

STATE/MUNICIPAL AGREEMENT
FOR A
HIGHWAY IMPROVEMENT PROJECT

DATE: April 28, 2008
PROJECT DESIGN ID: 2140-13-00
PROJECT CONSTRUCTION ID: 2140-13-70
HIGHWAY: North 76th Street (STH 181) LENGTH: 2 miles
LIMITS: West Grantosa Avenue to West Florist Avenue
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.


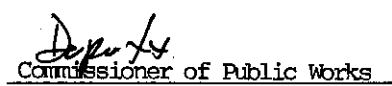

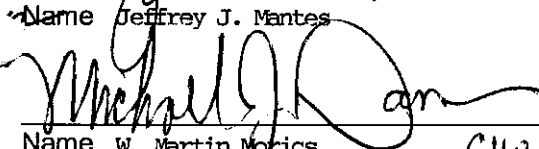
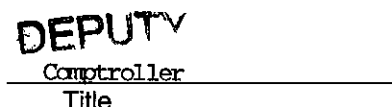
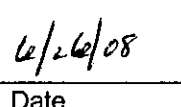
Describe non-participating work included in the project and other work necessary to finish the project completely which will be undertaken independently by the municipality: A nominal amount is included to cover items in paragraph 4 (to be adjusted in the final plan).

PHASE	ESTIMATED COST					
	Total Est. Cost	Federal/ State Funds	%	Municipal Funds	%	
Preliminary Engineering:						
Plan Development	\$ 453,750	\$ 453,750	100%	\$ -	0%	
Real Estate Acquisition:						
Acquisition	\$ 100,000	\$ 100,000	100%	\$ -	0%	
Compensable Utilities	\$ 20,000	\$ 20,000	100%	\$ -	0%	
Construction:						
Participating	\$ 1,050,000	\$ 1,050,000	100%	\$ -	0%	
Pavement items, parking *	\$ 1,950,000	\$ 1,794,000	92%	\$ 156,000	8% *	
New Sidewalk	\$ -	\$ -		\$ -		
New Lighting	\$ -	\$ -		\$ -		
Landscaping	\$ -	\$ -		\$ -		
Non-Participating	\$ 25,000	\$ -		\$ 25,000	100%	
Total Cost Distribution	\$ 3,598,750	\$ 3,417,750		\$ 181,000		

* Participation for parking is an estimate, the actual percent will be calculated when final plans are complete.

This request is subject to the terms and conditions that follow (pages 2 and 3) 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 Jeffrey J. Mantas	 Title Commissioner of Public Works	 Date 6/24/08
 Name W. Martin Morics	 Title DEPUTY Comptroller	 Date 6/26/08

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) 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.

9. Basis for local participation:

Construction of standard roadway items will be funded 100% State/Federal.

Parking lanes are funding 100% Municipal and are calculated as a percentage of parking area compared to the total area of pavement. Parking percentage applies only to pavement items.

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

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

City of Milwaukee

Office of the City Clerk

200 E. Wells Street

Milwaukee, Wisconsin 53202

Certified Copy of Resolution

FILE NO: 080153

Title:

Resolution authorizing the Commissioner of Public Works to execute an agreement with the Wisconsin Department of Transportation for the programming and construction of the improvement of North 76th Street (STH 181) from West Grantosa Avenue to West Florist Avenue with Federal/State aid under the State Trunk Highway Program and authorizing engineering cost for plan review at this time for \$15,000.00 which will be funded 100 percent by the City of Milwaukee.

Body:

Whereas, North 76th Street (STH 181) from West Grantosa Avenue to West Florist Avenue is scheduled for improvement in 2013 as part of the Wisconsin Department of Transportation's (WISDOT) State Trunk Highway Program; and

Whereas, The WISDOT will undertake the necessary preliminary engineering and plan preparation for the improvement; and

Whereas, The WISDOT has submitted an agreement to the City of Milwaukee for the programming and construction of the project with Federal/State aid under the State Trunk Highway Program; and

Whereas, Future resolutions will address the construction funding for this project; and

Whereas, Approval of the agreement by the WISDOT will enable the project to be undertaken with 100 percent Federal/State aid for preliminary engineering costs and approximately 92 percent Federal/State aid for construction costs, the City's share of the construction cost being based on a ratio of on-street parking permitted, coupled with items such as water and sanitary sewer adjustments being non-participating and funded 100 percent by the City of Milwaukee; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the Commissioner of Public Works (CPW) is hereby authorized to execute the agreement for programming and construction of the improvement of North 76th Street (STH 181) from West Grantosa Avenue to West Florist Avenue with Federal/State aid under the State Trunk Highway Improvement Program, a copy of which is attached to Common Council File No. 080153 and is incorporated in this resolution by reference as though set forth in full; and, be it

Further Resolved, That the CPW is hereby authorized and directed to enter into an agreement with the WISDOT pertaining to the cost participation for the installation and/or modification of traffic control

facilities and/or street lighting facilities in conjunction with the improvements of the aforementioned projects; and, be it

Further Resolved, That the CPW is hereby authorized and directed to install the traffic control and/or street lighting facilities necessary in conjunction with the aforementioned projects, following the execution of the traffic control and/or street lighting agreements, the cost of which will be included in future resolutions; and, be it

Further Resolved, That the Common Council of the City of Milwaukee that the Comptroller is hereby authorized and directed to create within the Capital Improvement Fund, Grant and Aid Projects the necessary Project/Grant Chartfield Values for the plan review (State ID 2140-13-00) and transfer to this account 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 grantor's share and local share of \$5,000.00, whichever is greater as follows:

Infrastructure Services Division Accounts

Project I.D. 2140-13-00
City Share
Account No. 320080000
Fund 0333
\$15,000.00

Previously authorized for preliminary engineering -0-

Current estimated costs of the total project including this resolution \$3,613,750.00

Original estimated costs of the total project (current resolution) \$3,598,750.00

; 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's share of the costs for the above project.



I, Ronald D. Leonhardt, City Clerk, do hereby certify that the foregoing is a true and correct copy of a(n) Resolution Passed by the COMMON COUNCIL of the City of Milwaukee, Wisconsin on June 10, 2008.

Ronald D. Leonhardt

Ronald D. Leonhardt

June 18, 2008

Date Certified