project is anticipated to be completed during the 2012 construction season.

E. Oklahoma Ave. – S. Nevada Ave. to S. Hanson Ave. (SM495110090): Relaying combined sewer. (Nonassessable Sewer Maintenance Relay Fund -- \$15,000). The total estimated cost for this project including the requested amount is \$62,000. This project is anticipated to be completed during the 2012 construction season.

S. Whitnall Ave. – E. Norwich St. to E. Howard Ave. (SM495110097): Relaying sanitary sewer. (Nonassessable Sewer Maintenance Relay Fund -- \$15,000). The total estimated cost for this project including the requested amount is \$141,000. This project is anticipated to be completed during the 2012 construction season.

S. 8th St. – W. Euclid Ave. to W. Holt Ave. (SM495110106): Relaying sanitary sewer. (Nonassessable Sewer Maintenance Relay Fund -- \$12,000). The total estimated cost for this project including the requested amount is \$255,000. This project is anticipated to be completed during the 2012 construction season.

15th Aldermanic District

W. Brown St. – N. 33rd St. to N. 36th St. (SM495110093): Relaying combined sewer. (Nonassessable Sewer Maintenance Relay Fund -- \$15,000). The total estimated cost for this project including the requested amount is \$167,000. This project is anticipated to be completed during the 2012 construction season.

N. 33rd St. – W. Center St. to W. Hadley St. (SM495110079): Relaying combined sewer. (Nonassessable Sewer Maintenance Relay Fund -- \$15,000). The total estimated cost for this project including the requested amount is \$118,000. This project is anticipated to be completed during the 2012 construction season.

N. 41st St. – W. Center St. to W. Hadley St. (SM495100124): Relaying combined sewer. (Nonassessable Sewer Maintenance Relay Fund -- \$15,000). The total estimated cost for this project including the requested amount is \$308,000. This project is anticipated to be completed during the 2012 construction season.

Various Aldermanic Districts

Asphalt resurfacing of various streets by contract (ST211120177): The total estimated cost for this project is \$600,000. This project is anticipated to be completed during the 2012 construction season.

Asphalt resurfacing of various streets by contract (ST211120178): The total estimated cost for this project is \$500,000. This project is anticipated to be completed during the 2012 construction season.

Sealcoating of various streets by contract (ST211120179): The total estimated cost for this project is \$300,000. This project is anticipated to be completed during the 2012 construction season.

Crackfilling of various streets by contract (ST211120180): The total estimated cost for this project is \$200,000. This project is anticipated to be completed during the 2012 construction season.

;and, be it

Further Resolved, That all City Departments are authorized to perform engineering, surveys, plan preparation, and determine an estimated cost thereof; and, be it

Further Resolved, That the Department of Public Works is authorized to use the funding as specified in the above description of work; and, be it

Further Resolved, That the City Comptroller is authorized and directed to transfer such funds which are available for this purpose to the appropriate capital Project/Grant accounts.

..Requestor
Infrastructure Services Division
..Drafter
MLD:dr
Npr 5
12/2/2011



Legislation Details (With Text)

File #: 111025 **Version:** 0

Type: Resolution **Status:** In Committee

File created: 11/30/2011 **In control:** PUBLIC WORKS COMMITTEE

On agenda: **Final action:**

Effective date:

Title: Resolution approving construction of nonassessable public improvements at various locations and appropriating funds for these purposes with the City construction cost estimated to be \$1,625,000 for a total estimated cost of these projects being \$1,775,000.

Sponsors: THE CHAIR

Indexes: SEWER IMPROVEMENTS, STREET IMPROVEMENTS

Attachments: Proposed Substitute A, Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
11/30/2011	0	COMMON COUNCIL	ASSIGNED TO		
12/5/2011	0	PUBLIC WORKS COMMITTEE	HEARING NOTICES SENT		
12/5/2011	0	PUBLIC WORKS COMMITTEE	HEARING NOTICES SENT		
12/5/2011	0	PUBLIC WORKS COMMITTEE	HEARING NOTICES SENT		

Number
111025
Version
ORIGINAL
Reference
101173
Sponsor
THE CHAIR
Title

Resolution approving construction of nonassessable public improvements at various locations and appropriating funds for these purposes with the City construction cost estimated to be \$1,625,000 for a total estimated cost of these projects being \$1,775,000.

Analysis

This resolution directs the installation and construction of certain public improvements which have been determined to be nonassessable by the Commissioner of Public Works. The City cost of the projects approved by this resolution is estimated to be \$1,625,000. The total estimated cost of these projects is \$1,775,000.

Body

Whereas, The Common Council of the City of Milwaukee adopted preliminary resolutions determining it necessary and in the public interest to construct nonassessable improvements; and

Whereas, Plans, specifications and cost estimates have been prepared for the following described improvements:

City Wide

2011 Sanitary Manhole Inspection (SM494110101) File Number 101173: Sanitary inspection. (Nonassessable Sewer Maintenance Relay Fund -- \$25,000, Additional Funds). The total estimated cost for this project including the requested amount is \$175,000. This project is anticipated to be completed during the 2011 construction season.

Various Aldermanic Districts

Asphalt resurfacing of various streets by contract (ST211120177) File Number 111024: (Nonassessable Reconstruction Paving Fund -- \$600,000). The total estimated cost for this project is \$600,000. This project is anticipated to be completed during the 2012 construction season.

Asphalt resurfacing of various streets by contract (ST211120178) File Number 111024: (Nonassessable Reconstruction Paving Fund -- \$500,000). The total estimated cost for this project is \$500,000. This project is anticipated to be completed during the 2012 construction season.

Sealcoating of various streets by contract (ST211120179) File Number 111024: (Nonassessable Reconstruction Paving Fund -- \$300,000). The total estimated cost for this project is \$300,000. This project is anticipated to be completed during the 2012 construction season.

Crackfilling of various streets by contract (ST211120180) File Number 111024: (Nonassessable Reconstruction Paving Fund -- \$200,000). The total estimated cost for this project is \$200,000. This project is anticipated to be completed during the 2012 construction season.

; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee that the Commissioner of Public Works is authorized and directed to proceed with said work; and, be it

Further Resolved, That the Department of Public Works is authorized to use the funding as specified in the above description of work; and, be it

Further Resolved, That the City Comptroller is authorized and directed to transfer such funds which are available for this purpose to the appropriate capital Project/Grant accounts.

Requestor
Infrastructure Services Division
Drafter
MLD:dr
Nfr 5
11/22/2011

..Number

111025

..Version

Proposed Substitute A

..Reference

100144

..Sponsor

THE CHAIR

..Title

Substitute resolution approving construction of nonassessable public improvements at various locations and appropriating funds for these purposes with the City construction cost estimated to be \$4,360,000 for a total estimated cost of these projects being \$4,705,000.

..Analysis

This resolution directs the installation and construction of certain public improvements which have been determined to be nonassessable by the Commissioner of Public Works. The City cost of the projects approved by this resolution is estimated to be \$4,360,000. The total estimated cost of these projects is \$4,705,000.

..Body

Whereas, The Common Council of the City of Milwaukee adopted preliminary resolutions determining it necessary and in the public interest to construct nonassessable improvements; and

Whereas, Plans, specifications and cost estimates have been prepared for the following described improvements:

2nd Aldermanic District

N. 67th St. – W. Marion St. to W. Congress St. (WT410110009) File Number 100144: Relaying water main. (Nonassessable Water Fund Budget Line 5010 -- \$4,000; Nonassessable Water Fund Budget Line 6410 -- \$156,000). The total estimated cost for this project including the requested amount is \$180,000. This project is anticipated to be completed during the 2012 construction season.

3rd Aldermanic District

E. Auer Ave./E. Hampshire St. (Extended) at the Milwaukee River (WT410110782) File Number 111024: 36-inch Joint Seal. (Nonassessable Water Fund Budget Line 5010 -- \$20,000; Nonassessable Water Fund Budget Line 6410 -- \$280,000). The total estimated cost for this project including the requested amount is \$300,000. This project is anticipated to be completed during the 2012 construction season.

5th Aldermanic District

W. Townsend St. – N. 95th St. to N. 99th St. (WT410110014) File Number 100144: Relaying water main. (Nonassessable Water Fund Budget Line 5010 -- \$12,000; Nonassessable Water Fund Budget Line 6410 -- \$328,000). The total estimated cost for this project including the requested amount is \$375,000. This project is anticipated to be completed during the 2012 construction season.

11th Aldermanic District

W. Wedgewood Dr. – S. Sunset Dr. to S. Massachusetts Ave. (WT410120001) File Number 110690: Relaying water main. (Nonassessable Water Fund Budget Line 5010 -- \$14,000; Nonassessable Water Fund Budget Line 6410 -- \$266,000). The total estimated cost for this project including the requested amount is \$300,000. This project is anticipated to be completed during the 2012 construction season.

S. 60th St. – W. Morgan Ave. to W. Forest Home Ave. (WT410110705) File Number 100598: Relaying water main. (Nonassessable Water Fund Budget Line 5010 -- \$12,000; Nonassessable Water Fund Budget Line 6410 -- \$263,000). The total estimated cost for this project including the requested amount is \$300,000. This project is anticipated to be completed during the 2012 construction season.

S. 63rd St. – W. Cleveland Ave. to W. Stack Dr. (WT410110012) File Number 100144: Relaying water main. (Nonassessable Water Fund Budget Line 5010 -- \$10,000; Nonassessable Water Fund Budget Line 6410 -- \$240,000). The total estimated cost for this project including the requested amount is \$275,000. This project is anticipated to be completed during the 2012 construction season.

12th Aldermanic District

E. Greenfield Ave. – S. 1st St. to 1,470 feet east of S. Barclay St. (WT410120003) File Number 110566: Relaying water main. (Nonassessable Water Fund Budget Line 5010 -- \$25,000; Nonassessable Water Fund Budget Line 6410 -- \$470,000). The total estimated cost for this project including the requested amount is \$525,000. This project is anticipated to be completed during the 2012 construction season.

E. Washington St. – S. Water St. to S. 1st St. (WT410120002) File Number 110690: Relaying water main. (Nonassessable Water Fund Budget Line 5010 -- \$10,000; Nonassessable Water Fund Budget Line 6410 -- \$200,000). The total estimated cost for this project including the requested amount is \$225,000. This project is anticipated to be completed during the 2012 construction season.

City Wide

2011 Sanitary Manhole Inspection (SM494110101) File Number 101173: Sanitary inspection. (Nonassessable Sewer Maintenance Relay Fund -- \$25,000, Additional Funds). The total estimated cost for this project including the requested amount is

\$175,000. This project is anticipated to be completed during the 2011 construction season.

Various Aldermanic Districts

Asphalt resurfacing of various streets by contract (ST211120177) File Number 111024: (Nonassessable Reconstruction Paving Fund -- \$600,000). The total estimated cost for this project is \$600,000. This project is anticipated to be completed during the 2012 construction season.

Asphalt resurfacing of various streets by contract (ST211120178) File Number 111024: (Nonassessable Reconstruction Paving Fund -- \$500,000). The total estimated cost for this project is \$500,000. This project is anticipated to be completed during the 2012 construction season.

Sealcoating of various streets by contract (ST211120179) File Number 111024: (Nonassessable Reconstruction Paving Fund -- \$300,000). The total estimated cost for this project is \$300,000. This project is anticipated to be completed during the 2012 construction season.

Crackfilling of various streets by contract (ST211120180) File Number 111024: (Nonassessable Reconstruction Paving Fund -- \$200,000). The total estimated cost for this project is \$200,000. This project is anticipated to be completed during the 2012 construction season.

City of Greenfield

S. 56th St. – W. Forest Home Ave. to W. Howard Ave. (WT410110708) File Number 101439: Relaying water main. (Nonassessable Water Fund Budget Line 5010 -- \$23,000; Nonassessable Water Fund Budget Line 6410 -- \$402,000). The total estimated cost for this project including the requested amount is \$450,000. This project is anticipated to be completed during the 2012 construction season.

now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee that the Commissioner of Public Works is authorized and directed to proceed with said work; and, be it

Further Resolved, That the Department of Public Works is authorized to use the funding as specified in the above description of work; and, be it

Further Resolved, That the City Comptroller is authorized and directed to transfer such funds which are available for this purpose to the appropriate capital Project/Grant accounts.

..Requestor

Infrastructure Services Division

..Drafter

MLD:dr

Nfr 5

12/2/2011



Legislation Details (With Text)

File #: 111125 **Version:** 1

Type: Ordinance **Status:** In Committee

File created: 11/30/2011 **In control:** PUBLIC WORKS COMMITTEE

On agenda: **Final action:**

Effective date:

Title: A substitute ordinance relating to the securing of boats to docks or dockwalls located in navigable waters of the city.

Sponsors: ALD. BAUMAN

Indexes: BOATS, LAKEFRONT

Attachments: Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
11/30/2011	0	COMMON COUNCIL	ASSIGNED TO		
12/5/2011	0	PUBLIC WORKS COMMITTEE	HEARING NOTICES SENT		

Number
111125
Version
SUBSTITUTE 1
Reference

Sponsor
ALD. BAUMAN
Title

A substitute ordinance relating to the securing of boats to docks or dockwalls located in navigable waters of the city.

Sections
118-33-1.5 cr
118-36 cr

Analysis
This ordinance prohibits the securing, in one place, of any boat, vessel or watercraft to any dock or dockwall in the navigable waters of the city which is owned or controlled by the city for more than 24 hours. The docks and dockwalls under the control of the board of harbor commissioners and used for commercial shipping are exempt from this 24-hour limit.

This ordinance also prohibits the securing of any boat, vessel or watercraft to any privately-owned dock or dockwall located in any of the navigable waters of the city without the permission of the owner of the dock.

Finally, this ordinance establishes a penalty for violation of either of these prohibitions and authorizes the chief of police to enforce the prohibitions by issuing citations.

Body
The Mayor and Common Council of the City of Milwaukee do ordain as follows:

Part 1. Section 118-33-1.5 of the code is created to read:

1.5. LONG-TERM USE OF DOCKS OR DOCKWALLS. a. Unauthorized Use Prohibited. No person having in his or her charge or control any boat, vessel or other watercraft shall secure, or permit to be secured, in one place the boat, vessel or watercraft to any dock or dockwall in the navigable waters of the city which is owned or controlled by the city for more than 24 hours.

b. Exception. This subsection shall not apply to any dock or dockwall under the control of the board of harbor commissioners and located on Jones Island, the Kinnickinnic River, the mooring basin or any other location south of the Hoan Bridge.

c. Adverse Weather Conditions. Whenever a small craft warning is issued for Lake Michigan, the time during which the warning is in effect shall not be included when determining whether any boat, vessel or other watercraft is in violation of par. a.

d. Enforcement by Police. The chief of police is authorized to enforce the prohibition of par. a and may issue a citation to the master, owner or other person, or any officer, manager, or agent of any corporation, having in his or her charge or control any boat, vessel or other watercraft found to be in violation of par. a.

e. Penalty. Any master, owner or other person, or any officer, manager or agent of any corporation, having in his or her charge or control any boat, vessel or other watercraft found to be in violation par. a of shall, for each offense or conviction thereof, be liable for a penalty of not less than \$100 nor more than \$500 together with the costs of prosecution, and in default of payment shall be imprisoned as provided by law. Every 24-hour day of violation of par. a shall constitute a separate offense.

Part 2. Section 118-36 of the code is created to read:

118-36. Use of Privately-Owned Docks. 1. UNAUTHORIZED USE PROHIBITED. No person having in his or her charge or control any boat, vessel or other watercraft, shall secure, or permit to be secured, the boat, vessel or watercraft to any privately-owned dock or dockwall located in any of the navigable waters of the city without the permission of the owner of the dock or dockwall.

2. ENFORCEMENT BY POLICE. The chief of police is authorized to enforce the prohibition of sub. 1 and may issue a citation to the master, owner or other person, or any officer, manager or agent of any corporation, having in his or her charge or control any boat, vessel or other watercraft found to be in violation of sub. 1.

3. PENALTY. Any master, owner or other person, or any officer, manager or agent of any corporation, having in his or her charge or control any boat, vessel or other watercraft found to be in violation of sub. 1 shall, for each offense or conviction thereof, be liable for a penalty of not less than \$100 nor more than \$500 together with the costs of prosecution, and in default of payment shall be imprisoned as provided by law. Every 24-hour day of violation of sub. 1 shall constitute a separate offense.

LRB

APPROVED AS TO FORM

Legislative Reference Bureau

Date: _____

Attorney

IT IS OUR OPINION THAT THE ORDINANCE
IS LEGAL AND ENFORCEABLE

Office of the City Attorney

Date: _____

Requestor

Drafter

LRB135417-2

JDO

12/02/2011



Legislation Details (With Text)

File #: 111035 **Version:** 0

Type: Resolution **Status:** In Committee

File created: 11/30/2011 **In control:** PUBLIC WORKS COMMITTEE

On agenda: **Final action:**

Effective date:

Title: Resolution accepting the donation of a privately owned vacant lot at 3526 West Galena Street in the Washington Park neighborhood from the Wisconsin Preservation Fund, in the 15th Aldermanic District.

Sponsors: THE CHAIR

Indexes: DONATIONS, PROPERTY ACQUISITION

Attachments: Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
11/30/2011	0	COMMON COUNCIL	ASSIGNED TO		
12/5/2011	0	PUBLIC WORKS COMMITTEE	HEARING NOTICES SENT		
12/5/2011	0	PUBLIC WORKS COMMITTEE	HEARING NOTICES SENT		

Number
111035
Version
ORIGINAL
Reference

Sponsor
THE CHAIR
Title

Resolution accepting the donation of a privately owned vacant lot at 3526 West Galena Street in the Washington Park neighborhood from the Wisconsin Preservation Fund, in the 15th Aldermanic District.

Analysis
This resolution authorizes donation of a privately owned residential vacant lot to the City of Milwaukee.

Body
Whereas, The Wisconsin Preservation Fund ("WPF"), in cooperation with the Local Initiatives Support Corporation ("LISC"), acquired a dilapidated house at 3526 West Galena Street with the intent of assembling residential development sites for infill housing in the Washington Park neighborhood; and

Whereas, WPF and LISC demolished the house, but plans for single-family construction have been delayed due to economic conditions; and

Whereas, WPF and LISC have offered to donate the lot to the City of Milwaukee ("City") and provide clear title so that all property needed for future development may be assembled in the common ownership of the City; and

Whereas, After donation, the Department of City Development ("DCD") will work with the Washington Park Partners to market the assembled site for future housing development to complement the neighborhood; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the City is authorized to accept donation of the vacant lot at 3526 West Galena Street from the Wisconsin Preservation Fund; and, be it

Further Resolved, That the Commissioner of DCD, or designee, is authorized to execute a Donation Agreement, accept the deed and to execute any documents necessary to acquire clear title to the property.

Drafter

DCD:EMM:dke

11/30/11/A



Legislation Details (With Text)

File #: 111127 **Version:** 0

Type: Resolution **Status:** In Committee

File created: 11/30/2011 **In control:** PUBLIC WORKS COMMITTEE

On agenda: **Final action:**

Effective date:

Title: Resolution relating to the use of the Airline Yards as a public park.

Sponsors: ALD. DONOVAN

Indexes: AGREEMENTS, PARKS, REDEVELOPMENT AUTHORITY, WISCONSIN DEPARTMENT OF TRANSPORTATION

Attachments: Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
11/30/2011	0	COMMON COUNCIL	ASSIGNED TO		
12/5/2011	0	PUBLIC WORKS COMMITTEE	HEARING NOTICES SENT		

Number
111127
Version
ORIGINAL
Reference
090219, 101190
Sponsor
ALD. DONOVAN

Title
Resolution relating to the use of the Airline Yards as a public park.

Analysis

This resolution approves a Term Sheet and entry into a Master Agreement and related documents, including easements, for the Airline Yards parcel, owned by the Redevelopment Authority of the City of Milwaukee, to be used as a public park, including Hank Aaron State Trail. The resolution also approves the City becoming owner of 2 new pedestrian bridges, one over the Menomonee River connecting Airline Yards to 33rd Court, and one over a Soo Line Railway corridor connecting Mitchell Park to Airline Yards.

Body

Whereas, The Redevelopment Authority of the City of Milwaukee (“RACM”) and the City worked collaboratively with the Wisconsin Department of Natural Resources (“DNR”), the Wisconsin Department of Transportation (“DOT”), the Menomonee Valley Partners (“MVP”), the Soo Line Railroad Company (“Soo Line”) and the Urban Ecology Center (“UEC”) regarding creation of a pedestrian and bike path in the area of 37th Street and Pierce Street that links right-of-way (Pierce Street) to RACM-owned lands between the Menomonee River and Canal Street; and

Whereas, This path is part of the Hank Aaron State Trail and passes under Soo Line tracks and, with a new pedestrian bridge, over the Menomonee River; and

Whereas, Inter-agency collaboration included entry into a Valley Passage Easement, dated July 9, 2009, among the Soo Line, the City, RACM, DNR and DOT, which was approved by Common Council Resolution File Number 090219 and RACM Resolution File Number 10103, as well as entry into an Amendment to Valley Passage Easement among the RACM, City, DNR, DOT, Soo Line and UEC, which was approved by Common Council Resolution File Number 101190 and by RACM Resolution File Number 10309; and

Whereas, RACM and the City also are working collaboratively with the DNR, DOT and MVP to design and construct a 24-acre community park in the area of the former Milwaukee Road Shops known as the Airline Yards, which is situated across the river from the Menomonee Valley Industrial Center; and

Whereas, The Redevelopment Authority, Department of Public Works, Department of City Development and City Attorney's Office are negotiating a Master Agreement with the DNR and DOT, including related easement documents with Milwaukee County, Soo Line and Rexnord Industries, regarding their specific roles and responsibilities associated with the project, and regarding respective grants of easements necessary for constructing and maintaining the park; and

Whereas, The Master Agreement and easements will be consistent, in material respects, with the Term Sheet and Land Disposition Report which are attached to this file and which were, or are expected to be, approved by RACM on December 15, 2011; and

Whereas, The Term Sheet requires RACM to grant a temporary limited easement for project construction and a permanent limited easement for use of Airline Yards for the project and park and to contribute \$305,000 toward project costs, all contingent upon other parties, including Soo Line, Milwaukee County and Rexnord Industries, granting necessary easements; and

Whereas, The Term Sheet also requires that the the DOT have adequate funds to undertake and complete the project; and

Whereas, Under the Term Sheet and Master Agreement, the City will become owner of 2 bridges being constructed as part of the project - one over the Menomonee River connecting Airline Yards to 33rd Court, and one over a Soo Line railway corridor connecting Mitchell Park to Airline Yards - and, as owner, the City will have maintenance and repair duties associated with the bridges and their approaches, and will grant an easement to RACM and the DNR for the public to use the bridges as part of the Hank Aaron State Trail; and

Whereas, City entry into the Master Agreement and easements, all per the Term Sheet, in material respects, will facilitate and allow for conversion of the Airline Yards parcel to productive park use, available for use and enjoyment by the public; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that, so long as RACM, at its December 15, 2011, meeting, approves the Term Sheet and Land Disposition Report and RACM entry into the Master Agreement and required easements (consistent with the Term Sheet), the Common Council approves the Term Sheet and Land Disposition Report and further approves RACM conveyance of requisite easements called for by the Term Sheet, and as contemplated by the Land Disposition Report; and, be it

Further Resolved, That the Common Council authorizes DCD, DPW and the City Attorney's Office to

complete negotiations of the Master Agreement and easements, as well as easements and other documents involving Rexnord Industries, the Milwaukee County and Soo Line needed for the project (all as contemplated by and materially consistent with the Term Sheet); and, be it

Further Resolved, That City entry into the Master Agreement and easements (all as contemplated by and materially consistent with the Term Sheet), and City acceptance of ownership of the 2 pedestrian bridges, are authorized; and, be it

Further Resolved, That closing on the transaction shall be conditioned on the DNR, DOT, Milwaukee County, Soo Line and Rexnord Industries cooperating and entering into necessary agreements so as to enable the park and project to be constructed and used as contemplated and intended; and, be it

Further Resolved, That, the Common Council approves the Land Disposition Report that RACM approved on November 17, 2011 by RACM Resolution Number 10320 and RACM conveyance of a portion of RACM land to Soo Line, which portion is called the "Triangle Land" in the Master Agreement being negotiated, with the conveyance of that "Triangle Land" to Soo Line being also conditioned on the DNR, DOT, Milwaukee County, Soo Line and Rexnord Industries cooperating and entering into necessary agreements so as to enable the park and project to be constructed and used as intended by the Master Agreement and Term Sheet.

Drafter

TWM:lp
LRB135844-1
11/30/11



Legislation Details (With Text)

File #: 111014 **Version:** 0

Type: Resolution **Status:** In Committee

File created: 11/30/2011 **In control:** PUBLIC WORKS COMMITTEE

On agenda: **Final action:**

Effective date:

Title: Resolution relative to the 2012 Capital Improvements Program to provide funds for traffic signs and signal work at various locations.

Sponsors: THE CHAIR

Indexes: CAPITAL IMPROVEMENTS, STOP SIGNS, TRAFFIC CONTROL SIGNALS

Attachments: Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
11/30/2011	0	COMMON COUNCIL	ASSIGNED TO		
12/5/2011	0	PUBLIC WORKS COMMITTEE	HEARING NOTICES SENT		

Number
111014
Version
Original
Reference

Sponsor
The Chair
Title

Resolution relative to the 2012 Capital Improvements Program to provide funds for traffic signs and signal work at various locations.

Analysis

This resolution provides funds for traffic control alterations at various locations in response to changes in traffic patterns, paving projects and other required traffic control upgrades, and authorizes 2012 fund transfers for the general purposes indicated.

Body

Resolved, By the Common Council of the City of Milwaukee, that the Department of Public Works is hereby authorized to modify and/or install traffic control signs and signals at various locations; and, be it

Further Resolved, That the Comptroller's Office is authorized to transfer from the Traffic Control Facilities Capital Improvements budget, Account Number ST220120000 up to \$2,603,000, to the general purpose sub-accounts indicated as follows:

General Engineering
Account Number: ST220120100

Miscellaneous Traffic Signal Modifications, Non-Paving

Account Number: ST220120200

Traffic Signal Reconstruction with Paving
Account Number: ST220120300

Miscellaneous Traffic Signs with Paving
Account Number: ST220120500

Traffic Control Signs, Non-Paving
Account Number: ST220120600

Uncollectable Traffic Control Knockdown Repair
Account Number: ST220120700

Total 2012 Funds Authorized: \$2,603,000

; and, be it

Further Resolved, That the City Comptroller is authorized to transfer funds as required without further Common Council authorization, the total amount of such transfer shall not exceed the amount authorized in the 2012 Traffic Control Facilities Capital Improvements budget.

Requestor

Department of Public Works

Drafter

Infrastructure Services Division

RWB: ns

November 17, 2011



Legislation Details (With Text)

File #: 111015 **Version:** 0

Type: Resolution **Status:** In Committee

File created: 11/30/2011 **In control:** PUBLIC WORKS COMMITTEE

On agenda: **Final action:**

Effective date:

Title: Resolution relative to the 2012 Capital Improvements Program to provide funds for street lighting work at various locations.

Sponsors: THE CHAIR

Indexes: CAPITAL IMPROVEMENTS, STREET LIGHTING

Attachments: Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
11/30/2011	0	COMMON COUNCIL	ASSIGNED TO		
12/5/2011	0	PUBLIC WORKS COMMITTEE	HEARING NOTICES SENT		

Number
111015
Version
Original
Reference

Sponsor
The Chair
Title

Resolution relative to the 2012 Capital Improvements Program to provide funds for street lighting work at various locations.

Analysis

This resolution provides funds for street lighting alterations at various locations in response to lighting needs and paving projects and authorizes 2012 fund transfers for the general purposes indicated.

Body

Resolved, By the Common Council of the City of Milwaukee, that the Department of Public Works is hereby authorized and directed to modify and/or install street lighting at various locations; and, be it

Further Resolved, That the Comptroller's Office is authorized and directed to transfer from the Street Lighting budget, Account Number ST240120000 up to \$8,220,000, to the general purpose sub-accounts indicated as follows:

General Engineering
Account Number: ST240120100

Substation Control System and Repair
Account Number: ST240120200

Substation Enclosure Maintenance
Account Number: ST240120300

Street Lighting Related to Paving
Account Number: ST240120400

Street and Alley Lighting Conversion
Account Number: ST240120500

Remove Series Circuitry
Account Number: ST240120700

Pole, Cable and Miscellaneous Replacement
Account Number: ST240120800

Electrical Facilities Digitizing Project
Account Number: ST240120900

Uncollectable Pole Knockdown and Repair
Account Number ST240121000

Total 2012 Funds Authorized: \$8,220,000

; and, be it

Further Resolved, That the City Comptroller is authorized and directed to transfer funds as required without further Common Council authorization, the total amount of such transfer shall not exceed the amount authorized in the 2012 Street Lighting budget.

Requestor

Department of Public Works

Drafter

Infrastructure Services Division

RWB: ns

November 17, 2011



Legislation Details (With Text)

File #: 110984 **Version:** 0

Type: Resolution **Status:** In Committee

File created: 11/30/2011 **In control:** PUBLIC WORKS COMMITTEE

On agenda: **Final action:**

Effective date:

Title: Resolution relative to the cost participation and installation of traffic control devices in conjunction with the Federal and State Aid paving of West Morgan Avenue from South 68th Street to South 84th Street in the 11th Aldermanic District at a total estimated cost of \$99,191.88, with an estimated grantor share of \$79,353.50, and an estimated City share of \$19,838.38.

Sponsors: THE CHAIR

Indexes: STREET IMPROVEMENTS, TRAFFIC CONTROL SIGNALS, WISCONSIN DEPARTMENT OF TRANSPORTATION

Attachments: Comptroller's Certification, Agreement, Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
11/30/2011	0	COMMON COUNCIL	ASSIGNED TO		
12/5/2011	0	PUBLIC WORKS COMMITTEE	HEARING NOTICES SENT		

Number
110984
Version
ORIGINAL
Reference

Sponsor
THE CHAIR
Title

Resolution relative to the cost participation and installation of traffic control devices in conjunction with the Federal and State Aid paving of West Morgan Avenue from South 68th Street to South 84th Street in the 11th Aldermanic District at a total estimated cost of \$99,191.88, with an estimated grantor share of \$79,353.50, and an estimated City share of \$19,838.38.

Analysis
This resolution authorizes the Commissioner of Public Works and Comptroller to enter into a funding agreement with the Wisconsin Department of Transportation for installation of traffic control improvements in conjunction with the Federal/State Aid paving of West Morgan Avenue from South 68th Street to South 84th Street in the 11th Aldermanic District at a total estimated cost of \$99,191.88, with an estimated grantor share of \$79,353.50, and an estimated City share of \$19,838.38, and to install these improvements upon execution of the agreement. This resolution also authorizes the Comptroller to establish and transfer funds to the appropriate accounts for the project. The total estimated cost of the entire project is \$4,084,000, with a grantor share of \$2,995,200 and a City share of \$1,088,800.

Body
Whereas, The Project Agreement for the paving of West Morgan Avenue from South 68th Street to South 84th Street was approved by the Common Council under File Number 100152; and

Whereas, The Surface Transportation Program provides cost participation for traffic control improvements in conjunction with the paving of highways located on the Federal/State Aid Highway System; and

Whereas, The total estimated cost of this project is \$99,191.88 for the alteration and upgrade of traffic control signals and the upgrade of traffic control signs; and

Whereas, Twenty percent of the participating costs, or \$19,838.38, is not reimbursable and is included in the Division's 2011 Capital Purpose Project/Grant Number ST320110000; and

Whereas, Eighty percent of the participating project cost, or \$79,353.50, is reimbursable from the Wisconsin Department of Transportation (WISDOT), and should be earmarked for this project in the 2011 Capital Grant and Aids Projects Fund Project/Grant Number SP032110100; and

Whereas, The State cannot proceed with any project cost overruns and/or changes in scope of more than 5% without prior Department of Public Works approval; and

Whereas, The Department of Public Works shall notify the Common Council of the City of Milwaukee at the next scheduled meeting of any such project cost overruns and/or changes in scope approved by the Department of Public Works; and

Whereas, The Common Council of the City of Milwaukee recognizes that the City may be 100% liable for any such project cost overruns and/or changes in scope as approved by the Department of Public Works; and

Whereas, The Common Council of the City of Milwaukee recognizes that the City may be liable for any costs incurred by the State should the City decide to withdraw from the project; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the Commissioner of Public Works and the Comptroller are authorized to enter into a funding agreement and are directed to execute the contract with WISDOT for the installation of traffic control facilities in conjunction with the improvements to West Morgan Avenue from South 68th Street to South 84th Street with unit prices based on a predetermined estimate prepared under the Federal/State aided highway program, a copy of which is attached to this resolution, and is incorporated into this resolution as though set forth in full; and be it

Further Resolved, That upon approval of this contract, that the Commissioner of Public Works is directed to install and modify traffic control facilities in conjunction with the improvements to West Morgan Avenue from South 68th Street to South 84th Street; and, be it

Further Resolved, That upon approval of this contract, the City Comptroller is hereby authorized to create within the Capital Grant and Aid Projects Fund the appropriate Project/Grant Chartfield Value for this project; and transfer to these accounts the amount required under the agreement and City accounting policy, but not to exceed a ten percent increase of the total amounts reserved for the grantor's share and local share or \$5,000, whichever is greater as follows:

Location:

Project I.D. 2405-00-93

West Morgan Avenue - South 68th Street to South 84th Street

City of Milwaukee Share

Fund Number-0333

Project/Grant Number-ST320110000

\$19,838.38

Grantor Reimbursable Cash - Traffic Control

Fund Number-0306

Project/Grant Number-SP032110100

\$79,353.50

Total-\$99,191.88

Previously Authorized for Traffic Control Improvements-\$0

Current Estimated Cost of the Total Project Including this Resolution-\$4,084,000

Original Estimated Cost of the Total Project (Common Council Resolution File Number 100152)-\$4,084,000.

Requestor

Department of Public Works

Drafter

Infrastructure Services Division

RWB:

11/11/11

West Morgan Avenue (68th to 84th)

**Capital Grant Resolution Certification from the
Comptroller's Office**

The Comptroller's Office has reviewed Common Council Resolution File No. 110984 for the installation of traffic control devices in conjunction with the Federal/State Aid paving of West Morgan Avenue from south 68th Street to South 84th Street and the funding of the signage local force work (City Share \$19,838.38; Grantor Share \$79,353.50) and approved the resolution as to:

- Sufficiency of funds
- Funding sources (per estimated **grant funding agreement**)
- Sufficiency of reporting for purposes of internal auditing

The following deficiencies were noted:

The resolution should be corrected and returned to the Comptroller's Office for review.

Signature: C. Wisniewski

Date: 11-4-11

**AGREEMENT FOR CONSTRUCTION
Local Force Account**

Wisconsin Department of Transportation
DT2056 5/2011

Project ID 2405-00-93	Agreement Amount \$99,191.88	Agreement between WisDOT and Local Governmental Unit – Also must be doing the work
Federal Project ID WISC		<input checked="" type="checkbox"/> Municipality <input checked="" type="checkbox"/> City of Milwaukee <input type="checkbox"/> Village of <input type="checkbox"/> Town of
Road Name W. Morgan Av. - S. 68 th St. to S. 84 th St.		<input type="checkbox"/> County of
Highway Local Street	County – Where Work Performed Milwaukee	
<input type="checkbox"/> Work on STH System - SHR Funded (CEF to BHO, Agreement to BHO)		<input checked="" type="checkbox"/> Work on Local Units System (CEF to DTSD Region, Agreement to BPD)
<input type="checkbox"/> Work on STH System – Non-SHR Funded (CEF to BHO, Agreement to BHO)		
Type of Work Traffic Signals and Signs		
Approximate Start Work Date August 1, 2012	Approximate Stop Work Date July 31, 2013	

This agreement is made and entered into by and between the Wisconsin Department of Transportation, designated the "Department", and the above-identified county or municipality, designated the "Local Governmental Unit", represented by its designees for constructing the above-specified project. The Department finds and determines that it is more feasible and advantageous for highway purposes to construct the identified project with the Local Governmental Unit's organization, forces, and equipment. The Department and Local Governmental Unit mutually agree to the provisions on the attached pages, which are made a part of this agreement.

RECOMMENDED FOR APPROVAL

For County or Municipality

(Name) (Date)

(Title)

(Name) (Date)

(Title)

(Name) (Date)

(Title)

(Name) (Date)

(Title)

For Wisconsin Department of Transportation

(Regional Director) (Date)

Approved for the State of Wisconsin

(Contract Specialist) (Date)

(Director of Project Development) (Date)

(Governor of Wisconsin) (Date)

The Local Governmental Unit agrees to construct the described project in accordance with the requirements of the Department, the approved plans when required for such project, in accordance with the Standard Specifications for Road and Bridge Construction and approved supplements as may be applicable, and in accordance with the special provisions made a part of this agreement. The word "contractor" as used in the specifications and special provisions shall, when applicable, be deemed to mean the Local Governmental Unit.

The provisions of Subsection 108.11 of the Standard Specifications, Liquidated Damages, are deleted from this agreement.

The Local Governmental Unit is authorized by the Department and agrees to provide for the purchase, delivery, and storing of all materials required except those excluded from this agreement, the furnishing or necessary rental of all equipment and small tools, and the furnishing of all labor necessary to expeditiously complete the work, and to pay all costs incurred pursuant to this agreement.

The Department agrees to reimburse the Local Governmental Unit for actual costs of equipment, labor and materials incurred in performing the work up to the agreement amount or as amended by agreement change orders.

The Department agrees to pay to the Local Governmental Unit and the Local Governmental Unit agrees to accept in full, settlement for the work performed under this agreement:

1. The actual cost of labor, at rates currently paid by the Local Governmental Unit for similar work in the area, materials and incidental expense furnished or incurred by the Local Governmental Unit pursuant to this agreement, such payment to be based on a Detailed Statement of Expenditures, submitted monthly with the Monthly Report of Expenditures, or the Final Report of Expenditures upon completion of all work included in the agreement and verified by the Local Governmental Unit and by the Department.
2. The recognized costs incident to the employment of labor under this agreement (such as worker's compensation insurance, unemployment and retirement contributions and time off with pay) computed and requisitioned in accordance with established policy.

3. An allowance for the use of equipment, tools and incidentals for the work under this agreement. Such allowance shall be in accordance with the provisions of, and at the rates either:

- (a) Specified in the Cost Agreement between the Department and the Local Governmental Unit in effect when the work is performed, except for the conditions, changes or additions as listed below, or as may be otherwise provided in the Special Provisions of this agreement; or,
- (b) Specified in the attached Equipment Rate schedule, or as may be otherwise provided in the special provisions of this agreement.

These payments shall be based on a Detailed Statement of Expenditures, submitted monthly with the Monthly Report of Expenditures, or the Final Report of Expenditures upon completion of all work included in the agreement and verified by the Local Governmental Unit and by the Department.

The rates established apply on equipment in good working order. Allowance will be made only for the time during which the equipment is in actual use on the project; no allowance will be made for equipment wholly inadequate or inefficient or in excess of the requirements of the work.

In connection with the performance of work under this agreement, the contractor agrees not to discriminate against any employee or applicant for employment because of age, race, religion, color, handicap, sex, physical condition, developmental disability as defined in s.51.01(5) Wis. Stats., sexual orientation, or national origin. This provision shall include, but not be limited to, the following: employment, upgrading, demotion or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. The contractor further agrees to take affirmative action to ensure equal employment opportunities. The contractor agrees to post in conspicuous places, available for employees and applicants for employment, notices to be provided by the contracting officer setting forth the provisions of the nondiscrimination clause.

The Local Governmental Unit agrees to furnish, on the Detailed Statement of Expenditures, an accurate distribution of the costs between the various items of work.

The estimated unit costs of materials being used on this agreement are listed as attached.

I GENERAL

1. These contract provisions shall apply to all work performed as part of a LFA contract by the LPA.
2. A breach of any of the stipulations contained in these Required Contract Provisions shall be sufficient grounds for termination of the contract.
3. **Selection of Labor:** During the performance of this contract, the LPA shall not employ convict labor for any purpose within the limits of the project unless it is labor performed by convicts who are on parole, supervised release, or probation.

II NONDISCRIMINATION ASSURANCE

As required by 49 U.S.C. 5332 (which prohibits discrimination on the basis of race, color, creed, national origin, sex, or age, and prohibits discrimination in employment or business opportunity), Title VI of the Civil Rights Act of 1964, as amended, 42 U.S.C. 2000d, and U.S. DOT regulations, "Nondiscrimination in Federally-Assisted Programs of the DOT--Effectuation of Title VI of the Civil Rights Act," 49 CFR part 21 at 21.7, the Applicant assures that it will comply with all requirements of 49 CFR part 21; FHWA policies, and other applicable directives, so that no person in the United States, on the basis of race, color, national origin, creed, sex, or age will be excluded from participation in, be denied the benefits of, or otherwise be subjected to discrimination in any program or activity (particularly in the level and quality of transportation services and transportation-related benefits) for which the Applicant receives Federal assistance awarded by the U.S. DOT or FHWA as follows: (1) The Applicant assures that each project will be conducted, property acquisitions will be undertaken, and project facilities will be operated in accordance with all applicable requirements of 49 U.S.C. 5332 and 49 CFR part 21, and understands that this assurance extends to its entire facility and to facilities operated in connection with the project. (2) The Applicant assures that it will take appropriate action to ensure that any transferee receiving property financed with Federal assistance derived from FHWA will comply with the applicable requirements of 49 U.S.C. 5332 and 49 CFR part 21. (3) The Applicant assures that it will promptly take the necessary actions to effectuate this assurance, including notifying the public that complaints of discrimination in the provision of transportation-related services or benefits may be FILED with U.S. DOT or FHWA. Upon request by U.S. DOT or FHWA, the Applicant assures that it will submit the required information pertaining to its compliance with these requirements. (4) The Applicant assures that it will make any changes in its 49 U.S.C. 5332 and Title VI implementing procedures as U.S. DOT or FHWA may request. (5) As required by 49 CFR 21.7(a)(2), the Applicant will include in each third party contract or sub agreement provisions to invoke the requirements of 49 U.S.C. 5332 and 49 CFR part 21, and include provisions to invoke those requirements in deeds and instruments recording the transfer of real property, structures, improvements.

III ASSURANCE OF NONDISCRIMINATION ON THE BASIS OF DISABILITY

As required by U.S. DOT regulations, "Nondiscrimination on the Basis of Handicap in Programs and Activities Receiving or Benefiting from Federal Financial Assistance," at 49 CFR part 27, implementing the Rehabilitation Act of 1973, as amended, and the Americans with Disabilities Act of 1990, as amended, the Applicant assures that, as a condition to the approval or extension of any Federal assistance awarded by FHWA to construct any facility, obtain any rolling stock or other equipment, undertake studies, conduct research, or to participate in or obtain any benefit from any program administered by FHWA, no otherwise qualified person with a disability shall be, solely by reason of that disability, excluded from participation in, denied the benefits of, or otherwise subjected to discrimination in any program or activity receiving or benefiting from Federal assistance administered by the FHA or any entity within U.S. DOT. The Applicant assures that project implementation and operations so assisted will comply with all applicable requirements of U.S. DOT regulations implementing the Rehabilitation Act of 1973, as amended, 29 U.S.C. 794, and the ADA of 1990, as amended, 42 U.S.C. 12101 et seq. at 49 CFR parts 27, 37, and 38, and any applicable regulations and directives issued by other Federal departments or agencies.

IV SAFETY: ACCIDENT PREVENTION

1. In the performance of this contract the LPA shall comply with all applicable Federal, State, and local laws governing safety, health, and sanitation (23 CFR 635). The LPA shall provide all safeguards, safety devices and protective equipment and take any other needed actions as it determines, or as the SHA contracting officer may determine, to be reasonably necessary to protect the life and health of employees on the job and the safety of the public and to protect property in connection with the performance of the work covered by the contract.
2. It is a condition of this contract that the LPA shall not permit any employee, in performance of the contract, to work in surroundings or under conditions which are unsanitary, hazardous or dangerous to his/her health or safety, as determined under construction safety and health standards (29 CFR 1926) promulgated by the Secretary of Labor, in accordance with Section 107 of the Contract Work Hours and Safety Standards Act (40 U.S.C. 333).
3. Pursuant to 29 CFR 1926.3, it is a condition of this contract that the Secretary of Labor or authorized representative thereof, shall have right of entry to any site of contract performance to inspect or investigate the matter of compliance with the construction safety and health standards and to carry out the duties of the Secretary under Section 107 of the Contract Work Hours and Safety Standards Act (40 U.S.C. 333).

V FALSE STATEMENTS CONCERNING HIGHWAY PROJECTS

In order to assure high quality and durable construction in conformity with approved plans and specifications and a high degree of reliability on statements and representations made by engineers, LPA's, suppliers, and workers on Federal-aid highway projects, it is essential that all persons concerned with the project perform their functions as carefully, thoroughly, and honestly as possible. Willful falsification, distortion, or misrepresentation with respect to any facts related to the project is a violation of Federal law. To prevent any misunderstanding regarding the seriousness of these and similar acts, the following notice shall be posted on each Federal-aid highway project (23 CFR 635) in one or more places where it is readily available to all persons concerned with the project:

NOTICE TO ALL PERSONNEL ENGAGED ON FEDERAL-AID HIGHWAY PROJECTS

18 U.S.C. 1020 reads as follows:

"Whoever, being an officer, agent, or employee of the United States, or of any State or Territory, or whoever, whether a person, association, firm, or corporation, knowingly makes any false statement, false representation, or false report as to the character, quality, quantity, or cost of the material used or to be used, or the quantity or quality of the work performed or to be performed, or the cost thereof in connection with the submission of plans, maps, specifications, contracts, or costs of construction on any highway or related project submitted for approval to the Secretary of Transportation; or

Whoever knowingly makes any false statement, false representation, false report or false claim with respect to the character, quality, quantity, or cost of any work performed or to be performed, or materials furnished or to be furnished, in connection with the construction of any highway or related project approved by the Secretary of Transportation; or

Whoever knowingly makes any false statement or false representation as to material fact in any statement, certificate, or report submitted pursuant to provisions of the Federal-aid Roads Act approved July 1, 1916, (39 Stat. 355), as amended and supplemented;

Shall be fined not more than \$10,000 or imprisoned not more than 5 years or both."

VI BUY AMERICA

All steel and iron materials permanently incorporated in this project shall be domestic products and all manufacturing and coating processes for these materials must have occurred within the United States. Coating includes epoxy coating, galvanizing, painting and any other coating that protects or enhances the value of a material subject to the requirements of Buy America. The exemption of this requirement is the minimal use of foreign materials if the total cost of such material permanently incorporated in the product does not exceed one-tenth of one percent (1/10 of 1%) of the total contract cost or \$2,500.00, whichever is greater. For purposes of this paragraph, the cost is that shown to be the value of the subject products as they are delivered to the project.

VII PROHIBITION AGAINST CONVICT PRODUCED MATERIALS (23 CFR 635.417)

No materials produced by convict labor (unless produced by convicts who are on parole, supervised release, or probation from a prison) may be incorporated into any project located on the Federal-aid highway system. This prohibition does not apply to projects on roads that are functionally classified as local or rural minor collectors.

VIII PURCHASE OF MATERIALS

LPA's are required to use fair and open competition in obtaining articles and materials used in this project. They may not use any requirements, preferences, or procurement methods that exclude out-of-State participation or that unfairly favor in-State sources.

IX REQUIREMENT FOR AND ACCESS TO RECORDS

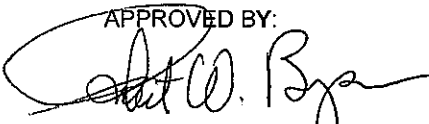
LPA's must maintain, for at least three years following final payment, complete project records. This includes the thorough documentation of the basis for payment (actual costs of labor, equipment and materials) as well as documentation prescribed in the WisDOT CMM. In addition LPA's shall make all such records fully available to WisDOT, the Federal Highway Administration, the U.S. Comptroller General, and their authorized representatives. Records must also be available for public access consistent with the FOIA and State and local law.

PROJECT UNIT COST ANALYSIS

ESTIMATE OF QUANTITIES
 PROJECT ID 2405-00-93
 W. MORGAN AV. - S. 68TH ST. TO S. 84TH ST.
 LOCAL STREET
 MILWAUKEE COUNTY

Item No.	Std. Bid Item No.	Description	Unit	Quantity	Excluded Costs	City Unit	City Total
71034	SPV.0060.001	Opticom 721 Detector w/ Selector Card	Each	2	\$ 4,430.50	\$ 2,646.67	\$ 5,293.34
71035	SPV.0060.002	Opticom Flood Lights	Each	4	\$ 166.52	\$ 213.57	\$ 854.28
71057	658.0215	Backplates Signal Face 3 Section 12-inch	Each	8	\$ 288.00	\$ 65.50	\$ 524.00
71062	658.0110	Traffic Signal Face 3-12 Inch Vertical	Each	30	\$ 9,866.70	\$ 562.41	\$ 16,872.19
71066LC	658.0412	Pedestrian Signal Face 12-Inch	Each	16	\$ 2,473.44	\$ 322.05	\$ 5,152.77
71067	SPV.0060.003	Pedestrian Countdown Signal Face 12-Inch	Each	16	\$ 2,435.68	\$ 319.45	\$ 5,111.18
71154	SPV.0090.001	Opticom Cable	LF	205	\$ 84.05	\$ 3.16	\$ 648.81
71161	SPV.0090.002	Cable Service 3 #4/1 #8 LTP	LF	130	\$ 339.30	\$ 5.07	\$ 658.67
71171	655.0260	Cable Traffic Signal 12-14 AWG	LF	105	\$ 101.85	\$ 3.78	\$ 397.34
71172	SPV.0090.003	Cable Traffic Signal 17-14 AWG	LF	550	\$ 814.00	\$ 4.34	\$ 2,387.45
71173	SPV.0090.004	Cable Traffic Signal 20-14 AWG	LF	265	\$ 376.30	\$ 4.27	\$ 1,132.81
71177	SPV.0060.004	Install Secondary Riser	Each	1	\$ 6.50	\$ 110.56	\$ 110.56
71178	SPV.0060.005	Remove Secondary Riser	Each	1	\$ -	\$ 103.40	\$ 103.40
71190	SPV.0060.006	Mast Arm Fabricated	Each	8	\$ 472.40	\$ 1,589.81	\$ 12,718.44
71191	SPV.0060.007	Mast Arm Pole	Each	8	\$ 13,016.88	\$ 2,324.96	\$ 18,599.65
71197	SPV.0060.008	Signal Standard 13'	Each	14	\$ 9,471.42	\$ 1,197.16	\$ 16,760.29
71198	SPV.0060.009	Signal Standard 1' Extension	Each	14	\$ 663.18	\$ 103.87	\$ 1,454.22
73294	SPV.0060.011	Socket 3' RSP	Each	50	\$ 1,345.50	\$ 49.37	\$ 2,468.44
73296	SPV.0060.012	Pipe 2"x9'6"	Each	36	\$ 1,109.52	\$ 37.89	\$ 1,364.09
73298	SPV.0060.013	Pipe 2"x11'0"	Each	14	\$ 276.36	\$ 25.69	\$ 359.62
73299	637.0202	Signs Reflective Type II	SF	458	\$ 2,798.38	\$ 13.58	\$ 6,220.33

TOTAL CITY COST \$ 99,191.88
TOTAL EXCLUDED COSTS \$ 50,536.48

APPROVED BY:

 ROBERT W. BRYSON
 CHIEF TRAFFIC AND LIGHTING ENGINEER

TRANSPORTATION SECTION
 TRAFFIC AND LIGHTING DESIGN UNIT
 JOSEPH C. BLAKEMAN
 REVISED: OCTOBER 26, 2011

* Please note that the Total City Cost includes the embedded costs of mobilization, traffic control, mounting hardware, equipment removal, and construction staking electrical installations which are included in the times used for calculating City Unit Costs on the attached worksheets.



Legislation Details (With Text)

File #: 111050 **Version:** 0

Type: Resolution **Status:** In Committee

File created: 11/30/2011 **In control:** PUBLIC WORKS COMMITTEE

On agenda: **Final action:**

Effective date:

Title: Resolution relative to the cost participation and installation of traffic control devices in conjunction with the Federal/State Aid paving of West Capitol Drive from North 60th Street to North 84th Street in the 2nd, 5th, and 10th Aldermanic Districts at a total estimated cost of \$367,689.88, with one hundred percent of the total cost funded by the Wisconsin Department of Transportation.

Sponsors: THE CHAIR

Indexes: AGREEMENTS, TRAFFIC CONTROL SIGNALS, WISCONSIN DEPARTMENT OF TRANSPORTATION

Attachments: Agreement, Unit Cost Analysis, Comptroller's Certificate, Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
11/30/2011	0	COMMON COUNCIL	ASSIGNED TO		
12/5/2011	0	PUBLIC WORKS COMMITTEE	HEARING NOTICES SENT		
12/5/2011	0	PUBLIC WORKS COMMITTEE	HEARING NOTICES SENT		
12/5/2011	0	PUBLIC WORKS COMMITTEE	HEARING NOTICES SENT		

Number
111050
Version
ORIGINAL
Reference

Sponsor
THE CHAIR
Title

Resolution relative to the cost participation and installation of traffic control devices in conjunction with the Federal/State Aid paving of West Capitol Drive from North 60th Street to North 84th Street in the 2nd, 5th, and 10th Aldermanic Districts at a total estimated cost of \$367,689.88, with one hundred percent of the total cost funded by the Wisconsin Department of Transportation.

Analysis

This resolution authorizes the Commissioner of Public Works and Comptroller to enter into a funding agreement with the Wisconsin Department of Transportation for installation of traffic control improvements in conjunction with the Federal/State Aid paving of West Capitol Drive from North 60th Street to North 84th Street in the 2nd, 5th, and 10th Aldermanic Districts at a total estimated cost of \$367,689.88, with one hundred percent of the total cost funded by the Wisconsin Department of Transportation, and to install these improvements upon execution of the agreement. This resolution also authorizes the Comptroller to establish and transfer funds to the appropriate accounts for the project. The total estimated cost of the entire project is \$22,450,500, with a grantor share of \$20,758,250 and a City share of \$1,692.250.

Body

Whereas, The Project Agreement for the paving of West Capitol Drive from North 60th Street to North 84th Street was approved by the Common Council under File Number 100328; and

Whereas, The Surface Transportation Program provides cost participation for traffic control improvements in conjunction with the paving of highways located on the Federal/State Aid Highway System; and

Whereas, The total estimated cost of this project is \$367,689.88 for the alteration and upgrade of traffic control signals and the upgrade of traffic control signs; and

Whereas, One hundred percent of the participating project cost is reimbursable from the Wisconsin Department of Transportation (WISDOT), and should be earmarked for this project in the 2012 Capital Grant and Aids Projects Fund Project/Grant Number SP032120100; and

Whereas, The State cannot proceed with any project cost overruns and/or changes in scope of more than 5% without prior Department of Public Works approval; and

Whereas, The Department of Public Works shall notify the Common Council of the City of Milwaukee at the next scheduled meeting of any such project cost overruns and/or changes in scope approved by the Department of Public Works; and

Whereas, The Common Council of the City of Milwaukee recognizes that the City may be 100% liable for any such project cost overruns and/or changes in scope as approved by the Department of Public Works; and

Whereas, The Common Council of the City of Milwaukee recognizes that the City may be liable for any costs incurred by the State should the City decide to withdraw from the project; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the Commissioner of Public Works and the Comptroller are authorized to enter into a funding agreement and are directed to execute the contract with WISDOT for the installation of traffic control facilities in conjunction with the improvements to West Capitol Drive from North 60th Street to North 84th Street with unit prices based on a predetermined estimate prepared under the Federal/State aided highway program, a copy of which is attached to this resolution, and is incorporated into this resolution as though set forth in full; and, be it

Further Resolved, That upon approval of this contract, that the Commissioner of Public Works is directed to install and modify traffic control facilities in conjunction with the improvements to West Capitol Drive from North 60th Street to North 84th Street; and, be it

Further Resolved, That upon approval of this contract, the City Comptroller is hereby authorized to create within the Capital Grant and Aid Projects Fund the appropriate Project/Grant Chartfield Value for this project; and transfer to these accounts the amount required under the agreement and City accounting policy, but not to exceed a ten percent increase of the total amounts reserved for the grantor's share and local share or \$5,000, whichever is greater as follows:

Location:

Project I.D.-2025-11-90

West Capitol Drive - North 60th Street to North 84th Street

Grantor Reimbursable Cash - Traffic Control

Fund Number-0306

Project/Grant Number-SP032120100

\$367,689.88

Total-\$367,689.88

Previously Authorized for Traffic Control Improvements-\$0

Current Estimated Cost of the Total Project Including this Resolution-\$22,450,500

Original Estimated Cost of the Total Project (Common Council Resolution File Number 061548)-\$19,065,000.

Requestor

Department of Public Works

Drafter
Infrastructure Services Division
RWB:
11/28/11
West Capitol Drive (60th to 84th)

AGREEMENT FOR CONSTRUCTION

Local Force Account

Wisconsin Department of Transportation
DT2056 5/2011

Project ID 2025-11-90	Agreement Amount \$367,689.88	Agreement between WisDOT and Local Governmental Unit – Also must be doing the work <input checked="" type="checkbox"/> Municipality <input checked="" type="checkbox"/> City of Milwaukee <input type="checkbox"/> Village of <input type="checkbox"/> Town of
Federal Project ID WISC		
Road Name W. Capitol Dr. - N. 60 th St. to N. 84 th St.		<input type="checkbox"/> County of
Highway STH 190	County – Where Work Performed Milwaukee	
<input type="checkbox"/> Work on STH System - SHR Funded (CEF to BHO, Agreement to BHO)		<input type="checkbox"/> Work on Local Units System (CEF to DTSD Region, Agreement to BPD)
<input checked="" type="checkbox"/> Work on STH System – Non-SHR Funded (CEF to BHO, Agreement to BHO)		
Type of Work Traffic Signals and Signs		
Approximate Start Work Date August 1, 2012	Approximate Stop Work Date July 31, 2013	

This agreement is made and entered into by and between the Wisconsin Department of Transportation, designated the "Department", and the above-identified county or municipality, designated the "Local Governmental Unit", represented by its designees for constructing the above-specified project. The Department finds and determines that it is more feasible and advantageous for highway purposes to construct the identified project with the Local Governmental Unit's organization, forces, and equipment. The Department and Local Governmental Unit mutually agree to the provisions on the attached pages, which are made a part of this agreement.

RECOMMENDED FOR APPROVAL

For County or Municipality

For Wisconsin Department of Transportation

(Name) (Date)

(Regional Director) (Date)

(Title)

(Name) (Date)

(Title)

Approved for the State of Wisconsin

(Name) (Date)

(Contract Specialist) (Date)

(Title)

(Name) (Date)

(Director of Project Development) (Date)

(Title)

(Governor of Wisconsin) (Date)

The Local Governmental Unit agrees to construct the described project in accordance with the requirements of the Department, the approved plans when required for such project, in accordance with the Standard Specifications for Road and Bridge Construction and approved supplements as may be applicable, and in accordance with the special provisions made a part of this agreement. The word "contractor" as used in the specifications and special provisions shall, when applicable, be deemed to mean the Local Governmental Unit.

The provisions of Subsection 108.11 of the Standard Specifications, Liquidated Damages, are deleted from this agreement.

The Local Governmental Unit is authorized by the Department and agrees to provide for the purchase, delivery, and storing of all materials required except those excluded from this agreement, the furnishing or necessary rental of all equipment and small tools, and the furnishing of all labor necessary to expeditiously complete the work, and to pay all costs incurred pursuant to this agreement.

The Department agrees to reimburse the Local Governmental Unit for actual costs of equipment, labor and materials incurred in performing the work up to the agreement amount or as amended by agreement change orders.

The Department agrees to pay to the Local Governmental Unit and the Local Governmental Unit agrees to accept in full, settlement for the work performed under this agreement:

1. The actual cost of labor, at rates currently paid by the Local Governmental Unit for similar work in the area, materials and incidental expense furnished or incurred by the Local Governmental Unit pursuant to this agreement, such payment to be based on a Detailed Statement of Expenditures, submitted monthly with the Monthly Report of Expenditures, or the Final Report of Expenditures upon completion of all work included in the agreement and verified by the Local Governmental Unit and by the Department.
2. The recognized costs incident to the employment of labor under this agreement (such as worker's compensation insurance, unemployment and retirement contributions and time off with pay) computed and requisitioned in accordance with established policy.

3. An allowance for the use of equipment, tools and incidentals for the work under this agreement. Such allowance shall be in accordance with the provisions of, and at the rates either:

- (a) Specified in the Cost Agreement between the Department and the Local Governmental Unit in effect when the work is performed, except for the conditions, changes or additions as listed below, or as may be otherwise provided in the Special Provisions of this agreement; or,
- (b) Specified in the attached Equipment Rate schedule, or as may be otherwise provided in the special provisions of this agreement.

These payments shall be based on a Detailed Statement of Expenditures, submitted monthly with the Monthly Report of Expenditures, or the Final Report of Expenditures upon completion of all work included in the agreement and verified by the Local Governmental Unit and by the Department.

The rates established apply on equipment in good working order. Allowance will be made only for the time during which the equipment is in actual use on the project; no allowance will be made for equipment wholly inadequate or inefficient or in excess of the requirements of the work.

In connection with the performance of work under this agreement, the contractor agrees not to discriminate against any employee or applicant for employment because of age, race, religion, color, handicap, sex, physical condition, developmental disability as defined in s.51.01(5) Wis. Stats., sexual orientation, or national origin. This provision shall include, but not be limited to, the following: employment, upgrading, demotion or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. The contractor further agrees to take affirmative action to ensure equal employment opportunities. The contractor agrees to post in conspicuous places, available for employees and applicants for employment, notices to be provided by the contracting officer setting forth the provisions of the nondiscrimination clause.

The Local Governmental Unit agrees to furnish, on the Detailed Statement of Expenditures, an accurate distribution of the costs between the various items of work.

The estimated unit costs of materials being used on this agreement are listed as attached.

I GENERAL

1. These contract provisions shall apply to all work performed as part of a LFA contract by the LPA.
2. A breach of any of the stipulations contained in these Required Contract Provisions shall be sufficient grounds for termination of the contract.
3. **Selection of Labor:** During the performance of this contract, the LPA shall not employ convict labor for any purpose within the limits of the project unless it is labor performed by convicts who are on parole, supervised release, or probation.

II NONDISCRIMINATION ASSURANCE

As required by 49 U.S.C. 5332 (which prohibits discrimination on the basis of race, color, creed, national origin, sex, or age, and prohibits discrimination in employment or business opportunity), Title VI of the Civil Rights Act of 1964, as amended, 42 U.S.C. 2000d, and U.S. DOT regulations, "Nondiscrimination in Federally-Assisted Programs of the DOT--Effectuation of Title VI of the Civil Rights Act," 49 CFR part 21 at 21.7, the Applicant assures that it will comply with all requirements of 49 CFR part 21; FHWA policies, and other applicable directives, so that no person in the United States, on the basis of race, color, national origin, creed, sex, or age will be excluded from participation in, be denied the benefits of, or otherwise be subjected to discrimination in any program or activity (particularly in the level and quality of transportation services and transportation-related benefits) for which the Applicant receives Federal assistance awarded by the U.S. DOT or FHWA as follows: (1) The Applicant assures that each project will be conducted, property acquisitions will be undertaken, and project facilities will be operated in accordance with all applicable requirements of 49 U.S.C. 5332 and 49 CFR part 21, and understands that this assurance extends to its entire facility and to facilities operated in connection with the project. (2) The Applicant assures that it will take appropriate action to ensure that any transferee receiving property financed with Federal assistance derived from FHWA will comply with the applicable requirements of 49 U.S.C. 5332 and 49 CFR part 21. (3) The Applicant assures that it will promptly take the necessary actions to effectuate this assurance, including notifying the public that complaints of discrimination in the provision of transportation-related services or benefits may be **FILED** with U.S. DOT or FHWA. Upon request by U.S. DOT or FHWA, the Applicant assures that it will submit the required information pertaining to its compliance with these requirements. (4) The Applicant assures that it will make any changes in its 49 U.S.C. 5332 and Title VI implementing procedures as U.S. DOT or FHWA may request. (5) As required by 49 CFR 21.7(a)(2), the Applicant will include in each third party contract or sub agreement provisions to invoke the requirements of 49 U.S.C. 5332 and 49 CFR part 21, and include provisions to invoke those requirements in deeds and instruments recording the transfer of real property, structures, improvements.

III ASSURANCE OF NONDISCRIMINATION ON THE BASIS OF DISABILITY

As required by U.S. DOT regulations, "Nondiscrimination on the Basis of Handicap in Programs and Activities Receiving or Benefiting from Federal Financial Assistance," at 49 CFR part 27, implementing the Rehabilitation Act of 1973, as amended, and the Americans with Disabilities Act of 1990, as amended, the Applicant assures that, as a condition to the approval or extension of any Federal assistance awarded by FHWA to construct any facility, obtain any rolling stock or other equipment, undertake studies, conduct research, or to participate in or obtain any benefit from any program administered by FHWA, no otherwise qualified person with a disability shall be, solely by reason of that disability, excluded from participation in, denied the benefits of, or otherwise subjected to discrimination in any program or activity receiving or benefiting from Federal assistance administered by the FHWA or any entity within U.S. DOT. The Applicant assures that project implementation and operations so assisted will comply with all applicable requirements of U.S. DOT regulations implementing the Rehabilitation Act of 1973, as amended, 29 U.S.C. 794, and the ADA of 1990, as amended, 42 U.S.C. 12101 et seq. at 49 CFR parts 27, 37, and 38, and any applicable regulations and directives issued by other Federal departments or agencies.

IV SAFETY: ACCIDENT PREVENTION

1. In the performance of this contract the LPA shall comply with all applicable Federal, State, and local laws governing safety, health, and sanitation (23 CFR 635). The LPA shall provide all safeguards, safety devices and protective equipment and take any other needed actions as it determines, or as the SHA contracting officer may determine, to be reasonably necessary to protect the life and health of employees on the job and the safety of the public and to protect property in connection with the performance of the work covered by the contract.
2. It is a condition of this contract that the LPA shall not permit any employee, in performance of the contract, to work in surroundings or under conditions which are unsanitary, hazardous or dangerous to his/her health or safety, as determined under construction safety and health standards (29 CFR 1926) promulgated by the Secretary of Labor, in accordance with Section 107 of the Contract Work Hours and Safety Standards Act (40 U.S.C. 333).
3. Pursuant to 29 CFR 1926.3, it is a condition of this contract that the Secretary of Labor or authorized representative thereof, shall have right of entry to any site of contract performance to inspect or investigate the matter of compliance with the construction safety and health standards and to carry out the duties of the Secretary under Section 107 of the Contract Work Hours and Safety Standards Act (40 U.S.C. 333).

V FALSE STATEMENTS CONCERNING HIGHWAY PROJECTS

In order to assure high quality and durable construction in conformity with approved plans and specifications and a high degree of reliability on statements and representations made by engineers, LPA's, suppliers, and workers on Federal-aid highway projects, it is essential that all persons concerned with the project perform their functions as carefully, thoroughly, and honestly as possible. Willful falsification, distortion, or misrepresentation with respect to any facts related to the project is a violation of Federal law. To prevent any misunderstanding regarding the seriousness of these and similar acts, the following notice shall be posted on each Federal-aid highway project (23 CFR 635) in one or more places where it is readily available to all persons concerned with the project:

NOTICE TO ALL PERSONNEL ENGAGED ON FEDERAL-AID HIGHWAY PROJECTS

18 U.S.C. 1020 reads as follows:

"Whoever, being an officer, agent, or employee of the United States, or of any State or Territory, or whoever, whether a person, association, firm, or corporation, knowingly makes any false statement, false representation, or false report as to the character, quality, quantity, or cost of the material used or to be used, or the quantity or quality of the work performed or to be performed, or the cost thereof in connection with the submission of plans, maps, specifications, contracts, or costs of construction on any highway or related project submitted for approval to the Secretary of Transportation; or

Whoever knowingly makes any false statement, false representation, false report or false claim with respect to the character, quality, quantity, or cost of any work performed or to be performed, or materials furnished or to be furnished, in connection with the construction of any highway or related project approved by the Secretary of Transportation; or

Whoever knowingly makes any false statement or false representation as to material fact in any statement, certificate, or report submitted pursuant to provisions of the Federal-aid Roads Act approved July 1, 1916, (39 Stat. 355), as amended and supplemented;

Shall be fined not more than \$10,000 or imprisoned not more than 5 years or both."

VI BUY AMERICA

All steel and iron materials permanently incorporated in this project shall be domestic products and all manufacturing and coating processes for these materials must have occurred within the United States. Coating includes epoxy coating, galvanizing, painting and any other coating that protects or enhances the value of a material subject to the requirements of Buy America. The exemption of this requirement is the minimal use of foreign materials if the total cost of such material permanently incorporated in the product does not exceed one-tenth of one percent (1/10 of 1%) of the total contract cost or \$2,500.00, whichever is greater. For purposes of this paragraph, the cost is that shown to be the value of the subject products as they are delivered to the project.

VII PROHIBITION AGAINST CONVICT PRODUCED MATERIALS (23 CFR 635.417)

No materials produced by convict labor (unless produced by convicts who are on parole, supervised release, or probation from a prison) may be incorporated into any project located on the Federal-aid highway system. This prohibition does not apply to projects on roads that are functionally classified as local or rural minor collectors.

VIII PURCHASE OF MATERIALS

LPA's are required to use fair and open competition in obtaining articles and materials used in this project. They may not use any requirements, preferences, or procurement methods that exclude out-of-State participation or that unfairly favor in-State sources.

IX REQUIREMENT FOR AND ACCESS TO RECORDS

LPA's must maintain, for at least three years following final payment, complete project records. This includes the thorough documentation of the basis for payment (actual costs of labor, equipment and materials) as well as documentation prescribed in the WisDOT CMM. In addition LPA's shall make all such records fully available to WisDOT, the Federal Highway Administration, the U.S. Comptroller General, and their authorized representatives. Records must also be available for public access consistent with the FOIA and State and local law.

PROJECT UNIT COST ANALYSIS

ESTIMATE OF QUANTITIES

PROJECT ID 2025-11-90
 WEST CAPITOL DRIVE - NORTH 60TH STREET TO NORTH 84TH STREET
 STH 190
 MILWAUKEE COUNTY

Item No.	Std. Bid Item No.	Description	Unit	Quantity	Excluded Costs	City Unit	City Total
71033	SPV.0060.001	Opticom 711 Detector w/ Selector Card	Each	12	\$ 25,923.00	\$ 2,586.10	\$ 31,033.15
71034	SPV.0060.002	Opticom 721 Detector w/ Selector Card	Each	1	\$ 2,215.25	\$ 2,646.68	\$ 2,646.68
71035	SPV.0060.003	Opticom Flood Lights	Each	16	\$ 666.08	\$ 213.57	\$ 3,417.09
71040	SPV.0105.001	Vehicular Microwave Detection System	LS	1	\$ 8,400.00	\$ 10,906.14	\$ 10,906.14
71057	658.0215	Backplates Signal Face 3 Section 12-inch	Each	28	\$ 1,008.00	\$ 65.50	\$ 1,834.00
71060	658.0120	Traffic Signal Face 5-12 Inch Vertical	Each	6	\$ 2,964.54	\$ 841.13	\$ 5,046.75
71062	658.0110	Traffic Signal Face 3-12 Inch Vertical	Each	70	\$ 23,022.30	\$ 510.71	\$ 35,749.50
71065	658.0500	Pedestrian Push Buttons	Each	20	\$ 633.60	\$ 138.29	\$ 2,765.82
71066LC	658.0412	Pedestrian Signal Face 12-Inch	Each	30	\$ 4,637.70	\$ 322.05	\$ 9,661.44
71067	SPV.0060.004	Pedestrian Countdown Signal Face 12-Inch	Each	30	\$ 4,566.90	\$ 319.45	\$ 9,583.46
71079	SPV.0060.005	PV Traffic Signal Face 5-12 Inch (512M)	Each	2	\$ 6,040.22	\$ 3,826.77	\$ 7,653.54
71154	SPV.0090.001	Opticom Cable	LF	2,420	\$ 992.20	\$ 3.16	\$ 7,652.76
71156	SPV.0090.002	Cable Traffic Signal Loop Lead-In	LF	2,550	\$ 765.00	\$ 3.04	\$ 7,754.90
71161	SPV.0090.003	Cable Service 3 #4/1 #8 LTP	LF	1,175	\$ 3,066.75	\$ 5.07	\$ 5,954.21
71170	655.0250	Cable Traffic Signal 9-14 AWG	LF	625	\$ 481.25	\$ 3.56	\$ 2,224.78
71171	655.0260	Cable Traffic Signal 12-14 AWG	LF	775	\$ 751.75	\$ 3.78	\$ 2,929.32
71172	SPV.0090.004	Cable Traffic Signal 17-14 AWG	LF	3,575	\$ 5,291.00	\$ 4.34	\$ 15,518.85
71173	SPV.0090.005	Cable Traffic Signal 20-14 AWG	LF	2,565	\$ 3,642.30	\$ 4.27	\$ 10,965.15
71174	SPV.0090.006	Cable Traffic Signal Interconnect 9-14 AWG	LF	10,000	\$ 7,700.00	\$ 8.98	\$ 89,802.16
71176	674.0300	Remove Cable	LF	3,660	\$ -	\$ 1.03	\$ 3,784.39
71188	SPV.0060.006	Rectangular Vault 13"x24"x18"	Each	2	\$ 449.62	\$ 382.58	\$ 765.15
71190	SPV.0060.007	Mast Arm Fabricated	Each	7	\$ 413.35	\$ 1,589.81	\$ 11,128.64
71191	SPV.0060.008	Mast Arm Pole	Each	7	\$ 11,389.77	\$ 2,324.96	\$ 16,274.69
71195	SPV.0060.009	Signal Standard 5'	Each	1	\$ 530.88	\$ 1,036.77	\$ 1,036.77
71197	SPV.0060.010	Signal Standard 13'	Each	31	\$ 20,972.43	\$ 1,197.16	\$ 37,112.08
71198	SPV.0060.011	Signal Standard 1' Extension	Each	31	\$ 1,468.47	\$ 103.87	\$ 3,220.07
71199	SPV.0060.012	Signal Standard 2' Extension	Each	4	\$ 343.88	\$ 146.39	\$ 585.55
71700	SPV.0060.013	Signal Housing Relocated	Each	6	\$ -	\$ 310.20	\$ 1,861.17
73294	SPV.0060.014	Socket 3' RSP	Each	146	\$ 3,928.86	\$ 49.37	\$ 7,207.85
73295	SPV.0060.015	Socket (Concrete Install)	Each	8	\$ 118.00	\$ 45.84	\$ 366.73
73296	SPV.0060.016	Pipe 2"x9'6"	Each	107	\$ 3,297.74	\$ 37.89	\$ 4,054.37
73298	SPV.0060.017	Pipe 2"x11'0"	Each	47	\$ 927.78	\$ 25.69	\$ 1,207.34
73299	637.0202	Signs Reflective Type II	SF	1,177	\$ 7,191.47	\$ 13.58	\$ 15,985.38

TOTAL CITY COST \$ 367,689.88
TOTAL EXCLUDED COSTS \$ 153,800.09

APPROVED BY:

ROBERT W. BRYSON
 CHIEF TRAFFIC AND LIGHTING ENGINEER

TRANSPORTATION SECTION
 TRAFFIC AND LIGHTING DESIGN UNIT
 JOSEPH C. BLAKEMAN
 REVISED: NOVEMBER 18, 2011

* Please note that the Total City Cost includes the embedded costs of mobilization, traffic control, mounting hardware, equipment removal, and construction staking electrical installations which are included in the times used for calculating City Unit Costs on the attached worksheets.

**Capital Grant Resolution Certification from the
Comptroller's Office**

The Comptroller's Office has reviewed Common Council Resolution File No. 111050 for the installation of traffic control devices in conjunction with the paving of West Capitol Drive from North 60th Street to North 84th Street (Grantor Share \$367,689.88; City Share \$0) and approved the resolution as to:

- Sufficiency of funds
- Funding sources (per estimated **grant funding agreement**)
- Sufficiency of reporting for purposes of internal auditing

The following deficiencies were noted:

The resolution should be corrected and returned to the Comptroller's Office for review.

Signature: *C Wisniewski*

Date: 11-21-11

2025-11-90 West Capitol Drive from North 60th Street to North 84th Street (Grantor Share \$367,689.88; City Share \$0)



Legislation Details (With Text)

File #: 110985 **Version:** 0

Type: Resolution **Status:** In Committee

File created: 11/30/2011 **In control:** PUBLIC WORKS COMMITTEE

On agenda: **Final action:**

Effective date:

Title: Resolution directing the Commissioner of Public Works to execute a revised project agreement titled "State/Municipal Agreement" for a Highway Improvement Project with the Wisconsin Department of Transportation for the reconstruction of West Capitol Drive from North 60th Street to Mayfair Road with State/Federal Aid, the total cost of the project is \$18,783,080 of which the City's share is \$1,588,640 and the grantor's share is \$17,194,440.

Sponsors: THE CHAIR

Indexes: AGREEMENTS, STREET IMPROVEMENTS, STREET LIGHTING, WISCONSIN DEPARTMENT OF TRANSPORTATION

Attachments: Agreement, Comptroller's Certification, Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
11/30/2011	0	COMMON COUNCIL	ASSIGNED TO		
12/5/2011	0	PUBLIC WORKS COMMITTEE	HEARING NOTICES SENT		
12/5/2011	0	PUBLIC WORKS COMMITTEE	HEARING NOTICES SENT		

Number
110985
Version
ORIGINAL
Reference
Sponsor
THE CHAIR
Title

Resolution directing the Commissioner of Public Works to execute a revised project agreement titled "State/Municipal Agreement" for a Highway Improvement Project with the Wisconsin Department of Transportation for the reconstruction of West Capitol Drive from North 60th Street to Mayfair Road with State/Federal Aid, the total cost of the project is \$18,783,080 of which the City's share is \$1,588,640 and the grantor's share is \$17,194,440.

Analysis

This resolution directs the Commissioner of Public Works to execute a revised project agreement with the Wisconsin Department of Transportation (WisDOT) for the programming and reconstruction of West Capitol Drive from North 60th Street to North Mayfair Road with State/Federal Aid under the State Trunk Highway Program. The estimated total cost of the project is \$18,783,080 of which the City's share is \$1,588,640 and the grantor's share is \$17,194,440. The revised State Municipal Agreement includes State Design Review costs for each phase of the project, street lighting costs and communication conduit costs. Total State Design Review costs are \$361,080 of which the City share is \$90,270. Street lighting and communication costs will be included in future resolutions.

Body

Whereas, The Common Council of the City of Milwaukee adopted resolution file numbers 041289, 061548 and 100328 on February 11, 2005, April 25, 2007 and August 30, 2010, respectively, directing the Commissioner of Public Works to execute a State/Municipal Agreement with Wisconsin Department of Transportation

(WisDOT) for the programming and construction of West Capitol Drive from North 60th Street to West Mayfair Road; and

Whereas, The Department of Public Works (DPW) requested and the WisDOT agreed to break the roadway project into two phases. Phase I going from North 60th Street to North 84th Street scheduled for construction in 2012 and Phase II from North 84th Street to West Mayfair Road scheduled for construction in 2013; and

Whereas, WisDOT has now provided separate State Review costs for each design phase of the project; and

Whereas, The DPW requested and the WisDOT agreed to participate in the work associated with city street lighting affected by the construction at 100 percent State cost as part of the Capitol Drive project; and

Whereas, The Department of Public Works requested and the WisDOT agreed to participate in the work associated with communication conduit transporting traffic signal cabling as part of the Capitol Drive, project costs to be included with participating construction costs; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the Commissioner of Public Works is hereby authorized to execute the revised project agreement for the preliminary engineering of West Capitol Drive from North 60th Street to West Mayfair Road with State/Federal Aid under the WisDOT State Trunk Highway Program, a copy of which is attached to Common Council File 110985 and is incorporated by reference as though set forth in full; and, be it

Further Resolved, That the Commissioner of Public Works is hereby authorized to enter into an agreement with the WisDOT pertaining to the cost participation for the installation and/or modification of street lighting facilities in conjunction with the improvements of the aforementioned projects; and, be it

Further Resolved, That the Commissioner of Public Works is hereby authorized to install the street lighting facilities necessary in conjunction with the aforementioned project, following the execution of the street lighting agreements, the cost of which will be included in future resolutions; and, be it

Further Resolved, That the City Comptroller is hereby authorized to create within the Capital Improvement Fund, Grant and Aid Projects, the necessary Project/Grant Chartfield Values for the projects (Expenditures) and transfer to any of these accounts the amount required under the grant agreement and City Accounting Policy but not to exceed a 10 percent increase of the total amounts reserved for the grantor's share and local share or \$5,000, whichever is greater, as follows:

Infrastructure Services Division:
State I.D. 2025-11-00
West Capitol Drive (STH 190)
North 84th Street to North 60th Street

Grantor Non-Reimbursable Paving
(\$141,000)

Infrastructure Services Division
State I.D. 2025-11-00
West Capitol Drive (STH 190)
North 84th Street to North 60th Street

City of Milwaukee Non-Assessable Paving
ST320110000
Fund 0333
\$33,840

Grantor Reimbursable Cash Paving
SP032110100
Fund 0306
\$141,000

Grantor Non-Reimbursable Paving
\$101,520

Construction is scheduled for 2012

Previously authorized for preliminary engineering: \$987,000
Current estimated cost of total project including this resolution: \$18,783,080
Original estimated cost of the total project (Resolution #041289): \$19,065,000
Infrastructure Services Division
State I.D. 2025-11-01
West Capitol Drive (STH 190)
Mayfair Road to North 84th Street

Grantor Non-Reimbursable Paving
(\$235,125)

Infrastructure Services Division
State I.D. 2025-11-01
West Capitol Drive (STH 190)
Mayfair Road to North 84th Street

City of Milwaukee Non-Assessable Paving
ST320110000
Fund 0333
\$56,430

Grantor Reimbursable Cash Paving
SP032110100
Fund 0306
\$235,125

Grantor Non-Reimbursable Paving
\$169,290

Construction is scheduled for 2013.

Previously authorized for preliminary engineering: \$987,000
Current estimated cost of total project including this resolution: \$18,783,080
Original estimated cost of the total project (Resolution #041289): \$19,065,000

;and, be it

Further Resolved, That the City Engineer is hereby authorized and directed to approve and make periodic payments to the WisDOT upon receipt of invoices for the City of Milwaukee's share of costs on the projects.

Requestor
Department of Public Works
Drafter
Infrastructure Services Division
LCG:amh

November 3, 2011

Reso W Captl (STH 190) M-Fai Rd - N 60 101411.rtf

STATE/MUNICIPAL AGREEMENT
FOR A
HIGHWAY IMPROVEMENT PROJECT
REVISES June 24, 2010 AGREEMENT

DATE: October 26, 2011
PROJECT DESIGN ID: 2025-11-00/01
PROJECT CONSTRUCTION ID: 2025-11-70/71/90/91/92/93
HIGHWAY: West Capitol Dr (STH 190) LENGTH: 2.85 miles
LIMITS: Mayfair Road (STH 100) to North 60th Street
COUNTY: Milwaukee

The signatory city, village, town or county, hereinafter called the Municipality, through its undersigned duly authorized officers or officials, hereby requests the State of Wisconsin Department of Transportation, hereinafter called the State, to initiate and effect the highway or street improvement hereinafter described.

The authority for the Municipality to enter into this agreement with the State is provided by Section 86.25(1), (2), and (3) of the Statutes.

NEEDS AND ESTIMATE SUMMARY:

Existing Facility - Describe and give reason for request: Improvement.

Proposed Improvement - Nature of work: As determined by project scoping.

Describe non-participating work included in the project and other work necessary to finish the project completely which will be undertaken independently by the municipality: A nominal amount is included to cover items in paragraph 4 (to be adjusted in the final plan).

SEE FUNDING CHART ON PAGE TWO OF THIS AGREEMENT

This request is subject to the terms and conditions that follow (pages 2-4) and is made by the undersigned under proper authority to make such request for the designated Municipality and upon acceptance by the State shall constitute agreement between the Municipality and the State.

Signed for and in behalf of the City of Milwaukee.

_____	_____	_____
Name	Title	Date

_____	_____	_____
Name	Title	Date

PHASE	ESTIMATED COST					
	Total Est. Cost	Federal/ State Funds	%	Municipal Funds	%	
Preliminary Engineering:						
Plan Development						
2025-11-00	\$ 1,128,000	\$ 846,000	75%	\$ 282,000	25%	
State Review	\$ 135,360	\$ 101,520	75%	\$ 33,840	25%	
2025-11-01	\$ 1,881,000	\$ 1,410,750	75%	\$ 470,250	25%	
State Review	\$ 225,720	\$ 169,290	75%	\$ 56,430	25%	
Real Estate Acquisition:						
Acquisition	\$ 100,000	\$ 100,000	100%	\$ -	0%	
Compensable Utilities	\$ 20,000	\$ 20,000	100%	\$ -	0%	
Construction:						
2025-11-70/90/92						
84th St - 60th St	\$ 2,475,000	\$ 2,475,000	100%	\$ -	0%	
Pavement for parking	1 \$ 3,180,000	\$ 2,944,680	92.6%	\$ 235,320	7.4%	
Traffic Control Devices	\$ 550,000	\$ 550,000	100%	\$ -	0%	
Impacted lighting	\$ 291,500	\$ 291,500	100%	\$ -	0%	
2025-11-71/91/93						
Mayfair Rd - 84th St	\$ 1,725,000	\$ 1,725,000	100%	\$ -	0%	
Pavement for parking	1 \$ 5,800,000	\$ 5,324,400	91.8%	\$ 475,600	8.2%	
Traffic Control Devices	\$ 245,500	\$ 245,500	100%	\$ -	0%	
Impacted lighting	\$ 350,000	\$ 350,000	100%	\$ -	0%	
CSS	2 \$ 600,000	\$ 600,000	MAX	\$ -	BAL	
New Sidewalk	\$ 51,000	\$ 40,800	80%	\$ 10,200	20%	
Non-Participating	\$ 25,000	\$ -	0%	\$ 25,000	100%	
Total Cost Distribution	\$ 18,783,080	\$ 17,194,440		\$ 1,588,640		

- 1 Participation for parking is an estimate, the actual percent will be calculated when final plans are complete. Changes to the parking percentage noted in the above chart, require a letter of request from the Municipality. Upon acceptance of the percent changes, the State will send a concurrence letter
- 2 Community Sensitive Solutions (CSS) - maximum State/Federal funds \$600,000, any amount that exceeds the maximum is to be funded with 100% Municipal funds

TERMS AND CONDITIONS:

1. The initiation and accomplishment of the improvement will be subject to the applicable Federal and State regulations.
2. The Municipality will pay to the State all costs incurred by the State in connection with the improvement which exceeds Federal/State financing commitments or are ineligible for Federal/State financing. The Municipality's concurrence is required before award of the contract for the improvement when the contracts exceed 5% of the estimate. The Municipality must also concur with contract modifications to contracts awarded by the State over \$25,000.00, unless the authorized representative of the State determines that a prompt change order is needed to preserve the work in progress, prevent extraordinary damage avoid unreasonable & costly delay, or other extraordinary condition of necessity, safety or emergency exists. The authorized representative of the State shall provide notice of the prompt change order to the Municipality or its authorized representative as soon as practicable thereafter and the Municipality shall pay its share of the prompt change order cost.

3. Funding of each project phase (preliminary engineering, real estate, construction, and other) is subject to inclusion in an approved program. Federal aid and/or State transportation fund financing will be limited to participation in the costs of the following items as specified in the estimate summary:
 - (a) The grading, base, pavement, and curb and gutter.
 - (b) Catch basins and inlets for surface water drainage of the improvement, with connections to the storm sewer main.
 - (c) Construction engineering incident to inspection and supervision of actual construction work.
 - (d) Signing and pavement marking, including detour routes.
 - (e) Storm sewer mains necessary for the surface water drainage.
 - (f) Construction of new sidewalks and driveways, replacement of sidewalks and private driveways resulting from roadway construction.
 - (g) New installations or alteration resulting from roadway construction of standard State street lighting and traffic signals or devices.
 - (h) Real Estate for the improvement.
 - (i) Preliminary engineering and state review services.
4. Work necessary to complete the improvement to be financed entirely by the Municipality or other utility or facility owner includes the following items:
 - (a) New installations of or alteration of sanitary sewers and connections, water, gas, electric, telephone, telegraph, fire or police alarm facilities, parking meters, and similar utilities.
 - (b) Damages to abutting property due to change in street or sidewalk widths, grades or drainage.
 - (c) Conditioning, if required and maintenance of detour routes.
 - (d) Repair of damages to roads or streets caused by reason of their use in hauling materials incident to the improvement.
 - (e) Bridge width in excess of standards.
5. As the work progresses, the Municipality will be billed for work completed which is not chargeable to Federal/State funds. Upon completion of the project, a final audit will be made to determine the final division of costs.
6. If the Municipality should withdraw the project, it shall reimburse the State for any costs incurred by the State in behalf of the project.
7. The work will be administered by the State and may include items not eligible for Federal/State participation.
8. The Municipality shall at its own cost and expense:
 - (a) Maintain all portions of the project that lie within its jurisdiction for such maintenance through statutory requirements, in a manner satisfactory to the State and shall make ample provision for such maintenance each year.
 - (b) Maintenance of sidewalks and landscaping features along the project.

- (c) Maintenance of lighting systems, to include energy.
- (d) Maintenance of all features outside the travel lanes when additional pavement width is added at the request of the Municipality, with the exception of turn lanes.
- (e) Prohibit angle parking.
- (f) Regulate or prohibit all parking at locations where and when the pavement area usually occupied by parked vehicles will be needed to carry active traffic in the street.
- (g) Assume general responsibility for all public information and public relations for the project and to make fitting announcement to the press and such outlets as would generally alert the affected property owners and the community of the nature, extent, and timing of the project and arrangements for handling traffic within an around the projects.
- (h) Provide complete plans, specifications, relocation order, real estate plat, estimates, appraisals, and acquiring the parcels.
- (i) Use the WisDOT Utility Accommodation Policy unless it adopts a policy, which has equal or more restrictive controls.

9. Basis for local participation:

Funding for preliminary engineering – for connecting highways is 25% Municipal

Funding for real estate required for standard roadway construction, 100% State.

Funding for compensable utilities required for standard roadway construction, 100% State.

Funding for construction of standard roadway items – 100% State

Funding for parking lanes – 100% Municipal and is calculated as a percentage of parking area compared to the total area of pavement. Parking percentage applies only to pavement items.

Funding for CSS (Community Sensitive Solutions) – 100% State, maximum amount \$600,000. Costs about this maximum are 100% Municipal. The funding is to be used for enhancement features along the project limits. CSS funds have been inflated to 2013 dollars.

Funding for lighting impacted by construction, 100% State.

Funding for traffic Control Devices – 100% State.

Funding for non-participating items 100% Municipality.

**Capital Grant Resolution Certification from the
Comptroller's Office**

The Comptroller's Office has reviewed Common Council Resolution File No. 110985 for State Design Review costs on the reconstruction of West Capitol Drive from North 60th Street to Mayfair Road (City Share \$90,270; Grantor Share \$270,810) on and approved the resolution as to:

- Sufficiency of funds
- Funding sources (per estimated **grant funding agreement**)
- Sufficiency of reporting for purposes of internal auditing

The following deficiencies were noted:

The resolution should be corrected and returned to the Comptroller's Office for review.

Signature: C. Wasiuk

Date: 11-8-11



Legislation Details (With Text)

File #: 111013 **Version:** 0

Type: Resolution **Status:** In Committee

File created: 11/30/2011 **In control:** PUBLIC WORKS COMMITTEE

On agenda: **Final action:**

Effective date:

Title: Resolution directing the Commissioner of Public Works to execute a document titled "State/Municipal Agreement for a Locally Let Bicycle and Pedestrian Facilities Program Project" with the Department of Transportation for the programming of a project known as City of Milwaukee Pedestrian Plan with total project costs of \$169,568, with a Grantor share of \$135,654 and a City share of \$33,914.

Sponsors: THE CHAIR

Indexes: AGREEMENTS, BICYCLES, WISCONSIN DEPARTMENT OF TRANSPORTATION

Attachments: Agreement Template, Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
11/30/2011	0	COMMON COUNCIL	ASSIGNED TO		
12/5/2011	0	PUBLIC WORKS COMMITTEE	HEARING NOTICES SENT		
12/5/2011	0	PUBLIC WORKS COMMITTEE	HEARING NOTICES SENT		

Number
111013
Version
ORIGINAL
Reference
100318
Sponsor
THE CHAIR
Title

Resolution directing the Commissioner of Public Works to execute a document titled "State/Municipal Agreement for a Locally Let Bicycle and Pedestrian Facilities Program Project" with the Department of Transportation for the programming of a project known as City of Milwaukee Pedestrian Plan with total project costs of \$169,568, with a Grantor share of \$135,654 and a City share of \$33,914.

Analysis

This resolution directs the Commissioner of Public Works to execute a document titled "State/Municipal Agreement for a Locally Let Bicycle and Pedestrian Facilities Program Project" with the Wisconsin Department of Transportation (WISDOT) for the programming of a project known as City of Milwaukee Pedestrian Plan with total project costs of \$169,568 with a Grantor share of \$135,654 and a City share of \$33,914.

Body

Whereas, The City of Milwaukee has actively promoted the expansion of pedestrian facilities; and

Whereas, Bicycle and Pedestrian Facilities Program (BPFP) Funds will fund the federal portion of the project; and

Whereas, The Common Council adopted Resolution No. 100318 on July 27, 2010 authorizing the City Engineer to apply for this grant, and

Whereas, The Wisconsin Department of Transportation (WISDOT) has submitted a Project Agreement to be executed by the City of Milwaukee for the programming of the project; and

Whereas, The State cannot proceed with any project cost overruns and/or changes in scope of more than 5% without prior Department of Public Works (DPW) approval; and

Whereas, The DPW shall notify the Common Council of the City of Milwaukee at the next scheduled meeting of any such project overruns and/or changes in scope approved by DPW; and

Whereas, The Common Council of the City of Milwaukee recognizes that the City may be 100% liable for any such project cost overruns and/or changes in scope as approved by DPW; and

Whereas, The Common Council of the City of Milwaukee recognizes that the City may be liable for any costs incurred by the State should the City decide to withdraw from the project; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the Commissioner of Public Works is hereby authorized and directed to execute the Project Agreement for the programming of the City of Milwaukee Pedestrian Plan, a copy of which is attached to Common Council Resolution File Number 111013 and is incorporated in this resolution by reference as though set forth in full; and, be it

Further Resolved, That the Commissioner of Public Works is hereby authorized and directed to undertake or engage a consultant to undertake the above-mentioned project and to reimburse WISDOT for costs they incur for the project; and, be it

Further Resolved, That the City Comptroller is hereby authorized to create within the Capital Grant and Aid Projects Funds the appropriate Project/Grant Chartfield Value for Preliminary Engineering for this project; and transfer to these accounts the amount required under the grant agreement and City accounting policy, but not to exceed a ten percent increase of the total amounts approved for the project or \$5,000, whichever is greater, but limited to \$150,000 as follows:

City of Milwaukee Pedestrian Plan
Project I.D. 2984-34-03

Local Share
Fund Number 0333
Project Grant Number ST320110000
\$33,914

Grantor Reimbursable Share
Fund Number 0306
Project Grant Number SP032110100
\$135,654

Previously authorized for preliminary engineering: \$0
Current estimated cost of total project including this resolution: \$169,568
Original estimated cost of total project: \$169,568

; and, be it

Further Resolved, That the City Engineer is hereby authorized and directed to approve and make periodic payments to WISDOT upon receipt of invoices for the local share of the project.

Requestor

Department of Public works

Drafter

Infrastructure Services Division

MDL: ns

October 6, 2011

City of Milwaukee Pedestrian Plan

BFPF Local Let Template



STATE/MUNICIPAL AGREEMENT FOR A LOCAL LET BICYCLE AND PEDESTRIAN FACILITIES PROGRAM PROJECT

Program Name: Bicycle Pedestrian
Facilities (BFPF)
Sub-program #: 215

Date: 6/1/11
I.D.: 2984-34-03
Project Title: City of Milwaukee Pedestrian Plan
Location/Limits (as applicable): City of Milwaukee
County: **Milwaukee**
Project Length (if applicable):
Project Sponsor: **City of Milwaukee**
MPO Area: **SEWRPC**

The signatory, City of Milwaukee, hereinafter called the Project Sponsor, through its undersigned duly authorized officers or officials, hereby requests the State of Wisconsin Department of Transportation, hereinafter called the State, to initiate and effect the transportation project hereinafter described.

Wisconsin Statute 85.024 authorizes the State to administer a program to award grants of assistance for the planning, development, or construction of bicycle and pedestrian facilities.

The authority for the Project Sponsor to enter into this agreement with the State is provided by Sections 86.25(1), (2), and (3) and Section 66.0301 of the Statutes.

NEEDS AND ESTIMATE SUMMARY:

All components of the project must be defined in the environmental document if any portion of the project is federally funded. The Project Sponsor agrees to complete all participating and any non-participating work included in this improvement consistent with the environmental document. No work on final engineering and design may occur prior to approval of the environmental document.

Proposed Project - Nature of work: The City of Milwaukee is in the final stages of completing an update to its 1993 bicycle master plan. They currently do not have a pedestrian master plan of any kind. With this project, the City of Milwaukee would hire a consultant to write a pedestrian master plan. This project falls under the TE category of a provision of facilities for pedestrian/bicyclists.

Need for or Benefits of Project – summarize reasons for request: The implementation of the City of Milwaukee Bicycle Master Plan has been responsible for a 300% increase in cycling along the 75% reduction in the bicycle crash rate. In the hopes of similarly increasing the rate of walking and reducing the pedestrian crash rate this plan has been proposed.

Describe non-participating work included in the project and other work necessary to completely finish the project that will be undertaken independently by the Project Sponsor. Please note that non-participating components of a project/contract are considered part of the overall project and will be subject to applicable federal and state requirements: N/A

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The Project Sponsor agrees to the following Calendar Year 2010 [Fiscal Year 2011-2014] Bicycle and Pedestrian Facilities Program (BFPF) project funding conditions:

The subject project is funded with 80% federal/state funding up to a maximum of \$135,654 for all federal/state-funded project phases when the Project Sponsor agrees to provide the remaining 20% and all funds in excess of the \$135,654 federal/state funding maximum, in accordance with BFPF guidelines. Non-participating costs are 100% the responsibility of the Project Sponsor. Any work performed by the Project Sponsor prior to federal authorization is not eligible for federal funding. The Project Sponsor will be notified by the State when each project phase or ID is authorized and available for charging.

The Catalogue of Federal Domestic Assistance (CFDA) number for this project is 20.205 – Highway Planning and Construction.

In the summary funding table below, the federal/state share of the total estimated cost distribution indicates the maximum amount of federal/state funding available to the project, to be distributed across federal/state-funded project phases. The final Project Sponsor share is dependent on the final federal/state participation, and the actual costs will be used in the final division of costs for billing and reimbursement.

SUMMARY OF COSTS					
PHASE	Total Est. Cost	Federal/State Funds	%	Project Sponsor Funds	%
ID 2984-34-03					
Design	\$150,000	\$120,000	80%*	\$30,000	20%*
Design Review #	\$19,568	\$15,654	80%*	\$3,914	20%*
Total Est. Cost Distribution	\$169,568	\$135,654	MAX	\$33,914	N/A

*This project has a BFPF federal/state funding maximum of \$135,654. This maximum is cumulative for all federal/state funded project phases.

Review costs are administered and paid for by WisDOT. The Project Sponsor will be billed for any required local match and for costs beyond the cumulative federal or state funding.

This request is subject to the terms and conditions that follow (pages 3 – 9) and is made by the undersigned under proper authority to make such request for the designated Project Sponsor and upon signature by the State shall constitute agreement between the Project Sponsor and the State. No term or provision of neither this State/Municipal Agreement nor any of its attachments may be changed, waived or terminated orally but only by an instrument in writing signed duly executed by both parties to this State/Municipal Agreement.

Signed for and in behalf of: **City of Milwaukee** (please sign in blue ink.)

Name	Title	Date
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Name	Title	Date
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BFPF Local Let Template

Signed for and in behalf of the State:

Name	Title	Date
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GENERAL TERMS AND CONDITIONS:

1. All projects must be in an approved Transportation Improvement Program (TIP) or State Transportation Improvement Program (STIP) prior to requesting authorization.
2. Work prior to federal authorization is ineligible for federal funding. The Project Sponsor will be notified by the State when each project phase or ID is authorized and available for charging.
3. The initiation and accomplishment of the project will be subject to the applicable federal and state regulations, as referenced in the document *A Sponsor's Guide to Non-Traditional Project Implementation*. The Project Sponsor, throughout the entire project, commits to comply with and promote all applicable federal and state laws and regulations that include, but are not limited to, the following:
 - a. Environmental requirements, including but not limited to those set forth in 23 U.S.C. 139 and the National Environmental Policy Act (42 U.S.C. 4321 et seq.).
 - b. Equal protection guaranteed under the U.S. Constitution, WI Constitution, Title VI of the Civil Rights Act and Wis. Stat. 16.765. The Project Sponsor agrees to comply with and promote applicable Federal and State laws, Executive Orders, regulations, and implementing requirements intended to provide for the fair and equitable treatment of individuals and the fair and equitable delivery of services to the public. In addition the Project Sponsor agrees not to engage in any illegal discrimination in violation of applicable Federal or State laws and regulations. This includes but is not limited to Title VI of the Civil Rights Act of 1964 which provides that "no person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance." The Project Sponsor agrees that public funds, which are collected in a nondiscriminatory manner, should not be used in ways that subsidize, promote, or perpetuate illegal discrimination based on prohibited factors such as race, color, national origin, sex, age, physical or mental disability, sexual orientation, or retaliation.
 - c. All DBE requirements that the State specifies.
 - d. Federal and state statutes that govern the Bicycle and Pedestrian Facilities Program, including but not limited to Wis. Stat. 85.024.
4. Additional applicable State and Federal requirements may include, but are not limited to, the following:
 - a. Prevailing wage requirements, including but not limited to 23 U.S.C. 113 and Wis. Stat. 103.50.
 - b. Buy America Provision and its equivalent state statutes, set forth in 23 U.S.C. 313 and Wis. Stat. 16.754.
 - c. Competitive bidding requirements set forth in 23 U.S.C. 112 and Wis. Stat. 84.06.
5. Bicycle and Pedestrian Facilities Program projects are limited to bicycle and pedestrian facilities under Wis. Stats. 85.024. For the purposes of this State/Municipal Agreement, bicycle and pedestrian projects do not include sidewalk or beautification measures.

STATE RESPONSIBILITIES AND REQUIREMENTS:

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6. Funding of the project is subject to inclusion in Wisconsin's approved Bicycle and Pedestrian Facilities program. Federal/state funding will be limited to participation in the costs of the following items, as applicable to the project:
 - a. The grading, base, pavement, and curb and gutter, sidewalk, and replacement of disturbed driveways in kind.
 - b. Storm sewer mains necessary for the surface water drainage.
 - c. Catch basins and inlets for surface water drainage of the improvement, with connections to the storm sewer main.
 - d. Construction engineering incident to inspection and supervision of actual construction work (except for inspection, staking, and testing of sanitary sewer and water main).
 - e. Signing and pavement marking, including marking of detour routes. Detour routes and haul roads are not eligible on local projects.
 - f. New installations or alteration of street lighting and traffic signals or devices.
 - g. Landscaping.
 - h. Preliminary Engineering:
 - i. Real estate for the improvement:
 - j. Management Consultant and State Review Services.
7. State Disbursements:
 - a. Payment by the State to the Project Sponsor shall be made on a regular basis upon presentation of vouchers for expenditures incurred during prior periods of the project duration subject to the allowable maximum payment. Exceptions to this schedule will be made as appropriate. In general, State reimbursements will be made after sufficient proof of payment is sent to the State.
 - b. A final adjustment of state payments will be made upon completion of the State's audit of the project. If the State's audit establishes that the State paid more than its share of the eligible project costs, the Project Sponsor shall refund to the State upon demand a sum equal to the overpayment.

PROJECT SPONSOR RESPONSIBILITIES AND REQUIREMENTS:

8. Work necessary to complete the subject Bicycle and Pedestrian Facilities Program project to be financed entirely by the Project Sponsor or other utility or facility owner includes the items listed below, when applicable to the project.
 - a. New installations of or alteration of sanitary sewers and connections, water, gas, electric, telephone, telegraph, fire or police alarm facilities, parking meters, and similar utilities.
 - b. Damages to abutting property after project completion due to change in street or sidewalk widths, grades or drainage.
 - c. Detour routes and haul roads. The Project Sponsor is responsible for determining the detour route.
 - d. Conditioning, if required and maintenance of detour routes.

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- e. Repair of damages to roads or streets caused by reason of their use in hauling materials incident to the improvement.
 - f. All work related to underground storage tanks and contaminated soils.
 - g. Street and bridge width in excess of standards, in accordance with the current WisDOT Facilities Development Manual (FDM).
9. Any improvement projects for which the Public Sponsor received a grant under this section shall be let by contract based on bids and the contract shall be awarded to the lowest competent and responsible bidder in accordance with the requirements set forth in 23 U.S.C. 112 and Wis. Stat. 84.06. **Local Force Account work is prohibited for construction.**
10. Where applicable, all contracts for design related services shall be awarded and administered in accordance with the requirements of 23 CFR 172 and procedures established in the Wisconsin Department of Transportation Facilities Development Manual (FDM), Chapter 8, Consulting Services.
11. The Project Sponsor must receive, read, and agree to meet the requirements outlined in the *Sponsor's Guide to Non-Traditional Transportation Project Implementation*. The Project Sponsor must indicate this understanding and agreement by submitting the *Sponsor's Guide Acknowledgement Form*, which must be accepted by the State before approval of this State/Municipal Agreement shall be granted.
12. The Project Sponsor must complete and submit *Certification for Non-Traditional Project Administration and Delivery* documentation, and this documentation must be accepted by the State, before approval of this State/Municipal Agreement shall be granted. The Project Sponsor, and all consultants and other entities working on behalf of the Project Sponsor, are required to comply with the federal and state rules and requirements for projects being administered through a local letting process.
13. The project, in accordance with its scope, must employ the services of a registered professional engineer, architect or landscape architect, to be responsible for design and construction engineering and related activities.
14. A copy of the plans, specifications, and estimates containing the engineer's, architect's, or landscape architect's seal as prepared for bidding purposes (in accordance with project scope) must be provided to the State for approval prior to advertising the project for bids.
15. The improvement will take place in accordance with the appropriate standards unless an exception to standards is granted by the State prior to construction. The entire cost of the construction project, not constructed to standards, will be the responsibility of the Project Sponsor unless such exception is granted.
16. Work to be performed by the Project Sponsor without federal/state funding participation, necessary to ensure a complete improvement acceptable to the Federal Highway Administration and/or the State may be done in a manner at the election of the Project Sponsor but must be coordinated with all other work undertaken during construction.
17. The Project Sponsor is responsible for financing administrative expenses related to Project Sponsor responsibilities.
18. The Project Sponsor will not proceed with any contract revisions without first receiving prior approval from the State. A contract change order must be executed for revisions to the contract prior to the Project Sponsor's request for reimbursement for the revisions.
19. If reviews or audits show any of the work to be ineligible for federal/state funding, the Project Sponsor will be responsible for any withdrawn costs associated with the ineligible work.

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20. If the Project Sponsor should withdraw the project, it will reimburse the State for any costs incurred by the State on behalf of the project.
21. The Project Sponsor will assume all responsibility for retaining a complete project file that includes not only construction documentation but also copies of letting documents, all local and State submittals and approvals contained in these instructions, and other pertinent documents to support project procurement, development, implementation and cost and any other item required by 49 CFR part 18 and submitting such information, upon request, in order to receive reimbursement. The Project Sponsor will keep all project records and have them available for inspection by representatives of the Federal Government and the State and will furnish copies thereof when requested.
22. Federal Single Audits of the Project Sponsor:
 - a. The Project Sponsor shall have a single organization audit performed by a qualified independent auditor if required to do so under Federal law and regulations. (See Federal Office of Management and Budget (OMB) Circular No. A-133).
 - b. This audit shall be performed in accordance with federal OMB Circular No. A-133 and State single audit guidelines issued by the Wisconsin Department of Administration (DOA).
 - c. The Project Sponsor will keep records of costs of construction, inspection tests, and maintenance done by it to enable the Federal Government and the State to review the amount and nature of the expenditure for those purposes. Such accounting records and any other related records shall be retained for three years from the date of final payment. If any litigation, claim, or audits are started before the expiration of the three year period, the records shall be retained until all litigations, claims or audit findings involving the records have been resolved.
23. In connection with the performance of work under this State/Municipal Agreement, the Project Sponsor agrees not to discriminate against any employee or applicant for employment because of age, race, religion, color, handicap, sex, physical condition, developmental disability as define in S. 51.01(5), sexual orientation or national origin. This provision shall include, but not be limited to, the following: employment, upgrading, demotion or transfer, recruitment or recruitment advertising, layoff or termination, rates of pay or other forms of compensation, and selection for training, including apprenticeship. Except with respect to sexual orientation, the Project Sponsor further agrees to take affirmative action to ensure equal employment opportunities. The Project Sponsor agrees to post in conspicuous places, available for employees and applicants for employment, notices to be provided by the employment officer setting forth the provisions of the nondiscrimination clause.
24. The Project Sponsor will include in all contracts executed by them a provision obligating the contractor not to discriminate against any employee or applicant for employment because of age, race, religion, color, handicap, sex, physical condition, developmental disability as defined in s. 51.01 (5), sexual orientation as defined in s. 111.32 (13m), or national origin.
25. When applicable to the project, the Project Sponsor will at its own cost and expense:
 - a. Maintain all portions of the project that lie within its jurisdiction for such maintenance through statutory requirements in a manner satisfactory to the State, and will make ample provision for such maintenance each year.
 - b. Regulate [or prohibit] parking at all times in the vicinity of the proposed improvements during their construction.
 - c. Regulate [or prohibit] all parking at locations where and when the pavement area usually occupied by parked vehicles will be needed to carry active traffic in the street.
 - d. Assume general responsibility for all public information and public relations for the project and to make fitting announcement to the press and such outlets as would generally alert the affected

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property owners and the community of the nature, extent, and timing of the project and arrangements for handling traffic within and around the projects.

- e. Provide relocation orders and real estate plats and easements, as required by the project.
- f. Use the *WisDOT Utility Accommodation Policy* unless it adopts a policy, which has equal or more restrictive controls.
- g. Provide maintenance and energy for lighting.
- h. Provide proper care and maintenance of all landscaping elements of the project including replacement of any plant materials damaged by disease, drought, vandalism or other cause.

26. It is further agreed by the Project Sponsor that:

- a. The Project Sponsor assumes full responsibility for the design, installation, testing and operation of any sanitary sewer and water main infrastructure within the improvement project and relieves the State and all of its employees from liability for all suits, actions, or claims resulting from the sanitary sewer and water main construction under this State/Municipal Agreement.
- b. The Project Sponsor assumes full responsibility for the plans and special provisions provided by their designer or anyone hired, contracted or otherwise engaged by the Project Sponsor. The Project Sponsor is responsible for any expense or cost resulting from any error or omission in such plans or special provisions. The Project Sponsor will reimburse the State if the State incurs any cost or expense in order to correct or otherwise remedy such error or omission or consequences of such error or omission.
- c. The Project Sponsor will be 100% responsible for all costs associated with utility issues involving the Contractor, including costs related to utility delays.
- d. All signs and traffic control devices and other protective structures erected on or in connection with the project including such of these as are installed at the sole cost and expense of the Project Sponsor or by others, will be in conformity with such "Manual on Uniform Traffic Control Devices" as may be adopted by the American Association of State Highway and Transportation Officials, approved by the State, and concurred in by the Federal Highway Administration.

27. The project must be completed within three years from the date of approval of the State/Municipal Agreement by the State. Extensions are available upon the State's approval of a written request made by the Project Sponsor. The written request shall explain the reasons for project implementation delay and revised timeline for project completion.

LEGAL RELATIONSHIPS:

28. Responsibility for Damage and Tort Claims: The Project Sponsor and the Project Sponsor's surety shall indemnify and save harmless the State, its officers and employees, from all suits, actions or claims of any character brought because of any injuries or damages received or sustained by any person, persons or property on account of the operations of the Project Sponsor; or on account of or in consequence of any neglect in safeguarding the work; or because of any act or omission, neglect or misconduct of the Project Sponsor; or because of any claims or amounts recovered for any infringement by the Project Sponsor of patent, trademark or copyright; or from any claims or amounts arising or recovered under the Worker's Compensation Act, relating to the Project Sponsor's employees; or any other law, ordinance, order or decree relating to the Project Sponsor's operations. So much of the money due the Project Sponsor under and by virtue of the contract as shall be considered necessary by the State for such purposes, may be retained for the use of the State; or, in case no money or insufficient money is retained, the Project Sponsor's surety may be held until such suit or suits, action or actions, claim or claims for injuries or damages as aforesaid shall have been settled and suitable evidence to that effect furnished to the State; except that money due the Project Sponsor will not be withheld when the Project Sponsor produces

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satisfactory evidence that the Project Sponsor is adequately protected by public liability and property damage insurance. The Project Sponsor also shall comply with all of the above requirements indemnifying and saving harmless the county, town, or municipality in which the improvement is made and each of them separately or jointly and officers and employees.

The State shall not be liable to the Project Sponsor for damages or delays resulting from work by third parties. The State also shall be exempt from liability to the Project Sponsor for damages or delays resulting from injunctions or other restraining orders obtained by third parties except where the damage or delay is a direct result of an injunction or restraining order obtained by a citizen's action alleging violations of 42 U.S.C. 4331 - 4332, 23 U.S.C. 138 or Public Law 91-646.

It shall be the Project Sponsor's responsibility to see that all of the contract operations incident to the completion of the contract are covered by public liability and property damage liability insurance so the general public or any representative of the contracting authority may have recourse against a responsible party for injuries or damages sustained as a result of the contract operations. This requirement shall apply with equal force, whether the work is performed by the Project Sponsor, by a subcontractor or by anyone directly or indirectly employed by either of them.

It is the express intent of this provision that a Project Sponsor that is a county, town or municipality may and should contractually pass on this entire Responsibility for Damage and Tort Claims provision to any public and private entities with which it may subcontract any of the work covered by this agreement.

- a. The word, "surety" in the above paragraphs refers to the issuer of a payment and performance bond under section 779.14 Wis. Stats. (1997 - 98).
 - b. Nothing in this section should be construed as a waiver of any statutory defenses that may be available to any governmental party.
29. The Project Sponsor, also known as the primary participant, as that term is defined in 49 CFR Part 29, certifies to the best of its knowledge and belief, that it and its principals, as that term is defined in 49 CFR Part 29:
- a. Are not presently debarred, suspended, proposed for debarment, declared ineligible or voluntarily excluded by any State of Wisconsin or Federal department or agency;
 - b. Have not, within a three year period preceding this State/Municipal Agreement, been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain or performing a public (Federal, State or Local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;
 - c. Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State or local) with commission of any of the offenses enumerated above;
 - d. Have not within a three-year period preceding this agreement had one or more public transactions (Federal, State or local) terminated for cause or default; and
 - e. That all grantees, contractors, and suppliers, including what is also known as lower tier participants as that term is used in 49 CFR Part 29 and the Appendix to Part 29 – Covered Transactions, have certified in writing that neither they or their principals are presently debarred, suspended, proposed for debarment or suspension, have been declared ineligible, or have voluntarily been excluded from participating in this or any other Federal, state or local transaction by any Federal, State or local department, agency or official.

BPFP Local Let Template

30. **Contract Modification:** This State/Municipal Agreement can only be modified by written instruments duly executed by both parties. No term or provision of neither this State/Municipal Agreement nor any of its attachments may be changed, waived or terminated orally.
31. **Binding Effects:** All terms of this State/Municipal Agreement shall be binding upon and inure to the benefits of the legal representatives, successors and executors. No rights under this State/Municipal Agreement may be transferred to a third party. This State/Municipal Agreement creates no third- party beneficiary rights to be held by any person or entity who is not a party to this State/Municipal Agreement. Nor does it accord on any non-party the right of enforcement.
32. **Choice of Law and Forum:** This State/Municipal Agreement shall be interpreted and enforced in accordance with the laws of the State of Wisconsin. The Parties hereby expressly agree that the terms contained herein and in any deed executed pursuant to this State/Municipal Agreement are enforceable by an action in the Circuit Court of Dane County, Wisconsin.
33. Nothing in this State/Municipal Agreement shall be construed as a waiver of the State's sovereign immunity.

PROJECT FUNDING CONDITIONS

34. The Project Sponsor agrees to the following Calendar Year 2010 [Fiscal Year 2011-2014 Bicycle and Pedestrian Facilities program project funding conditions:
 - a. ID 2984-34-03: Design and any related review costs are funded with 80% federal/state funding when the Project Sponsor agrees to provide the remaining 20%. These costs are subject to the cumulative project federal/state funding cap of \$135,654.

[End of Document]



Legislation Details (With Text)

File #: 111020 **Version:** 0

Type: Resolution **Status:** In Committee

File created: 11/30/2011 **In control:** PUBLIC WORKS COMMITTEE

On agenda: **Final action:**

Effective date:

Title: Resolution authorizing the Commissioner of Public Works to issue a Request for Proposals and award a contract for professional services for the Milwaukee Water Works for the imprinting and mailing of City of Milwaukee municipal services bills and bills for water service to suburban retail customers.

Sponsors: THE CHAIR

Indexes: WATER SALES, WATER WORKS

Attachments: Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
11/30/2011	0	COMMON COUNCIL	ASSIGNED TO		
12/5/2011	0	PUBLIC WORKS COMMITTEE	HEARING NOTICES SENT		
12/5/2011	0	PUBLIC WORKS COMMITTEE	HEARING NOTICES SENT		

Number
111020
Version
ORIGINAL
Reference

Sponsor
The Chair
Title

Resolution authorizing the Commissioner of Public Works to issue a Request for Proposals and award a contract for professional services for the Milwaukee Water Works for the imprinting and mailing of City of Milwaukee municipal services bills and bills for water service to suburban retail customers.

Analysis

This resolution authorizes the issuance of a Request for Proposal and execution of a contract for professional services for the Milwaukee Water Works for the imprinting and mailing of City of Milwaukee municipal services bills and bills for water service to suburban retail customers.

Body

Whereas, The Milwaukee Water Works is a self-financing business enterprise of the City of Milwaukee that provides safe and abundant drinking water in the City of Milwaukee and 15 neighboring communities; and

Whereas, The Milwaukee Water Works is responsible for generating and delivering the municipal services bill to City of Milwaukee residents and also directly bills customers in Greenfield, Hales

Corners and St. Francis for water service; and

Whereas, The current contract for bill printing and mailing is coming to a close and the Milwaukee Water Works seeks to contract with a qualified vendor to accept electronic transmittal of billing data, present bills to customers with options for both hard-copy by United States mail and electronic bill presentment; and

Whereas, A Request for Proposal process will enable the Milwaukee Water Works to receive services with the most appropriate technology and best value for this purpose; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the Commissioner of Public Works is authorized and directed to issue a Request for Proposals and award a contract for professional services for the Milwaukee Water Works for the printing and mailing of City of Milwaukee municipal services bills and bills for water service to suburban retail customers; and, be it

Further Resolved, That the cost of the contract be charged to the appropriate Milwaukee Water Works account.

Requestor
Department of Public Works
Milwaukee Water Works
Drafter
Administration
Carrie M. Lewis
November 23, 2011



Legislation Details (With Text)

File #: 110989 **Version:** 0

Type: Resolution **Status:** In Committee

File created: 11/30/2011 **In control:** PUBLIC WORKS COMMITTEE

On agenda: **Final action:**

Effective date:

Title: Resolution authorizing the Commissioner of Public Works to enter into an Out-of-Program Agreement with Northtown Church for the installation of a public water main.

Sponsors: THE CHAIR

Indexes: AGREEMENTS, WATER MAINS

Attachments: Agreement, Exhibit A, Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
11/30/2011	0	COMMON COUNCIL	ASSIGNED TO		
12/5/2011	0	PUBLIC WORKS COMMITTEE	HEARING NOTICES SENT		
12/5/2011	0	PUBLIC WORKS COMMITTEE	HEARING NOTICES SENT		

NUMBER
110989
VERSION
Original

REFERENCE

SPONSOR
The Chair

TITLE
Resolution authorizing the Commissioner of Public Works to enter into an Out-of-Program Agreement with Northtown Church for the installation of a public water main.

ANALYSIS
This resolution authorizes the Commissioner of Public Works to execute an Out-of-Program Agreement on behalf of the City of Milwaukee between Northtown Church (Developer) and the City of Milwaukee. This agreement pertains to the installation of a public water main to serve the site at 7000 North 107th Street.

BODY
Whereas, The Developer is the owner of the church property at 7000 North 107th Street, Milwaukee, Wisconsin (the "Property"). This Property is shown in by Exhibit "A"; and

Whereas, The Developer has requested an agreement that provides for installation of a public water main to serve the Property; and

Whereas, The public water main for the Property could be installed under the terms of an out-of-program agreement upon condition that title to such facilities shall vest in the City of Milwaukee subject to conditions more fully hereinafter stated; and

Whereas, The cost of the relocation of the water main will be funded entirely by the Developer, cost to include

construction costs, material costs, and engineering and inspections costs; (WT430113003) (Developer Authority Water Fund Budget Line 5010 -- \$2,100; Developer Authority Water Fund Budget Line 6410 -- \$4,700); and

Whereas, The Developer has requested that the construction of the water main be completed by the Developer, now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee that the Out-of-Program Agreement attached to this file is hereby approved and the proper City officers are hereby authorized to execute said agreement on behalf of the City; and, be it

Further Resolved, That the Commissioner of Public Works is authorized to accept funds from the Developer as outlined in the Out-of-Program Agreement for the purpose of preparing design engineering plans and for the purpose of inspecting construction of the public water main; and, be it

Further Resolved, That the Commissioner is authorized to make minor changes to the Out-of-Program Agreement prior to its execution.

Drafter
DPW-ADM
ML:mra
November 16, 2011
Northtown OPA Res

THIS AGREEMENT, By and between Northtown Church, hereinafter known as "Northtown", and the City of Milwaukee, a municipal corporation, hereinafter known as "City";

WITNESSETH:

IN CONSIDERATION of the sum of One Dollar (\$1.00) to each party in hand paid by the other, receipt whereof is hereby acknowledged, and in further consideration of the covenants and agreements hereinafter contained.

WHEREAS, Northtown is the owner of 7000 North 107th Street. This site is shown in Exhibit "A"; and

WHEREAS, Northtown has requested an agreement that provides for installation of a public water main to serve the site; and

WHEREAS, The public water main could be installed under the terms of an out-of-program agreement upon condition that title to such facilities shall vest in the City of Milwaukee subject to conditions more fully hereinafter stated.

NOW, THEREFORE, In consideration of these premises and the mutual benefits herein accruing and for other good and valuable considerations,

IT IS AGREED, By and between the parties hereto that:

1. Funding Obligation

Northtown agrees to provide all funds necessary for design and construction of the public water main, easement preparation as may be required, water fittings, materials inspections, construction inspections and any related City work necessitated by the project.

2. City to Design Public Water Main

The City shall undertake the design of the public water main using funds provided by Northtown.

3. Construction Option

Upon mutual concurrence of Northtown and the Commissioner of Public Works, Northtown may let and administer the construction contract for the public water main covered by this Agreement. In the event Northtown manages the public improvement construction contract, City shall perform its normal inspections during the course of construction. In addition, Northtown agrees to make a good faith effort to comply with and administer on behalf of the City, all applicable City rules and requirements pertaining to Emerging Business Enterprise and local resident involvement in the construction contracts.

Northtown shall not authorize any changes in water main plans without the prior approval of the Commissioner of Public Works. All payments to contractors must be pre-approved by the Commissioner.

4. Water Improvements

Water main will be installed in street rights-of-way and in easement, as may be necessary, to serve the site. Per paragraph 2, plans for water main improvements shall be prepared by the City. The estimated costs to design, construct and inspect the water improvements are as follows:

Design	\$ 6,800
Construction	\$79,700
Inspection & related activities	\$ 9,275
Water fittings & materials	\$ 4,225

If Northtown lets the contract for the water improvements, Northtown shall provide the required water fittings. If the City lets the contract, the City shall provide the fittings. As the designer of the water main project, the City is responsible for requesting the required State of Wisconsin Department of Natural Resources Water Main Installation permit and the State of Wisconsin Permit to construct within State Right of Way. The City will provide the pressure and flow test information to the State of Wisconsin as required as part of the permit application.

5. Utility Laterals

A water lateral (size and location to be determined by Northtown) will be installed from the water main to the property line. The cost of the lateral is included in the preceding water estimate. The water lateral between the property line and the building must be installed by Northtown under a separate permit.

6. Other Improvements

Northtown agrees that any utility and access improvements necessary to serve the site in addition to those listed above shall be its responsibility and shall be undertaken by Northtown at its sole expense. Northtown further agrees that the City shall review and approve plans for any work to occur in the public right-of-way. Permits necessary for any such work shall be obtained by Northtown or other responsible parties.

7. Easements

Northtown agrees to provide, where necessary and at no cost to the City, all on-site easements and other property rights required to construct, operate and maintain the public improvements described herein. All on-site easement areas are to be pre-graded by the Northtown prior to the construction of public improvements therein.

8. Private Utilities

Northtown agrees that all private utility lines necessary to provide telephone, communications, electrical, and gas services to the development shall be installed underground, except where the City Plan Commission finds that such underground installations are not feasible.

9. Design Engineering Deposit

Northtown shall deposit a total \$6,800 with the City to cover the estimated cost of preparing the plans.

10. Funding Guarantee for Construction

Northtown shall submit an irrevocable Letter of Credit (LOC) or other funding guarantee, satisfactory in format to the City Attorney, in an amount equal to the estimated construction contract cost and water fittings costs (\$83,925) for the public infrastructure improvements described herein prior to the award of any public improvement contracts, whether privately or publicly let. At the request of Northtown, the actual contract amount for the various improvements may be substituted for the estimated costs. In addition, the amount of the LOC may be reduced periodically to reflect payments made to contractors. Any such reductions shall be approved by the Commissioner of Public Works.

Any and all irrevocable Letters of Credit shall guarantee that the Northtown's bank or savings and loan will provide the required funds to cover the contract cost of installing the applicable infrastructure improvements and will, upon simple request by the Commissioner of Public Works and the City Treasurer, release same to City as required, all such funds to be furnished interest free. The Letter of Credit or other funding guarantee shall be submitted to the City prior to the City or the Northtown entering into any contracts for installation of public improvements.

11. City Force Work Costs

If the City lets the construction contract, the force work cost estimate is \$13,500. This estimate includes water main fittings, material, installation, inspections, water sampling, and MWW Distribution Division labor.

If Northtown lets the construction contract, the force work cost estimate is \$9,275. This estimate includes those items listed above except water main fittings. Northtown shall be responsible for purchasing the water fittings, which will be inspected by MWW.

Northtown shall deposit the relevant amount with the City prior to the City advertising for public improvement construction bids or prior to Northtown letting any contracts for public improvements.

12. Payments

In the event the City lets public improvement construction contracts, the contract costs for the public improvements will be billed to Northtown upon determination that such costs have been incurred by City. Northtown shall provide the City with funds to make contract payments. If such funds are not provided within 30 days of being requested, City may draw against the funding guarantee referenced in paragraph 10. It shall be further understood and agreed that where Northtown funded work covered under the terms of this Agreement does not proceed to the bid or contract stage, the City shall still retain a sufficient amount of the engineering fund deposit to cover expenses incurred by the City for plan review work commenced by the City at Northtown's request.

Upon completion of the public water main installation and all associated City work, City shall return any unspent portions of the Northtown's cash deposits (i.e. the Design Deposit and the Construction Engineering Deposit) to Northtown.

13. Inspections

Both parties agree that all materials furnished and all work performed hereunder shall conform to all regulations and specifications of the City of Milwaukee and its Commissioner of Public Works and shall be subject to inspection by the Department of Public Works. All engineering and inspection costs incidental to the installation of the public improvements covered by this Agreement shall be subject to the terms of this Agreement, the cost of such service when furnished by City being established as the wages of the person or persons engaged in such work plus all costs of overhead.

14. Ownership of Public Improvements

It is understood and agreed by both parties hereto that upon completion of the public improvements, title to all public facilities installed under the terms of this Agreement shall vest in the City of Milwaukee and that the City will accept the obligation of operation and maintenance in accordance with the standard practice.

15. Building Permits

It is understood and agreed by both parties hereto that building permits for any work at the site shall not be issued until (1) the required Storm Water Management Plan has been approved, (2) the Northtown has provided the City with design funds, a funding guarantee, and a deposit for City Force Work, and (3) all easements required to construct and maintain underground improvements have been provided to the City.

16. Occupancy Permits

It is understood and agreed by both parties hereto that occupancy permits for any structure in the site shall not be issued until all planned public improvements have been sufficiently completed so essential public utility services and traffic access are provided to the structure.

17. Prevailing Wages

Northtown shall comply with the prevailing wages requirements set forth on the exhibit attached hereto.

18. City Ordinances and Regulations

City warrants that all work shall be undertaken in accord with City standard and customary public works contracting procedures unless such work is to be undertaken by City Forces or by Northtown per paragraph 3. It is further understood and agreed that this Agreement is subject to all City ordinances and regulations and nothing herein shall be deemed to waive or supersede such requirements.

THIS AGREEMENT, drafted by the City of Milwaukee, shall be binding upon Northtown, its lessees, successors and assigns, and upon the City, its successors and assigns.

DEVELOPER

IN WITNESS WHEREOF, Northtown has caused this document to be signed and sealed this ____ day of _____, 2011.

Northtown Church

In Presence Of:

STATE OF WISCONSIN)
) SS.
MILWAUKEE COUNTY)

Personally came before me this ____ day of _____, 2011,
who executed the foregoing instrument, and acknowledged that they executed the
same.

Notary Public, State of Wisconsin

My Commission expires: _____

IN WITNESS WHEREOF, the proper City Officers have caused this document to be signed and the City's seal to be affixed this _____ day of _____, 2011.

CITY OF MILWAUKEE

In Presence Of:

Tom Barrett, Mayor

City Clerk

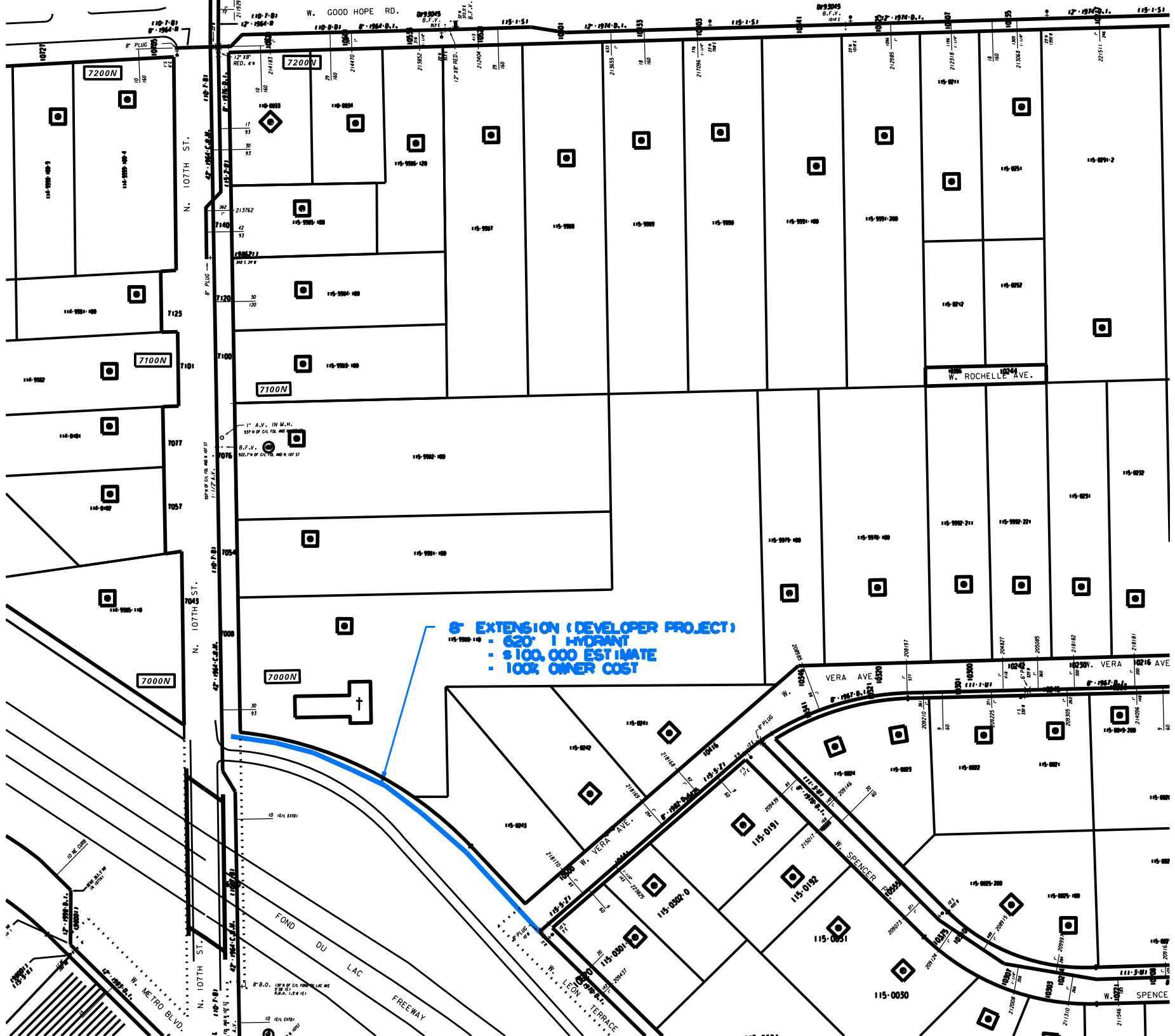
COUNTERSIGNED

Comptroller

STATE OF WISCONSIN)
) SS.
MILWAUKEE COUNTY)

Personally came before me this _____ day of _____, 2011, Tom Barrett, Mayor of the City of Milwaukee, a municipal corporation, to me known to be the person who executed the foregoing instrument and to me known to be such Mayor of said municipal corporation, and acknowledged that he executed the foregoing instrument as such officer as the deed of said municipal corporation, its authority, and pursuant to Resolution File No. adopted _____, 2011.

Notary Public, State of Wisconsin
My Commission expires: _____



6" EXTENSION (DEVELOPER PROJECT)
- 620' I HYDRANT
- \$100,000 ESTIMATE
- 100% OWNER COST



Legislation Details (With Text)

File #: 111016 **Version:** 0

Type: Resolution **Status:** In Committee

File created: 11/30/2011 **In control:** PUBLIC WORKS COMMITTEE

On agenda: **Final action:**

Effective date:

Title: Resolution authorizing the Commissioner of Public Works to enter into an Out-of-Program Agreement with HD Development, LLC for the installation of a public water main.

Sponsors: THE CHAIR

Indexes: AGREEMENTS, WATER MAINS

Attachments: Agreement, Exhibit A, Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
11/30/2011	0	COMMON COUNCIL	ASSIGNED TO		
12/5/2011	0	PUBLIC WORKS COMMITTEE	HEARING NOTICES SENT		
12/5/2011	0	PUBLIC WORKS COMMITTEE	HEARING NOTICES SENT		

NUMBER
111016
VERSION
Original

REFERENCE

SPONSOR
The Chair

TITLE
Resolution authorizing the Commissioner of Public Works to enter into an Out-of-Program Agreement with HD Development, LLC for the installation of a public water main.

ANALYSIS
This resolution authorizes the Commissioner of Public Works to execute an Out-of-Program Agreement on behalf of the City of Milwaukee between HD Development, LLC (Developer) and the City of Milwaukee. This agreement pertains to the installation of a public water main to serve the site at 1136 East North Avenue.

BODY
Whereas, The Developer is the owner of the church property at 1136 East North Avenue, Milwaukee, Wisconsin (the "Property"), as shown in Exhibit "A"; and

Whereas, The Developer has requested an agreement that provides for installation of a public water main to serve the Property; and

Whereas, The public water main for the Property could be installed under the terms of an out-of-program agreement upon condition that title to such facilities shall vest in the City of Milwaukee subject to conditions more fully hereinafter stated; and

Whereas, The cost of the relocation of the water main will be funded entirely by the Developer, cost to include

construction costs, material costs, and engineering and inspection costs; (WT430113004) (Developer Authority Water Fund Budget Line 6410 -- \$6,000); and

Whereas, The Developer has requested that the construction of the water main be completed by the Developer, now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee that the Out-of-Program Agreement attached to this file is hereby approved and the proper City officers are hereby authorized to execute said agreement on behalf of the City; and, be it

Further Resolved, That the Commissioner of Public Works is authorized to accept funds from the Developer as outlined in the Out-of-Program Agreement for the purpose of preparing design engineering plans and for the purpose of inspecting construction of the public water main; and, be it

Further Resolved, That the Commissioner is authorized to make minor changes to the Out-of-Program Agreement prior to its execution.

Drafter
DPW-ADM
MDL:mra
November 17, 2011
HD Development OPA Res

THIS AGREEMENT, By and between HD Development, LLC, hereinafter known as "HD", and the City of Milwaukee, a municipal corporation, hereinafter known as "City";

WITNESSETH:

IN CONSIDERATION of the sum of One Dollar (\$1.00) to each party in hand paid by the other, receipt whereof is hereby acknowledged, and in further consideration of the covenants and agreements hereinafter contained.

WHEREAS, HD is the owner of 1136 East North Avenue. This site is shown in Exhibit "A"; and

WHEREAS, HD has requested an agreement that provides for installation of a public water main to serve the site; and

WHEREAS, The public water main could be installed under the terms of an out-of-program agreement upon condition that title to such facilities shall vest in the City of Milwaukee subject to conditions more fully hereinafter stated.

NOW, THEREFORE, In consideration of these premises and the mutual benefits herein accruing and for other good and valuable considerations,

IT IS AGREED, By and between the parties hereto that:

1. Funding Obligation

HD agrees to provide all funds necessary for design and construction of the public water main, easement preparation as may be required, water fittings, materials inspections, construction inspections and any related City work necessitated by the project.

2. City to Design Public Water Main

The City shall undertake the design of the public water main using funds provided by HD.

3. Construction Option

Upon mutual concurrence of HD and the Commissioner of Public Works, HD may let and administer the construction contract for the public water main covered by this Agreement. In the event HD manages the public improvement construction contract, City shall perform its normal inspections during the course of construction. In addition, HD agrees to make a good faith effort to comply with and administer on behalf of the City, all applicable City rules and requirements pertaining to Emerging Business Enterprise and local resident involvement in the construction contracts.

HD shall not authorize any changes in water main plans without the prior approval of the Commissioner of Public Works. All payments to contractors must be pre-approved by the Commissioner.

4. Water Improvements

Water main will be installed in East North Avenue, as may be necessary, to serve the site. Per paragraph 2, plans for water main improvements shall be prepared by the City.

The estimated costs to design, construct, and inspect the water improvements are as follows:

Design	\$ 6,000
Construction	\$58,000
Inspection and related activities	\$ 8,000
Water fittings and materials	\$ 3,000

If HD lets the contract for the water improvements, HD shall provide the required water fittings. If the City lets the contract, the City shall provide the fittings. As the designer of the water main project, the City is responsible for obtaining the State of Wisconsin Department of Natural Resources Water Main Installation permit. The City will provide the pressure and flow test information to the State of Wisconsin as required as part of the permit application.

5. Utility Laterals

A water lateral (size and location to be determined by HD) will be installed from the water main to the property line. The cost of the lateral is included in the preceding water estimate. The water lateral between the property line and the building must be installed by HD under a separate permit.

6. Other Improvements

HD agrees that any utility and access improvements necessary to serve the site in addition to those listed above shall be its responsibility and shall be undertaken by HD at its sole expense. HD further agrees that the City shall review and approve plans for any work to occur in the public right-of-way. Permits necessary for any such work shall be obtained by HD or other responsible parties.

7. Easements

HD agrees to provide, where necessary and at no cost to the City, all on-site easements and other property rights required to construct, operate, and maintain the public improvements described herein. All on-site easement areas are to be pre-graded by HD prior to the construction of public improvements therein.

8. Private Utilities

HD agrees that all private utility lines necessary to provide telephone, communications, electrical, and gas services to the development shall be installed underground, except where the City Plan Commission finds that such underground installations are not feasible.

9. Design Engineering Deposit

HD shall deposit a total of \$6,000 with the City to cover the estimated cost of preparing the plans.

10. Funding Guarantee for Construction

HD shall submit an irrevocable Letter of Credit (LOC) or other funding guarantee, satisfactory in format to the City Attorney, in an amount equal to the estimated construction contract cost and water fittings cost (\$61,000) for the public infrastructure improvements described herein prior to the award of any public improvement contracts, whether privately or publicly let. At the request of HD, the actual contract amount for the various improvements may be substituted for the estimated costs. In addition, the amount of the LOC may be reduced periodically to reflect payments made to contractors. Any such reductions shall be approved by the Commissioner of Public Works.

Any and all irrevocable Letters of Credit shall guarantee that the HD's bank or savings and loan will provide the required funds to cover the contract cost of installing the applicable infrastructure improvements and will, upon simple request by the Commissioner of Public Works and the City Treasurer, release same to City as required, all such funds to be furnished interest free. The Letter of Credit or other funding guarantee shall be submitted to the City prior to the City or the HD entering into any contracts for installation of public improvements.

11. City Force Work Costs

If the City lets the construction contract, the City force work cost estimate for construction services is \$11,000. This estimate includes water main fittings, material and

installation inspections, pressure testing and safe water sampling, and MWW Distribution Division labor.

If HD lets construction contracts, the force work cost estimate is \$8,000. This estimate includes those items listed above except water main fittings. HD shall be responsible for purchasing the water fittings, which will be inspected by MWW.

HD shall deposit the relevant amount with the City prior to the City advertising for public improvement construction bids or prior to HD letting any contracts for public improvements.

12. Payments

In the event the City lets public improvement construction contracts, the contract costs for the public improvements will be billed to HD upon determination that such costs have been incurred by City. HD shall provide the City with funds to make contract payments. If such funds are not provided within 30 days of being requested, City may draw against the funding guarantee referenced in paragraph 10. It shall be further understood and agreed that where HD funded work covered under the terms of this Agreement does not proceed to the bid or contract stage, the City shall still retain a sufficient amount of the engineering fund deposit to cover expenses incurred by the City for plan review work commenced by the City at HD's request.

Upon completion of the public water main installation and all associated City work, City shall return any unspent portions

of the HD's cash deposits (i.e. the Design Deposit and the Construction Engineering Deposit) to HD.

13. Inspections

Both parties agree that all materials furnished and all work performed hereunder shall conform to all regulations and specifications of the City of Milwaukee and its Commissioner of Public Works and shall be subject to inspection by the Department of Public Works. All engineering and inspection costs incidental to the installation of the public improvements covered by this Agreement shall be subject to the terms of this Agreement, the cost of such service when furnished by City being established as the wages of the person or persons engaged in such work plus all costs of overhead.

14. Ownership of Public Improvements

It is understood and agreed by both parties hereto that upon completion of the public improvements, title to all public facilities installed under the terms of this Agreement shall vest in the City of Milwaukee and that the City will accept the obligation of operation and maintenance in accordance with the standard practice.

15. Building Permits

It is understood and agreed by both parties hereto that building permits for any work at the site shall not be issued until (1) the required Storm Water Management Plan has been approved, (2) the HD has provided the City with design funds, a funding guarantee, and a deposit for City Force Work, and (3) all easements required to construct and

maintain underground improvements have been provided to the City.

16. Occupancy Permits

It is understood and agreed by both parties hereto that occupancy permits for any structure in the site shall not be issued until all planned public improvements have been sufficiently completed so essential public utility services and traffic access are provided to the structure.

17. Prevailing Wages

HD shall comply with the prevailing wages requirements set forth on the exhibit attached hereto.

18. City Ordinances and Regulations

City warrants that all work shall be undertaken in accord with City standard and customary public works contracting procedures unless such work is to be undertaken by City Forces or by HD per paragraph 3. It is further understood and agreed that this Agreement is subject to all City ordinances and regulations and nothing herein shall be deemed to waive or supersede such requirements.

THIS AGREEMENT, drafted by the City of Milwaukee, shall be binding upon HD, its lessees, successors and assigns, and upon the City, its successors and assigns.

DEVELOPER

IN WITNESS WHEREOF, HD has caused this document to be signed and sealed this ____ day of _____, 2011.

HD Development, LLC

In Presence Of:

STATE OF WISCONSIN)
) SS.
MILWAUKEE COUNTY)

Personally came before me this ____ day of _____, 2011, who executed the foregoing instrument, and acknowledged that they executed the same.

Notary Public, State of Wisconsin
My Commission expires: _____

IN WITNESS WHEREOF, the proper City Officers have caused this document to be signed and the City's seal to be affixed this ____ day of _____, 2011.

CITY OF MILWAUKEE

In Presence Of:

Tom Barrett, Mayor

City Clerk

COUNTERSIGNED

Comptroller

STATE OF WISCONSIN)
) SS.
MILWAUKEE COUNTY)

Personally came before me this ____ day of _____, 2011, Tom Barrett, Mayor of the City of Milwaukee, a municipal corporation, to me known to be the person who executed the foregoing instrument and to me known to be such Mayor of said municipal corporation, and acknowledged that he executed the foregoing instrument as such officer as the deed of said municipal corporation, its authority, and pursuant to Resolution File No. adopted _____, 2011.

Notary Public, State of Wisconsin

My Commission expires: _____

STATE OF WISCONSIN)
) SS.
MILWAUKEE COUNTY)

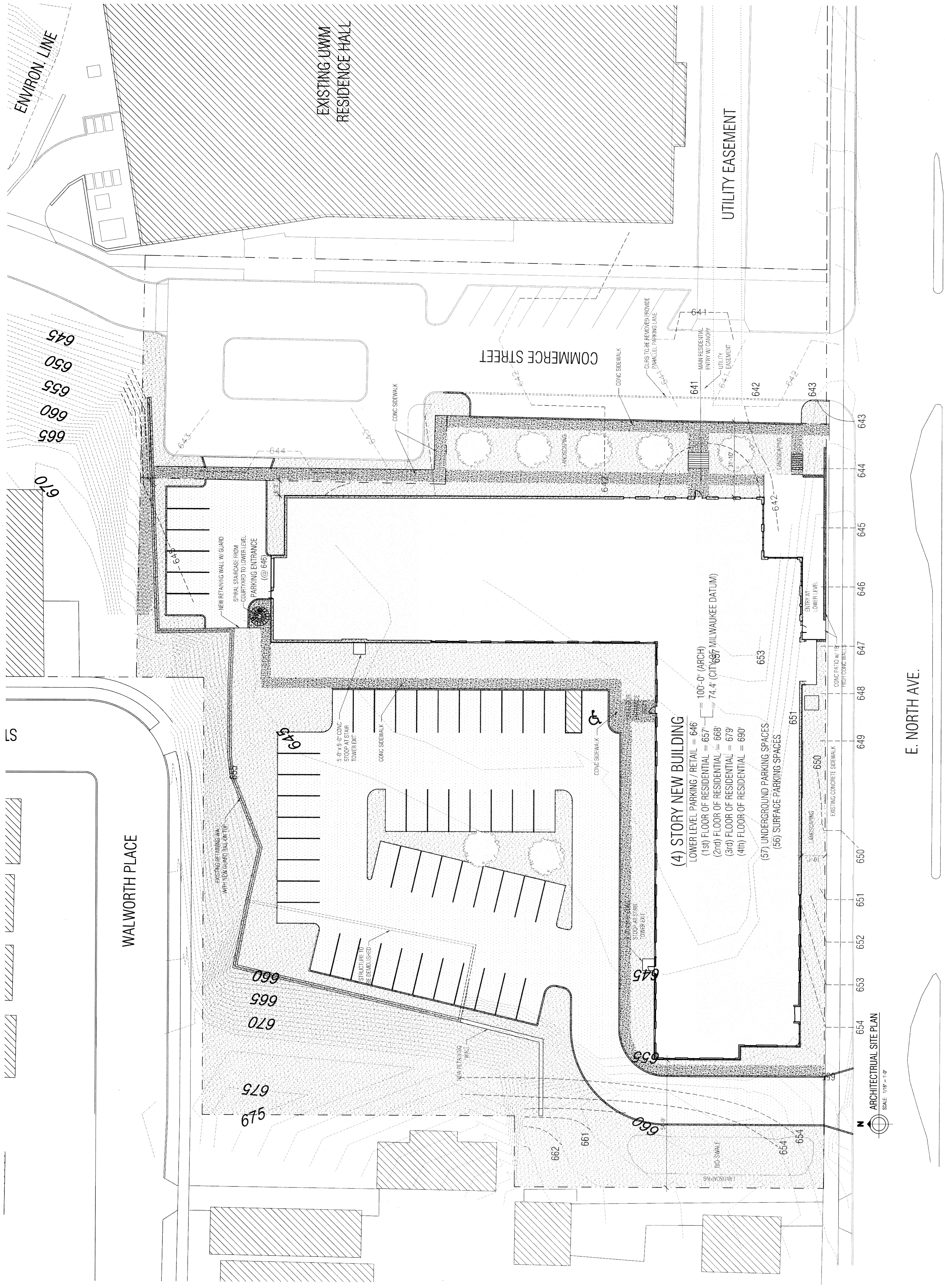
Personally came before me this _____ day of _____, 2011, Ronald Leonhardt, City Clerk of the above-named municipal corporation, to me known to be the person who executed the foregoing instrument and to me known to be such City Clerk of said municipal corporation, and acknowledged that he executed the foregoing instrument as such officer as the deed of said municipal corporation, its authority, and pursuant to Resolution File No. _____, adopted _____, 2011.

Notary Public, State of Wisconsin
My Commission expires: _____

STATE OF WISCONSIN)
) SS.
MILWAUKEE COUNTY)

Personally came before me this _____ day of _____, 2011, W. Martin Morics, City Comptroller of the City of Milwaukee, a municipal corporation, to me known to be the person who executed the foregoing instrument and to me known to be such City Comptroller of said municipal corporation, and acknowledged that he executed the foregoing instrument as such officer as the deed of said municipal corporation, its authority, and pursuant to Resolution File No. _____, adopted _____, 2011.

Notary Public, State of Wisconsin
My Commission expires: _____



SS

WALWORTH PLACE

COMMERCE STREET

EXISTING UWM
RESIDENCE HALL

UTILITY EASEMENT

E. NORTH AVE.

(4) STORY NEW BUILDING
 LOWER LEVEL PARKING / RETAIL = 646
 (1st) FLOOR OF RESIDENTIAL = 657
 (2nd) FLOOR OF RESIDENTIAL = 668
 (3rd) FLOOR OF RESIDENTIAL = 679
 (4th) FLOOR OF RESIDENTIAL = 690
 (57) UNDERGROUND PARKING SPACES
 (56) SURFACE PARKING SPACES

ARCHITECTURAL SITE PLAN
 SCALE: 1/8" = 1'-0"

SITE PLAN

1136 E. NORTH AVENUE

MILWAUKEE, WI

Zimmerman
 ARCHITECTURAL STUDIOS, INC.

5106 N. Port Washington Rd. | Glendale, WI 53217 | zstudios.com

ZAS Project # 0055.59 | Date Issued: 10.25.10



Legislation Details (With Text)

File #: 101428 **Version:** 0

Type: Resolution **Status:** In Committee

File created: 3/23/2011 **In control:** PUBLIC WORKS COMMITTEE

On agenda: **Final action:**

Effective date:

Title: Resolution amending a special privilege for change of ownership to Dixon 1818, LLC for encroachment into the public right-of-way for retaining walls, steps, concrete sidewalks, and a brick patio for the premises at 1818 N. Hubbard Street, in the 6th Aldermanic District.

Sponsors: THE CHAIR

Indexes: SPECIAL PRIVILEGE PERMITS

Attachments: Petition, Map, Photos, Survey, Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
3/23/2011	0	COMMON COUNCIL	ASSIGNED TO		
5/5/2011	0	PUBLIC WORKS COMMITTEE	REFERRED TO		
12/5/2011	0	PUBLIC WORKS COMMITTEE	HEARING NOTICES SENT		
12/5/2011	0	PUBLIC WORKS COMMITTEE	HEARING NOTICES SENT		

Number
101428
Version
ORIGINAL
Reference
031693
Sponsor
THE CHAIR
Title
Resolution amending a special privilege for change of ownership to Dixon 1818, LLC for encroachment into the public right-of-way for retaining walls, steps, concrete sidewalks, and a brick patio for the premises at 1818 N. Hubbard Street, in the 6th Aldermanic District.
Drafter
CC-CC
dkf
3/15/11
spec-priv



PETITION FOR A SPECIAL PRIVILEGE cci-246 (8/10)

SP 2543

- New application \$250.00 Fee
- Amendment to add items to Special Privilege # _____ (\$125.00 Fee)
- Amendment to remove items from Special Privilege # _____ (No fee)
- Amendment for change of ownership for Special Privilege # 2121 (No fee)

- File petition with the Department of Public Works, 841 North Broadway, Room 919, Milwaukee, WI 53202, telephone (414) 286-2454.
- Fee must be submitted with petition. Checks should be made payable to the City of Milwaukee.
- Petition must be submitted in duplicate.

To the Honorable, The Common Council of the City of Milwaukee:

The Licensee Dixon 1818, LLC
(Name of Individual, Partners, Corporation or LLC)

being the owners of the following property known by street address as 1818 N Hubbard St
(Street Address and Zip Code)

in the 6th Aldermanic District respectfully petition the Common Council of the City of Milwaukee according to the provisions of Section 66.0425 of the Wisconsin Statutes, that the following privilege be granted:

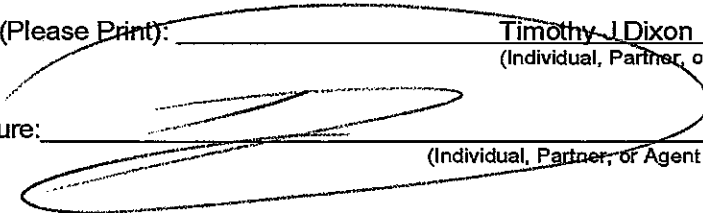
Description of Special Privilege: Change of ownership for CCF 031693 for retaining walls, steps, concrete sidewalks, brick patio, etc

Of which a plan or sketch is herewith submitted. Petitioner agrees to comply with all laws and all ordinances of the City of Milwaukee, to abide by any order or resolution of the Common Council affecting this privilege, to be primarily liable for damages to person or property by reason of the granting of such privilege, pay annual compensation as provided by law in the sum to be fixed by the proper city officers, and to file and keep current throughout the existence of the privilege, a certificate of insurance indicating applicant holds a public liability policy in at least the sums of \$25,000.00/\$50,000.00 bodily injury, and \$10,000.00 property damage, insuring the city against any liability that might arise by reason of the privilege.

Petitioner further agrees to remove said privilege whenever public necessity so requires when so ordered upon resolution adopted by the Common Council or other legislative body.

Should this special privilege be discontinued for any reason whatsoever, petitioner agrees to remove all construction work executed pursuant to this special privilege, to restore to its former condition and to the approval of the Commissioner of Public Works, any curb, pavement, or other public improvement which was removed, changed or disturbed by reason of the granting of this special privilege. Petitioner further agrees not to contest the validity of Section 66.0425 of the Wisconsin Statutes, or the legality of this special privilege in any way.

Name (Please Print): Timothy J Dixon
(Individual, Partner, or Agent if corporation or LLC as shown above)

Signature: 
(Individual, Partner, or Agent if corporation or LLC)

Corporation or LLC Name: DIXON 1818, LLC
(If applicable, as shown above)

Mailing Address (If different than property address above): 1818 N Hubbard St. 2nd flr

(OVER)

City: Milwaukee State: WI Zip: 53212

Telephone: 414-727-7000 E-Mail: jennifer@dixondevelops.com

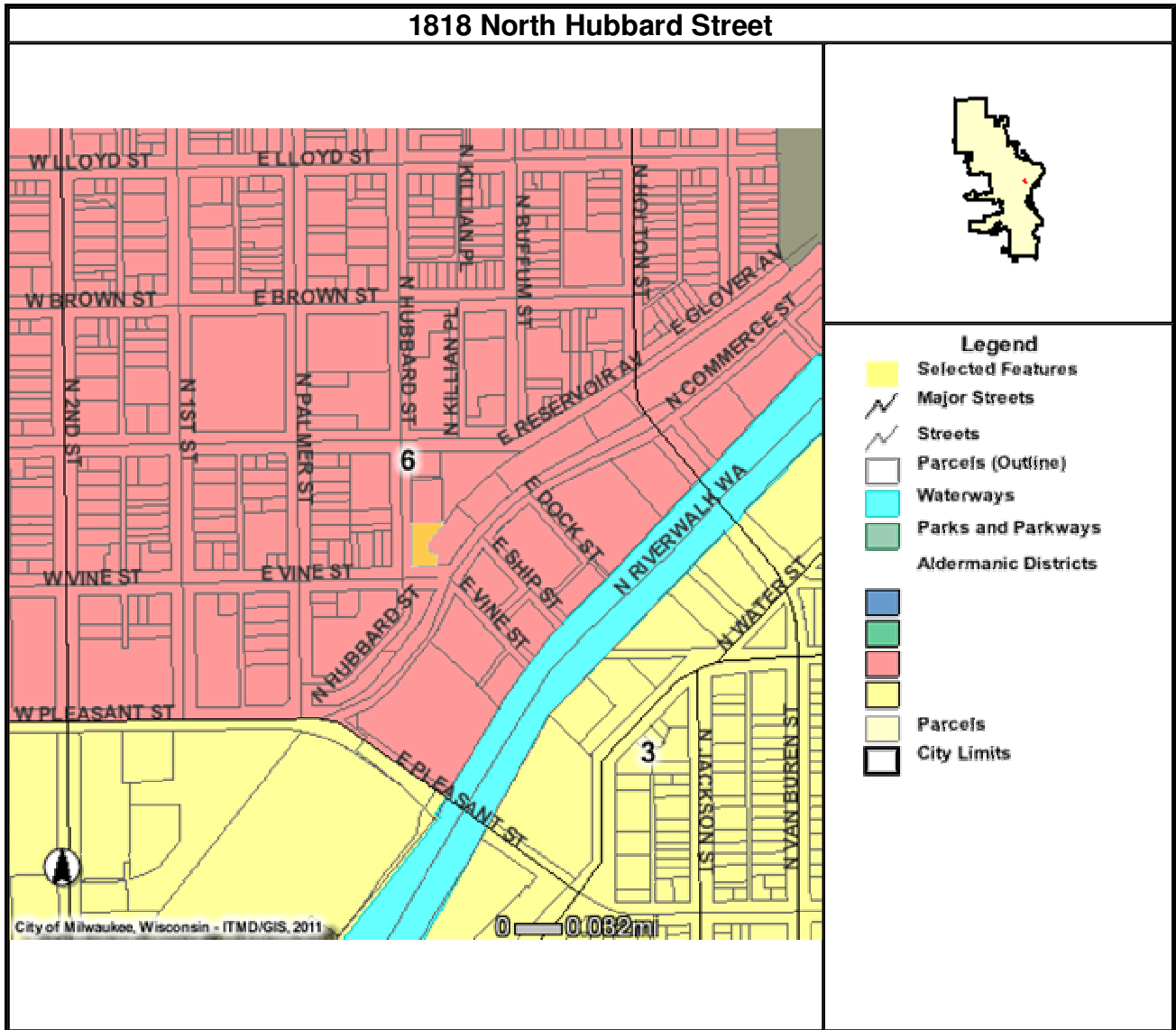
Architect/Engineer/Contractor (If Applicable)

Name: _____

Address: _____

City: _____ State: _____ Zip: _____

Telephone: _____ E-Mail: _____





CCF 101428

1818 North Hubbard Street

11-11-2011

Looking down and easterly from balcony east of Hubbard St at terraced garden area and patio in unimproved Vine Street right-of-way.



CCF 101428

1818 North Hubbard Street

11-11-2011

Looking down and southerly from balcony east of Hubbard St at the patio in unimproved Vine Street right-of-way.



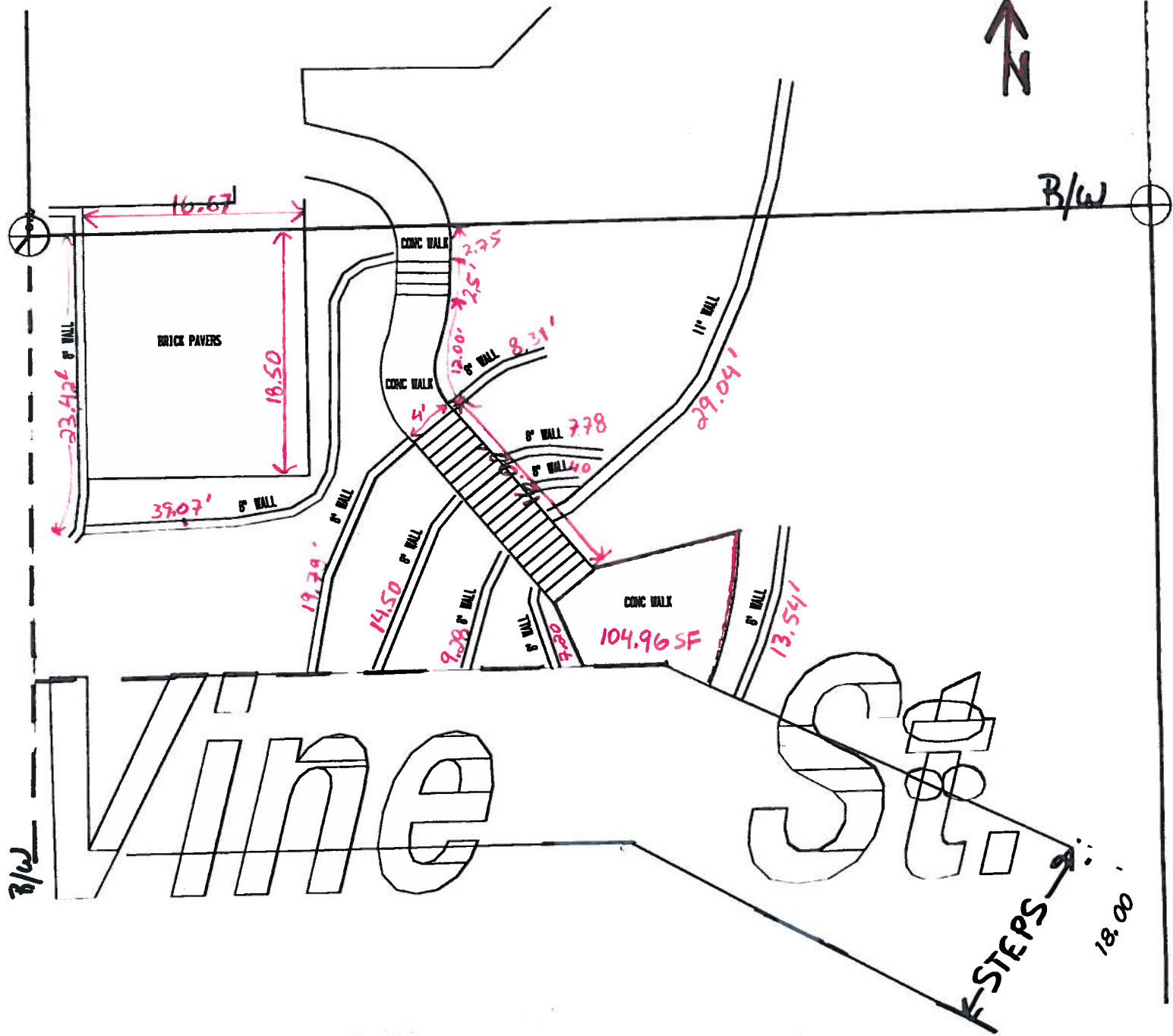
CCF 101428

1818 North Hubbard Street

11-11-2011

Looking up and northwesterly from the East Vine Street steps and private steps, retaining walls and terraced plantings in the unimproved Vine Street right-of-way.

N. HUBBARD ST.



17.2



Legislation Details (With Text)

File #: 110021 **Version:** 1

Type: Resolution **Status:** In Committee

File created: 5/3/2011 **In control:** PUBLIC WORKS COMMITTEE

On agenda: **Final action:**

Effective date:

Title: Substitute resolution granting a special privilege to Riverfront Lofts Condominium Owners' Association Inc for a covered walk with decorative drapes for the premises at 730 North Plankinton Avenue, in the 4th Aldermanic District.

Sponsors: THE CHAIR

Indexes: SPECIAL PRIVILEGE PERMITS

Attachments: Cover Letter, Petition, Map, Photos, Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
5/3/2011	0	COMMON COUNCIL	ASSIGNED TO		
5/4/2011	0	PUBLIC WORKS COMMITTEE	REFERRED TO		
12/5/2011	0	PUBLIC WORKS COMMITTEE	HEARING NOTICES SENT		
12/5/2011	0	PUBLIC WORKS COMMITTEE	HEARING NOTICES SENT		

Number

110021

Version

SUBSTITUTE 1

Reference

Sponsor

THE CHAIR

Title

Substitute resolution granting a special privilege to Riverfront Lofts Condominium Owners' Association Inc for a covered walk with decorative drapes for the premises at 730 North Plankinton Avenue, in the 4th Aldermanic District.

Analysis

This resolution grants a special privilege to Riverfront Lofts Condominium Owners' Association Inc for a covered walk with decorative drapes for the premises at 730 North Plankinton Avenue.

Body

Whereas, The applicant is requesting permission to construct and maintain a covered walk with decorative drapes at the main entrance to the subject premises; and

Whereas, Said covered walk may only legally encroach into the public right-of-way by granting of a special privilege resolution adopted by the Common Council; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee that Riverfront Lofts Condominium Owners' Association Inc, c/o Ogden & Company Inc, 1665 North Water Street, Milwaukee, Wisconsin 53202, is hereby granted the following special privilege:

To construct and maintain a 13-foot 6-inch wide covered walk, projecting 4 feet 6 inches into the east, 15-foot wide sidewalk area of North Plankinton Avenue. Said covered walk is centered approximately 272 feet south of the southline of West Wells Street. The four corners of the covered walk are covered with decorative drapes that are tied to the covered

walk supports.

Said covered walk shall generally be constructed in accordance with the policies set forth in Common Council Resolution File Number 62-1211-a, adopted July 24, 1962. The covered walk frame shall be designed and supported to withstand snow and other loads of not less than 25 pounds per square foot applied in any direction. No guy wire brackets or diagonal braces shall be permitted lower than 8 feet above the sidewalk level. The coverings shall be of approved material. All fixtures and materials for illumination of the covered walks shall be indicated on the construction plans and approved prior to installation. No sign or advertising device shall be hung from, attached to, printed or painted on any part of the covered walks. The name, street number, or character of the business may be indicated only on the vertical portion of the covering and shall not exceed 8 inches in height.

The grantee is not required to keep a "Loading Zone" or "No Parking" status adjacent to the covered walk due to the high demand for parking in the vicinity of the subject premises.

Said above-mentioned covered walk shall be used, kept and maintained to the satisfaction of the Commissioners of Public Works and Department of Neighborhood Services.

Said covered walk shall be maintained or removed from the public right-of-way, at such future time as they are no longer needed, to the satisfaction of the Commissioners of Public Works and Department of Neighborhood Services.

; and, be it

Further Resolved, That this special privilege is granted only on condition that by acceptance of this special privilege the grantee, Riverfront Lofts Condominium Owners' Association Inc, shall:

1. Become primarily liable for damages to persons or property by reason of the granting of this special privilege.
2. File with the Commissioner of Public Works a certificate of insurance indicating applicant holds a public liability policy in the sum of at least \$25,000 covering bodily injury to any one person and \$50,000 covering bodily injury to more than one person in any one accident and \$10,000 covering property damage to any one owner on the area or areas included within the special privilege and naming the City of Milwaukee as an insured. The insurance policy shall provide that it shall not be cancelled until after at least thirty days' notice in writing to the Commissioner of Public Works.
3. Pay to the City Treasurer an annual fee, which has an initial amount of \$75.00. The subsequent annual fee is subject to change pursuant to the annual fee schedule in effect at the time of annual billing.
4. Whenever this special privilege is discontinued for any reason whatsoever, including public necessity whenever so ordered by resolution adopted by the Common Council not only remove all construction work executed pursuant to this special privilege, but shall also restore to its former condition and to the approval of the Commissioner of Public Works and curb, pavement or other public improvement which was removed, changed or disturbed by reason of the granting of this special privilege. Such grantee shall be entitled to no damages due to the alteration and/or removal for such purposes.
5. Waive the right to contest in any manner the validity of Section 66.0425 of the Wisconsin Statutes (1999), or the amount of the annual fixed fee, payable on or before July 1st of each year.
6. Put this special privilege into use within one year after approval by the Common Council of the City of Milwaukee; failing to do so in the time specified, the Commissioner of Neighborhood Services shall have the authority to seek, by resolution, revocation of said special privilege.

Requestor
Department of Public Works
Drafter
Infrastructure Services Division
DMS:ns

November 21, 2011
110021

November 21, 2011

To the Public Works Committee

Subject: Common Council Resolution File Number 110021

Dear Honorable Members:

Returned herewith is Common Council Resolution File Number 110021, being a resolution to grant a special privilege to Riverfront Lofts Condominium Owners' Association Inc for a covered walk with decorative drapes for the premises at 730 North Plankinton Avenue.

The applicant is requesting permission to install and maintain a covered walk projecting 4 feet 6 inches into the east, 15-foot wide sidewalk area of North Plankinton Avenue. The covered walk is 13 feet 6 inches long and is located at the main entrance to the premises. There are four supports at each of the corners of the covered walk to which decorative drapes are attached. It should be noted that the sidewalk area is fully paved and there is more than sufficient sidewalk space available for pedestrians.

We are not aware that the presence of said covered walk with decorative drapes will have an adverse effect on the general use of the public right-of-way. We have, therefore, prepared the attached special privilege resolution, which, if adopted, will allow said covered walk with decorative drapes to occupy the public right-of-way.

Very truly yours,

Jeffrey S. Polenske, P.E.
City Engineer

Ghassan Korban
Commissioner of Public Works

Art Dahlberg, Commissioner
Department of Neighborhood Services

MDL: ns
Attachment
cc: Alderman Robert Bauman



PETITION FOR A SPECIAL PRIVILEGE

ccl-246 (8/10)

SP 2550

- New application \$250.00 Fee**
- Amendment to add items to Special Privilege # _____ (\$125.00 Fee)**
- Amendment to remove items from Special Privilege # _____ (No fee)**
- Amendment for change of ownership for Special Privilege # _____ (No fee)**

- File petition with the Department of Public Works, 841 North Broadway, Room 919, Milwaukee, WI 53202, telephone (414) 286-2454.
- Fee must be submitted with petition. Checks should be made payable to the City of Milwaukee.
- Petition must be submitted in duplicate.

To the Honorable, The Common Council of the City of Milwaukee:

The Licensee RIVERFRONT LOFTS CONDO ASSOC.
(Name of Individual, Partners, Corporation or LLC)

being the owners of the following property known by street address as 730 N Plankinton Ave
(Street Address and Zip Code)

in the 4th Aldermanic District respectfully petition the Common Council of the City of Milwaukee according to the provisions of Section 66.0425 of the Wisconsin Statutes, that the following privilege be granted:

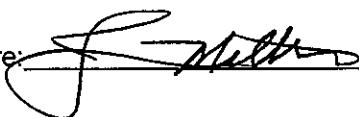
Description of Special Privilege: covered walk

Of which a plan or sketch is herewith submitted. Petitioner agrees to comply with all laws and all ordinances of the City of Milwaukee, to abide by any order or resolution of the Common Council affecting this privilege, to be primarily liable for damages to person or property by reason of the granting of such privilege, pay annual compensation as provided by law in the sum to be fixed by the proper city officers, and to file and keep current throughout the existence of the privilege, a certificate of insurance indicating applicant holds a public liability policy in at least the sums of \$25,000.00/\$50,000.00 bodily injury, and \$10,000.00 property damage, insuring the city against any liability that might arise by reason of the privilege.

Petitioner further agrees to remove said privilege whenever public necessity so requires when so ordered upon resolution adopted by the Common Council or other legislative body.

Should this special privilege be discontinued for any reason whatsoever, petitioner agrees to remove all construction work executed pursuant to this special privilege, to restore to its former condition and to the approval of the Commissioner of Public Works, any curb, pavement, or other public improvement which was removed, changed or disturbed by reason of the granting of this special privilege. Petitioner further agrees not to contest the validity of Section 66.0425 of the Wisconsin Statutes, or the legality of this special privilege in any way.

Name (Please Print): JANICE MILLER - PROPERTY MANAGER
(Individual, Partner, or Agent if corporation or LLC as shown above)

Signature: 
(Individual, Partner, or Agent if corporation or LLC)

Corporation or LLC Name: AS AGENT FOR RIVERFRONT CONDO ASSOC.
(If applicable, as shown above)

Mailing Address (If different than property address above): C/O OBDED & CO. INC.
1665 N. WATER ST.
MILWAU W I 53202
(OVER)

City: MILWAUKEE State: WI Zip: 53202

Telephone: 414-276-5285 E-Mail: JANICE.M@OLDENRE.COM

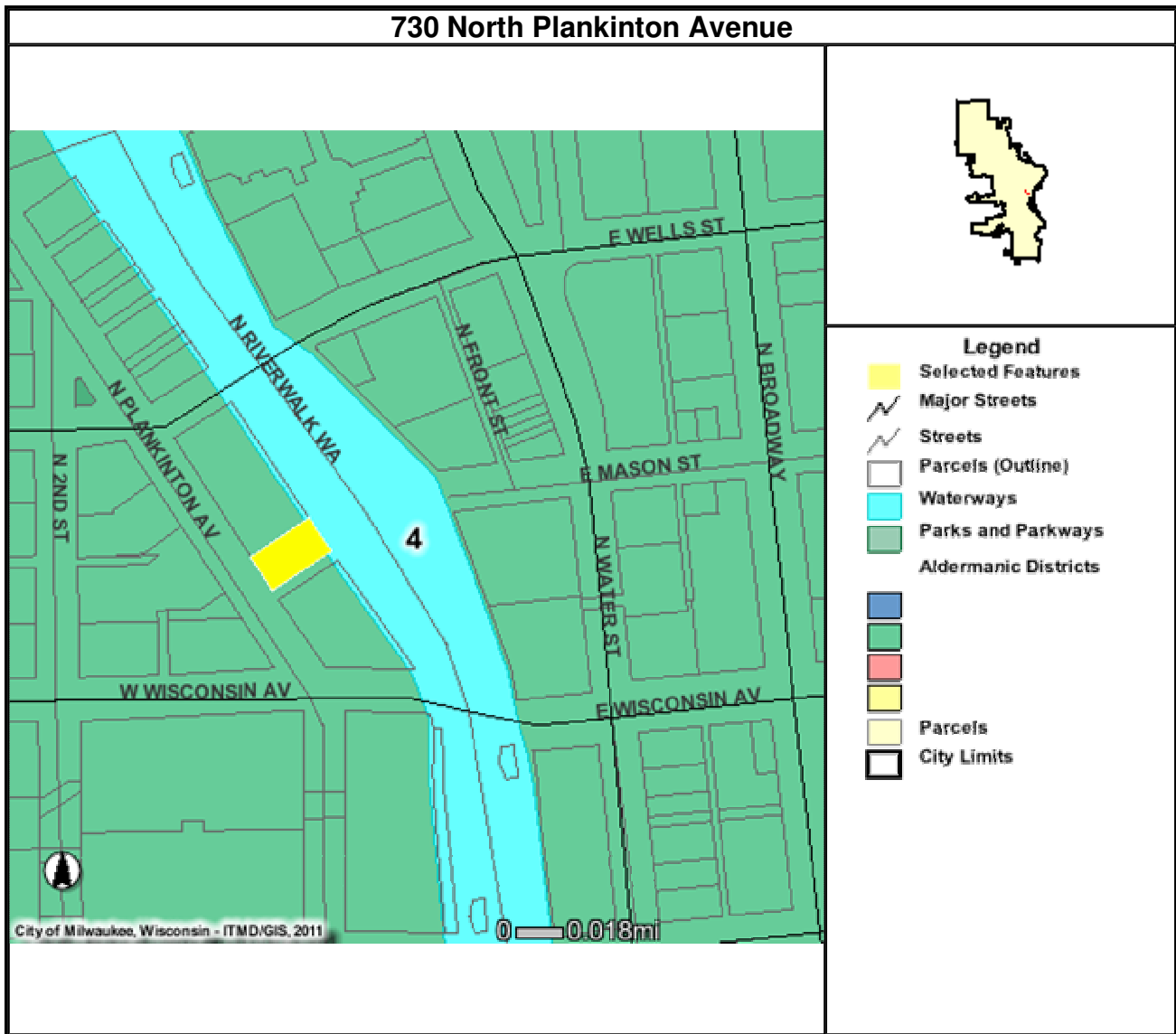
Architect/Engineer/Contractor (If Applicable)

Name: N/A

Address: _____

City: _____ State: _____ Zip: _____

Telephone: _____ E-Mail: _____





CCF 110021

730 North Plankinton Avenue

11-18-2011

Looking east across Plankinton Avenue at the covered walk with decorative drapes.



CCF 110021

730 North Plankinton Avenue

11-18-2011

Looking south towards Wisconsin Avenue at the covered walk with decorative drapes in the east sidewalk area of Plankinton Avenue.



Legislation Details (With Text)

File #: 110494 **Version:** 0

Type: Resolution **Status:** In Committee

File created: 9/1/2011 **In control:** PUBLIC WORKS COMMITTEE

On agenda: **Final action:**

Effective date:

Title: Resolution granting a special privilege to the Christian Fellowship Community Church to construct and maintain a handicapped access ramp and handrails for the premises at 2176 N. 39th Street, in the 15th Aldermanic District.

Sponsors: THE CHAIR

Indexes: SPECIAL PRIVILEGE PERMITS

Attachments: Petition and Drawing, Map, Photos, Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
9/1/2011	0	COMMON COUNCIL	ASSIGNED TO		
9/12/2011	0	PUBLIC WORKS COMMITTEE	REFERRED TO		
12/5/2011	0	PUBLIC WORKS COMMITTEE	HEARING NOTICES SENT		
12/5/2011	0	PUBLIC WORKS COMMITTEE	HEARING NOTICES SENT		

Number

110494

Version

ORIGINAL

Reference

Sponsor

THE CHAIR

Title

Resolution granting a special privilege to the Christian Fellowship Community Church to construct and maintain a handicapped access ramp and handrails for the premises at 2176 N. 39th Street, in the 15th Aldermanic District.

Drafter

CC-CC

dkf

8/1/11

spec-priv



PETITION FOR A SPECIAL PRIVILEGE ccl-246 (8/10)

SP 2559

- New application \$250.00 Fee
- Amendment to add items to Special Privilege # _____ (\$125.00 Fee)
- Amendment to remove items from Special Privilege # _____ (No fee)
- Amendment for change of ownership for Special Privilege # _____ (No fee)

- File petition with the Department of Public Works, 841 North Broadway, Room 919, Milwaukee, WI 53202, telephone (414) 286-2454.
- Fee must be submitted with petition. Checks should be made payable to the City of Milwaukee.
- Petition must be submitted in duplicate.

To the Honorable, The Common Council of the City of Milwaukee:

The Licensee Christian Fellowship Community Church
(Name of Individual, Partners, Corporation or LLC)

being the owners of the following property known by street address as 2176 North 39th street 53208
(Street Address and Zip Code)

in the 15th Aldermanic District respectfully petition the Common Council of the City of Milwaukee according to the provisions of Section 66.0425 of the Wisconsin Statutes, that the following privilege be granted:

Description of Special Privilege: SEE Attachment
MANDLATS FOR BARRIER FREE ACCESS RAMP

Of which a plan or sketch is herewith submitted. Petitioner agrees to comply with all laws and all ordinances of the City of Milwaukee, to abide by any order or resolution of the Common Council affecting this privilege, to be primarily liable for damages to person or property by reason of the granting of such privilege, pay annual compensation as provided by law in the sum to be fixed by the proper city officers, and to file and keep current throughout the existence of the privilege, a certificate of insurance indicating applicant holds a public liability policy in at least the sums of \$25,000.00/\$50,000.00 bodily injury, and \$10,000.00 property damage, insuring the city against any liability that might arise by reason of the privilege.

Petitioner further agrees to remove said privilege whenever public necessity so requires when so ordered upon resolution adopted by the Common Council or other legislative body.

Should this special privilege be discontinued for any reason whatsoever, petitioner agrees to remove all construction work executed pursuant to this special privilege, to restore to its former condition and to the approval of the Commissioner of Public Works, any curb, pavement, or other public improvement which was removed, changed or disturbed by reason of the granting of this special privilege. Petitioner further agrees not to contest the validity of Section 66.0425 of the Wisconsin Statutes, or the legality of this special privilege in any way.

Name (Please Print): Christian Fellowship Community Church
(Individual, Partner, or Agent if corporation or LLC as shown above)

Signature: Robert E Giles
(Individual, Partner, or Agent if corporation or LLC)

Corporation or LLC Name: _____
(If applicable, as shown above)

Mailing Address (If different than property address above): _____

(OVER)

City: Milwaukee State: WI Zip: 53210

Telephone: (414) 444-1909 E-Mail: mjj1044@sbcglobal.net

Architect/Engineer/Contractor (If Applicable)

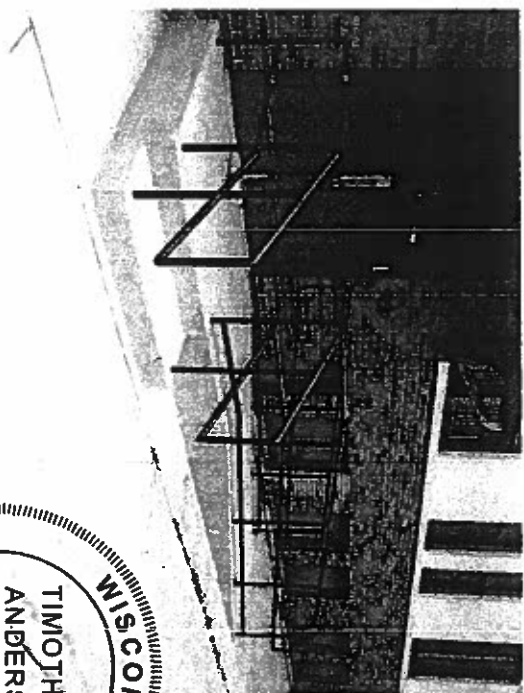
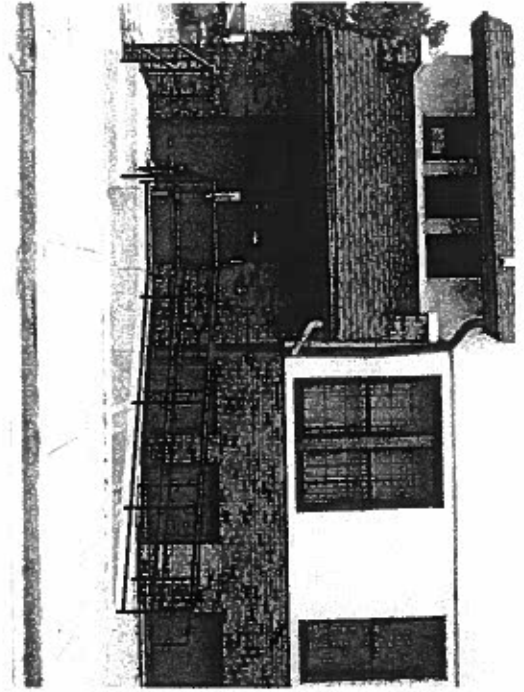
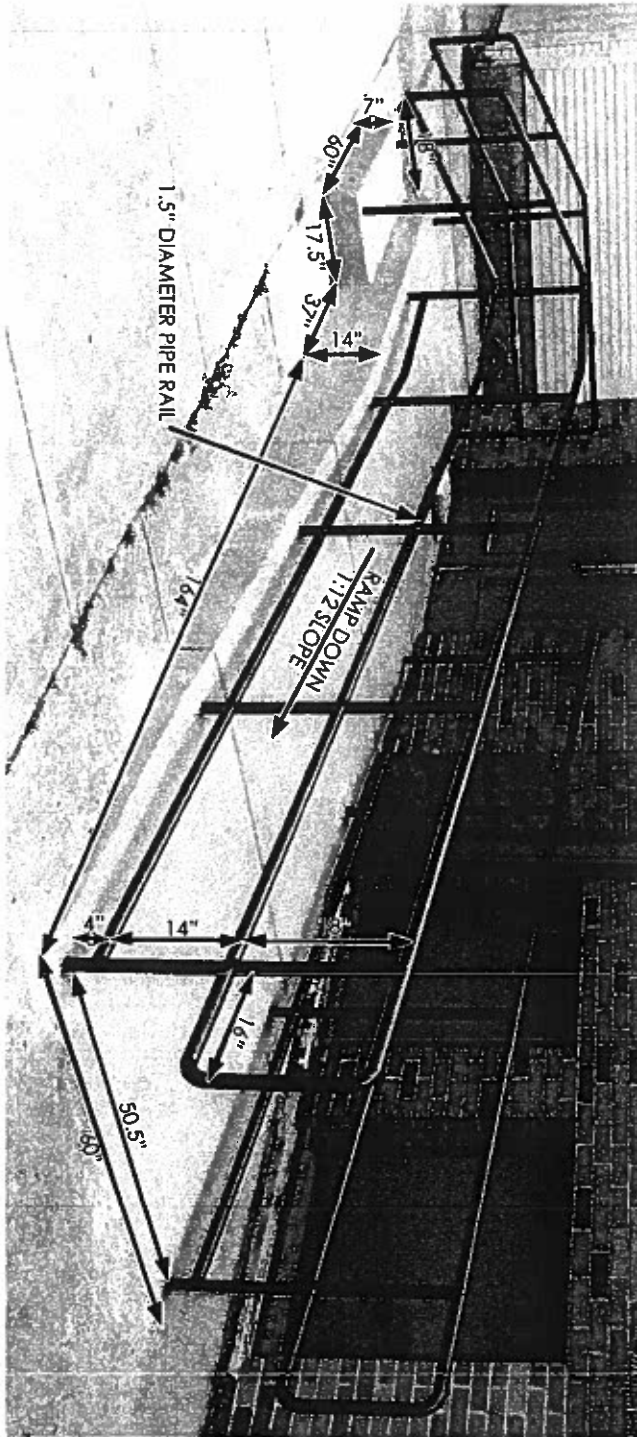
Name: Bridgeway Independent Living Designs, LLC

Address: _____

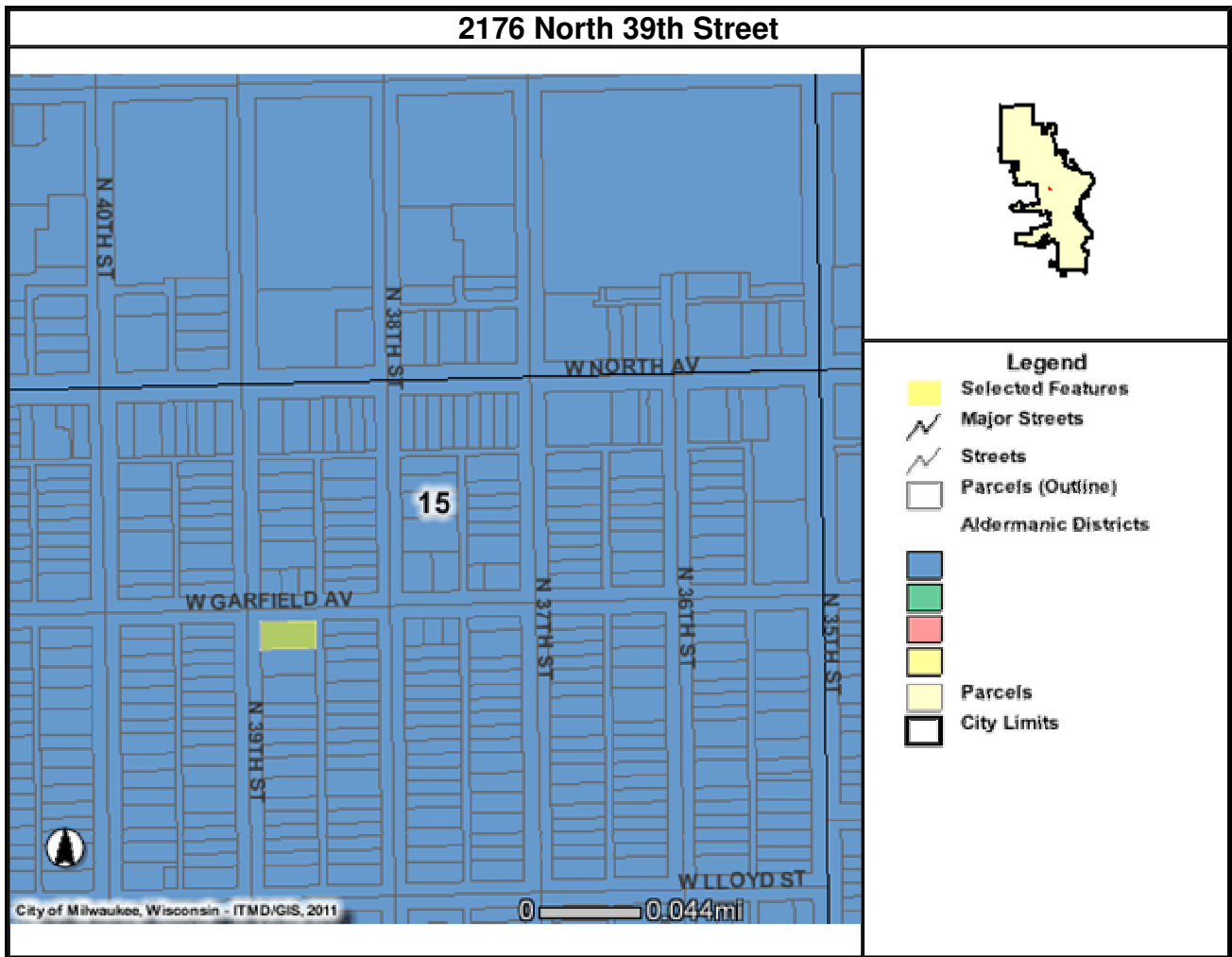
City: _____ State: _____ Zip: _____

Telephone: (414) 975-6128 E-Mail: kuss.bildnow@gmail.com
WWW.bildnow.com

EXISTING ACCESSIBLE RAMP
N.T.S.



<p>SHEET TITLE Existing Ramp/Stair</p>	<p>PROJECT Christian Fellowship Community Church</p>	<p>Tim Anderson Architect ARCHITECTURE • DESIGN/BUILD • PROJECT MANAGEMENT</p>
<p>SHEET NUMBER A1.1</p>	<p>PROJECT LOCATION 2176 N. 39th St., Milwaukee, WI</p>	<p>Tim Anderson, AIA, NCARB, LEED AP. S47 W23658 Frontier Pass, Waukesha, WI 53189 414-698-8134 timandersonarchitect@hotmail.com</p>
	<p>PROJECT NUMBER 201102</p>	





CCF 110494

2176 North 39th Street

11-11-2011

Looking south across West Garfield Avenue at barrier free access ramp, platform, step and handrails.



CCF 110494

2176 North 39th Street

11-11-2011

Looking east at platform, ramp, step and railing in south sidewalk area of West Garfield Avenue. There is 5 feet clearance for pedestrian traffic adjacent to the railing and step.



CCF 110494

2176 North 39th Street

11-11-2011

Looking southeast at concrete retaining wall that projects into the east sidewalk area of North 39th Street.



Legislation Details (With Text)

File #: 100701 **Version:** 0

Type: Resolution **Status:** In Committee

File created: 10/12/2010 **In control:** PUBLIC WORKS COMMITTEE

On agenda: **Final action:**

Effective date:

Title: Resolution granting a special privilege to North Avenue CDC to construct and maintain a concrete stoop for the premises at 3829 W. North Avenue, in the 15th Aldermanic District.

Sponsors: THE CHAIR

Indexes: SPECIAL PRIVILEGE PERMITS

Attachments: Petition, Drawings

Date	Ver.	Action By	Action	Result	Tally
10/12/2010	0	COMMON COUNCIL	ASSIGNED TO		
11/17/2010	0	PUBLIC WORKS COMMITTEE	REFERRED TO		

Number

100701

Version

ORIGINAL

Reference

Sponsor

THE CHAIR

Title

Resolution granting a special privilege to North Avenue CDC to construct and maintain a concrete stoop for the premises at 3829 W. North Avenue, in the 15th Aldermanic District.

Drafter

CC-CC

dkf

9/29/10

spec-priv



PETITION FOR A SPECIAL PRIVILEGE ccl-246 (8/10)

SP _____

- New application \$250.00 Fee
- Amendment to add items to Special Privilege # _____ (\$125.00 Fee)
- Amendment to remove items from Special Privilege # _____ (No fee)
- Amendment for change of ownership for Special Privilege # _____ (No fee)

- File petition with the Department of Public Works, 841 North Broadway, Room 919, Milwaukee, WI 53202, telephone (414) 286-2454.
- Fee must be submitted with petition. Checks should be made payable to the City of Milwaukee.
- Petition must be submitted in duplicate.

To the Honorable, The Common Council of the City of Milwaukee:

The Licensee North Avenue CDC
(Name of Individual, Partners, Corporation or LLC)

being the owners of the following property known by street address as 3829 Waboth Ave
(Street Address and Zip Code)

in the _____ Aldermanic District respectfully petition the Common Council of the City of Milwaukee according to the provisions of Section 66.0425 of the Wisconsin Statutes, that the following privilege be granted:

Description of Special Privilege: _____

Of which a plan or sketch is herewith submitted. Petitioner agrees to comply with all laws and all ordinances of the City of Milwaukee, to abide by any order or resolution of the Common Council affecting this privilege, to be primarily liable for damages to person or property by reason of the granting of such privilege, pay annual compensation as provided by law in the sum to be fixed by the proper city officers, and to file and keep current throughout the existence of the privilege, a certificate of insurance indicating applicant holds a public liability policy in at least the sums of \$25,000.00/\$50,000.00 bodily injury, and \$10,000.00 property damage, insuring the city against any liability that might arise by reason of the privilege.

Petitioner further agrees to remove said privilege whenever public necessity so requires when so ordered upon resolution adopted by the Common Council or other legislative body.

Should this special privilege be discontinued for any reason whatsoever, petitioner agrees to remove all construction work executed pursuant to this special privilege, to restore to its former condition and to the approval of the Commissioner of Public Works, any curb, pavement, or other public improvement which was removed, changed or disturbed by reason of the granting of this special privilege. Petitioner further agrees not to contest the validity of Section 66.0425 of the Wisconsin Statutes, or the legality of this special privilege in any way.

Name (Please Print): Renee Booter
(Individual, Partner, or Agent if corporation or LLC as shown above)

Signature: Renee Booter
(Individual, Partner, or Agent if corporation or LLC)

Corporation or LLC Name: North Avenue CDC
(If applicable, as shown above)

Mailing Address (If different than property address above): 3341 W North Ave

(OVER)

City: Milwaukee State: WI Zip: 53208

Telephone: 414-871-4793 E-Mail: rene@NorthAvenueCDL.org

Architect/Engineer/Contractor (If Applicable)

Name: _____

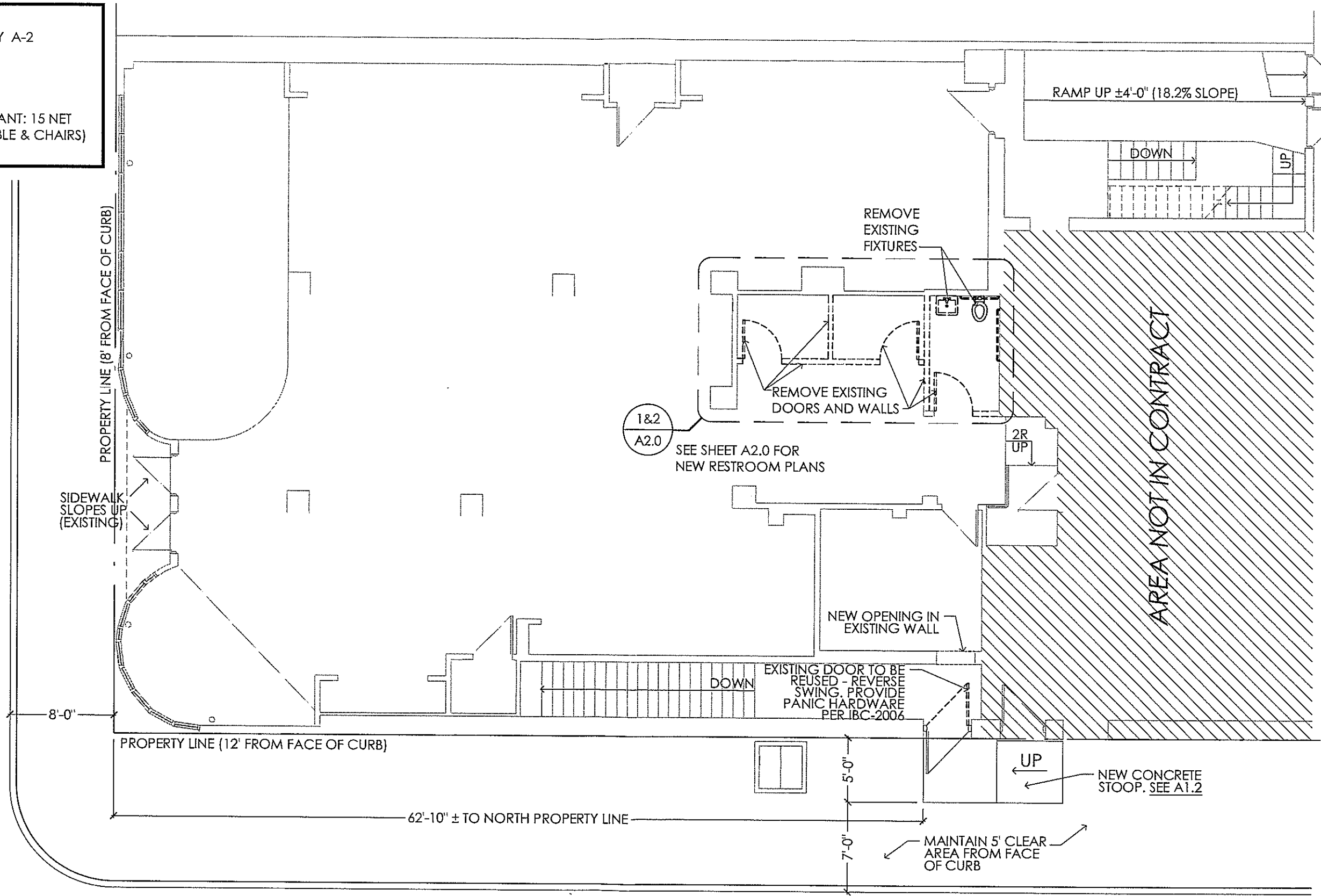
Address: _____

City: _____ State: _____ Zip: _____

Telephone: _____ E-Mail: _____

CODE INFO:
 OCCUPANCY CLASS: ASSEMBLY A-2
 OCCUPANCY SEPARATION:
 - BETWEEN A-2 & B = 2 HR
 - BETWEEN A-2 & R = 2 HR
 FLOOR AREA: 2,904 SF
 MAX FLOOR AREA PER OCCUPANT: 15 NET
 (UNCONCENTRATED - TABLE & CHAIRS)
 MAX OCCUPANTS: 193

W. NORTH AVENUE



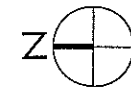
1&2
A2.0

SEE SHEET A2.0 FOR
NEW RESTROOM PLANS

AREA NOT IN CONTRACT

EMERALD HALL
 3829 west north avenue
 milwaukee wisconsin 53208

FLOOR PLAN - NEW CONSTRUCTION
 A1.1 SCALE: 1/8"=1'-0"

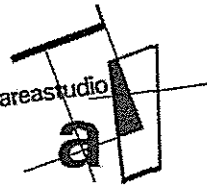


GENERAL NOTES:
 CONTRACTOR SHALL FIELD-VERIFY ALL DIMENSIONS
 AND CONDITIONS PRIOR TO CONSTRUCTION.
 PATCH AND REPAIR ALL WALLS, FLOORS, CONCRETE
 WALKS, CEILINGS AND OTHER SURFACES AS REQUIRED.

DATE: 09.02.2010
 REVISED: 09.24.2010
 SCALE: 1/8"=1'-0"

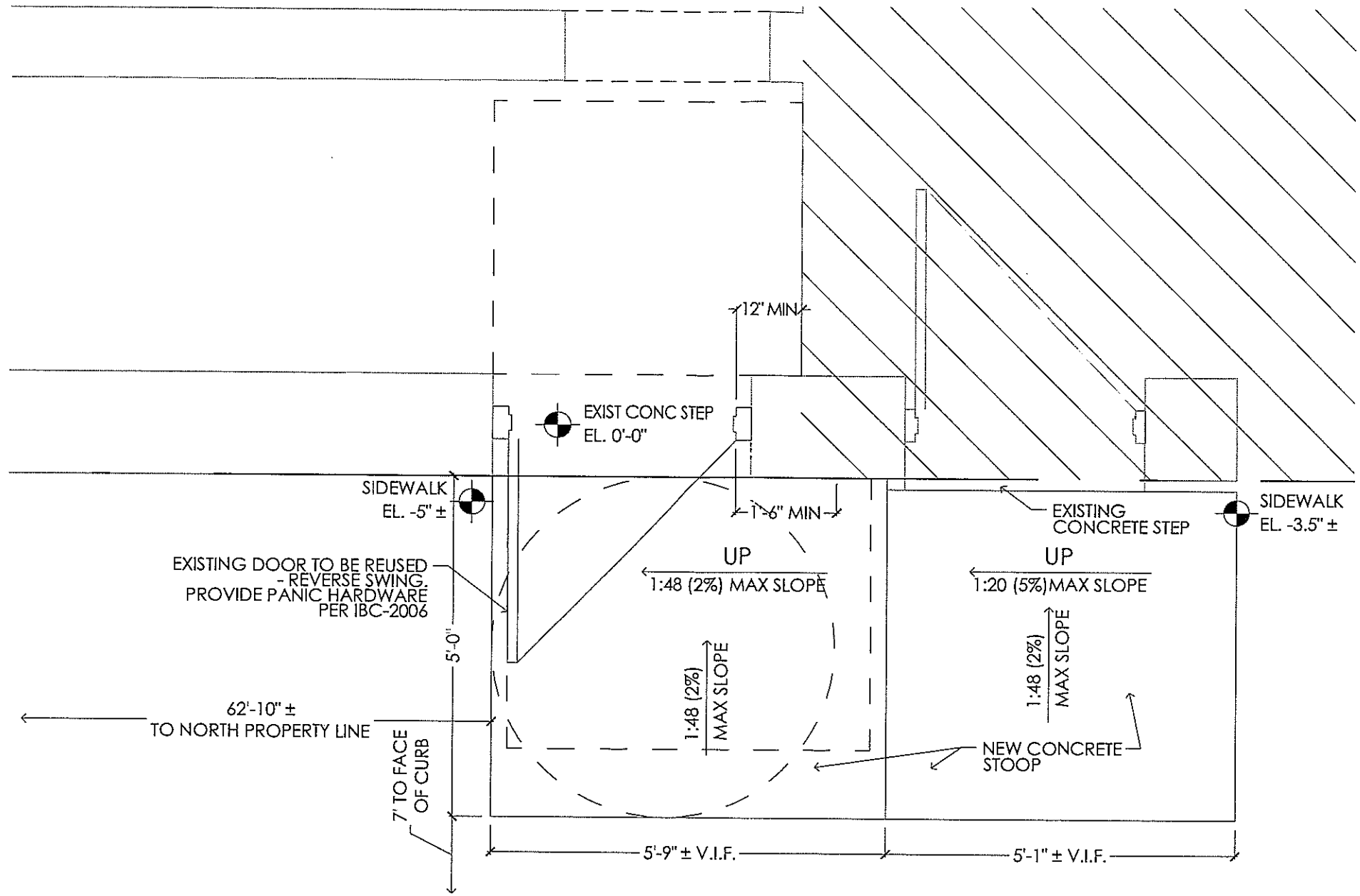
FLOOR PLAN - NEW CONSTRUCTION

A1.1

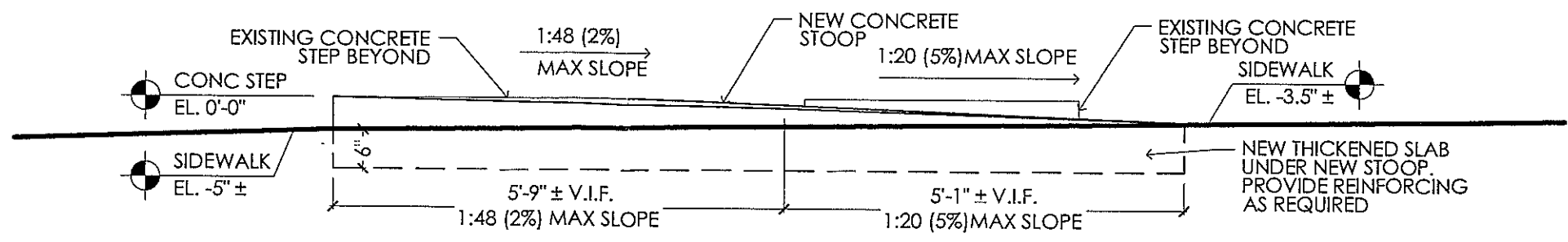


ARCHITECTURE
SPACE PLANNING
CONSTRUCTION MANAGEMENT
GRAPHIC DESIGN
RENDERINGS

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1
A1.2 **NEW STOOP - ENLARGED PLAN**
SCALE: 1/2"=1'-0"



2
A1.2 **NEW STOOP - DIAGRAM**
SCALE: 1/2"=1'-0"

GENERAL NOTES:
CONTRACTOR SHALL FIELD-VERIFY ALL DIMENSIONS AND CONDITIONS PRIOR TO CONSTRUCTION.
PATCH AND REPAIR ALL WALLS, FLOORS, CONCRETE WALKS, CEILINGS AND OTHER SURFACES AS REQUIRED.
CONCRETE WALK ELEVATIONS ARE APPROXIMATE ONLY. CONTRACTOR TO FIELD VERIFY CONCRETE WALK ELEVATIONS AS REQUIRED FOR CONSTRUCTION
STOOP DESIGN, DIMENSIONS AND CONSTRUCTION TO COMPLY WITH ANSI A117.1 - 2003

EMERALD HALL
3829 west north avenue
milwaukee wisconsin 53208

DATE: 09.02.2010
REVISED: 09.24.2010
SCALE: 1/8" = 1'-0"

ENLARGED STOOP
PLAN AND DIAGRAM

A1 2

