

RESOLUTION NO.: 41—2024-25

TO THE HONORABLE, THE OUTAGAMIE COUNTY BOARD OF SUPERVISORS

LADIES AND GENTLEMEN:

MAJORITY

1 The Wisconsin Department of Transportation (WisDOT) is planning for reconstruction of
2 the I-41 corridor, which includes intersections with local highways. The reconstruction
3 will expand the I-41 mainline from four (4) lanes to six (6) lanes throughout the project
4 limits and add additional ramp and collector-distributor lanes as well. The increased
5 pavement area has driven the need for additional salt storage capacity to service the
6 additional State Highway winter maintenance needs and maintain an acceptable level of
7 service. WisDOT is proposing to construct a new salt storage facility on the current
8 Appleton campus. Construction is currently scheduled for 2025. Outagamie County's
9 share is currently estimated to be \$15 for non-participating items. The county share of
10 the project costs will be funded within future budgets.

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12 This resolution authorizes the Outagamie County Highway Commissioner to enter into a
13 State/Municipal Financial Agreement (SMFA) for this state-let improvement project and
14 to support future funding for the I-41 salt shed project.

15
16 NOW THEREFORE, the undersigned members of the Highway, Recycling and Solid Waste
17 Committee recommend adoption of the following resolution.

18 BE IT RESOLVED, that the Outagamie County Board of Supervisors does authorize the
19 Outagamie County Highway Commissioner to enter into a State/Municipal Financial Agreement for the
20 I-41 salt shed project, as noted on the attached State/Municipal Financial Agreement for a State-Let
21 Highway Project, which by reference is made a part hereof, and

22 BE IT FURTHER RESOLVED, that the Outagamie County Board of Supervisors does authorize
23 funding for the county share of the project costs to be included in future budgets as noted on the attached
24 fiscal note which by reference is made a part hereof, and

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1 BE IT FINALLY RESOLVED, that the Outagamie County Clerk be directed to forward a copy
2 of this resolution to the Outagamie County Highway Commissioner and the Outagamie County Finance
3 Director.

4 Dated this ____ day of August 2024

5 Respectfully Submitted,

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7 HIGHWAY, RECYCLING AND SOLID
8 WASTE COMMITTEE
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12 _____
13 Joy Hagen

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12 _____
13 Daniel Nejedlo

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17 _____
18 Jason Wegand

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17 _____
18 Dennis Clegg

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22 _____
23 Steve Thiede

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26 Duly and officially adopted by the County Board on: _____
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29 Signed:

30 _____
31 Board Chairperson


30 _____
31 County Clerk

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33 Approved: _____

33 Vetoed: _____
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36 Signed:

County Executive

	<p>ORIGINAL STATE/MUNICIPAL FINANCIAL AGREEMENT FOR A STATE – LET HIGHWAY PROJECT</p>	<p>Date: 7/16/2024 ID: 1130-65-88 (Design 1130-63-01) Road Name: IH 41 Title: Appleton – De Pere Limits: Salt Storage Facility County: Outagamie County Roadway Length: 0.0</p>
<p>The signatory County of Outagamie, 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 affect the highway or street improvement hereinafter described.</p> <p>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.</p>		
<p>NEEDS AND ESTIMATE SUMMARY:</p> <p>Existing Facility - Describe and give reason for request:</p> <p>The IH 41 Project corridor, which has four travel lanes – two in each direction – is congested and sees a higher rate of crashes than similarly configured freeways in Wisconsin. By federal standard, the project area has multiple roadway design deficiencies, and much of its pavement and several bridges are nearing the end of their useful lives and must be replaced. Because of these issues, the number of mainline lanes is being expanded and the additional lanes will require additional salt storage capacity in order to provide the necessary winter snow clearing and acceptable Level of Service (LOS).</p> <p>Proposed Improvement – Nature of work:</p> <p>The proposed project will construct a salt shed within property owned by Outagamie County in order to service additional State Highway winter maintenance needs due to the expansion of IH 41.</p> <p>Describe non-participating work included in the project and other work necessary to finish the project completely which will be undertaken independently by the municipality:</p> <p>Non-participating work is not necessary to finish the project, but the Municipality has requested a 100% non-participating category be included to be able to address any unanticipated non-participating needs during construction.</p>		

SUMMARY OF COSTS					
Phase	Total Est. Cost	Federal/State Funds	%	County of Outagamie	%
Design Engineering	N/A	N/A	100%	\$0	0%
Real Estate Acquisition	N/A	N/A	100%	\$0	0%
Utility Coordination:	N/A	N/A	100%	\$0	0%
Construction :					
Category 1000 – Roadway/Site Items	\$1,610,000.00	\$1,610,000.00	100%	\$0	0%
Category 1600 – 100% Outagamie County Funded	\$15.00	\$0	0%	\$15.00	100%
Subtotal	\$1,610,015.00	\$1,610,000.00		\$15.00	
Total Est. Cost Distribution	\$1,610,015.00	\$1,610,000.00		\$15.00	

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|---|
| <p>¹ Costs shown are estimates only and may be updated as design progresses</p> <p>² Estimates include construction engineering, estimated at 15%</p> |
|---|

This request shall constitute agreement between the Municipality and the State; is subject to the terms and conditions that follow (pages [2] – [4]); is made by the undersigned under proper authority to make such request for the designated Municipality, upon signature by the State, upon fully executed signature of applicable State Municipal Maintenance Agreement and delivery to the Municipality. The initiation and accomplishment of the improvement will be subject to the applicable federal and state regulations. No term or provision of neither the State/Municipal Financial Agreement nor any of its attachments may be changed, waived or terminated orally but only by an instrument in writing executed by both parties to the State/Municipal Financial Agreement.

Signed for and in behalf of the County of Outagamie	
Name	Title
<small>(print)</small>	
Signature	Date
Signed for and in behalf of the State	
Name	Title
<small>(print)</small>	
Signature	Date
<small>(please sign in blue ink)</small>	

TERMS AND CONDITIONS:

1. The Municipality shall pay to the State all costs incurred by the State in connection with the improvement which exceeds 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 Summary of Costs table, which shows Municipal funding participation. 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 General Transportation Aids or any moneys otherwise due and payable by the State to the Municipality.
2. Funding of each project phase is subject to inclusion in an approved program and per the State’s Facility Development Manual (FDM) standards. Federal aid and/or state transportation fund financing will be limited to participation in the costs of the following items as specified in the Summary of Costs:
 - (a) Design engineering and state review services.
 - (b) Real Estate necessitated for the improvement.
 - (c) Compensable utility adjustment and railroad force work necessitated for the project.
 - (d) The grading, base, pavement, curb and gutter, and structure costs to State standards, excluding the cost of parking areas.
 - (e) Storm sewer mains, culverts, laterals, manholes, inlets, catch basins, and connections for surface water drainage of the improvement; including replacement and/or adjustments of existing storm sewer manhole

- covers, and inlet grates as needed.
 - (f) Construction engineering incidental to inspection and supervision of actual construction work, except for inspection, staking, and testing of sanitary sewer and water main.
 - (g) Signing and pavement marking necessitated for the safe and efficient flow of traffic, including detour routes.
 - (h) Replacement of existing sidewalks necessitated by construction and construction of new sidewalk at the time of construction. Sidewalk is considered to be new if it's constructed in a location where it has not existed before.
 - (i) Replacement of existing driveways, in kind, necessitated by the project.
 - (j) New installations or alteration resulting from roadway construction of standard State street lighting and traffic signals or devices. Alteration may include salvaging and replacement of existing components.
3. 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 or police alarm facilities, parking meters, and similar utilities.
 - (b) New installation or alteration of signs not necessary for the safe and efficient flow of traffic.
 - (c) Roadway and bridge width in excess of standards.
 - (d) Construction inspection, staking, and material testing and acceptance for construction of sanitary sewer and water main.
 - (e) 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.
 - (f) Parking lane costs.
 - (g) Coordinate, clean up, and fund any hazardous materials encountered for city utility construction. All hazardous material cleanup work shall be performed in accordance with state and federal regulations.
 - (h) Conditioning, if required, and maintenance of detour routes.
4. As the work progresses, the Municipality will be billed 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.
5. If the Municipality should withdraw the project, it shall reimburse the State for any costs incurred by the State on behalf of the project.
6. The work will be administered by the State and may include items not eligible for federal/state participation.
7. The Municipality shall, in cooperation with the State, assist with public relations for the project and 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 project.
8. Basis for local participation:

Design Engineering, Real Estate Acquisition, Utility Coordination:

The State will pay 100% of the cost for design engineering, real estate acquisition, and utility coordination.

Costs for design engineering, real estate acquisition, and utility coordination are shown as not applicable (N/A) in the summary of costs table due to the complexities of isolating individual Let Project costs from the Appleton-Green Bay corridor wide design ID (1130-63-01) and this information is not relevant to the municipal construction cost share.

Construction ID: 1130-65-88

The Project Agreement will be revised, if necessary, as the project progresses. All costs shown are approximate and subject to final audit. Cost estimates include construction engineering.

Category 1000 – Roadway/Site Items

The State will pay 100% of the construction costs under Category 1000 – Roadway items unless otherwise noted.

Category 1600 – 100% Outagamie County Funded

In accordance with Local Participation Policy Section 3-25-5 of the State’s Program Management Manual proposed improvements requested by the Municipality within the project limits, but outside the original project scope, are considered 100% the responsibility of the Municipality.

Item Number	Item Description	Units	Estimated Qty	Unit Price	Amount
305.0120	Base Aggregate Dense 1 ¼-Inch	TON	1	\$13	\$13.00

1130-65-88 Construction Total	\$13.00
15% Construction Engineering	\$2.00
1130-65-88 Project Total	\$15.00

Comments and Clarification: This agreement is an active agreement that may need to be amended as the project is designed. It is understood that these amendments may be needed as some issues have not been fully evaluated or resolved. The purpose of this agreement is to specify the local and state involvement in funding the project. A signed agreement is required before the State will prepare or participate in the preparation of detailed designs, acquire right-of-way, or participate in construction of a project that merits local involvement.

INTRODUCTION: This form must be attached to any resolution or ordinance which contains a spending or revenue proposal. The form should be completed by an individual within the department initiating the resolution or ordinance with assistance from the Financial Services Department. Contact the Finance Director (1674), Controller (1675) or Staff Accountant (1681) for assistance. Once completed, forward a copy of the form to the Financial Services Department for their review. Financial Services will forward a reviewed copy of the fiscal note to Legislative Services.

1. Subject: This resolution authorizes the Outagamie County Highway Commissioner to enter into a State/Municipal Financial Agreement (SMFA) for this state-let improvement project and to support future funding for the I-41 salt shed project.

2. Description: This section must be completed for all fiscal notes. Briefly and concisely describe the request. State assumptions used and discuss any current year and long-term fiscal impacts. (A separate attachment can be used)

The Wisconsin Department of Transportation (WisDOT) is planning for reconstruction of the I-41 corridor which includes intersections with local highways. The reconstruction will expand the I-41 mainline from four (4) lanes to six (6) lanes throughout the project limits and add additional ramp and collector-distributor lanes as well. The increased pavement area has driven the need for additional salt storage capacity to service the new, expanded facility and maintain an acceptable Level of Service. WisDOT is proposing to construct a new salt storage facility on the current Appleton campus. Construction is currently scheduled in 2025. Outagamie County's share is currently estimated to be \$15 for non-participating items. The county share of the project costs is to be funded within future budgets.

Current Year Budget Impact (Check one or more of the following boxes)

- Revenues Expenses (Cost) None
3. Is the specific cost or revenue included in the current year's budget? yes () no () n/a ()
4. If the proposal requests additional spending, can the additional cost be absorbed within the current year's line item? yes () no () n/a (x)
5. Is the proposal to accept additional revenues only? yes () no ()
6. Does this request modify/adjust the current year budget? yes () no ()
If no, skip to question 8 below.

7. Detail current year budget changes. Please list cost center name, line item, account number and either the increase or decrease amount. (Please note that all budget adjustments must balance. For example, an increase in an expenditure account must be offset by a decrease in another expenditure account or the contingency fund or an increase in a revenue account or other funding sources such as fund balance applied.)
The project on

COST CENTER NAME	LINE ITEM (i.e. Salaries, Supplies, Etc.)	ACCOUNT NUMBER INCLUDING COST CENTER (i.e. 1004100.5100, 1004100.5400, etc.)	INCREASE (DECREASE) AMOUNT
Future Budget			

Annual and Long-Term Impact

8. Is the above Increase/Decrease a nonrecurring one-time expense or revenue? yes (x) no () n/a ()
9. What is the anticipated annual and/or long-term cost or revenue impact? Annual Cost 0
Annual Revenue 0

Fiscal Note Prepared by: Richard Hammen

For Financial Services purposes only					
Reviewed By: <i>Michelle Witenbrock</i> 7/18/2024	If expenditures are recorded in the financial system at a level of detail lower than the level 6 as shown above, indicate the specific account numbers and amounts below: <table> <thead> <tr> <th><u>Detail Expenditure Account Number</u></th> <th><u>Amount</u></th> </tr> </thead> <tbody> <tr> <td> </td> <td> </td> </tr> </tbody> </table>	<u>Detail Expenditure Account Number</u>	<u>Amount</u>		
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