



## Legislation Details (With Text)

<b>File #:</b>	21245	<b>Version:</b>	1	<b>Name:</b>	Authorizing the Mayor and City Clerk to execute a Project Agreement for Design Oversight for Central Park with the State of Wisconsin Department of Transportation with the use Federal grant money for the construction of the park and rescinding resolution
<b>Type:</b>	Resolution	<b>Status:</b>	Passed		
<b>File created:</b>	1/31/2011	<b>In control:</b>	COMMON COUNCIL		
<b>On agenda:</b>	2/22/2011	<b>Final action:</b>	2/22/2011		
<b>Enactment date:</b>	2/23/2011	<b>Enactment #:</b>	RES-11-00180		
<b>Title:</b>	Authorizing the Mayor and City Clerk to execute a Project Agreement for Design Oversight for Central Park with the State of Wisconsin Department of Transportation with the use Federal grant money for the construction of the park and rescinding resolution RES-10-00226, ID No. 17536.				
<b>Sponsors:</b>	Joseph R. Clausius, Marsha A. Rummel				
<b>Indexes:</b>					
<b>Code sections:</b>					
<b>Attachments:</b>					

Date	Ver.	Action By	Action	Result
2/22/2011	1	COMMON COUNCIL	Adopt	Pass
2/16/2011	1	BOARD OF PUBLIC WORKS	RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER	Pass

### Fiscal Note

A construction cost estimate shall be provided in a future resolution for approving the plans and specifications and authorizing the City to let the construction contract for Central Park. The original City share for Oversight and Review was originally approved by RES-10-00226, ID No. 17536, which is the same amount as required by this resolution.

The proposed indemnification language in the Project Agreement has been reviewed by the Risk Manager. While the City's risk exposure is increased by this agreement, the exposure is covered by the City's insurance policy subject to its terms and conditions. Any impact on costs would not be immediately known.

The Project Agreement for Design Oversight for Central Park shall authorize the payment for oversight and review, which shall be funded in the 2011 Capital Budget Project CL60-58011-810625-00-53W0853

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Oversight and Review

Cost: \$35,000

State/Federal Cost \$28,000

City Cost \$7,000

### Title

Authorizing the Mayor and City Clerk to execute a Project Agreement for Design Oversight for Central Park with the State of Wisconsin Department of Transportation with the use Federal grant money for the construction of the park and rescinding resolution RES-10-00226, ID No. 17536.

### Body

## PREAMBLE

The City is proposing construction of the Central Park project, an urban park located in the East Isthmus Corridor on the near east side. City has received approximately \$3.1 millions from a Federal grant for the construction and land acquisition for this project. The design will be funded with local funds. Funds for design are included in the 2011 Capital Budget. Funds for the construction of this project will be available in a future Capital Budget.

WHEREAS, A Project Agreement between the City and the Wisconsin Department of Transportation will be required for review and oversight as well as for administration of the Federal funds by the Wisconsin Department of Transportation, and,

WHEREAS, a future Project Agreement between the City and the Wisconsin Department of Transportation will be required for the construction agreement, which will be approved by separate resolution, and,

WHEREAS, KJohnson Engineers is the consultant hired by Wisconsin Department of Transportation to provide review and oversight for this project. The oversight and review shall have an 80/20 cost sharing where the Federal funds pay for 80% of the consulting costs while the City's share is 20%. Total estimated cost for oversight and review is \$35,000.

WHEREAS, The agreement with the State of Wisconsin Department of Transportation for 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.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Clerk are authorized to execute the Project Agreement for Design Oversight for Central Park with the State of Wisconsin Department of Transportation for the design of Central Park with the use of the Federal grant funds for this project.

BE IT FURTHER RESOLVED, that the Common Council approves the indemnification of the State of Wisconsin Department of Transportation as set forth in the agreement in order to use Federal funds for Central Park.