

**COST SHARING MEMO OF UNDERSTANDING
BETWEEN
THE CITY OF MILWAUKEE
AND THE HMONG AMERICAN PEACE ACADEMY, LTD. (HAPA)**

DATE: January 5, 2023

ROADWAY(S): N. 84th Street between W. Congress St. to W. Hampton Ave.

This Memo of Understanding is made and entered into and by the City of Milwaukee and the Hmong American Peace Academy, LTD (HAPA).

The contents of this Memo of Understanding will address costs for all phases of the subject project including but not limited to construction, construction engineering, construction oversight and contract administration as necessary.

It is desired by HAPA to construct two (2) concrete speed tables for speed reduction on N. 84th Street with the construction scheduled for the summer of 2023.

HAPA through its undersigned duly authorized officers or officials, hereby requests the City of Milwaukee to participate in the improvements hereinafter described.

NEEDS AND ESTIMATE SUMMARY:

Existing Facility – Describe and give reason for request:

It is desired by HAPA to Construct new concrete speed tables on N. 84th Street.

Proposed Improvement – Nature of work:

Estimated Cost Summary

Estimated Paving work:	\$35,000
Engineering:	<u>\$5,000</u>
Total	\$40,000

1) HAPA will pay construction engineering costs, defined as construction oversight, construction inspection and construction contract administration for the speed tables.

2) HAPA will pay the construction costs for the subject project within 60 days of being billed by the City of Milwaukee.

3) If HAPA objects to any portion of the bills submitted by the City of Milwaukee, HAPA shall notify the City of Milwaukee in writing within twenty days of the invoice's receipt. HAPA will pay any undisputed portions of a bill.

4) The City of Milwaukee agrees to consult and seek concurrence with HAPA regarding any field change orders that would result in additional construction costs in excess of 10% after the project has been awarded.

5) Construction engineering costs will be the time charged to the project number and will be detailed as necessary when the bill is sent using final construction costs as detailed in the Cost Summary.

This Memo of Understanding is subject to the terms and conditions that follow and is executed by the undersigned under proper authority to execute such a Memo of Understanding for the Hmong American Peace Academy, LTD and upon acceptance by the City of Milwaukee shall constitute a Memo of Understanding between the two parties.

Signed for and on behalf of City of Milwaukee:

_____	City Engineer	_____
Signature	Title	Date

Kevin J. Muhs, PE, AICP

Approved by Hmong American Peace Academy, LTD:

By

_____	_____
Chris Her-Xiong	Founder/Chief Executive Officer

TERMS AND CONDITIONS

1. The initiation and accomplishment of the improvement will be subject to all applicable Federal, State, and local regulations.
2. Subject to Section 5 of this Memo of Understanding, the HAPA shall pay the City of Milwaukee such project related costs as outlined and listed in the Estimated Cost Summary itemized in the Cost Sharing Memo of Understanding.
3. Each party shall ensure that all necessary funding of each project phase (roadway construction) is in place for their portion of the project costs. The HAPA financing will be limited to participation in the costs of the following items as specified in the Estimate Cost Summary:
 - a. All construction costs including change orders (Per Estimated Cost Summary).
4. Work necessary to complete the improvement to be financed entirely by the Municipality (or responsible party) where the work lies includes, but may not be limited to, the following items:

- a. New installations of or alterations of sanitary sewers or connections, water, gas, electric, telephone, telegraph, fiber optic, fire or police alarm facilities, pipelines, and similar utilities.
 - b. Repair of damages to roads and streets caused by reason of their use in hauling materials incidental to the improvement.
5. If the HAPA should withdraw from the project, it will reimburse the City of Milwaukee its proportionate share of all costs incurred by the City of Milwaukee as of the date of withdrawal.
6. The work will be administered by the City of Milwaukee or its designee(s). The City of Milwaukee shall notify HAPA of any design or construction changes that may occur during the process in excess of 10% of the budgeted amount and get written authorization prior to their inclusion and cost participation by HAPA.
7. The respective parties will at their own expense:
 - a. Maintain all portions that lie within its boundaries.
 - b. Assume general responsibility of all public information to its residents and stakeholders.

(End of Document)