

RESOLUTION NO.: 85—2023-24

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 bridges over local highways. The interchange of County
3 CC bridge has been identified as one of those to be reconstructed within the project limits
4 from a two-lane rural typical cross section to a two-lane urban typical cross section with
5 bike accommodations. Outagamie County's share is currently estimated to be \$23 for non-
6 participating items. Construction is currently scheduled for 2024. The county share of the
7 project costs is to be funded with future budgets.
8

9 This resolution authorizes the Outagamie County Highway Commissioner to enter into a
10 State/Municipal Financial Agreement (SMFA) for this state-let improvement project and
11 to support future funding for the County CC overpass replacement project.
12

13 NOW THEREFORE, the undersigned members of the Highway, Recycling and Solid Waste
14 Committee recommend adoption of the following resolution.

15 BE IT RESOLVED, that the Outagamie County Board of Supervisors does authorize the Highway
16 Commissioner to enter into a State/Municipal Financial Agreement for the County CC overpass
17 replacement project, as noted on the attached State/Municipal Financial Agreement for a State-Let
18 Highway Project, which by reference is made a part hereof, and

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

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

25 Dated this ____ day of December 2023.

26

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32

Respectfully Submitted,

HIGHWAY, RECYCLING AND SOLID
WASTE COMMITTEE

Joy Hagen

Daniel Nejedlo

Jason Wegand

Dennis Clegg

Jeremy Thyssen

Duly and officially adopted by the County Board on: _____

Signed:

Board Chairperson


County Clerk

Approved: _____

Vetoed: _____

Signed:

County Executive

	<p align="center">STATE/MUNICIPAL FINANCIAL AGREEMENT FOR A STATE-LET HIGHWAY PROJECT</p>	<p>Date: December 1, 2023 I.D.: 1130-66-83 (Design 1130-63-01) Road Name: IH 41 Title: Appleton – De Pere Limits: Rose Hill Rd/CTH CC Overpass County: Outagamie Roadway Length: 0.275 miles</p>
---	--	--

The signatory **Outagamie County** 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.

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 - Describe and give reason for request: 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 standards, 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.

The CTH CC Bridge over IH 41 is nearing the end of its useful life and must be replaced as part of the overall IH 41 Project. The existing CTH CC four span concrete girder structure shoulder piers will also conflict with the proposed improvements on IH 41.

Proposed Improvement - Nature of work: The existing structure carrying CTH CC over IH 41 will be removed and replaced with a two-span concrete girder structure (B-44-333).

CTH CC will be reconstructed from a two-lane rural typical section to a two-lane urban typical section with bike accommodations. The limits of the reconstruction of CTH CC extend from approximately 900 feet south of IH 41 to 550 feet north of IH 41.

Sidewalk will be installed on structure (B-44-333).

Light bases, conduit and other items associated with street lighting will be installed under the project.

Work will also include storm sewer installation, erosion control, fertilizer/seed/ mulch, permanent signing, pavement marking and temporary traffic control.

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: 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 address any unanticipated non-participating needs during construction.

SUMMARY OF COSTS							
Phase	Total Est. Cost	Federal/State Funds	%	Other Funds	%	Municipal Funds	%
Design Engineering:							
Plan Development	\$0	\$0			0%	\$0	100%
Real Estate Acquisition:							
Acquisition	\$0	\$0			0%	\$0	100%
Utility Coordination:							
Utility Relocations	\$0	\$0			0%	\$0	100%
1Construction:							
Category 1000– Roadway Items	\$3,548,632	\$3,548,632	100%	\$0	0%	\$0	0%
Category 1100 – Lighting (City of Kaukauna)	\$49,220	\$35,759	72.7%	\$13,461	27.3%	\$0	0%
Category 1600 – City of Kaukauna	\$23	\$0	0%	\$23	100%	\$0	0%
Category 1610 – Village of Little Chute	\$23	\$0	0%	\$23	100%	\$0	0%
Category 1620 – Outagamie County	\$23	\$0	0%	\$0	0%	\$23	100%
Category 1630 – Sidewalk (City of Kaukauna)	\$97,624	\$78,099	80%	\$19,525	20%	\$0	0%
Category 1800 – Haul Road Repair	\$5,750	\$5,750	100%	\$0	100%	\$0	0%
Category 2000 – B-44-333	\$2,288,416	\$2,288,416	100%	\$0	100%	\$0	0%
Construction Subtotal	\$5,989,711	\$5,956,656		\$33,032		\$23	
Total Est. Cost Distribution	\$5,989,711	\$5,956,656		\$33,032		\$23	

1. Estimates include construction engineering estimated at 15%.

This request shall constitute agreement between the Municipality and the State; is subject to the terms and conditions that follow (pages 2–5); 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 Outagamie County (please sign in blue ink)	
Name (print)	Title
Signature	Date
Signed for and in behalf of the State (please sign in blue ink)	
Name	Title
Signature	Date

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.
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.
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:

Construction ID 1130-66-83

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

Category 1000 – Roadway Items

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

Category 1100 – Lighting (City of Kaukauna)

In accordance with Local Participation policy section 3-25-5 of the State’s Program Management Manual, the State will participate in the costs of new continuous street lighting if it is installed at the time of project construction. Where an alternate design acceptable to WisDOT is installed, 50 percent of the cost equivalent to lighting meeting WisDOT standards is eligible, not to exceed 50 percent of actual costs.

The participating total is based on 50% of the total estimated street lighting costs which includes \$49,220 for WisDOT installed below ground lighting component costs and \$22,298 for above-ground components (poles and luminaires) to be completed by Kaukauna Utilities and that will meet WisDOT standards.

$$50\% \times (\$49,220 + \$22,298) = \$35,759$$

$$\$35,759 - \$22,298 = \$13,461$$

Item Number	Item Description	Units	Estimated Qty	Unity Price	Amount
652.0125	Conduit Rigid Metallic 2-Inch	LF	120	\$85.00	\$10,200.00
652.0225	Conduit Rigid Nonmetallic Schedule 40 2-Inch	LF	1030	15	\$15,450
652.0335	Conduit Rigid Nonmetallic Schedule 80 3-Inch	LF	55	30	\$1,650
653.0164	Pull Boxes Non-Conductive 24x42-Inch	EACH	4	\$2,000	\$8,000
654.0105	Concrete Bases Type 5	EACH	6	\$1,250	\$7,500

1130-66-83 Lighting Total	\$42,800.00
15% Construction Engineering	\$6,420.00
1130-66-83 Project Total	\$49,220.00

Category 1600/1610/1620 – City of Kaukauna/Village of Little Chute/Outagamie County

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	Unity Price	Amount
305.0120	Base Aggregate Dense 1 ¼-Inch	TON	1	\$20.00	\$20.00

1130-66-83 Construction
 Total \$20
 15% Construction Engineering \$3.00
 1130-66-83 Project Total \$23.00

Category 1630 – Sidewalk (City of Kaukauna)

In accordance with Local Participation policy section 3-25-5 of the State’s Program Management Manual, the State will participate in the construction costs of new sidewalks if they are installed at the time of project construction. Costs of sidewalk constructed to WisDOT standards and installed at the time of project construction are 80 percent eligible for WisDOT participation.

Item Number	Item Description	Units	Estimated Qty	Unity Price	Amount
305.0120	Base Aggregate Dense 1 ¼-Inch	Ton	280	\$20.00	\$5,600
602.0405	Concrete Sidewalk 4-Inch	SF	13,215	\$6	\$79,290

1130-66-83 Sidewalk Total \$84,890
 15% Construction Engineering \$12,734
 1130-66-83 Project Total \$97,624.00

Category 1800 – Haul Road Repair

The State will pay 100% of the construction cost for maintenance and repair of haul roads unless otherwise noted.

Category 2000– Structure B-44-333

The State will pay 100% of the construction costs under Category 2000 Structure B-44-333 unless otherwise noted.

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.

OUTAGAMIE COUNTY FISCAL NOTE

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:** The Highway Department is requesting approval sign a State Municipal Financial Agreement - SFMA

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 bridges over local highways. The interchange of County CC bridge has been identified as one of those to be reconstructed within the project limits from a two-lane rural typical cross section to a two-lane urban typical cross section with bike accommodations. Outagamie County's share is currently estimated to be \$23 for non-participating items. Construction is currently scheduled for 2024. This line is to be included on the SMFA should the project need to be expanded the State has the ability to do change orders on the project. The County will have to present a resolution for revised costs should they occur. The county share of the project costs is to be funded with 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 (x) partially ()

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 (x)

6. Does this request modify/adjust the current year budget? yes () no (x)
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

<u>COST CENTER NAME</u>	<u>LINE ITEM</u> (i.e. Salaries, Supplies, Etc.)	<u>ACCOUNT NUMBER INCLUDING COST CENTER</u> (i.e. 1004100.5100, 1004100.5400, etc.)	<u>INCREASE (DECREASE) AMOUNT</u>

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: Michelle Uitenbroek

For Financial Services purposes only	
Reviewed By: <i>Ray S. Hamilton</i>	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: <u>Detail Expenditure Account Number</u> <u>Amount</u>
12/7/23	
Comments:	