



DEPARTMENT OF
**PUBLIC
WORKS**

MEMORANDUM

Date: 3/9/2026
To: Municipal Services Committee
From: Pete Neuberger, City Engineer/Deputy Director of Public Works
Chad Weyenberg, Project Engineer
Subject: Request to Approve Lawe Street Navigational Canal Bridge Three-Party Design Contract – Amendment #1, in an amount of \$23,401.80, for a new not-to-exceed contract total of \$463,057.64.

In October 2023, the City of Appleton Department of Public Works (DPW) applied for design and construction funding for the Lawe Street Navigational Canal Bridge under the 2024-2029 State of Wisconsin DOT (WisDOT) Local Bridge Program. In 2024, DPW was notified that this project was accepted into the program, wherein WisDOT pays up to 80% and local municipalities pay the remainder. DPW's application was guided by input from a Rehabilitation Report performed by a consultant using the WisDOT process. This report included design and construction cost estimates that WisDOT used to guide DPW staff in the estimated project design and construction costs in DPW's application. Under the program standards, if actual costs go over the amounts included in the application, the City is obligated to pay all the overage costs unless the WisDOT approves a change management request submitted by the City.

The Common Council approved on July 16, 2025, a three-party design contract with WisDOT, City of Appleton, and consultant Hardesty & Hanover, LLC for consultant preparation of plans and specifications in an amount not to exceed \$439,655.84.

This contract amendment is for Environmental Documentation of the contract as required under the WisDOT Local Program and has been approved by WisDOT. This contract amendment is for an increase of \$23,401.80, for a new not-to-exceed contract total of \$463,057.64. If contract Amendment #1 is approved, then because the design total is over the SMA cap of \$440,975.00, the City will be responsible for an additional \$22,082.64 of design costs (new total City-responsible design costs of \$110,277.64).

AMENDMENT NO. 1 TO THE CONTRACT
BETWEEN CITY OF APPLETON (MUNICIPALITY),
THE WISCONSIN DEPARTMENT OF TRANSPORTATION
AND HARDESTY & HANOVER, LLC (CONSULTANT) FOR

Project ID 4984-24-76
City of Appleton, Lawe Street
Navigational Canal Bridge
Outagamie County

The contract made and entered into by and between the MUNICIPALITY, DEPARTMENT and CONSULTANT, dated July 30, 2025, is hereby amended as set forth on the following pages.

The primary reason(s) for this amendment:

Additional design services to perform the Section 106 process up to and including Determination of Eligibility and Determination of No Adverse Effect as requested by WisDOT CRT.

For all contract services, actual costs to the CONSULTANT up to \$365,385.68 (**increase of \$5,253.58**), plus a fixed fee of \$30,978.97 (**increase of \$441.78**) not to exceed \$396,364.65 (**increase of \$5,695.36**).

For services subcontracted to JT Engineering, Inc., the CONSULTANT's actual cost to JT Engineering, Inc. based on JT Engineering, Inc.'s actual cost up to \$45,275.17 (**no change**), plus a fixed fee of \$3,711.38 (**no change**), not to exceed \$48,986.55 (**no change**).

For services listed in the PROSECUTION AND PROGRESS Section of the SPECIAL PROVISIONS subcontracted to 1st tier subconsultant Mead & Hunt, Inc., the CONSULTANT'S actual cost to Mead & Hunt, Inc., based on Mead & Hunt, Inc.'s actual cost up to \$16,537.18 (**increase of \$16,537.18**) plus fixed fee of \$1,169.26 (**increase of \$1,169.26**) not to exceed \$17,706.44 (**increase of \$17,706.44**).

Compensation for all SERVICES provided by the CONSULTANT under the terms of the CONTRACT shall be for an amount not to exceed \$ 463,057.64 (**increase of \$23,401.80**).

The DEPARTMENT REPRESENTATIVE is: Mike Cohen; Local Program Project Manager, Wisconsin Department of Transportation, Northeast Region; 944 Van Der Perren Way, Green Bay, WI 54304; michael.cohen@dot.wi.gov; 920-360-1476.

The MUNICIPALITY REPRESENTATIVE is: Chad Weyenberg; Project Engineer, City of Appleton, Department of Public Works; 100 North Appleton Street, Appleton, WI 54911-4799; chad.weyenberg@appletonwi.gov; 920-832-5915.

The CONSULTANT REPRESENTATIVE is: Michael Delemont; Senior Associate; 313 N Plankinton Ave, Suite 213, Milwaukee, WI 53203; mdelemont@hardestyhanover.com; 414-207-4157.

In witness whereof, the parties hereto have caused this amendment to be executed and approved on the date signed by their authorized officers or representatives.

For the CONSULTANT

Signed by:
By: 
A9725FF3A95B4EB...

Title: Senior Associate

Date: February 16, 2026

For the DEPARTMENT

By: _____

Title: _____

Date: _____

For the MUNICIPALITY

By: _____

Title: _____

Date: _____

THREE PARTY DESIGN CONTRACT SPECIAL PROVISIONS

The following are additions to the original design contract VI. Special Provisions.

SCOPE OF SERVICES

Article C. ENVIRONMENTAL DOCUMENTATION of the CONTRACT is amended to include the following:

(2) Historical society notification

Complete the necessary local historical society notification.

(3) Survey of Area of Potential Effect

Conduct a reconnaissance-level survey of the Area of Potential Effect (APE) and document the Lawe Street Bridge. It is assumed that the bridge is the only resource within the APE. With only one potential historic resource in the APE, provide the reconnaissance-level survey results in an architecture/history letter report and provide the completed letter report and supplemental materials for submittal to the WisDOT Cultural Resources Team (CRT) with the Section 106 documentation.

(4) Determination of Eligibility

Prepare a Determination of Eligibility (DOE) for the bridge to evaluate the historic significance and National Register eligibility of the structure. Provide the completed Short Form Bridge DOE that includes the following:

(a) Methodology

(b) Narrative bridge description, including discussion of integrity

(c) Statement of significance, including discussion of comparatives

(d) Photographs

(e) U.S. Geological Survey topographic map

(5) Determination of No Adverse Effect

Prepare a Determination of No Adverse Effect (DNAE) to account for the project's effects on the Lawe Street Bridge, if it is recommended eligible for the National Register, and the National Register-listed Appleton Locks 1-3 Historic District. The DNAE will include the standard WisDOT-required sections, including a description of the undertaking, description of steps taken to identify historic properties, description of the affected historic properties, detailed explanation of why the criteria of adverse effects were found inapplicable,

summary of correspondence with consulting parties and the public, and application of de minimis Section 4(f) finding, as well as necessary supplemental materials.

Article L. SERVICES PROVIDED BY THE MUNICIPALITY/DEPARTMENT of the CONTRACT is amended to include the following:

4. MUNICIPALITY to provide access to the Lawe Street Bridge, including the operator's house.

PROSECUTION AND PROGRESS

(4) The CONSULTANT proposes to subcontract the following services to Mead & Hunt, Inc:

- a) Historical society notification
- b) Survey of Area of Potential Effect
- c) Determination of Eligibility
- d) Determination of No Adverse Effect

The following items of work will be completed and submitted to the MUNICIPALITY by the indicated dates, if CONSULTANT has received the Notice to Proceed by 3/1/2025.

Item	Date
Operational Planning Meeting	5/1/2026
30% Plans and Estimate	5/1/2026
Structure Survey Report	5/1/2026
Preliminary Structure Plan	5/1/2026
Public Involvement Meeting	6/1/2026
Environmental Document	8/1/2026
Traffic Management Plan	9/1/2026
Design Study Report	10/1/2026
60% Plans and Estimate	10/1/2026
Final Structure Plans	2/1/2027
Pre-Final P.S.&E. Package	3/1/2027
Final P.S. & E.	5/1/2027
LET	9/14/2027
Pre-Construction Meeting	Fall 2027

Certificate Of Completion

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 Subject: 49842476-1400052795-202602-CA#1.pdf - Shared from Box
 Source Envelope:
 Document Pages: 5
 Certificate Pages: 5
 AutoNav: Disabled
 Envelopeld Stamping: Enabled
 Time Zone: (UTC-06:00) Central Time (US & Canada)

Status: Sent

Envelope Originator:
 JANICE ROBERTS
 4822 Madison Yards Way
 Madison, WI 53705
 janice.roberts@dot.wi.gov
 IP Address: 74.112.186.76

Record Tracking

Status: Original 2/16/2026 11:03:34 AM	Holder: JANICE ROBERTS janice.roberts@dot.wi.gov	Location: DocuSign
Security Appliance Status: Connected	Pool: StateLocal	
Storage Appliance Status: Connected	Pool: Wisconsin Department of Transportation	Location: Docusign

Signer Events

Michael Delemont
 mdelemont@hardestyhanover.com
 Senior Associate
 Security Level: Email, Account Authentication
 (None)

Signature

Signed by:

 A9725FF3A95B4EB...

Signature Adoption: Drawn on Device
 Using IP Address: 172.59.99.52

Timestamp

Sent: 2/16/2026 11:08:15 AM
 Viewed: 2/16/2026 11:40:26 AM
 Signed: 2/16/2026 11:49:35 AM

Electronic Record and Signature Disclosure:

Accepted: 2/16/2026 11:40:26 AM
 ID: 5db97534-31c6-4ab4-8ea1-585e193384ab

Laura Jungwirth
 Laura.Jungwirth@AppletonWI.gov
 Security Level: Email, Account Authentication
 (None)

Sent: 2/16/2026 11:49:36 AM
 Resent: 2/20/2026 8:17:07 AM
 Resent: 2/23/2026 10:59:31 AM
 Viewed: 2/23/2026 12:33:49 PM

Electronic Record and Signature Disclosure:

Accepted: 2/23/2026 12:33:49 PM
 ID: 7235b4d9-f62f-4b21-be08-8e85640ded94

Andrew Fulcer
 Andrew.fulcer@dot.wi.gov
 Security Level: Email, Account Authentication
 (None)

Electronic Record and Signature Disclosure:

Not Offered via Docusign

In Person Signer Events	Signature	Timestamp
Editor Delivery Events	Status	Timestamp
Agent Delivery Events	Status	Timestamp
Intermediary Delivery Events	Status	Timestamp
Certified Delivery Events	Status	Timestamp
Carbon Copy Events	Status	Timestamp
Witness Events	Signature	Timestamp

Notary Events	Signature	Timestamp
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Envelope Summary Events	Status	Timestamps
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Payment Events	Status	Timestamps
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Electronic Record and Signature Disclosure

ELECTRONIC RECORD AND SIGNATURE DISCLOSURE

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If you elect to receive required notices and disclosures only in paper format, it will slow the speed at which we can complete certain steps in transactions with you and delivering services to you because we will need first to send the required notices or disclosures to you in paper format, and then wait until we receive back from you your acknowledgment of your receipt of such paper notices or disclosures. To indicate to us that you are changing your mind, you must withdraw your consent using the DocuSign 'Withdraw Consent' form on the signing page of your DocuSign account. This will indicate to us that you have withdrawn your consent to receive required notices and disclosures electronically from us and you will no longer be able to use your DocuSign Express user account to receive required notices and consents electronically from us or to sign electronically documents from us.

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How to contact Wisconsin Department of Transportation:

You may contact us to let us know of your changes as to how we may contact you electronically, to request paper copies of certain information from us, and to withdraw your prior consent to receive notices and disclosures electronically as follows:

To contact us by email send messages to: david.esse@dot.wi.gov

To advise Wisconsin Department of Transportation of your new e-mail address

To let us know of a change in your e-mail address where we should send notices and disclosures electronically to you, you must send an email message to us at david.esse@dot.wi.gov and in the body of such request you must state: your previous e-mail address, your new e-mail address. We do not require any other information from you to change your email address..

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To inform us that you no longer want to receive future notices and disclosures in electronic format you may:

- i. decline to sign a document from within your DocuSign account, and on the subsequent page, select the check-box indicating you wish to withdraw your consent, or you may;
- ii. send us an e-mail to david.esse@dot.wi.gov and in the body of such request you must state your e-mail, full name, IS Postal Address, telephone number, and account number. We do not need any other information from you to withdraw consent.. The consequences of your withdrawing consent for online documents will be that transactions may take a longer time to process..

Required hardware and software

Operating Systems:	Windows2000? or WindowsXP?
Browsers (for SENDERS):	Internet Explorer 6.0? or above
Browsers (for SIGNERS):	Internet Explorer 6.0?, Mozilla FireFox 1.0, NetScape 7.2 (or above)
Email:	Access to a valid email account
Screen Resolution:	800 x 600 minimum
Enabled Security Settings:	<ul style="list-style-type: none"> •Allow per session cookies •Users accessing the internet behind a Proxy Server must enable HTTP 1.1 settings via proxy connection

** These minimum requirements are subject to change. If these requirements change, we will provide you with an email message at the email address we have on file for you at that time providing you with the revised hardware and software requirements, at which time you will have the right to withdraw your consent.

Acknowledging your access and consent to receive materials electronically

To confirm to us that you can access this information electronically, which will be similar to other electronic notices and disclosures that we will provide to you, please verify that you were able to read this electronic disclosure and that you also were able to print on paper or electronically save this page for your future reference and access or that you were able to e-mail this disclosure and consent to an address where you will be able to print on paper or save it for your future reference and access. Further, if you consent to receiving notices and disclosures exclusively in electronic format on the terms and conditions described above, please let us know by clicking the 'I agree' button below.

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- Until or unless I notify Wisconsin Department of Transportation as described above, I consent to receive from exclusively through electronic means all notices, disclosures, authorizations, acknowledgements, and other documents that are required to be provided or made available to me by Wisconsin Department of Transportation during the course of my relationship with you.