

**UNITED STATES OF AMERICA  
DEPARTMENT OF TRANSPORTATION  
FEDERAL HIGHWAY ADMINISTRATION**

**CONDITIONAL AND PRELIMINARY TERM SHEET ON THE TRANSPORTATION  
INVESTMENT GENERATING ECONOMIC RECOVERY (TIGER) GRANTS  
PROGRAM.**

This Conditional and Preliminary Term Sheet reflects the selection of the City of Milwaukee to receive a grant under the provisions of the American Recovery and Reinvestment Act of 2009, Public Law 111-5, Supplemental Discretionary Grants for a National Surface Transportation System, hereinafter referred to as the Transportation Investment Generating Economic Recovery (TIGER) Grants Program.

The purpose of this Conditional and Preliminary Term Sheet is to set out the parties' mutual understanding regarding the material terms and conditions to be included in the Grant Agreement under American Recovery and Reinvestment Act of 2009 Transportation Investments Generating Economic Recovery (TIGER) Discretionary Grants Program (TIGER Grant Agreement), which will be negotiated between the U.S. Department of Transportation, Federal Highway Administration (Government), and the City of Milwaukee. This Conditional and Preliminary Term Sheet is not a commitment of the Government to provide funding for the Project. The commitment of the Government to provide funding to the Project will only occur with the final execution and acceptance of the Tiger Grant Agreement

The Project Sponsor, in anticipation of a grant award under the TIGER Grants Program, understands and acknowledges that it will be required to administer any and all TIGER Grant funds pursuant to the terms and conditions to be set forth in the final Tiger Grant Agreement. This Conditional and Preliminary Term Sheet memorializes the agreement on the following issues: the Project's Scope of Work; the Project's Budget, including identification of all funds necessary to complete the proposed Project; the Project's Milestone Completion Schedule, including dates for the completion of all major milestones relating to the Project, including completion and receipt of all required National Environmental Policy Act (NEPA) approvals, application for and anticipated receipt of all necessary federal, state, and local permits and approvals, any necessary approval by a local transportation planning organization, and inclusion in the required Transportation Improvement Program (TIP)/State Transportation Improvement Program (STIP). The agreed upon terms specific to the Project are listed under the Material Terms and Conditions section of this Conditional and Preliminary Term Sheet. The Project Sponsor understands and recognizes that the execution of this Conditional and Preliminary Term Sheet in no way commits the Government to any decision required under the applicable provisions of NEPA. The Government's decision on the Project will be issued in full compliance with its NEPA regulations, 23 CFR Part 771, and those of the Council on Environmental Quality, 40 CFR Part 1500, and all other applicable Federal, state or local laws and regulations.

The Project Sponsor further understands and acknowledges that this Conditional and Preliminary Term Sheet is intended to assist the parties in developing and finalizing the Tiger Grant Agreement. This Conditional and Preliminary Term Sheet reflects material terms and conditions for the Project, as that Project is defined in the Project Sponsor's Application. The Application, dated September 15, 2009, and titled "Park East Corridor Lift Bridges", is incorporated herein by reference. This Conditional and Preliminary Term Sheet reflects negotiated provisions on many of the project's material terms and conditions, including the Project's scope, assurance/confirmation that all required funding has been obtained and committed, and the timeline for completion of the Project. The following information is provided and agreed to by the parties and will be incorporated into the final Tiger Grant Agreement.

The Government reserves the right to terminate and void this Conditional and Preliminary Term Sheet if the Project Sponsor does not adhere to the Project Milestone Completion Schedule specified below or if the Government determines, in its sole discretion, that termination is in the public interest.

The terms and conditions outlined in this Conditional and Preliminary Term Sheet are effective upon execution by both the Project Sponsor and the Government.

MATERIAL TERMS AND CONDITIONS PRECEDENT TO EXECUTION OF  
TIGER GRANT AGREEMENT:

PARK EAST CORRIDOR LIFT BRIDGES:

- A. Wisconsin Avenue Bridge over Milwaukee River
- B. Juneau Avenue Bridge over Milwaukee River

WISCONSIN AVENUE BRIDGE OVER MILWAUKEE RIVER

I. PROJECT SCOPE OF WORK

An extensive rehabilitation is required for the bridge due to age, low sufficiency rating, and severe deterioration. The work includes major replacement of the lift span structural steel; major rehabilitation of the hydraulic, mechanical and electrical systems; painting of the entire structure, and concrete repairs to the substructure and superstructure.

II. WisDOT ROLE

The Wisconsin Department of Transportation (WisDOT) will oversee the design and construction for this project according to the terms specified in the project budget table. WisDOT will administer these project funds the same as Wisconsin has administered all American Recovery and Reinvestment Act (ARRA) projects. A detailed state municipal agreement will be executed at a later date.

### III. PROJECT BUDGET

	Total Estimated Cost	Local Bridge Program	%	TIGER Grant	%	Municipal Funds	%
Design <sup>(1)</sup>	\$1,000,000	\$800,000	80.0%	\$0	0.0%	\$200,000	20.0%
State Design Oversight <sup>(1)</sup>	\$200,000	\$160,000	80.0%	\$0	0.0%	\$40,000	20.0%
Construction <sup>(2)</sup>	\$10,290,000	\$0	0.0%	\$7,500,000	LIMIT	\$2,790,000	BALANCE
State Construction Oversight <sup>(3)</sup>	\$210,000	\$0	0.0%	\$0	0.0%	\$210,000	100.0%
<b>Total Cost Distribution</b>	<b>\$11,700,000</b>	<b>\$960,000</b>		<b>\$7,500,000</b>		<b>\$3,240,000</b>	

<sup>(1)</sup> Design & State Design Oversight already funded in Local Bridge Program (80% fed/20% local)

<sup>(2)</sup> Construction - TIGER & Municipal Funds

<sup>(3)</sup> State Construction Oversight (2% of Construction) - 100% Municipal Funds

### IV. PROJECT MILESTONE COMPLETION SCHEDULE

Planning – Included on STIP/TIP	March 25, 2010
Planning – NEPA Complete	October 4, 2010
PS&E Complete & Submitted	May 1, 2011
ROW Complete	June 28, 2011
Construction – Advertisement	July 5, 2011
Construction – Project Letting	August 9, 2011
Construction – Notice to Proceed/Actual Start	October 3, 2011
Construction – Open to Traffic/Completion	November 19, 2012

### JUNEAU AVENUE BRIDGE OVER MILWAUKEE RIVER

#### I. PROJECT SCOPE OF WORK

A complete replacement of the existing bridge with a new bridge is needed due to age, severe deterioration, and an extremely low sufficiency rating of 2. The replacement of the existing bascule bridge with a vertical lift bridge has been determined to be the most economical and appropriate approach for this bridge.

#### II. WisDOT ROLE

The Wisconsin Department of Transportation (WisDOT) will oversee the design and construction for this project according to the terms specified in the project budget table. WisDOT will administer these project funds the same as Wisconsin has administered all American Recovery and Reinvestment Act (ARRA) projects. A detailed state municipal agreement will be executed at a later date.

### III. PROJECT BUDGET

	Total Estimated Cost	Local Bridge Program	%	TIGER Grant	%	Municipal Funds	%
Design <sup>(1)</sup>	\$1,475,000	\$0	0.0%	\$0	0.0%	\$1,475,000	100.0%
State Design Oversight <sup>(1)</sup>	\$150,000	\$0	0.0%	\$0	0.0%	\$150,000	100.0%
Construction <sup>(2)</sup>	\$16,650,000	\$1,320,000	LIMIT	\$14,000,000	LIMIT	\$1,330,000	BALANCE
State Construction Oversight <sup>(3)</sup>	\$350,000	\$0	0.0%	\$0	0.0%	\$350,000	100.0%
<b>Total Cost Distribution</b>	<b>\$18,625,000</b>	<b>\$1,320,000</b>		<b>\$14,000,000</b>		<b>\$3,305,000</b>	

<sup>(1)</sup> Design & State Design Oversight 100% Municipal Funds

<sup>(2)</sup> Local Bridge Program will pay a limit of \$1,320,000 in 80% fed funds (\$1,650,000 total) from Villard Ave. toward Construction - balance TIGER & Municipal Funds

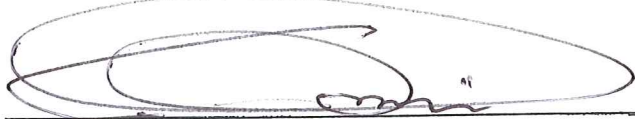
<sup>(3)</sup> State Construction Oversight (slightly over 2% of construction) 100% Municipal Funds

### IV. PROJECT MILESTONE COMPLETION SCHEDULE

Planning – Included on STIP/TIP	March 25, 2010
Historical Determination of Eligibility	May 17, 2010
Planning – NEPA Complete	November 15, 2010
PS&E Complete & Submitted	May 1, 2011
ROW Complete	August 2, 2011
Construction – Advertisement	August 9, 2011
Construction – Project Letting	September 13, 2011
Construction – Notice to Proceed/Actual Start	November 14, 2011
Construction – Open to Traffic/Completion	September 16, 2013

**EXECUTION BY THE GOVERNMENT**

Executed this 28 day of APRIL, 2010.



Signature of Government's Authorized Representative

WISCONSIN DIVISION ADMINISTRATOR

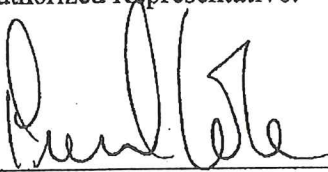
Title

**EXECUTION BY THE PROJECT SPONSOR**

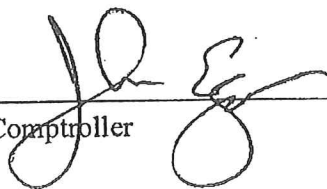
Executed this 22 day of April, 2010.

City of Milwaukee: Project Sponsor

Signature of Project Sponsor's  
Authorized Representative:

  
for Commissioner of Public Works

Signature of Project Sponsor's  
Authorized Representative:

  
Comptroller *ch*

**[USE THE FOLLOWING LANGUAGE IF THE STATE IS ADMINISTERING THE PROJECT ON BEHALF OF THE LOCAL GOVERNMENT GRANTEE]**

**EXECUTION BY State Department of Transportation**

Executed this 28th day of April, 2010.

Richard L. Anthony, Jr. 4/25/10

Signature of State Department of Transportation Designated  
Official Representative

Deputy Secretary, Wisconsin Department of Transportation

Title