



## Legislation Details (With Text)

**File #:** 131565      **Version:** 0  
**Type:** Resolution      **Status:** Passed  
**File created:** 3/4/2014      **In control:** COMMON COUNCIL  
**On agenda:**      **Final action:** 4/2/2014  
**Effective date:**

**Title:** Resolution authorizing the proper City officials to apply for, accept and fund a grant utility agreement change order with the Wisconsin Department of Transportation for work on Milwaukee Water Works facilities in conjunction with the Zoo Interchange's Phase 1 contract work.

**Sponsors:** THE CHAIR

**Indexes:** STATE GRANTS, WATER WORKS

**Attachments:** 1. Agreement Change Order.pdf, 2. Cost Summary Estimate, 3. Correspondence Memorandum - Signed, 4. Correspondence Memorandum - Signed, 5. Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
3/4/2014	0	COMMON COUNCIL	ASSIGNED TO	Fail	
3/13/2014	0	PUBLIC WORKS COMMITTEE	HEARING NOTICES SENT		
3/13/2014	0	PUBLIC WORKS COMMITTEE	HEARING NOTICES SENT		
3/13/2014	0	PUBLIC WORKS COMMITTEE	HEARING NOTICES SENT		
3/19/2014	0	PUBLIC WORKS COMMITTEE	RECOMMENDED FOR ADOPTION	Pass	5:0
4/2/2014	0	COMMON COUNCIL	ADOPTED	Pass	14:0
4/11/2014	0	MAYOR	SIGNED		

131565  
ORIGINAL

### THE CHAIR

Resolution authorizing the proper City officials to apply for, accept and fund a grant utility agreement change order with the Wisconsin Department of Transportation for work on Milwaukee Water Works facilities in conjunction with the Zoo Interchange's Phase 1 contract work.

This resolution authorizes the proper City officials to apply for, accept and fund a grant utility agreement change order with the Wisconsin Department of Transportation for work on Milwaukee Water Works facilities in conjunction with the Zoo Interchange's Phase 1 contract work. The utility agreement change order includes all City incurred costs during engineering, inspection and construction of Milwaukee Water Works facilities. The additional City incurred construction related charges for the water utility alterations are estimated to be \$59,200, of which the City share will be 10% or \$5,920. Including the original utility agreement estimate, total City incurred construction related charges for the water utility alterations are estimated to be \$490,800, of which the City share will be 10% or \$49,080.

This resolution also approves the agreement change order, a copy of which is attached to this file, entitled "Utility Agreement Change Order No. 1", and authorizes the Commissioner of Public Works to execute the agreement on behalf of the City of Milwaukee.

This grant utility agreement change order relates to utility work on City water facilities necessitated by the rehabilitation of the Zoo Interchange work in Phase 1 construction limits, being undertaken by the Wisconsin

Department of Transportation in 2014 and 2015. The agreement provides generally for the City to be reimbursed by the State 90% of the City costs for all work on City water facilities in accordance with s. 84.295 (4m), Wis. Stats.

This resolution also authorizes the Commissioner of Public Works to prepare and review plans and estimates for the Zoo Interchange utility work as necessary to accomplish the project. In addition, the resolution authorizes the City Comptroller to establish accounts as necessary to track the work and to submit invoices to the State of Wisconsin for work undertaken on this project as approved by the Commissioner of Public Works.

Whereas, The Wisconsin Department of Transportation has scheduled the reconstruction of the Zoo Interchange in the City of Milwaukee; and

Whereas, There will be additional work required on City water utilities as a result of the design and construction changes associated with the Zoo Interchange freeway project; and

Whereas, Section 84.295(4m), Wis. Stats., indicates that the Wisconsin Department of Transportation 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, The estimated additional City costs of water utility alterations for Milwaukee Water Works facilities related to the Zoo Interchange contract work (State Project ID 1060-33-80) will be \$59,200; and

Whereas, For the City to be reimbursed for the 90% share of the additional utility alteration cost on the Zoo Interchange freeway work, the Wisconsin Department of Transportation requires the entering into Utility Agreement Change Order No. 1 for Municipal Utility Agreement Number 642 (UA 642), in accordance with relocation assistance policy; and

Whereas, The Wisconsin Department of Transportation has provided the City of Milwaukee with the necessary municipal utility agreement change order to facilitate reimbursement of City costs in the alteration of Milwaukee Water Works facilities; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the Commissioner of Public Works is authorized to apply for, accept and fund a grant utility agreement change order with the Wisconsin Department of Transportation for work on Milwaukee Water Works facilities necessitated by the Zoo Interchange construction project without further approval unless the terms of the grant changes as provided in s. 304-81 of the Code of Ordinances and, be it

Further Resolved, That the Commissioner of Public Works is authorized and directed to execute the agreement change order, a copy of which is attached to this file, entitled "Utility Agreement Change Order No. 1," and, be it

Further Resolved, That the Commissioner of Public Works is authorized and directed to review and prepare plans as necessary to accomplish the required water utility alterations associated with the Zoo Interchange freeway work and is authorized to allow Wisconsin Department of Transportation to include City water utility work in the Zoo Interchange freeway work contract; or have the necessary water utility work associated with the Zoo Interchange freeway project accomplished by City forces; or have the necessary water utility work associated with the Zoo Interchange freeway project accomplished by city contract, whichever is deemed to be in the best interest of the City and the Zoo Interchange freeway project; and, be it

Further Resolved, That the additional funding to cover 100% of the estimated City cost of the Zoo Interchange freeway project utility alterations for Milwaukee Water Works is estimated to be \$59,200 and will be placed in the Department of Public Works' departmental accounts as part of the City budget process in the budget year necessary to accommodate the project scheduling; and, be it

Further Resolved, That these funds shall be appropriated to the Milwaukee Water Works, which is authorized to expend from the amount appropriated sums for specified purposes as indicated in the grant budget and incur costs consistent with the award; and, be it

Further Resolved, That the City Comptroller is authorized and directed to create within the Capital Grant and Aid Projects Fund the appropriate Project/Grant Chartfield Value for this project; and transfer to these accounts the amounts required under the agreement and City accounting policy, but not to exceed a 10% increase of the total amounts reserved for the grantor's share and local share or \$5,000, whichever is greater, as follows:

Location:

Project I.D. 1060-33-80

Utility Project I.D. 1060-38-45

Zoo Interchange

Phase 1

City Share Non-Assessable Fund Water Works Department

W. Adler St. - S. 91<sup>st</sup> St. to S. 95<sup>th</sup> St.

WT410140509 (Budget Line 5010 - \$7,500; Budget Line 6410 - \$8,000)

Fund 0420

\$15,500 [Original UA funds = \$43,700; Total funds = \$59,200]

City Share Non-Assessable Fund Water Works Department

S. 91<sup>st</sup> St. Extended (Freeway Crossing) - W. Chester St. to W. Adler St.

WT410140517 (Budget Line 5010 - \$600; Budget Line 6410 - \$1,000)

Fund 0420

\$1,600 [Original UA funds = \$53,200; Total funds = \$54,800]

City Share Non-Assessable Fund Water Works Department

W. O'Connor St. - S. 72<sup>nd</sup> St. to S. 84<sup>th</sup> St.

WT410140519 (Budget Line 5010 - \$1,700; Budget Line 6410 - \$4,000)

Fund 0420

\$5,700 [Original UA funds \$17,000; Total funds = \$22,700]

City Share Non-Assessable Fund Water Works Department

Hwy45 Crossing (800' S. of W. Blue Mound Rd.) - Water Easement 248A (East of Hwy45)  
to Water Easement 248D (West of Hwy45)

WT410140523 (Budget Line 5010 - \$4,900; Budget Line 6410 - \$4,000)

Fund 0420

\$8,900 [Original UA funds = \$61,100; Total funds = \$70,000]

City Share Non-Assessable Fund Water Works Department

W. Adler St. (Adler Pumping Station) - 250' E. of S. 86<sup>th</sup> St. to S. 87<sup>th</sup> Pl.

WT410140529 (Budget Line 5010 - \$14,000; Budget Line 6410 - \$9,000)

Fund 0420

\$23,000 [Original UA funds = \$52,000; Total funds = \$75,000]

City Share Non-Assessable Fund Water Works Department

W. Dixon St. - At S. 71<sup>st</sup> St.

WT410140539 (Budget Line 5010 - \$1,500; Budget Line 6410 - \$3,000)

Fund 0420

\$4,500 [Original UA funds = \$0; Total funds = \$4,500]

; and, be it

Further Resolved, That the Commissioner of Public Works is authorized and directed to make periodic payments and invoices as necessary to accommodate the work required for the Zoo Interchange freeway work utility alterations as required under the aforementioned utility agreement.

DPW- Water Works

Water Engineering Section  
Mark J. Scheller  
02/21/2014