



## Legislation Text

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**File #:** 35921, **Version:** 1

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### Fiscal Note

Budget authority is available in Acct. Nos.:

Street Acct. No. CS53-58250-810571-00-53W1293	\$81,158
Sanitary Sewer Acct. No. ES01-58275-810332-00-53W1293	\$65,000
Storm Sewer Acct. No. CS53-58270-810571-00-53W1293	\$7,000
Storm Sewer Acct. No. ESTM-58270-810381-00-53W1293	\$3,000
Water Acct. No. EW01-58273-810455-00-53W1293	\$240,000
Traffic Signal Acct. No. CS53-58540-810571-00-53W1293	\$22,000
Street Lighting Acct. No. CS53-58545-810571-00-53W1293	\$2,500

Federal Share: \$1,068,460

City Share: \$420,658

Total Cost: \$1,489,118

### Title

Approving plans and specifications for the proposed improvements and authorizing the Mayor and City Clerk to execute an agreement with the State of Wisconsin Department of Transportation for the improvement of the Mineral Point Road & Midvale Boulevard intersection. (10th & 11th ADs)

### Body

#### PREAMBLE

The City is proposing to improve the Mineral Point Road and Midvale Boulevard intersection. The intersection will be reconstructed with newly created east and west bound left turn lanes on Mineral Point Road. Sidewalk, Sanitary Sewer, Water Main, Storm Sewer, Traffic Signal and Street Lighting improvements will be included as necessary. The City applied for Federal Funding with the Highway Safety Improvement Program and the project received approval for 90% federal funding.

The project will be constructed under a contract let by the Wisconsin Department of Transportation (WisDOT) and a project Agreement with WisDOT will be required for funding, oversight and construction. The proposed project is planned for construction in the year 2015.

The City of Madison and WisDOT propose to enter into an agreement for construction and cost sharing of the proposed project. The basis for cost sharing participation is as follows:

1) Design Engineering: All design-engineering costs necessitated by the street reconstruction are 90% Federal / 10% Local Funding. Funds for design-engineering are available in the Engineering Major Streets Capital Budget account number 810571. Federal Funds are limited to \$94,554; any costs over this limit will be funded by the City of Madison.

2) Local Utilities: The City shall pay for 100% of the cost of installing or adjusting new water and sanitary sewer mains. The City assumes full responsibility for the design, installation, testing and operation of the sanitary sewer and water system. Each affected local municipality shall pay for 100% of the costs for installing or adjusting new or existing local utilities.

3) Street Improvements: The WisDOT shall pay 90% of the costs for pavement, concrete curb and gutter, storm sewer, street lights, traffic signals, drive aprons, base material, sidewalk as needed, terrace restoration and all other necessary street improvements for completion of the project, through administration of Federal funding. Federal Funds are limited to \$973,906; any costs over this limit will be funded by the City of Madison.

4) Fiscal Note: The City's share of \$420,658 is included in the 2014 Capital Budget. Construction is scheduled for 2015.

The agreement with the State of Wisconsin Department of Transportation for construction cost sharing defines the terms under which the City is awarded Federal funds and the agreement requires that the City indemnify the State of Wisconsin Department of Transportation. City APM 1-1 requires Common Council Approval whenever the City indemnifies another party.

The proposed indemnification language has been reviewed by the City's Risk Manager. The City's risk exposure is increased by this clause, but the exposure is covered by the City's insurance policies, subject to their terms and conditions.

Wisconsin Statute 84.01 (35) requires that projects funded with federal or state funds include bicycle and pedestrian facilities. The statute allows for 5 exception conditions under which such facilities may be omitted. Sidewalks are included in the project on both sides of both roadways. The presence of bike lanes would require purchasing right of way from adjacent land owners and thus is an excessively disproportionate cost. The project meets the conditions for an "Excessively Disproportionate Cost" exception.

NOW, THEREFORE, BE IT RESOLVED, that the plans and specifications for the proposed improvements are hereby approved and the Mayor and City Clerk are hereby authorized to execute an agreement with the State of Wisconsin Department of Transportation for the Phase 1 improvement of Mineral Point Road and Junction Road/South Junction Road.

BE IT FURTHER RESOLVED, that the Common Council approves indemnification of the State of Wisconsin Department of Transportation as set forth in the agreement in order to use federal funds for the Phase 1 improvement of Mineral Point Road and Junction Road/South Junction Road.