



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

[This agreement supersedes the agreement signed by the Municipality on June 1, 2015.]

Date: 4/25/2016

I.D.: 6240-26-71

Road Name: STH 47 (Richmond St), City of Appleton

Limits: STH 47/CTH OO

County: Outagamie

Roadway Length: 0.3 miles

The signatory city of Appleton, 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:

- 1) On STH 47 (Richmond Street), closely spaced traffic signals (250-ft) between CTH OO (Northland Avenue) and Northland Mall access road contribute to signal timing complications and driver confusion over which signal to respect, which contributes to red light violations and angle crashes.
- 2) At the Richmond Street and Northland Avenue intersection, the signal displays are poorly located, there is limited vehicle detection, and signal flashes RED/RED at night on an intersection of roadways posted at 45MPH and 35MPH. The lack of an exclusive right turn lane on northbound Richmond Street limits the amount of green time for the Northland Avenue corridor which seems to be contributing to rear end collisions. In addition, there are issues with business access closely spaced to the intersection.
- 3) On Northland Avenue, at Bennett Street, at W. Frontage Road (Shopko Access) and Mason Street, the signal displays are poorly located and there is no vehicle detection. All signals are pre-timed. At night, all signals flash either RED/RED (Mason) or YELLOW/RED. At Bennett and W. Frontage, the signals flash thru the morning commute due to lack of sufficient vehicle detection.
- 4) On Mason Street, at Northland Avenue, the lack of exclusive right turn lanes limits the amount of green time for Northland Avenue corridor which seems to be contributing to rear end collisions.

Proposed Improvement - Nature of work:

- 1) At Richmond Street and Northland Avenue, replace the existing signalized intersection control with a multilane roundabout. It is well documented that roundabouts dramatically reduce injury type crashes. Replacing this traffic signal with a roundabout also addresses the close spacing between the controlled access at Northland Avenue and Northland Mall access.
- 2) On Richmond Street, hereto we address the close spacing between the existing controlled access of traffic signals at Northland Avenue and Northland Mall access by removing the Northland Mall Access signal and closing the median. A review of crash records revealed a substantial number of crashes on Richmond Street between the two existing signals. Removing the signalized access at Northland Mall access will more safely manage access and limit

confusion over which signal the drivers should pay attention to. A closed median will restrict left turns from the existing Northland Mall access road. Left turns out of Northland Mall will be maintained by performing a U-turn at the new roundabout at Northland Ave and Richmond Street discussed in item #1 above.

- 3) On Richmond Street, at Weiland Avenue, a left turn lane will be added for northbound traffic to optimize the effectiveness of the proposed roundabout in item #1 above. This also includes a closed median that will restrict left turns from the existing business access on Richmond between Northland Avenue and Weiland Avenue. Left turns will be maintained by accessing Weiland Avenue or performing a U-turn at the new roundabout at Northland Avenue and Richmond Street discussed in item #1 above.
- 4) On Northland Avenue, at Bennett Street, at W. Frontage Road (Shopko Access) and Mason Street, the existing traffic signals will be replaced with monotube signal assemblies to introduce a signal display per lane, introduce flashing yellow arrow operation for permitted left turns, and add vehicle detection to enable fully actuated operation. These improvements will improve driver visibility of signal displays, will also improve permitted left turn safety with flashing yellow arrow (at Mason Street), and allow a more safe and efficient operation with detection to fully actuate the signal (i.e. no more RED/RED or YELLOW/RED flash).
- 5) On Mason Street, at Northland Avenue, add an exclusive right turn lane to both northbound and southbound Mason Street approaches to Northland Avenue. This improvement will allow a more safe and efficient operation by reducing the overall delay of the intersection and increasing green time for Northland Avenue.

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:

Per local request, additional repairs to Northland Avenue for left turn bays and extension to proposed work on Mason Street will be included in the project with 100% Municipal cost responsibility. In addition, sanitary manhole adjustments, water valve adjustments, V-Loc sign anchors, private storm laterals, concrete pavement joint sealing and hazmat cleanup of any contaminated materials encountered will be included in the project with 100% Municipal cost responsibility.

As further defined in the below funding/category discussion, nonparticipating costs mentioned above will be partially covered by the State as a credit to the Municipality to offset work proposed to be conducted by the Municipality for the project.

TABLE 1: SUMMARY OF COSTS

Phase	Total Est. Cost	Federal/State Funds	%	City Funds	%	County Funds	%
**Design Engineering: 6240-26-00							
Plan Development	\$ 477,868	\$ 477,868	100%	\$ -	0%	\$ -	0%
**Real Estate Acquisition: 6240-26-21							
Acquisition Priority 1	\$ 25,000	\$ -	0%	\$ 25,000	CAP	\$ -	0%
Acquisition Priority 2	\$ 175,000	\$ 175,000	100%	\$ -	0%	\$ -	0%
Construction: 6240-26-71							
Category 0010 - Roadway Items							
Total Category Cost: \$3,062,000							
Priority 1 - Roadway Items (HSIP cap)	\$ 3,062,000	\$ 3,137,800	CAP	\$ -	0%	\$ -	0%
Priority 2 - Equal Share beyond credits		\$ -	33.3%	\$ -	33.3%	\$ -	33.3%
Category 0020 - CSS							
Total Category Cost: \$21,600							
Priority 1 - CSS	\$ 21,600	\$ 58,000	CAP	\$ -	0%	\$ -	0%
Priority 2 - Local Cost	\$ -	\$ -	0%	\$ -	100%	\$ -	0%
Category 0030 - Lighting							
Total Category Cost: \$125,000							
Priority 1 - State Cost (HSIP cap share)	\$ 125,000	\$ 125,000	CAP	\$ -	0%	\$ -	0%
Priority 2 - State Cost Share		\$ -	100%	\$ -	0%	\$ -	0%
Category 0040 - Non-Participating							
Total Category Cost: \$168,700							
Priority 1 - State credit Municipality	\$ 136,100	\$ 136,100	CAP	\$ -	0%	\$ -	0%
Priority 2 - City Share	\$ 32,600		0%	\$ 32,600	100%	\$ -	0%
Category 0050 - Retaining Wall R-44-22							
Total Category Cost: \$20,800							
Priority 1 - R-44-22 (HSIP cap share)	\$ 20,800	\$ 20,800	CAP	\$ -	0%	\$ -	0%
Priority 2 - R-44-22	\$ -	\$ -	100%	\$ -	0%	\$ -	0%
Category 0060 - Sign Bridge S-44-132							
Total Category Cost: \$22,100							
Priority 1 - S-44-132 (HSIP cap share)	\$ 22,100	\$ 22,100	CAP	\$ -	0%	\$ -	0%
Priority 2 - S-44-132	\$ -	\$ -	100%	\$ -	0%	\$ -	0%
Category 0070 - Sign Bridge S-44-133							
Total Category Cost: \$25,100							
Priority 1 - S-44-133 (HSIP cap share)	\$ 25,100	\$ 25,100	CAP	\$ -	0%	\$ -	0%
Priority 2 - S-44-133	\$ -	\$ -	100%	\$ -	0%	\$ -	0%
Category 0080 - Sign Bridge S-44-134							
Total Category Cost: \$25,100							
Priority 1 - S-44-134 (HSIP cap share)	\$ 25,100	\$ 25,100	CAP	\$ -	0%	\$ -	0%
Priority 2 - S-44-134	\$ -	\$ -	100%	\$ -	0%	\$ -	0%
Category 0090 - Sign Bridge S-44-135							
Total Category Cost: \$20,100							
Priority 1 - S-44-135 (HSIP cap share)	\$ 20,100	\$ 20,100	CAP	\$ -	0%	\$ -	0%
Priority 2 - S-44-135	\$ -	\$ -	100%	\$ -	0%	\$ -	0%
SUBTOTAL (Construction):	\$ 3,490,500	\$ 3,570,100	-	\$ 32,600	-	\$ -	-
Construction Engineering:	\$ 523,575	\$ 523,575	100%	\$ -	0%	\$ -	0%
TOTAL (Construction):	\$ 4,014,075	\$ 4,093,675	-	\$ -	-	\$ -	-
TOTAL COST DISTRIBUTION:	\$ 4,691,943	\$ 4,746,543	-	\$ 32,600	-	\$ -	-

**Items addressed in previous SMA agreement

This request is subject to the terms and conditions that follow (pages [4] – [7]) 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 the city of Appleton (please sign in blue ink)		
Name	Title	Date
Signed for and in behalf of the State (please sign in blue ink)		
Name	Title	Date

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.
 - (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) Parking lane costs.
 - (f) Coordinate, clean up, and fund any hazardous materials encountered during construction. All hazardous material cleanup work shall be performed in accordance to state and federal regulations.
 - (g) Damages to abutting property due to change in street or sidewalk widths, grades or drainage.
 - (h) Conditioning, if required and maintenance of detour routes.
 - (i) Repair of damages to roads or streets caused by reason of their use in hauling materials incidental to the improvement.
 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) Maintain and accept responsibility for the energy, operation, maintenance, repair, and replacement of the lighting system.
 - (d) Prohibit angle parking.
 - (e) Regulate parking along the highway. The Municipality will file a parking declaration with the State.
 - (f) Regulate or prohibit all parking at locations where and when the pavement area usually occupied by parked vehicles will be needed to carry active traffic in the street.
 - (g) Use the WisDOT Utility Accommodation Policy unless the Municipality adopts a policy which has equal or more restrictive controls.
 - (h) 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.

- (i) Maintain all Community Sensitive Solutions and/or enhancement funded items.
- (j) Coordinate with the State on changes to highway access within the project limits.
- (k) Assist the State with the responsibility of providing public information and public relations for the project and to make a fitting announcement 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 projects.

9. Basis for local participation:

Design Engineering: ID 6240-26-00

Funding participation addressed in previous SMA approved on January 23, 2015.

Real Estate Acquisition: ID 6240-26-21

Funding participation addressed in previous SMA approved on January 23, 2015.

Construction: ID 6240-26-71

Actual costs will be based on bid prices, the quantities detailed in the plan, and subject to a final audit.

Category 0010 – Roadway Items

In accordance with Local Participation Policy, Section 3-25-5 of the State's Program Management Manual, the State is responsible for 100% of the traffic signals necessary and warranted for safe and efficient flow of traffic within the construction project limits.

The Municipality and State have agreed to credit the Municipality to offset the costs for furnishing and installing traffic signals (items not in the 6240-26-71 LET contract). The below detail indicates line items the State indirectly is crediting the Municipality by covering costs typically funded by the Municipality:

- State covering Municipal cost for lighting (see Category 0030 below) = \$19,250
- State covering costs of nonparticipating work to Municipal traffic signal credit cap = \$136,100
- State covering cost for 6240-26-21 real estate acquisition = \$25,000
- State covering cost of 6240-26-71 construction delivery = \$15,000
 - o $\$19,250 + \$136,100 + \$25,000 + \$15,000 = \mathbf{\$195,350}$

The above is a final credit amount jointly agreed to by the State and Municipality to offset all credit considerations associated with the construction of the 6240-26-71 project.

Category 0020 – Community Sensitive Solutions (CSS)

Per previously approved SMA (signed by Municipality June 1, 2015) the State has committed to a \$58,000 cap for CSS eligible items. Costs incurred above this cap are 100% Municipal eligible.

Category 0030 – Lighting

In accordance with Local Participation Policy, Section 3-25-5 of the State's Program Management Manual, the State is responsible for 50% of the construction costs of new continuous street lighting designed to State standards. In addition, the State is responsible for 100% of the construction costs for

standard lighting required by the Facilities Development Manual (FDM) for roundabout and traffic signals.

Per the proposed lighting layout within the project limits, 7 street lights (3 at south end of south leg of STH 47/CTH and 4 at east end of east leg of STH 47/CTH OO) fall outside the 100% State eligible roundabout limits. The State and Municipality will split eligible costs 50/50 for these 7 street lights. All other lights within the project are 100% eligible for State funding. The Municipality and State have agreed to credit the Municipality for the street lighting as follows:

- State to cover LET lighting costs (see Table 1): \$125,000
- Municipal share of lighting (7 lights outside roundabout): $\$5500/\text{light} = \$38,500 \dots 50\% = \$19,250$
- State to credit Municipality for lighting share (\$19,250) to offset traffic signal work by Municipality

Category 0040 – Non-Participating

In accordance with Local Participation Policy, Section 3-25-5 of the State’s Program Management Manual, alterations of Municipal-owned utilities are not eligible for State participation.

In addition, proposed improvements requested by the Municipality within the project limits, but outside original project scope, along CTH OO and Mason Street are considered 100% the responsibility of the Municipality.

In an effort to credit the Municipality for traffic signal costs incurred for the project (as mentioned above in the Category 0010 narrative), the Municipality and State have agreed to credit the Municipality up to a cap of \$136,100 of the construction costs for items such as sanitary manhole adjustments, water valve adjustments, private storm laterals, concrete pavement joint sealing, and added work along CTH OO and Mason Street. Costs above the above \$136,100 cap will be 100% responsibility of the Municipality.

Category 0050 – Retaining Wall (R-44-0022)

The State will pay 100% of the construction costs to construct the R-44-0022 retaining wall.

Category 0060 – Sign Structure (S-44-132)

The State will pay 100% of the construction costs to construct the S-44-132 sign structure.

Category 0070 – Sign Structure (S-44-133)

The State will pay 100% of the construction costs to construct the S-44-133 sign structure.

Category 0080 – Sign Structure (S-44-134)

The State will pay 100% of the construction costs to construct the S-44-134 sign structure.

Category 0090 – Sign Structure (S-44-135)

The State will pay 100% of the construction costs to construct the S-44-135 sign structure.

[END]