



## Legislation Text

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**File #: 090779, Version: 1**

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SUBSTITUTE 1

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THE CHAIR

Substitute resolution authorizing the City of Milwaukee and the Milwaukee Metropolitan Sewerage District to enter into an Intergovernmental Cooperation Agreement for the purposes of establishing the responsibilities of the two parties with respect to the design and construction of the replacement of the South Sixth Street Bridge over the Kinnickinnic River in the City of Milwaukee.

This resolution authorizes the City of Milwaukee (City) to enter into an Intergovernmental Cooperation Agreement with the Milwaukee Metropolitan Sewerage District (MMSD) for the purposes of establishing the responsibilities of MMSD and the City with respect to the design and construction of the replacement of the South Sixth Street Bridge (6<sup>th</sup> Street Bridge) over the Kinnickinnic River (KK River) in the City of Milwaukee.

Whereas, Milwaukee Metropolitan Sewerage District (MMSD) has taken jurisdiction of the Kinnickinnic River (KK River) for purposes of projecting, planning, design and construction for the drainage needs of the watershed and has devised the KK River Flood Management Plan to ameliorate or alleviate flood damage to property along the KK River within the corporate boundary of the City of Milwaukee (City); and

Whereas, The Metropolitan Sewerage Commission, acting for and on behalf of MMSD, approved by Commission Resolution 08-087-9 dated September 22, 2008, expansion of the scope of the KK River Flood Management Project - Mainstem Work to South Chase Avenue on the KK River, and the inclusion of the South Sixth Street Bridge (6<sup>th</sup> Street Bridge); and

Whereas, During the planning phase of the KK River Flood Management Plan, MMSD determined that the existing bridge over the KK River at Sixth Street is inadequate to allow flows from the 1% probability flood to pass; and

Whereas, MMSD has determined that the placement of the existing 6<sup>th</sup> Street Bridge to create a free opening under the roadway that is adequate to allow flows from the 1% probability flood to pass, along with stream improvements under the bridge, is the most cost effective way to achieve the goals of its KK River Flood Management Plan in the area of Sixth Street; and

Whereas, The current condition of the 6<sup>th</sup> Street Bridge indicates that the repairs of the bridge will be warranted in the near future and it is both the City's and the District's best interest to replace the existing 6<sup>th</sup> Street Bridge in the most cost-effective way; and

Whereas, MMSD has agreed to fund 100% of design costs incurred for the replacement of 6<sup>th</sup> Street Bridge, the relocation of MMSD owned Metropolitan Intercepting Sewers (MIS), and the relocation of the city owned water main and combined sewer to the extent that each is affected by the replacement of the 6<sup>th</sup> Street Bridge, including design services for the bridge replacement project; and

Whereas, The City has received funding by the Federal Highway Administration through Surface Transportation Program - Milwaukee Urbanized Area Funding under the American Recovery and Reinvestment Act (ARRA) for the construction cost as defined in this Agreement for the replacement 6<sup>th</sup> Street Bridge to allow flows from the 1% probability flood to pass; and further the City has agreed to fund the construction of the replacement 6<sup>th</sup> Street Bridge with those funds as well as such additional 80% federal and 20% local fund contribution as may be necessary to complete the construction of the replacement 6<sup>th</sup> Street Bridge in the event that ARRA funds are not sufficient; and

Whereas, MMSD has agreed to reimburse the City for half of the City's share of the total construction costs of the replacement 6<sup>th</sup> Street Bridge and the entire cost of the relocation of the City owned combined sewer in the event that ARRA funds are not sufficient; as well as the full costs of relocating MMSD owned MIS sewers, the City owned water main, the City owned communication cables; the total construction cost of relocating the MIS sewers, the water main, combined sewer, and the communication cables is estimated at \$1,425,000; and

Whereas, The cost estimates show that the 6<sup>th</sup> Street Bridge replacement is a cost effective option for MMSD to implement in order to allow for the 1% probability flood to pass, as compared to "Culvert Alternative Cost", if MMSD responsibility for sharing in the City's costs of the Replacement 6<sup>th</sup> Street Bridge is capped at \$1,690,140 and subject to the other limitations stated in the Intergovernmental Cooperation Agreement. City is willing to accept this cost reimbursement cap of \$1,690,140, and to pay the remaining costs at its sole expense; and

Whereas, MMSD will be solely responsible for the maintenance of the realigned KK River stream improvements and bank stabilization; and

Whereas, The City has agreed that the City will continue to own and be responsible for the maintenance of the replacement 6<sup>th</sup> Street Bridge once it is built, including the costs of repair and replacement of the bridge in the future, if needed; and

Resolved, By the Common Council of the City of Milwaukee, that the City of Milwaukee is authorized to enter into an Intergovernmental Cooperation Agreement with the Milwaukee Metropolitan Sewerage District for the purposes of establishing the responsibilities of the two parties with respect to the design and construction of the replacement of the South Sixth Street Bridge over the Kinnickinnic River in the City of Milwaukee, a copy of which is attached to Common Council File Number 090779 and referenced herein; and, be it

Further Resolved, That minor changes to the contract which do not change its intent are hereby approved.

Department of Public works

Infrastructure Services Division

CSL: ns

December 2, 2009