

Date: July 29/2010

**STATE/MUNICIPAL AGREEMENT
FOR A
HIGHWAY IMPROVEMENT PROJECT**

I.D.: **5300-02-02/21/40/73/90**
Title: **West Madison Beltline**
Limits: **High Point Structure & Apprs**
Highway: **USH 12/14** Length: **0.01 miles**
County: **Dane**

The signatory City of Madison, hereinafter called the Municipality, through its undersigned duly authorized officers or officials, hereby requests the State of Wisconsin Department of Transportation, hereinafter called the State, to initiate and effect the highway or street improvement hereinafter described.

The authority for the Municipality to enter into this agreement with the State is provided by Section 86.25(1), (2), and (3) of the Statutes.

NEEDS AND ESTIMATE SUMMARY:

Existing Facility

The existing overpass structure (B-13-223) carries two lanes of High Point Road traffic over four lanes of USH 12/14 (West Madison Beltline). High Point Road is an urban collector roadway within the City of Madison and has a 35 MPH posted speed.

B-13-223 is a 2-span continuous steel haunch girder structure that was built in 1966. It has a total length of 231'-10 3/4". The deck is deteriorating, the vertical clearance is deficient, the width is substandard, and the length cannot accommodate the future widening to 8 lanes planned for USH 12/14 (West Madison Beltline).

Proposed Improvement

The proposed improvement is a structure replacement project. The new structure (B-13-572) will be a 54-foot clear width structure with four 11-foot travel lanes, two 5-foot bike lanes and two 8-foot sidewalks. The approach roadways will be 54 feet from face-of-curb to face-of-curb, which will accommodate 4-11 foot lanes, 2-4 foot bike lanes and 24-inch curb and gutter with setback inlets. A 5-foot sidewalk with an 8-foot terrace will be located on both sides of the roadway.

Non-participating Items

The Municipality is responsible for all costs associated with the new sidewalk requested along the west side of High Point Road on the north side of the bridge. This includes any additional real estate needed and all construction costs. The State will prepare the right-of-way plat and acquire the needed real estate for the new sidewalk during the roadway acquisition process.

The Municipality is responsible for all local sanitary or water utility work associated with the project including manhole and valve adjustments.

ESTIMATE SUMMARY

PHASE	ESTIMATED COST				
	Total Est. Cost	Federal/State Funds	%	Municipal Funds	%
Design Engineering Plan Development:					
• Project 5300-02-02	\$442,700	\$442,700	100	\$0	0
Real Estate Acquisition:					
• Project 5300-02-21					
○ Roadway/Approaches	\$102,900	\$77,175	75	\$25,725	25
○ New Sidewalk (1)	\$37,800	\$11,440	LS	\$26,360	Bal
Compensable Utilities:					
• Project 5300-02-40	\$12,500	\$9,375	75	\$3,125	25
Roadway Construction:					
• Project 5300-02-73					
○ Roadway Items/Approaches (0010)	\$1,267,600	\$950,700	75	\$316,900	25
○ Bridge Replacement B-13-572 (2) (0020)	\$2,651,100	\$2,253,435	85	\$397,665	15
○ Retaining Walls (0030)	\$728,000	\$546,000	75	\$182,000	25
○ CSD (3) (0040)	\$301,000	\$300,000	Max	\$1,000	Bal
○ Non-Participating: (0050)					
- New Sidewalk (1)	\$9,800	\$0	0	\$9,800	100
- Sanitary and Water Adjustments	\$5,600	\$0	0	\$5,600	100
Traffic Mitigation:					
• Project 5300-02-90	\$35,400	\$35,400	100	\$0	0
Construction Total	\$4,963,100	\$4,050,135	-	\$912,965	-
Total Cost Distribution	\$5,594,400	\$4,626,225	-	\$968,175	-

Note: All construction estimates include 12% delivery. 'LS' means lump sum and is fixed at the value shown. 'Max' means maximum and is capped at the value shown. 'Bal' means balance and is the difference between the maximum Federal/State funding amount and the remaining estimated cost of the items. All estimates are FY 2010 dollars.

- (1) The Municipality is responsible for all costs associated with the new sidewalk requested along the west side of the roadway on the north side of the bridge. This includes any additional real estate needed and all construction costs. The new real estate cost is estimated at \$37,800. A lump sum Work Credit (USH 51 Cottage Grove Road interchange signal work) of \$11,440 will be deducted from this amount making the Municipal share the balance of the remaining final cost of the new real estate needed.

- (2) The Municipality is responsible for 15% of the total cost of the new wider structure. This percentage is based on the latest State of Wisconsin Cost Share Guidelines that require that the Municipality fund 25% of the widened portion of the new bridge. The cost of an additional four feet of deck width needed to provide the requested 8-foot sidewalks is included at 100% Municipal cost (Note: 6-foot sidewalks on bridges meet State standards).
- (3) Community Sensitive Design (CSD) funding is optional Federal/State funding available to the Municipality for use on State-approved aesthetic items. This maximum amount has been inflated at 2.5% over three years and is capped as shown. The Municipality is responsible for 100% of costs exceeding this amount. The State and City shall coordinate on regular basis and discuss aesthetics, as needed, to insure that CSD items are included in the project. The City and the State shall make every effort to have all CSD items completed twelve months prior to the PSE (Current PSE Date is 8/1/2012). Changes to CSD items that impact cost and timing of the project, that occur within 12 months of the PSE, will be discussed by the City and State to determine whether or not to proceed with the proposed changes. Additional costs incurred by changes within the 12 month timeframe prior to PSE shall be the responsibility of the municipality unless otherwise agreed upon.

This request is subject to the terms and conditions that follow and is made by the undersigned under proper authority to make such request for the designated Municipality and upon acceptance by the State shall constitute agreement between the Municipality and the State.

Signed for and in behalf of City of Madison

City Comptroller (date)

City Attorney (date)

Witness (date)

Mayor (date)

Witness (date)

City Clerk (date)

TERMS AND CONDITIONS:

1. The initiation and accomplishment of the improvement will be subject to the applicable Federal and State regulations.
2. The Municipality will pay to the State all costs incurred by the State in connection with the improvement, which exceed Federal/State financing commitments or are ineligible for Federal/State financing. Local participation shall be limited to the items and percentages set forth in the Estimate Summary table.
3. Funding of each project phase (design engineering, real estate, construction, and other) is subject to inclusion in an approved program. Federal aid and/or State transportation fund financing will be limited to participation in the costs of the following items as specified in the Estimate Summary:
 - (a) Preliminary engineering and State review services.
 - (b) Real Estate for the improvement.
 - (c) The grading, base, pavement, curb & gutter and WisDOT standard roadway bridges.
 - (d) Catch basins and inlets for surface water drainage of the improvement, with connections to the storm sewer main.
 - (e) Construction engineering incidental to inspection and supervision of actual construction work, except for inspection, staking and testing of sanitary sewer and water main.
 - (f) Signing and pavement marking, including detour routes.
 - (g) Storm sewer mains necessary for the surface water drainage as necessitated by the roadway improvements.
 - (h) Replacement of sidewalks as necessitated by the roadway improvements.
 - (i) Replacement of driveways in kind as necessitated by the roadway improvements.
 - (j) New installations or alteration of traffic signals or devices as necessitated by the roadway improvements.
 - (k) Replacement or alteration of street lighting as necessitated by the roadway improvements.
 - (l) Replacement or adjustment of various storm sewer inlet covers/grates as necessitated by the roadway improvements.
4. Work necessary to complete the improvement to be financed entirely by the Municipality or other utility or facility owner includes the following items.
 - (a) New installations of or alteration of sanitary sewers and connections, water, gas, electric, telephone, telegraph, fire hydrants, fire or police alarm facilities, parking meters, and similar utilities.
 - (b) Construction inspection, staking and material testing & acceptance for construction of sanitary sewer and water main.

- (c) Adjustments of sanitary sewer manhole covers and water valve covers.
 - (d) Bridge width in excess of WisDOT standards.
 - (e) Replacement or installation of signs and pavement markings not necessary for the safe and efficient movement of traffic (i.e. no parking signs & curb markings and crosswalk sign beacons).
 - (f) Real estate for requested new sidewalk. This includes but is not limited to title searches, R/W plat, acquiring right of way (this includes all utility parcels), relocation plans, litigation, legal descriptions, sight clean up including hazardous materials and the removal of encroachments that do not qualify for Revocable Occupancy permits.
 - (g) New sidewalk along High Point Road.
5. As the work progresses, the Municipality will be billed and agrees to pay for work completed which is not chargeable to Federal/State funds. Upon completion of the project, a final audit will be made to determine the final division of costs and the Municipality agrees to pay any required reimbursement to the State.
 6. If the Municipality should withdraw the project, it will reimburse the State for any costs incurred by the State in behalf of the project.
 7. The work will be administered by the State and may include items not eligible for Federal/State participation.
 8. The Municipality will at its own cost and expense:
 - (a) Maintain all portions of the project that lie within its jurisdiction on High Point Road for such maintenance through statutory requirements, in a manner satisfactory to the State and will make ample provision for such maintenance each year. This includes but is not limited to High Point Road travel and parking lanes, curb & gutter, sidewalks, multi-use paths, drainage facilities (including storm sewers), CSD/Enhancement/aesthetic items, signs, pavement markings and snow removal from travel lanes, parking lanes, sidewalks and multi-use paths.
 - (b) In cooperation with the State; jointly assume general responsibility for all public information and public relations for the project and to make appropriate announcements to the press and such outlets as would generally alert the affected property owners and the community of the nature, extent, and timing of the project and arrangements for handling traffic within and around the projects.
 - (c) Use the WisDOT Utility Accommodation Policy unless it adopts a policy, which has equal or more restrictive controls.
 - (d) Provide complete plans, specifications and estimates for sanitary sewer and water main work. The Municipality assumes full responsibility for the design, installation, inspection, testing and operation of the sanitary sewer and water system. This relieves the State and all of its employees from the liability for all suits, actions or claims resulting from the sanitary sewer and water system construction.
 - (e) Maintain and accept responsibility for the energy, operation, maintenance and replacement of the lighting system along High Point Road.
 - (f) Maintain all retaining walls along the High Point Road approaches to the new structure (B-13-572) needed to minimize impacts to adjacent properties.

- (g) Maintain all State-approved CSD/Enhancement funded bridge items. The State shall continue to maintain the structural components of the High Point Road bridge over USH 12/14 (B-13-572) to the extent it may be required to do so by law. State maintenance of aesthetic treatments such as form-lined and stained concrete bridge surfaces is limited to graffiti removal only.

9. Basis for local participation:

(a) Design Engineering:

- i. 5300-02-02
Design engineering costs necessitated by the bridge replacement and roadway approach improvements within touchdown points determined by the State are 100% eligible for Federal/State funding.

(b) Real Estate Acquisition:

- i. 5300-02-21
Real estate acquisitions necessitated by the bridge replacement and roadway approach improvements within touchdown points determined by the State will be funded 75% Federal/State and 25% Municipality. Costs not eligible for Federal/State participation include real estate purchased for new sidewalk or parking lanes on High Point Road.

(c) Utilities

- i. 5300-02-40
Compensable utility work necessitated by the bridge replacement and roadway approach improvements within touchdown points determined by the State will be funded 75% Federal/State and 25% Municipality.

(d) Roadway Construction:

- i. 5300-02-73
Construction costs necessitated by the bridge replacement and roadway approach improvements within touchdown points determined by the State will be funded 75% Federal/State and 25% Municipality.

New retaining wall costs necessitated by the bridge replacement and roadway approach improvements will be funded 75% Federal/State and 25% Municipality.

New Structure B-13-572 costs will be funded 85% Federal/State and 15% Municipality. This percentage is based on the latest State of Wisconsin Cost Share Guidelines that requires that the Municipality fund 25% of the widened portion of the new bridge. The cost of an additional four feet of deck width needed to provide the requested 8-foot sidewalks is included at 100% Municipal cost (Note: 6-foot sidewalks meet State standards).

Community Sensitive Design (CSD) funding is 100% Federal/State with a maximum of \$300,000. The Municipality will be responsible for 100% of the costs of aesthetic items over the maximum. The CSD funding is to be used on State-approved aesthetic items only.

(e) Non-participating Construction:

The Municipality shall pay 100% of the cost of installing or adjusting water and sanitary sewer systems including manhole and valve adjustments. These costs are not eligible for Federal/State funding.

The Municipality shall pay 100% of the cost of new sidewalk and/or new lighting on High Point Road. These costs are not eligible for Federal/State funding.

(f) Traffic Mitigation:

i. 5300-02-90

Traffic mitigation necessitated by the bridge replacement and roadway approach improvements is 100% eligible for Federal/State funding.

10. In order to guarantee the Municipality's foregoing agreements to pay the State, the Municipality, through its above duly authorized officers or officials, agrees and authorizes the State to set off and withhold the required reimbursement amount as determined by the State from any moneys otherwise due and payable by the State to the Municipality.