



## Legislation Text

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ORIGINAL

### THE CHAIR

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 North-South Freeway Reconstruction I-94, Mitchell Interchange Project.

This resolution authorizes 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 North-South Freeway Reconstruction I-94, Mitchell Interchange Project including, but not limited to, maintenance responsibilities, relocation of various streets within the construction limits and occupancy of City and/or State rights-of-way by State or City facilities respectively.

Whereas, The North-South Freeway Reconstruction I-94, Mitchell Interchange (NSMI) which includes an area from the southerly limits of the City of Milwaukee to the Howard Avenue Interchange (north limit), a portion of IH-894 from IH-94 to 35<sup>th</sup> Street (west limit) and the airport spur from IH-94 to Howell Avenue 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 NSMI commencing in the spring of 2009 and continuing through the construction season of 2016; 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 NSMI 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 of proceeding with the many elements satisfactorily negotiated is becoming critical to overall NSMI project scheduling; 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 NSMI 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 NSMI 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 North-South Freeway I-94, Mitchell Interchange (NSMI) 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 non-substantive 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 non-financial elements as necessary; 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 financial consideration will be brought forth for Common Council consideration and approval.

Department of Public works  
Infrastructure Services Division  
MDL :nas  
June 24, 2008