



Legislation Text

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031597

SUBSTITUTE

031204, 031205, 030533

THE CHAIR

Substitute resolution authorizing the proper City Officials to negotiate and execute a Memorandum of Understanding between the City of Milwaukee and the Wisconsin Department of Transportation regarding various elements of the Marquette Interchange Project including, but not limited to, maintenance responsibilities, disposition of various streets within the construction limits, occupancy of City and/or State rights-of-way by State or City facilities, respectively, and cost participation for various special elements included in the Marquette Interchange Project.

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. It is the intent of this resolution to allow the proper City Officials to execute said 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. Any such agreements requiring further financial consideration will be brought back before the Council for their further action and approval.

Whereas, The Marquette Interchange (MQI), being the intersection of freeway segments including I-43, I-94, I-794 in the Central Business District (CBD) of the City of Milwaukee has been determined to have reached its useful life by the State of Wisconsin Department of Transportation (WISDOT); and

Whereas, The State of Wisconsin has scheduled the reconstruction and reconfiguration of the MQI commencing in the fall of 2004 and continuing through the construction season of 2008; and

Whereas, The City of Milwaukee will be affected by this project in many areas of its infrastructure; and

Whereas, The Department of Public Works (DPW) has been working closely with the WISDOT in examining the broad spectrum of facilities under its supervision in order to identify specific elements of City infrastructure that will be impacted by the MQI project; and

Whereas, Those elements generally have been enumerated in a draft Memorandum of Understanding (MOU) between the City of Milwaukee and the Wisconsin Department of Transportation (WISDOT) which have been proposed by the WISDOT based on discussion among DPW and WISDOT staff; and

Whereas, The MOU generally reflects an understanding between the DPW and the WISDOT on the process to implement the greater majority of individual project elements; and

Whereas, The timeframe for proceeding with the many elements satisfactorily negotiated is becoming critical to overall MQI project scheduling as well as other projects, including but not limited to: PABST CITY and the PARK EAST REDEVELOPMENT, proposed in the vicinity of the MQI; and

Whereas, It is now in the interest of both the City and the WISDOT to seek authority to allow the proper City officials to enter into the MOU so that the MQI Project may proceed to the benefit of all parties; and

Whereas, The execution of the MOU may lead to negotiations and development of a number of separate agreements specific to individual elements of City participation in the numerous MQI work contracts; and

Whereas, It is in the best interest of both the City and the WISDOT to also seek authority at this time to allow the proper City officials to enter into the multiple individual project element agreements as they are developed and as they become necessary; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the proper City officials are hereby authorized to negotiate and enter into a Memorandum of Understanding (MOU), a draft of which is attached to this file by reference and included in this file as though set forth in full, and necessary subsequent agreements between the City of Milwaukee and the State of Wisconsin Department of Transportation (WISDOT) regarding various elements associated with the rehabilitation of the Marquette Interchange (MQI) to facilitate the City's overall participation in the project in a manner most beneficial to the City and its citizens; and, be it

Further Resolved, That nonsubstantive changes in the MOU may be made by the Commissioner of Public Works and/or the City Engineer in order to clarify, better define responsibilities as necessary and include additional nonfinancial elements as necessary; and, be it

Further Resolved, That adoption of this resolution authorizes the City's participation, financially, on the following MQI Project elements that will be included in State project contracts:

25% of the cost to install sidewalk at various locations along West Fond du Lac Avenue in the vicinity of the reconfigured Hillside Interchange;
City Share Estimate \$50,000.00

Fund 0333 Account #ST320040000

25% of the cost to widen and install walk on the Winnebago Street Bridge over I-43;
City Share Estimate \$90,000.00
Fund 0303 Account #BR10040000

100% of the incremental cost to widen the Wisconsin Avenue Bridge over I-43
City Share Estimate \$280,000.00
Fund 0303 Account #BR10040000

; and, be it

Further Resolved, That any of the potential future agreements which may be necessary as a result of execution of this MOU that may require further financial consideration will be brought forth for Common Council consideration and approval; and, be it

Further Resolved, That upon execution of the MOU, the City Comptroller is hereby authorized and directed, at the request of the Commissioner of Public Works and/or the City Engineer to establish appropriate subaccounts for the various agreements and to transfer funding, as noted above and up to \$5,000.00 or 10% additional funding, whichever is greater, if necessary, from the appropriate accounts construction to allow the work to proceed in conjunction with the MQI project schedule; and, be it

Further Resolved, That the Commissioner of Public Works is authorized to accomplish the necessary work as agreed upon above, through the use of City forces and/or by contract whichever is in the best interest of the City.

Department of Public Works
Infrastructure Services Division

JJM:cjt

March 5, 2004

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