



## Legislation Details (With Text)

<b>File #:</b>	081420	<b>Version:</b>	0
<b>Type:</b>	Resolution	<b>Status:</b>	Passed
<b>File created:</b>	2/10/2009	<b>In control:</b>	PUBLIC WORKS COMMITTEE
<b>On agenda:</b>		<b>Final action:</b>	3/3/2009
<b>Effective date:</b>			
<b>Title:</b>	Resolution authorizing the proper city officials to execute amended Utility Agreements with the State of Wisconsin, Department of Transportation for work on City of Milwaukee facilities in conjunction with the North-South Mitchell Interchange with a total estimated cost of \$2,769,671.33 with an estimated Grantor's share of \$2,492,704.20 and an estimated City of Milwaukee share of \$276,967.13.		
<b>Sponsors:</b>	THE CHAIR		
<b>Indexes:</b>	EXPRESSWAYS, INTERGOVERNMENTAL AGREEMENTS, PUBLIC UTILITIES, WISCONSIN DEPARTMENT OF TRANSPORTATION		
<b>Attachments:</b>	1. Cover Letter.pdf, 2. Fiscal Note.pdf, 3. Comptroller's Certificate, 4. Hearing Notice List, 5. Municipal Agreement Amendment No 67 & 70		

Date	Ver.	Action By	Action	Result	Tally
2/10/2009	0	COMMON COUNCIL	ASSIGNED TO		
2/12/2009	0	PUBLIC WORKS COMMITTEE	HEARING NOTICES SENT		
2/19/2009	0	PUBLIC WORKS COMMITTEE	RECOMMENDED FOR ADOPTION	Pass	3:0
3/3/2009	0	COMMON COUNCIL	ADOPTED	Pass	15:0
3/9/2009	0	MAYOR	SIGNED		

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THE CHAIR

Resolution authorizing the proper city officials to execute amended Utility Agreements with the State of Wisconsin, Department of Transportation for work on City of Milwaukee facilities in conjunction with the North-South Mitchell Interchange with a total estimated cost of \$2,769,671.33 with an estimated Grantor's share of \$2,492,704.20 and an estimated City of Milwaukee share of \$276,967.13.

This resolution authorizes the Commissioner of Public Works and the Comptroller to execute the amended Utility Agreements Nos. 67 and 70 for Milwaukee Water Works and Environmental Engineering for the utility work in conjunction with the North-South Mitchell Interchange (NSMI), (2009 Advanced Utilities Contract at Mallory Avenue and Layton Avenue), with a total estimated cost of \$2,769,671.33 with an estimated Grantor's share of \$2,492,704.20 and an estimated City of Milwaukee share of \$276,967.13. Whereas, The State of Wisconsin, Department of Transportation (WISDOT) scheduled the rehabilitation of the North-South Mitchell Interchange (NMSI) in the City of Milwaukee; and

Whereas, The Department of Public Works (DPW) has worked with the WISDOT over the past year 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 NSMI has been phased in four major phases, being Phase I (South 27<sup>th</sup> Street; Airport Spur I; West Grange Avenue; West College Avenue) scheduled for 2009, Phase II (North Leg;

West Layton Avenue; Airport Spur II) scheduled for 2010, and Phases III & IV (Mitchell Interchange) scheduled for 2011 and 2012; and

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

Whereas, Wisconsin Statute 84.295(4m) indicates that the WISDOT will pay 90 percent of the cost alteration, rehabilitation and relocation of municipal utilities with the responsible jurisdiction liable for the remaining 10 percent of the cost; and

Whereas, It has been estimated that for the NSMI project, scheduled for 2009 within the CITY a total of approximately \$5 million in CITY utility alterations will be necessary; and

Whereas, Utility Agreements were executed by the WISDOT and the CITY for work on City of Milwaukee facilities in conjunction with NSMI (South 27<sup>th</sup> Street; West Grange Avenue; West College Avenue) in accordance with Common Council Resolution File Numbers 080400 and 081307, adopted on August 14, 2008 and February 10, 2009, respectively; and

Whereas, It has been estimated that for the 2009 Advanced Utilities Contract amendments for Water will be \$2,415,000.00 with a Grantor share of \$2,173,500.00 and a CITY share of \$241,500.00; and Environmental Engineering will be \$354,671.33 with a Grantor share of \$319,204.20 and a CITY share of \$35,467.13; and

Whereas, In order for the CITY to be reimbursed for the 90 percent share of the utility alteration cost on the NSMI contract, the WISDOT requires the entering into Municipal Utility Agreements, in accord with relocation assistance policy; and

Whereas, The WISDOT has provided the CITY with the necessary Municipal Utility Agreements to facilitate reimbursement of the CITY costs in the alteration of CITY water and environmental engineering facilities for the 2009 Advanced Utilities work; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the Commissioner of Public Works is hereby authorized and directed to execute the "Utility Agreements" Nos. 67 and 70 for Milwaukee Water Works and Environmental Engineering, all 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 NSMI 2009 Advanced Utilities contract and is authorized to allow the WISDOT to include CITY utility work in the 2009 award contracts for CITY utility work and/or have the necessary utility work associated with the 2009 contracts accomplished by CITY forces, whichever is deemed to be in the best interest of the city and NSMI project; and, be it

Further Resolved, That the funding to cover the 10 percent CITY cost of the NSMI contract utility alterations for water and environmental engineering facilities estimated to be \$241,500.00 and \$35,467.13 respectively, are and/or will be placed in Department of Public Works Departmental Accounts as part of the CITY budget process in budget years as necessary to accommodate the projects scheduling and the Local Accounts Receivable Report (LARR) 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 \$5,000.00, whichever is greater, as follows:

**Water Works Department Account Numbers**

NS/I94 - 2009 Advanced Utilities Contract (W. Mallory Avenue) (1030-21-78)  
1030-21-46  
WT410090504  
Fund 0420  
\$71,500.00

Grantor Reimbursable Share  
SP032090100  
Fund 0306  
\$142,500.00

Grantor Non-Reimbursable Share  
\$501,000.00

NS/I94 2009 Advanced Utilities Contract (W. Layton Avenue)(1030-21-78)  
1030-21-46  
WT410090505  
Fund 0420  
\$170,000.00

Grantor Reimbursable Share  
SP032090100  
Fund 0306  
\$230,000.00

Grantor Non-Reimbursable Share  
\$1,300,000.00

Total Estimated Water Utility        \$2,415,000.00

Previously authorized for 2009 Advanced Utility (Water): \$0.00  
Current estimated 2009 Advanced Utility (Water) including this resolution: \$2,415,000.00  
Original estimated 2009 Advanced Utility (Water): \$2,415,000.00

**Environmental Engineering Account Number**

NS/I94 2009 Advanced Utilities Contract (Mallory) (1030-21-78)  
1030-21-47  
SM495090004  
Fund 0491  
\$35,467.13

Grantor Reimbursable Share  
SP032090100  
Fund 0306  
\$34,232.20

Grantor Non-Reimbursable Share  
\$284,972.00

Total Estimated Sewer Utility        \$354,671.33

Previously authorized for 2009 Advanced Utility (Sewer): \$0.00

Current estimated 2009 Advanced Utility (Sewer) including this resolution: \$354,671.33

Original estimated 2009 Advanced Utility (Sewer): \$354,671.33

Further Resolved, That the City Engineer is hereby authorized and directed to make periodic payments as necessary to accommodate the work requested for the NSMI Contract utility alterations as required under the aforementioned Utility Agreements.

Department of Public Works

Infrastructure Services Division

LG:AYH:amh

February 4, 2009

Reso N-S Mitch Ichang Ameng Utils Agreems 013009.rtf