

March 5, 2004

To the Public Improvements Committee

Subject: Common Council Resolution File Number 031597

Dear Honorable Members:

Attached herewith is Common Council Resolution File Number 031597, being a resolution authorizing the proper City Officials to enter into a Memorandum of Understanding between the City of Milwaukee and the Wisconsin Department of Transportation regarding various elements associated with the rehabilitation of the Marquette Interchange, including but not limited to, project cost participation for various special elements, maintenance responsibilities, disposition of various streets within the construction limits and occupancy of City and/or State rights-of-way by State or City facilities, respectively, included in the Marquette Interchange Project, which has been prepared for your consideration.

This resolution authorizes the proper City officials to enter into a Memorandum of Understanding and necessary subsequent agreements between the City of Milwaukee and the State of Wisconsin Department of Transportation regarding various elements associated with the rehabilitation of the Marquette Interchange. This resolution also authorizes and directs the City Comptroller to establish subaccounts as necessary to facilitate the various agreements that will be necessary in order for the City of Milwaukee to undertake work required due to the Marquette Interchange Project. The Memorandum of Understanding (a draft of which is attached to this file) is generally complete and acceptable. This resolution also authorizes nonsubstantive changes in the Memorandum of Understanding as may be necessary to further clarify or define roles of the Parties.

The Commissioner of Public Works and the City Engineer, in association with the Department of City Development, the Redevelopment Authority of the City of Milwaukee, and Milwaukee County staff have undertaken negotiations on the Memorandum of Understanding with the Department of Transportation in a fashion that is equitable, mutually beneficial, and protects the City's interests in the Marquette Interchange Project to the greatest extent possible under the law. Negotiation of the Memorandum of Understanding will result in a number of detailed agreements regarding individual specific elements of the City's work on the Marquette Interchange project.

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It is the intent of this resolution to allow the proper City Officials to execute this Memorandum of Understanding as well as said subsequent agreements in the best interest of the City for the purpose of designing, coordinating, and/or undertaking work through use of City Forces or by Contract whichever is most beneficial to the City. Due to the nature of the Marquette Interchange project with its many complexities, multiple contracts, and variable timelines associated with the contracts, we are seeking and recommending this broader authority and latitude in entering into the many specific agreements that will guide the City's participation in this project. As always, any of these agreements which may require financial consideration over and above what is contained specifically in this resolution will be brought back before the Common Council for further action.

Based on the above, we respectfully recommend that this resolution be approved by your honorable body to allow for the Marquette Interchange Project to proceed in a fashion most beneficial to the City of Milwaukee and its citizens.

Very truly yours,

Jeffrey S. Polenske, P.E.  
City Engineer

Mariano A. Schifalacqua  
Commissioner of Public Works

JJM:cjt

Attachment