



## Legislation Details (With Text)

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**File created:** 7/7/2004      **In control:** PUBLIC WORKS COMMITTEE

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**Title:** Substitute resolution authorizing the proper City officials to revise/amend previously executed Utility Agreements with the State of Wisconsin, Department of Transportation (WISDOT) for work on City of Milwaukee facilities in conjunction with the Marquette Interchange Clybourn Avenue and North Leg contracts.

**Sponsors:** THE CHAIR

**Indexes:** AGREEMENTS, EXPRESSWAYS, STREET IMPROVEMENTS, WISCONSIN DEPARTMENT OF TRANSPORTATION

**Attachments:** 1. Cover Letter.pdf, 2. Fiscal Note.pdf

Date	Ver.	Action By	Action	Result	Tally
7/7/2004	0	COMMON COUNCIL	ASSIGNED TO		
7/9/2004		PUBLIC WORKS COMMITTEE	REFERRED TO		
7/9/2004	1	CITY CLERK	DRAFT SUBMITTED		
7/9/2004	0	PUBLIC WORKS COMMITTEE	HEARING NOTICES SENT		
7/9/2004	0	PUBLIC WORKS COMMITTEE	HEARING NOTICES SENT		
7/9/2004	0	PUBLIC WORKS COMMITTEE	HEARING NOTICES SENT		
7/14/2004	1	PUBLIC WORKS COMMITTEE	RECOMMENDED FOR ADOPTION	Pass	5:0
7/27/2004	1	COMMON COUNCIL	ADOPTED	Pass	15:0
8/5/2004	1	MAYOR	SIGNED		

040409  
Substitute 1  
031204, 031205  
The Chair

Substitute resolution authorizing the proper City officials to revise/amend previously executed Utility Agreements with the State of Wisconsin, Department of Transportation (WISDOT) for work on City of Milwaukee facilities in conjunction with the Marquette Interchange Clybourn Avenue and North Leg contracts.

This resolution authorizes proper City officials to revise/amend previously approved and executed Utility Agreements entitled, "Agreement for Payment for Relocation or Replacement of Municipal Utility Facilities Located On Public Held Land Required by Freeway Construction; Conveyance of Rights in Lands; and Audit Agreement for Payment for Lands or Interests in Lands Acquired from Public Utility" one each for Milwaukee Water Works, Environmental Engineering, and Communications and Electrical Services. These agreements all relate to Utility work on City facilities necessitated by the rehabilitation of the Marquette Interchange project being undertaken by the Wisconsin Department of Transportation in the 2004 through 2008 timeframe. These agreements provide generally for payment of 90% of the costs of all work on City facilities necessitated by the Freeway rehabilitation project in accord with Wisconsin State Statute SS84.295(4m). This resolution also authorizes the Commissioner of Public Works to prepare and/or review plans and estimates for the Marquette Interchange utility work necessary to accomplish the project. This resolution also authorizes the Comptroller to establish accounts as necessary to track the work and to make periodic payments to the State for work undertaken on this project as approved by the City Engineer.

Whereas, Utility Agreements were executed by the State of Wisconsin Department of Transportation (WISDOT) and the City of Milwaukee for work on City of Milwaukee facilities in conjunction with the Marquette Interchange Clybourn Avenue and North Leg

contracts in accordance with Common Council Resolution File Numbers 031204 and 031205 respectively, adopted on January 21, 2004; and

Whereas, The WISDOT has presented the City of Milwaukee with new estimates reflecting the costs for the necessary work on City of Milwaukee facilities in conjunction with the Marquette Interchange Clybourn Avenue and North Leg contracts; and

Whereas, A revision/amendment to the previously approved and executed Utility Agreement is necessary in order to reflect the new estimates presented to the City by the Wisconsin Department of Transportation; and.

Whereas, The WISDOT has scheduled the rehabilitation of the Marquette Interchange (MQI) in the Central Business District of the City of Milwaukee (CBD); and

Whereas, The Department of Public Works (DPW) has worked with the WISDOT over the past 3 years in planning the design and construction phasing of the project to best meet the needs of the citizens of the City of Milwaukee (CITY) and of the region as a whole; and

Whereas, Work on the MQI has been phased in 5 major contracts, being the Clybourn Advance Contract (CLAC), North Leg Contract (NL), West Leg Contract (WL), South Leg Contract (SL) and the Core Contract (CORE); and

Whereas, There will be substantial work required on CITY utilities as a result of the design and construction associated with these MQI contracts; and

Whereas, Wisconsin State Statutes, SS 84.295(4m) indicates that the WISDOT will pay 90% of the cost of alteration, rehabilitation and relocation of Municipal utilities with the responsible jurisdiction liable for the remaining 10% of the cost; and

Whereas, It has been estimated that for the MQI project, a total of approximately \$12 to \$14 million dollars in City utility alterations will be necessary over the 4 plus year long construction time frame; and

Whereas, It has been estimated that for the CLAC, the cost of utility alterations for Water, Sewer, Conduit and Cable facilities will be \$494,389.59, \$76,606.38, \$305,000 and \$298,176.58, respectively with the City 10% share being \$49,438.95 for Water, \$7,660.64 for Sewer, \$30,500 for Conduit and \$29,817.66 for Cable facilities; and

Whereas, It has been estimated that for the North Leg, the cost of utility alterations for Water, Sewer, Conduit and Cable facilities will be \$1,447,395.09, \$7,065,307, \$476,000 and \$809,956.74, respectively with the City 10% Share being \$144,739.51 for Water, \$706,330.76 for Sewer, \$47,600 for Conduit and \$80,995.67 for Cable facilities; and, be it

Resolved, By the Common Council of the City of Milwaukee, that the Commissioner of Public Works is hereby authorized and directed to revise the executed Utility Agreements to reflect the correct amounts as shown above with the WISDOT for work on City of Milwaukee facilities in conjunction with the Marquette Interchange CLAC and North Leg contracts, attached to this resolution by reference as though set forth in full; and, be it

Further Resolved, That the Commissioner of Public Works is hereby authorized and directed to review and/or prepare plans as necessary to accomplish the required utility alterations associated with the MQI NL and CLAC Contracts and is authorized to allow the WISDOT to include City utility work in the NL and CLAC and/or award contracts for CITY utility work associated with the NL and CLAC and/or have the necessary utility work associated with the NL and CLAC accomplished by City forces, whichever is deemed to be in the best interest of the City and MQI project; and, be it

Further Resolved, That the funding to cover the 10% CITY cost of the MQI CLAC and NL Contracts utility alterations for Water, Sewer, Conduit and Cable facilities estimated to be \$194,178.46, \$714,191.40, \$78,100, and \$110,813.33 respectively, are and/or will be placed in DPW Departmental Accounts as part of the City Budget process in budget years as necessary to accommodate the projects scheduling and the Local Accounts Receivable (LAR) billings; and be it

Further Resolved, That the City Comptroller is hereby authorized and directed to create within the Capital Improvement Fund, Grant and Aid Projects, the necessary Project/Grant Chartfield Values for engineering and construction for the projects (expenditure) and transfer to any of these accounts the amounts required under the grant agreement and City Accounting Policy but not to exceed a 10 percent increase of the total amounts reserved for the grantor's share and local share or \$5,000, whichever is greater, as follows:

Infrastructure Services Division Accounts

Sewer Account Number  
SM495050000  
Fund 0491  
\$714,191.40

Transportation Street Conduit Account Number  
ST28004000  
Fund 0333  
\$78,100

Grantor Share Account Number  
SP032040100  
Fund 0306  
\$702,900

Water Works Department Account Number  
WT410040000  
Fund 0420  
\$194,178.46

DPW Administration Services Account Number  
ST270040700  
Fund 0333  
\$110,813.33

Grantor Share Account Number  
SP032040100  
Fund 0306  
\$997,319.99

; and, be it

Further Resolved, That the City Engineer is hereby authorized and directed to make periodic payments as necessary to accommodate the work required for the MQI CLAC and NL Contracts utility alterations as required under the aforementioned Utility Agreements.  
Department of Public works  
Infrastructure Services Division  
JJM:dle  
July 8, 2004  
MARQUETTE CLYBOURN RES-AH