



## Legislation Text

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**File #:** 47974, **Version:** 1

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### **Fiscal Note**

The proposed resolution authorizes a work permit to be obtained for the railroad corridor work associated with the storm sewer repair at the Monona Terrace. The costs associated with this permit are anticipated to be \$5,000 and will be paid from the Stormwater Utility's 2017 capital project established for the emergency repair of the Monona Terrace sinkhole.

MUNIS:  
11723-84-200

### **Title**

Authorizing the City Engineer to obtain a permit to work in the railroad corridor and authorizing the indemnification of the Wisconsin Department of Transportation, Wisconsin and Southern Railroad L.L.C., Watco Companies, and Wisconsin River Rail Transit Commission.

### **Body**

During weekend of June 17/18, 2017 the storm sewer under the pedestrian entrance off of Wilson Street to Monona Terrace failed. Investigation reveals that the storm sewer under this area was originally constructed in circa 1880 and was made out of brick and mortar. A Public Works Emergency was declared by the Board of Public Works on June 28, 2017 so that the repairs could be expedited.

The pipe failure caused a sink hole to develop at the pedestrian entrance to Monona Terrace at the Wilson Street level. The failure also caused the pipe to plug up in the rail corridor which caused mud and rocks to be ejected from the storm sewer on to the railroad corridor below the parking ramp at Monona Terrace.

A new storm sewer has been installed to route storm water from the Wilson Street level to the rail corridor level. Work on the rail corridor is now needed to unplug pipes, finish the connection at the railroad corridor level, and clean debris from the corridor and the tracks. A temporary railroad crossing is needed to facilitate access to the work.

A permit is required from the Wisconsin Department of Transportation to allow for the installation of a temporary RR crossing and to allow work in close proximity to the rail line. The permit requires indemnification of the Wisconsin Department of Transportation, Wisconsin and Southern Railroad L.L.C., Watco Companies, and the Wisconsin River Rail Transit Commission. APM 1-1 allows the City to indemnify other parties with Common Council approval.

Because this is a Public Works Emergency, execution of the permit with Mayor approval will likely have taken place prior to Common Council Adoption. The indemnification language has been reviewed by the City Attorney and the City's Risk Manager. While the City's risk exposure is increased by the indemnification clause contained in the permit, the exposure is covered by the City's insurance policies, subject to their terms and conditions.

NOW THEREFORE BE IT RESOLVED that the City Engineer is hereby authorized to execute a permit with the Wisconsin Department of Transportation for the cleanup of the rail corridor and pipes under Monona Terrace and the connection of the new pipe to the existing storm sewer system, and

BE IT FURTHER RESOLVED that the Mayor and Common Council hereby approves of the indemnification of the Wisconsin Department of Transportation, the Wisconsin and Southern Railroad L.L.C., Watco Companies, and the Wisconsin River Rail Transit Commission.