



Waukesha Water Utility

SERVING WAUKESHA SINCE 1886

115 DELAFIELD STREET
WAUKESHA, WI 53188-3615

Telephone: (262) 521-5272 • Fax: (262) 521-5265 • E-mail: contactus@waukesha-water.com

MEMORANDUM

Date: May 10, 2023

To: Dan Duchniak, P.E.

From: Chris Walter, P.E.

Re: Request for Approval of Racine Avenue Agreement

Within the limits of the Great Water Alliance Contract Package 2B, the Waukesha County Department of Public Works is planning a Pavement Improvements Project on S. Racine Avenue (CTH Y) from Les Paul Parkway to W. Lawnsdale Road. The water supply pipeline and return flow pipeline both run through a portion of this corridor and pavement restoration is included in our project. However, we have worked to coordinate with Waukesha County to create a more seamless paving operation by having them perform our section of the work. This will also likely result in a cost savings to the GWA program.

Therefore, I am requesting approval for Waukesha Water Utility to enter into an agreement with Waukesha County regarding this repaving work on Racine Avenue. As outlined in the table in the attached agreement, the estimated cost for Waukesha Water Utility's portion is \$151,976.50. A change order, to reduce the original GWA bid amount for this pavement work will be created on CP2B to credit the GWA program.

The attached Two-Party Agreement has been reviewed and approved by Utility Management and Black & Veatch.

Recommended Motion: Move to approve the agreement with the Waukesha County Department of Public Works for resurfacing Racine Avenue at an estimated cost for the Waukesha Water Utility's portion of \$151,976.50

TWO-PARTY CONSTRUCTION AGREEMENT
Between
WAUKESHA COUNTY by the DEPARTMENT OF PUBLIC WORKS
And
WAUKESHA WATER UTILITY

This Agreement, made and entered into between Waukesha County by the Department of Public Works (hereinafter called the DEPARTMENT) and the Waukesha Water Utility (hereinafter called the UTILITY), provides for payment by the UTILITY of actual construction costs for improvement items in association with the DEPARTMENT'S repaving program improvements to Racine Avenue (CTH Y) from 300' South of Les Paul Parkway (USH 18) to W Lawnsdale Road (CTH I), under Project I.D. 201906 (hereinafter called the PROJECT).

WHEREAS, the DEPARTMENT is planning the asphalt repaving of Racine Ave (CTH Y) within areas that have not yet been fully restored by the UTILITY and

WHEREAS, the PROJECT will be constructed through the Repaving Program Capital Project 201906, and

WHEREAS, the PROJECT will include 2" Mill and 2" Paving, shouldering and other various road improvements that will be funded by the UTILITY and the DEPARTMENT, and

WHEREAS, the DEPARTMENT and the UTILITY agree to enter into this mutually beneficial agreement to construct and maintain improvements concurrent with and under the same contract as the PROJECT, and

WHEREAS, the UTILITY agrees to pay the actual costs associated with the items listed in the cost estimate below for the PROJECT and the UTILITY agrees to pay 100% of the actual construction costs of such items even if the actual cost exceeds the estimated amount.

NOW, THEREFORE, the parties do mutually agree to the responsibilities related to the construction of the items and to the funding of the items as described below:

RESPONSIBILITIES:

The DEPARTMENT shall:

1. Make payments to the successful bidder when invoiced for construction costs associated with the UTILITY improvement items covered by this Agreement.
2. Publicly bid said roadway improvement under Bid Number 23-104, Project I.D. 201906 in accordance with all applicable state and local laws.
3. Make available to the UTILITY, with reasonable notice, bidding documents, bid results, notice of award, and correspondence regarding said roadway improvements.

4. Duly execute, award and administer all such construction contracts necessary to complete the PROJECT in an expeditious fashion in accordance with generally approved construction standards.
5. Upon completion of the PROJECT, furnish to the UTILITY a detailed breakdown of all actual construction costs incurred related to the UTILITY improvement items.
6. Invoice the UTILITY upon completion of the PROJECT.
7. Designate a representative to act for the DEPARTMENT under this agreement. The representative shall be: Nathan Beth, P.E., Civil Engineer nbeth@waukeshacounty.gov or 262-548-7740

The UTILITY shall:

1. Pay the actual costs associated for inclusion of the bid items listed below. It is understood that the **estimated costs** for these items in the PROJECT total one hundred fifty-one thousand, nine hundred seventy-six dollars and fifty cents (\$151,976.50). The UTILITY shall pay the total actual as-bid and as-built costs for these items when invoiced by the DEPARTMENT.
2. Within 30 days of receipt of the invoice from the DEPARTMENT, pay one hundred percent (100%) of the actual cost for the UTILITY improvement items which are the responsibility of the UTILITY.
3. Designate a representative to act for the UTILITY under this agreement. The representative shall be:
Jeff Champion, CCM
Black & Veatch
111 E Wisconsin Ave, Suite 1770
Milwaukee, WI 53202
ChampionJA@bv.com
616-430-2578

OTHER TERMS:

1. Assignment: The parties agree that there shall be no assignment or transfer of this Agreement nor of any interests, rights or responsibilities contained herein without a written amendment agreed to by both parties.
2. Amendment: The parties, by mutual consent, may amend this Agreement in writing at any time.
3. Severability: If any provision of this Agreement is held invalid under any applicable law, such invalidity shall not affect any other provision of this Agreement that can be given effect without the invalid provision and, to this end, the provisions hereof are severable.

UTILITY Improvement Items:

**2023 PAVING PROGRAM
WAUKESHA WATER UTILITY
ESTIMATED COST**

ESTIMATE

				CTH Y05B-06D	
				FROM:	TO:
				500' N CTH I	300' SE CTH 59
ITEM No.	DESCRIPTION	UNIT	UNIT PRICE	QUANTITY	EXTENSION
204.0120	Removing Asphaltic Surface Milling	SY	\$1.75	13,850	\$24,237.50
390.0203	Base Patching Asphaltic - 2 MT 58-28S	SY	\$26.15	500	\$13,075.00
455.0605	Tack Coat	GAL	\$2.00	970	\$1,940.00
460.2500S	QMP HMA Pavement Nuclear Density	TON	\$0.39	1,650	\$643.50
460.3000	QMP HMA Mixture	TON	\$0.39	1,650	\$643.50
460.6224	HMA Pavement Type 4 MT 58-28 S	TON	\$61.90	1,650	\$102,135.00
SPV.0195.01	Shoulder Base Aggregate (Traffic Bond)	TON	\$27.00	250	\$6,750.00
	Pavement Marking	LF	\$0.23	2,400	\$552.00
	Engineering Oversight	LS	\$2,000.00	1	\$2,000.00

\$151,976.50

APPROVAL

THIS AGREEMENT will be effective on the date of the DEPARTMENT's signature, which is the Effective Date of this agreement.

UTILITY:
Waukesha Water Utility

DEPARTMENT:
Waukesha County

By: _____

By: _____

Title: General Manager

Title: Director of Public Works

Date: _____

Date: _____

Address for UTILITY:
Waukesha Water Utility
115 Delafield Street
P.O. Box 1648
Waukesha, WI 53187-1648

Address for DEPARTMENT:
Waukesha County
Department of Public Works
515 W. Moreland Blvd., Room AC 220
Waukesha, WI 53188



ROADWAY	DESIGNATION
LES PAUL PARKWAY/WIS 59/164	'LP'
E. SUNSET DRIVE	'SU'
S. RACINE AVENUE/CTH Y	'RA'
S. SWARTZ ROAD	'SR'
W. COFFEE ROAD	'CF'
E. BROADWAY/CTH D	'BR'
REFERENCE LINE	R/L

1. ROADWAY REFERENCE LINE STATIONING IS INDEPENDENT OF PIPELINE STATIONING.
2. ROADWAY REFERENCE LINES AND STATIONING ARE PROVIDED FOR INFORMATION ONLY.

ROADWAY REFERENCE LINE OVERVIEW

[illegible]