



**STATE/MUNICIPAL AGREEMENT
FOR A STATE-LET HIGHWAY
PROJECT**

Date: April 10th, 2014

I.D.: 1674-00-02/23/80/81/82

Road Name: USH 12

Limits: (I 90/94 to Ski Hi Road)

County: Sauk

Roadway Length: 5.35 miles

The signatory Sauk 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 effect 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 - USH 12 is currently a 2-lane roadway that is over capacity. US 12 has a very high crash rate and deteriorated asphaltic pavement. However, this existing highway is still in need of expansion to accommodate current and projected traffic growth.

Proposed Improvement - The proposed US 12 Bypass Majors project will increase highway capacity by constructing a 4-lane freeway facility approximately $\frac{1}{4}$ to $\frac{1}{2}$ mile west of the existing USH 12 project. The proposed pavement typical section consists of four, 12-foot travel lanes (two lanes in each direction) with shoulders varying from 6-9 feet in width. The median width for this section of US 12 bypass varies from 30 to 100 feet.

The proposed project improvements that are to be discussed, as part of this agreement, include: State-approved Community Sensitive Solutions (CSS) funded roadway.

TABLE 1: SUMMARY OF COSTS

Phase	Total Est. Cost	Federal/State Funds	%	Municipal Funds	%
Preliminary Engineering: Plan Development	1674-00-02 \$ 4,750,800	\$ 4,750,800	100%	\$ -	0%
Real Estate Acquisition: Acquisition Compensable Utilities	1674-00-23 \$ 13,289,600 \$ -	\$ 13,289,600 \$ -	100%	\$ - \$ -	0%
Construction:	1674-00-80 (Phase 1)				
Roadway	\$ 24,000,000	\$ 24,000,000	100%	\$ -	0%
B-56-205	\$ 1,022,000	\$ 1,022,000	100%	\$ -	0%
B-56-206	\$ 1,022,000	\$ 1,022,000	100%	\$ -	0%
B-56-209	\$ 909,000	\$ 909,000	100%	\$ -	0%
B-56-210	\$ 909,000	\$ 909,000	100%	\$ -	0%
B-56-213	\$ 1,055,000	\$ 809,000	100%	\$ 246,000	LS*
C-56-3082	\$ 115,000	\$ 115,000	100%	\$ -	0%
C-56-2032	\$ 446,000	\$ 446,000	100%	\$ -	0%
R-56-33	\$ 202,000	\$ 202,000	100%	\$ -	0%
R-56-35	\$ 186,000	\$ 186,000	100%	\$ -	0%
R-56-36	\$ 54,000	\$ 54,000	100%	\$ -	0%
CSS - Roadway	\$ 800,000	\$ 800,000	MAX	\$ -	BAL
CSS - Structure	\$ 475,000	\$ 475,000	MAX	\$ -	BAL
Subtotal	\$ 31,195,000				
Construction:	1674-00-82 (Phase 2)				
B-56-207	\$ 6,050,000	\$ 6,050,000	100%	\$ -	0%
B-56-208	\$ 5,075,000	\$ 5,075,000	100%	\$ -	0%
B-56-211	\$ 1,825,000	\$ 1,825,000	100%	\$ -	0%
B-56-212	\$ 1,825,000	\$ 1,825,000	100%	\$ -	0%
B-56-214	\$ 2,150,000	\$ 2,150,000	100%	\$ -	0%
B-56-215	\$ 2,150,000	\$ 2,150,000	100%	\$ -	0%
C-56-2029	\$ 365,000	\$ 365,000	100%	\$ -	0%
Subtotal	\$ 19,440,000				
Construction:	1674-00-81 (Phase 3)				
Roadway	\$ 16,000,000	\$ 16,000,000	100%	\$ -	0%
R-56-34	\$ 200,000	\$ 200,000	100%	\$ -	0%
B-56-223	\$ 610,000	\$ 610,000	100%	\$ -	0%
C-56-2031	\$ 255,000	\$ 255,000	100%	\$ -	0%
CSS - Roadway	\$ 100,000	\$ 100,000	MAX	\$ -	BAL
CSS - Structure	\$ 25,000	\$ 25,000	MAX	\$ -	BAL
Subtotal	\$ 17,190,000				
Total Cost Distribution	\$ 85,865,400	\$ 85,619,400		\$ 246,000	

*This lump sum payment is to cover the cost of snowmobile accommodations on B-56-213.

This request is subject to the terms and conditions that follow (pages [3] – [5]) and is made by the undersigned under proper authority to make such request for the designated Municipality and upon signature by the State and delivery to the Municipality shall constitute agreement between the Municipality and the State. No term or provision of neither the State/Municipal 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 Agreement.

Signed for and in behalf of Sauk County (please sign in blue ink)		
Name 	Title Commissioner	Date 6/11/14
Signed for and in behalf of the State (please sign in blue ink) Jeffrey R. Gust, P.E.		
Name 	Title Wisconsin Department of Transportation Southwest Region Planning Chief	Date 6-23-2014

TERMS AND CONDITIONS:

1. The initiation and accomplishment of the improvement will be subject to the applicable Federal and State regulations.
2. The Municipality shall pay to the State all costs incurred by the State in connection with the improvement that exceed 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 any moneys otherwise due and payable by the State to the Municipality.
3. 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 bridge 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.
4. 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 that are not covered under the WisDOT compensable utility policy.

- (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) Coordinate, clean up, and fund any hazardous materials encountered for city utility construction. All hazardous material cleanup work shall be performed in accordance to state and federal regulations.
5. 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.
6. If the Municipality should withdraw the project, it shall reimburse the State for any costs incurred by the State in behalf of the project.
7. The work will be administered by the State and may include items not eligible for federal/state participation.
8. The Municipality shall at its own cost and expense:
- (a) Maintain all portions of the project that lie within its jurisdiction for such maintenance through statutory requirements, in a manner satisfactory to the State and shall make ample provision for such maintenance each year. This agreement does not remove the current municipal maintenance responsibility.
 - (b) Maintain all items outside the travel lane along the project, to include but not limited to parking lanes, curb and gutter, drainage facilities, sidewalks, multi-use paths, retaining walls, pedestrian refuge islands, landscaping features and amenities funded by Community Sensitive Solutions (CSS).
 - (c) Sauk County shall negotiate a separate agreement with the Village of West Baraboo, City of Baraboo, and the Town of Baraboo at a later date for maintenance and repair of CSS items.
 - (d) Maintain and accept responsibility for the energy, operation, maintenance, repair, and replacement of the lighting system.
 - (e) Use the WisDOT Utility Accommodation Policy unless the Municipality adopts a policy which has equal or more restrictive controls.
 - (f) 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.
 - (g) Coordinate with the State on changes to highway access within the project limits.
 - (h) 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.
 - (i) Maintain signs and pavement markings not necessary for the safe and efficient movement of traffic (no parking signs, crosswalk pavement markings not at signalized intersections, etc).
9. Basis for local participation:
- (a) Design Engineering (1674-00-02)
- All design engineering costs necessitated by the street or road construction are 100% eligible for Federal/State funding.

(b) Real Estate Acquisition (1674-00-23)

All real estate acquisitions necessitated by the roadway improvement are 100% eligible for Federal/State funding.

(c) Construction Phase 1 (1674-00-80)

- i. **Roadway and Structure Items:** The USH 12 roadway improvement items in the above categories are 100% eligible for Federal/State funding. This shall include side road improvements necessary to provide proper access and items necessary to comply with the Memorandum of Agreement (MOA) to the Environmental Impact Statement (EIS). No financial obligation from Sauk County required
- ii. **Snowmobile Accommodations:** B-56-213 will include snowmobile accommodations. This will be paid for as a lump sum of \$246,000. Sauk County has received a grant from the Wisconsin Department of Natural Resources to cover this cost.
- iii. **Community Sensitive Solutions (CSS):** The USH 12 CSS improvements are 100% eligible for Federal/State funding with a capped amount of \$1,275,000 for both roadway and structure aesthetics. Sauk County will responsible for negotiating a separate agreement with the Village of West Baraboo, City of Baraboo, and the Town of Baraboo at a later date to cover any costs over the limits stated above.

(d) Construction Phase 2 (1674-00-82)

- i. **Roadway and Structure Items:** The USH 12 roadway improvement items in the above categories are 100% eligible for Federal/State Funding. This shall include side road improvements necessary to provide proper access and items necessary to comply with the Memorandum of Agreement (MOA) to the Environmental Impact Statement (EIS). No financial obligation from Sauk County required

(e) Construction Phase 3 (1674-00-81)

- i. **Roadway and Structure Items:** The USH 12 roadway improvement items in the above categories are 100% eligible for Federal/State Funding. This shall include side road improvements necessary to provide proper access and items necessary to comply with the Memorandum of Agreement (MOA) to the Environmental Impact Statement (EIS). No financial obligation from Sauk County required
- ii. **Community Sensitive Solutions (CSS):** The USH 12 CSS improvements are 100% eligible for Federal/State Funding with a capped amount of \$125,000 for both roadway and structure aesthetics. Sauk County will responsible for negotiating a separate agreement with the Village of West Baraboo, City of Baraboo, and the Town of Baraboo at a later date for any costs over the limits stated above.

[END]