



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

Date: April 16, 2025
I.D.: 1130-65-81 (Design 1130-63-01)
Road Name: IH 41
Title: Appleton – De Pere
Limits: French Road Overpass
County: Outagamie
Roadway Length: 0.337 miles

The signatories **City of Appleton and 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 French Road Bridge over IH 41 conflicts with the proposed improvements at the IH 41 and STH 441 systems interchange. The existing bridge needs to be replaced.

Proposed Improvement - Nature of work: The existing structure carrying French Road over IH 41 will be removed and replaced with a three-span concrete girder structure (B-44-0329).

French Road will be reconstructed from a two-lane rural typical section to a two-lane urban typical section with bike lanes. The limits of the reconstruction of French Road extend from approximately 700 feet south of IH 41 and 1,225 feet north of IH 41.

Sidewalk will be installed on structure (B-44-0329) and within the project limits.

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

Street lighting will be installed along French Road within the project limits.

Structure staining and decorative silhouettes will be added to bridge B-44-0329 as Community Sensitive Design (CSD) amenities.

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 to add City of Appleton Intelligent Transportation Systems (ITS) elements and address any unanticipated non-participating needs during construction.

SUMMARY OF COSTS								
¹ Phase	Total Est. Cost	Federal/State Funds	%	Outagamie County	%	City of Appleton		
Design Engineering	NA	NA		NA		NA		
Real Estate Acquisition	NA	NA		NA		NA		
Municipal Utility Coordination	NA	NA		NA		NA		
² Construction: 1130-65-81								
Category	Description							
1000	Roadway Items	\$5,060,000	\$5,060,000	100%	\$0	0%	\$0	0%
1100	Lighting, City of Appleton	\$103,000	\$51,500	50%	\$0	0%	\$51,500	50%
1400	French Road Overpass CSD Items ³	\$57,000	\$45,600	80% Max	\$5,700	10% +BAL	\$5,700	10% +BAL
1600	Local/ Non Participating City of Appleton	\$66,000	\$0	0%	\$0	0%	\$66,000	100%
1610	Sidewalk, City of Appleton	\$210,000	\$168,000	80%	\$0	0%	\$42,000	20%
1620	Local/ Non Participating Outagamie County	\$15	\$0	0%	\$15	100%	\$0	0%
1800	100% State Funded	\$22,000	\$22,000	100%	\$0	0%	\$0	0%
2000	Structure B-44-0329	\$5,175,000	\$5,175,000	100%	\$0	0%	\$0	0%
Construction Subtotal		\$10,693,015	\$10,522,100		\$5,715		\$165,200	
Total Est. Cost Distribution		\$10,693,015	\$10,522,100		\$5,715		\$165,200	
¹ . Costs shown are estimates only and may be updated as design progresses ² . Estimates include construction engineering. ³ Community Sensitive Design (CSD) amenities considered to be the preference of the community are funded with 80% federal funding up to a maximum of: - \$47,000 for French Road Overpass No state funding is permitted for CSD amenities. See Item 8 for terms and conditions.								

This request shall constitute agreement between the Municipality and the State; is subject to the terms and conditions that follow (pages [3] – [6]); 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 on behalf of the Outagamie County (please sign in blue ink)	
Name (print)	Title
Signature	Date
Signed for and on behalf of the City of Appleton (please sign in blue ink)	
Name (print)	Title
Signature	Date
Signed for and on 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.
 - (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.
 - (k) Eligible Community Sensitive Design (CSD) amenities considered to be the preference of the community, not to exceed CSD funding limit for 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.
 - (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 to state and federal regulations.
 - (h) Conditioning, if required, and maintenance of detour routes.
 - (i) 20% of costs of eligible Community Sensitive Design (CSD) amenities considered to be the preference of the community up to the CSD funding limit for the project, plus 100% of costs of eligible CSD amenities in excess of the CSD funding limit for the project.
 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 in 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 1130-65-81

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 Appleton

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 and the affected municipality agree to accept responsibility for the energy, operation, maintenance, and replacement of the lighting system. 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 estimated street lighting cost are \$103,000.

The State will pay 50% of the construction cost and the City of Appleton will pay 50% of the construction cost of Category 1100 – 1130-65-81 Lighting, City of Appleton.

Category 1400 – French Road Overpass CSD Items

CSD amenities are funded with 80% Federal funding up to a maximum of \$47,000 when the Municipality agrees to provide the remaining 20% and any funds in excess of the CSD funding limit.

French Road Overpass CSD items requested by the municipality and included in this project:

- Staining Structure B-44-0329 - \$47,000
- Structure Silhouette - \$10,000

Category 1400 – French Road Overpass CSD Items cost are estimated to be \$57,000.

Category 1400- French Road Overpass category funding limit = \$58,750.

Cost in excess of the CSD amenities funding limit shall be the responsibility of the Municipality.

The State will pay 80% of the construction cost up to the federal CSD funding limit. The City of Appleton will pay 10% of the construction cost, and Outagamie County will pay 10% of the construction cost of Category 1400 – French Road Overpass CSD Items and any funds in excess of the federal CSD funding limit.

CSD funding is governed by Wis. Stat. 85.0205. The department will regularly review the total CSD funding

on this and any associated improvement projects to ensure total CSD funding does not exceed statutory limits. If at any point CSD funding exceeds statutory limits, the department will notify the Municipality of any adjustments to CSD funding that may be required to remain in compliance with state statutes.

Category 1600 – Local/ Non Participating City of Appleton

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.

Estimated City of Appleton costs are \$66,000 for ITS items placed at French Road.

The City of Appleton will pay 100% of the construction cost under Category 1600 – Local/ Non Participating City of Appleton.

Category 1610 – Sidewalk, City of Appleton

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 the project construction are 80% eligible for WisDOT participation.

The estimated sidewalk cost are \$210,000.

The State will pay 80% of the construction cost and the City of Appleton will pay 20% of the construction cost of Category 1610 – Sidewalk, City of Appleton.

Category 1620 – Local/ Non Participating 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.

Local/ Non-Participating Outagamie County costs are estimated to be \$15.

Items requested by the municipality and included in this project:

- 1 ton of Base Aggregate Dense

Outagamie County will pay 100% of the construction cost under Category 1620 – Local/ Non Participating Outagamie County.

Category 1800 – 100% State Funded

The State will pay 100% of the construction costs under Category 1800 State Funded unless otherwise noted.

Category 2000– Structure B-44-0329

The State will pay 100% of the construction costs under Category 2000 Structure B-44-0329 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.