



## Wisconsin Department of Transportation

August 24, 2004

Mr. Jeffrey S. Polenske, P.E.  
City of Milwaukee  
841 North Broadway, Room 620  
Milwaukee, WI 53202

**TRANSPORTATION DISTRICT 2**

141 N.W. Barstow Street  
P.O. Box 798  
Waukesha, WI 53187-0798

Telephone: (262) 521-5361  
FAX: (262) 548-6465  
E-mail: waukesha.dtd@dot.state.wi.us

Dear Mr. Polenske:

SUBJECT: STP-Local Bridge Agreement (REVISED)  
ID: 2667-03-70  
N. Humboldt Avenue (P-40-0879)  
Bridge over Commerce Street  
Bridge Replacement  
Milwaukee County

This revised project agreement replaces the previous agreement dated October 12, 2001 and reflects an 80% federal/20% local cost share of the estimated project cost of \$1,035,000 for construction. The Federal portion of the funding is estimated at \$828,000. In an effort to stabilize the Local Program, project costs in excess of this amount may be your responsibility. The Project Agreement is your agency's firm commitment to provide its share of the funding.

Enclosed are three copies of the Revised Project Agreement. Please review and return the **Project Schedule Worksheet** (attached) and **two** signed copies of the Agreement. A third copy has been provided for your records. Please note that the project is not authorized for charges until the signed Agreement has been received and fully executed by the State. Costs incurred prior to authorization are not reimbursable.

This agreement also includes a sunset provision (see Terms and Conditions No. 10). Effective immediately for the Local Bridge Program, we will be enforcing Chapter 213 of the Wisconsin Administrative Code, where funds are required to be authorized prior to the completion of the cycle the project was approved in.

Projects selected for this cycle that are not let by June 2007, will be removed from the program. If you want to pursue the project, it will have to be re-applied for in the next cycle.

If you have any questions concerning the project implementation process, please contact the Project Manager, Kathy Labisch, WisDOT, at (262) 548-8772. If you have questions about the Project Agreement or cost share policy, please call me at (262) 548-8789.

Sincerely,

Anita N. Pusch  
Local Program Engineer

Cc: Kathy Labisch, WisDOT

Enclosures

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**REVISED STATE/MUNICIPAL AGREEMENT  
FOR A  
HIGHWAY IMPROVEMENT PROJECT  
(Replaces previous agreement dated October 12, 2001)**

Date: August 24, 2004  
ID: 2667-03-70  
Highway: N. Humboldt Avenue over Commerce Street (LOC BRIDGE)  
Bridge ID: P-40-0879  
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:**

The existing deck has advanced deterioration of the deck and approaches and damage to the main load carrying member, the East through girder.

**Proposed Improvement - Nature of work:**

Bridge Replacement. SR=57.9\*

\* The Federal file shows the Sufficiency Rating for P-40-879 is currently greater than 50. The State File shows the SR=38.7 (due to inspection on 6/8/04 in which the superstructure rating was lowered to 4; hence the SR was lowered). The design to replace this bridge is approved; however if the SR on the federal file is not less than 50 at the time authorization is requested for construction, then the structure will be ineligible for federal funding.

The apportionment of costs for work necessary to finish the project (including non-participating work and work which will be undertaken by the Municipality) is as follows:

Phase	Estimated Cost				
	Total Estimated Cost	Federal Funds (2)	%	Municipal Funds	%
Design (1)	\$0	\$0	80%	\$0	20%
Construction (2)	\$1,035,000	\$828,000	80%	\$207,000	20%
<b>Total Cost Distribution</b>	<b>\$1,035,000</b>	<b>\$828,000</b>		<b>\$207,000</b>	

(1) Design is covered under ID 2667-03-00 (agreement dated 12/1/1999)

(2) Project costs in excess of 10% of the total estimated cost must receive District approval. The maximum federal participation for construction (with District approval) shall be limited to \$993,600\*. Project costs in excess of this federal cap, will be the responsibility of the municipality.

\* Federal limit calculation based on total estimated cost for construction.

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 on behalf of The City of Milwaukee:**

Signature	Title
Name (Written Clearly)	Date

-Terms and Conditions Begin on the Next Page-

## **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 exceed Federal/State financing commitments or are ineligible for Federal/State financing.
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. Preliminary engineering and State review services.
  - b. The grading, base, pavement, and curb and gutter.
  - c. Catch basins and inlets for surface water drainage of the improvement, with connections to the storm sewer main.
  - d. Construction engineering incidental to inspection and supervision of actual construction work.
  - e. Signing and pavement marking, including detour routes.
  - f. Storm sewer mains necessary for the surface water drainage.
  - g. Construction or replacement of sidewalks and surfacing of private driveways.
  - h. New installations or alteration of street lighting and traffic signals or devices.
  - i. Real Estate for the improvement, if required
4. Work necessary to complete the improvement to be financed entirely by the Municipality or other utility or facility owner or other responsible party (not including the State) 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 incidental 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 from the project, it will reimburse the State for any costs incurred by the State on 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 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. Prohibit angle parking.
  - 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. Regulate and prohibit parking at all times in the vicinity of the proposed improvements during their construction.
  - e. Assume general responsibility for all public information and public relations for the project and to make fitting announcements 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 and around the project.
  - f. Provide complete plans, specifications, relocation order, real estate plat, and estimates, *except as provided in Paragraph 3 above*.
  - g. Use the WisDOT Utility Accommodation Policy unless it adopts a policy which has equal or more restrictive controls.
- 9. Basis for local participation: 80% Federal; balance by Municipality, as specified in Surface Transportation Program—Local Bridge Program regulations.
- 10. All phases of this project must be authorized for charging by June 30, 2007.

(End of Document)