



CITY OF WAUWATOSA

BOARD OF PUBLIC WORKS

AGENDA • JANUARY 15, 2018

Regular Meeting

Committee Room #1

8:30 AM

7725 West North Avenue, Wauwatosa, WI 53213

BOARD OF PUBLIC WORKS ITEMS

1. Approval of minutes of previous meeting
2. Final payment Contract 15-06 / Project 4006, North 104th Street and West Fisher Parkway Improvements to Advance Construction, Inc. in the amount of \$126,805.19
3. Resolution declaring City's intent to perform certain street improvement projects during the 2018 construction season and to assess neighboring property owners
4. *Resolution setting forth the policies for 2018 construction pertaining to street improvements and assessment rates
5. *Resolution setting a public hearing date of February 6, 2018 for proposed 2018 assessments for street improvements
6. *Award of Contract 17-77 / Project 3101, WA4016 Sanitary Sewer Improvements in portions of Sunset Avenue, Nash Street, 107th Street, 105th Street to Visu-Sewer, Inc. in the amount of \$892,734.50 (low of 4 bids)
7. Partial payments
8. Contract Updates

*May be considered by the Common Council on January 16, 2018

It is anticipated that each item listed on the agenda may be discussed, referred or acted upon unless it is noted in the specific agenda item that no action is contemplated.

Any person who has a qualifying disability as defined by the Americans with Disabilities Act who requires the meeting or materials at the meeting to be in an accessible location or format, must contact the City Clerk at voice telephone 479-8917 or TTY 471-8484 (City Hall, 7725 W. North Avenue, Wauwatosa, Wisconsin 53213) for accommodations. Requests for accommodations for meetings should be made at least three (3) business days prior to the meeting. Every effort will be made to arrange accommodations for all meetings; so please give the City Clerk as much advance notice as possible.

CITY OF WAUWATOSA
Resolution

By: Board of Public Works

WHEREAS, the Board of Public Works has accepted the work of North 104th Street and West Fisher Parkway Improvements and work incidental thereto in the City of Wauwatosa under Contract 15-06 / Project 4006 and the same is ready for final payment.

NOW, THEREFORE, BE IT RESOLVED by the Board of Public Works of the City of Wauwatosa, Wisconsin as follows:

Section 1. That the work of North 104th Street and West Fisher Parkway under Contract 15-06 / Project 4006 is hereby accepted.

Section 2. That the proper City officers be and they are hereby authorized and directed to draw and sign a City order in the sum of one hundred twenty-six thousand eight hundred five dollars and nineteen cents (\$126,805.19) in favor of Advance Construction, Inc. as the final payment under said contract, upon receipt of waivers of lien and for labor and materials furnished under said contract, and upon receipt of an affidavit stipulating compliance with wage rate requirements.

Passed and Dated _____

Secretary

Approved _____

President

CITY OF WAUWATOSA
Resolution

By: Board of Public Works

BE IT RESOLVED, by the Board of Public Works of the City of Wauwatosa, Wisconsin, that

Section 1. The Board of Public Works of the City of Wauwatosa, Wisconsin hereby declares its intention to exercise its police power, under Section 66.0703 of the Wisconsin Statutes, to levy special assessments upon property in the City of Wauwatosa within the following described area for the benefits conferred upon such property by the repaving of:

<u>Street & Location</u>	<u>Ald. Dist.</u>	<u>Exist & (Prop.) Width</u>	<u>Pavement Construction Type</u>	<u>Assessed Sidewalk Work</u>
Underwood Avenue from Warren Avenue to Rogers Avenue	1	24 (24)	A-Asph	No

Section 2. Said public improvement shall include the following work to be done during the 2018 construction season:

Reconstruction: Type "A" (Asph.) Completely removing existing curb and gutter and existing pavement, placing new concrete curb and gutter (excluding alleys), and asphalt or concrete pavement surface on a new base.

The above repaving type also includes placing necessary water and sewer service pipes and storm sewer and appurtenances; relaying sanitary sewer and storm sewer as required; relocating existing street lighting system where necessary; constructing new concrete driveway approaches; and replacing concrete sidewalks which are disturbed by other construction, which are defective, or which have a hazard potential.

Repaving Type "B" (Asph.) Completely removing existing curb and gutter, milling the existing asphalt pavement as required, and placing new concrete curb and gutter and asphalt pavement surface on the existing road base.

The above repaving type also includes placing necessary water and sewer service pipes and storm sewer and appurtenances; relaying sanitary sewer and storm sewer as required; relocating existing street lighting system where necessary; constructing new concrete driveway approaches; and replacing concrete sidewalks which are disturbed by other construction, which are defective, or which have a hazard potential.

Repaving: Type "C" (Asph) Milling the existing pavement as required, repairing curbs (and abutting approaches and sidewalks where necessary), and surfacing with asphalt pavement. Also included is the placing of necessary water and sewer service pipes and storm sewer and appurtenances, and relaying sanitary sewer and storm sewer as required.

Repaving: Type "D" Replacing defective curb and gutter, removing, milling and/or pulverizing the existing pavement surface as required, and surfacing with new asphalt pavement. Also included is the placing of necessary water and sewer service pipes and storm sewer and appurtenances, and relaying sanitary sewer and storm sewer as required.

Repaving: Type "E" Replacing minimal defective curb and gutter, minor pavement milling, overlay existing pavement with asphalt pavement. Also included is the placing of necessary water and

sewer service pipes and storm sewer and appurtenances, and relaying sanitary sewer and storm sewer as required.

Section 3. The total amount assessed shall be upon a reasonable basis as determined by the Common Council.

Section 4. That the owners of the respective parcels of land fronting or abutting the street improvements, on which a public hearing has been held and preliminary assessments have been confirmed, shall have payment of the special assessments scheduled as follows:

- (a) Each special assessment and special charge, pursuant to Section 66.0703 of the Wisconsin Statutes, levied in an amount of \$200 or less against any parcel of land in the City of Wauwatosa shall be entered in the tax rolls in one installment.
- (b) Each special assessment for improvements levied in an amount exceeding \$200 against any parcel of land in the City of Wauwatosa shall be entered in the tax rolls in five equal annual installments of principal together with interest at the rate of twelve percent (12%) per year or the percentage rounded out to the next highest whole percentage number above the interest rate paid by the City for the sale of corporate purpose bonds, which include the project which is the subject of the special assessment, whichever figure is less, on the unpaid balance of said assessment. Individual assessments shall run concurrently except as provided under Section 3.08.040 of the City Code.
- (c) Each special assessment levied against any parcel of land in the City of Wauwatosa for the installation of sanitary sewer main or water main or construction of permanent street pavement shall not be entered in the tax roll until all installments of special assessments for sanitary sewer or water main or construction of permanent street pavement levied previously against the same parcel of land have been entered into the tax rolls and have been paid. Such subsequent special assessment shall be deferred and only interest at the rate of twelve percent (12%) per year, or the percentage rounded out to the next highest whole percentage number above the interest rate paid by the City for the issuance of General Obligation Debt, which include the project which is the subject of the special assessment, whichever figure is less, on such subsequent special assessment shall be carried into the tax rolls in addition to the scheduled installments of such prior assessments. After the last installment of such prior special assessment has been entered in the tax rolls, installments of the subsequent special assessment shall, beginning with the next subsequent tax roll, be entered in the tax rolls pursuant to Section 3.08.030 of the City Code.
- (d) Whenever special assessments are levied against the frontage and side of a corner parcel of land in the City of Wauwatosa for the installation of sanitary sewers or water mains or construction of permanent pavements arising out of the same public works project, such special assessments levied against a corner parcel of land shall be deemed to be two separate special assessments, and the special assessment levied against the frontage of the corner parcel of land shall first be scheduled on the tax rolls for payment as provided in Section 3.08.030 of the City Code and the special assessment levied against the side of the corner parcel of land shall be scheduled on the tax rolls pursuant to (c) above, following such scheduling of the special assessment levied against the frontage of the corner parcel of land.
- (e) Notwithstanding the provisions of (c) and (d) above, any owners of parcels of land assessed may at their option elect to pay both the scheduled installments of prior assessments as well as scheduled installments of subsequent special assessments on the same tax rolls as entered on those tax rolls pursuant to Section 3.08.030 of the City Code.

(f) If, after special assessments have been placed on the tax rolls in installments or otherwise, the taxpayer fails to pay the same within the time allowed for payment of general taxes, the same shall become delinquent and shall be treated in the same manner and subject to the same laws as delinquent general property taxes.

Section 5. The properties against which the assessments are proposed are benefited. Such benefits may include, but are not necessarily limited to, enhancement of value or marketability, improved drainage, improved pedestrian safety (walks), improved vehicular access, improved skid resistance and cross sectional elements.

Section 6. The City Engineer has prepared a report consisting of:

- a) Preliminary and/or final plans and specifications for said improvements
- b) An estimate of the entire cost of the proposed improvements
- c) A schedule of the proposed assessments in connection therewith upon a reasonable basis as determined by the Board of Public Works.

The Director of City Engineer is directed to file a copy of these in the City Clerk’s Office for public inspection.

BE IT FURTHER RESOLVED, By the Board of Public Works of the City of Wauwatosa, Wisconsin, that the City Clerk is directed to give notice, as by law provided, of a public hearing to all owners, to be assessed for the proposed improvements herein before listed, and to publish notice of the hearing at least once in the official newspaper at least ten days and not more than 40 days before the time set for the hearing; and

BE IT FURTHER RESOLVED, that the Common Council be requested to schedule the public hearing to be held before the Common Council in the Council Chambers, at 7:30 P.M., on Tuesday February 06, 2018 in the City Hall of the City of Wauwatosa, Wisconsin at which time all persons interested, or their agents or attorneys, concerning matters contained in the resolution and report, including the proposed assessment of benefits will be heard.

Passed and Dated _____

Secretary

Approved _____

President

CITY OF WAUWATOSA
Resolution

By: Baord of Public Works

BE IT RESOLVED, By the Common Council of the City of Wauwatosa, Wisconsin that the following be and hereby are the policies for 2018 construction pertaining to utility and street improvements and corresponding rates:

- (1) Due to the relative value of the benefits conferred upon different types of properties by the public improvements described herein, assessments for original permanent pavement shall be at the following rates per assessable foot based upon property classification:
 - A) \$80.00 for one or two family residences, churches, schools, public parks (“single family rate”)
 - B) \$100.00 for multiple family residences of three or more (1-1/4 x single family rate)
 - C) \$120.00 for business or commercial property (1-1/2 x single family rate)
 - D) \$160.00 for industrial property (2 x single family rate)

- (1.1)
 - A) A pavement improvement that terminates only partially abutting a parcel of land, shall have only such *prorata* portion assessed in the year that the Final Resolution is adopted by the Common Council

 - B) On streets that Federal and/or State Aid is not available, the rate of assessment may be adjusted to recover 60% of the paving costs.

 - C) On streets where the City does not have maintenance jurisdiction, the rate of assessment may be adjusted to recover 60% of the paving costs abutting each parcel.

 - D) On streets where sidewalks are to be newly constructed on one side only, in conjunction with a street scheduled for improvement, the cost of the sidewalk plus 25% for engineering and overhead may be prorated by total street frontage and added to the basic assessment for each property abutting said improvement or on both sides of that portion of said street.

- (2) Assessments for reconstruction of a permanent pavement shall be at the following rates per assessable foot (average width) for one or two family residences (other classes proportioned as in (1) above).
 - A) Reconstruction Type “A” \$56.00 for completely removing existing curb and pavement regrading and replacing with new concrete curb and gutter and either concrete pavement or asphalt pavement with a new road base.

 - B) Repaving Type “B” \$44.80 for completely removing existing curb and gutter, milling the existing pavement as required, and replacing with new concrete curb and gutter and

asphalt pavement on the existing road base.

C) Repaving Type "C" \$22.40 for replacing defective curb and gutter, milling the existing pavement surface as required, and surfacing with new asphalt pavement or in-place recycling.

D) Repaving Type "D" \$28.00 for replacing defective curb and gutter, removing, milling and or pulverizing the existing pavement surface as required, and surfacing with new asphalt pavement.

E) Repaving Type "E" \$11.20 for minimal defective curb and gutter replacement, minor pavement milling, overlay existing pavement with asphalt pavement.

If Type "C" Repaving is required on arterial streets less than 25 years after Type "A" repaving has been performed, all one and two family residences shall receive an assessment credit equal to 4% of their previous Type "A" paving assessment for each year under 25 years.

If Type "A" repaving is required on arterial streets less than 20 years after Type "C" repaving has been performed, all one and two family residences shall receive an assessment credit equal to 5% of their previous Type "C" paving assessment for each year under 20 years.

To recover the cost of public sidewalk replacement when done in conjunction with repaving, the assessable rates may reflect an amount of \$15.50 added against each frontage foot of adjacent properties.

Sidewalk replacement when not assessed by frontage foot shall be assessed at actual cost plus the cost of engineering and overhead as described in paragraph 11.

Any property where the entire city sidewalk was replaced within twelve years may be exempt from sidewalk assessment provided walk is at proper grade and condition.

Drive approach replacement shall be assessed at actual cost plus the cost of engineering and overhead as described in paragraph 11.

(3) The assessments for reconstruction of alleys shall be at the following rates per assessable foot (average width) for one of two family residences (other classes proportioned as below).

A) Repaving Type "A" \$66.00 for completely removing existing alley pavement regarding and replacing with either concrete pavement or asphalt pavement with a new road base.

B) Repaving Type "C" \$26.40 for milling the existing pavement surface as required, and surfacing with new asphalt pavement.

The assessment rate for “green” alleys shall remain the same as if the alley was intended for standard resurfacing or reconstruction.

Property Classification Factors

- (a) 1-Unit - one and two family residences, churches, schools, public parks
- (b) 1-1/2 Units - three or more family residences, apartments (3 or more units)
- (c) 2 Units - business, commercial, industrial

Assessable Factors

- (a) Rear alley - Average of front and rear lot lines.
 - (b) Side alley - Average of front and rear lot lines.
 - (c) Rear and side alley - Single assessment only: average of front and rear lot lines.
 - (d) One and two family lots with primary vehicle access from a public street assessed at 50% of the unit rate.
- (4) (a) The front lot line is the lot line along the narrowest side of any lot that borders an existing or dedicated street lot line. The side lot line is any lot line that is not the front or rear lot line. Side lot assessments for original permanent pavement, reconstruction of permanent pavement, asphalt resurfacing, and sidewalk when assessed on a frontage foot rate, shall be assessed at the rate of 50% of the assessable side lot footage, abutting on the street being improved, for 1 and 2 family, church, school, and public park uses only. All other classes of property shall be assessed for full assessable footage.
- (b) A platted or divided lot that extends through and abuts two streets, provided such lot does not consist of two or more platted or divided lots, shall have the longer of the two sides considered a side yard for purposes of assessment. The rate of assessment shall be determined as described in Paragraph (4) (a) herein.

Should both abutting frontages be equal in length, the frontage first improved or reconstructed or resurfaced, as the case may be, shall be considered the front for assessment purposes. Irregular shaped lots may be assessed based on the actual abutting frontages.

- (c) Properties with 3 sides adjacent to streets shall have the two longest assessable footage sides assessed at 50%. Remaining side is assessed at 100% of assessable footage.

- (5) Permanent asphalt driveway approaches placed at existing driveways, in connection with the construction of original permanent pavement, shall be assessed at cost plus 12.5% for engineering and overhead.
- (6) Concrete drive approaches replaced under public contract, in connection with the construction of all permanent paving, shall be assessed at actual cost plus the cost of engineering and overhead as described in paragraph 11. Concrete drive approaches six years old or less are to be replaced at no cost, and those seven to twelve years old at one-half cost.
- (7) Defective permanent curb replaced either by contract or City forces, when requested by the property owner in writing, or replacements not in connection with the resurfacing of a permanent street, shall be assessed at the rate of \$47.00 per foot replaced.
- (8) Service walk replacement shall be assessed at actual cost plus the cost of engineering and overhead as described in paragraph 11, when done in conjunction with all permanent paving.
- (9) Costs of service walks removed and replaced with sod in conjunction with permanent paving or sidewalk repair contract are not assessed to abutting property owners.
- (10) Sidewalk, driveway approaches, and service walk removal and replacement, when not done in conjunction with permanent paving or when ordered replaced by the Board of Public Works due to deterioration or defective condition, when done under public contract, shall be assessed at cost plus 25% for engineering and overhead. Sidewalks and service walks when not done in conjunction with permanent paving, which require replacement because of city tree roots damaging same, shall receive a 1/3 credit.
- (11) To recover the cost of engineering and overhead in connection with repaving and related work involving special assessments, a charge of 12.5% shall be made against the contract amount of such work, unless a different amount is specifically stated in this resolution.
- (12) Drive approaches, sidewalk, service walk, and/or sodding replaced under public contract in excess of that required for construction of all permanent paving as determined by the Engineering Department, when requested by the property owner in writing, shall be assessed at actual cost plus the cost of engineering and overhead as described in paragraph 11.
- (13) Federal, state, and railroad properties are exempt from special assessments.
- (14) Street projects that have been postponed shall be assessed at the rate the project was originally approved by the Common Council unless the Common Council subsequently sets a new rate.
- (15) Special assessments in amounts greater than \$5,000.00 can be paid in annual installments up

to ten (10) years.

- (16) Private sanitary sewer, sanitary laterals, storm sewer and/or storm laterals replaced under public contract in excess of that required for construction of publicly owned utilities as determined by the Engineering Services Divisions when requested by the property owner in writing, shall be assessed at actual cost plus 10% for engineering and overhead.

Private sanitary sewer, sanitary laterals, storm sewer and/or storm laterals when ordered replaces by the Board of Public Works due to deterioration or defective condition, when done under public contract shall be assessed at actual cost plus 10% for engineering and overhead.

Passed and Dated _____

Secretary

Approved _____

President

CITY OF WAUWATOSA
Resolution

By: Board of Public Works

CITY OF WAUWATOSA, WISCONSIN
NOTICE OF PUBLIC HEARING

NOTICE OF PUBLIC HEARING on Proposed Improvements for the 2018 paving of certain streets in the City of Wauwatosa.

PLEASE TAKE NOTICE, that the Wauwatosa Board of Public Works has declared its intention under Section 66.0703, Wisconsin Statutes, to charge special assessments as determined by exercise of police powers, upon abutting property along the following described public streets/alleys for improvements conferred upon such property by the repaving of the following streets.

<u>Street & Location</u>	<u>Ald. Dist.</u>	<u>Exist & (Prop.) Width</u>	<u>Pavement Construction Type</u>	<u>Assessed Sidewalk Work</u>
Underwood Avenue from Warren Avenue to Rogers Avenue	1	24 (24)	A-Asph	No

Reconstruction: Type "A" (Asph.) or (Conc.) Completely removing existing curb and gutter and existing pavement, placing new concrete curb and gutter (excluding alleys), and asphalt or concrete pavement surface on a new base.

The above repaving type also includes placing necessary water and sewer service pipes and storm sewer and appurtenances; relaying sanitary sewer and storm sewer as required; relocating existing street lighting system where necessary; constructing new concrete driveway approaches; and replacing concrete sidewalks which are disturbed by other construction, which are defective, or which have a hazard potential.

Repaving Type "B" (Asph.) Completely removing existing curb and gutter, milling the existing asphalt pavement as required, and placing new concrete curb and gutter and asphalt pavement surface on the existing road base.

The above repaving type also includes placing necessary water and sewer service pipes and storm sewer and appurtenances; relaying sanitary sewer and storm sewer as required; relocating existing street lighting system where necessary; constructing new concrete driveway approaches; and replacing concrete sidewalks which are disturbed by other construction, which are defective, or which have a hazard potential.

Repaving: Type "C" (Asph) Milling the existing pavement as required, repairing curbs (and abutting approaches and sidewalks where necessary), and surfacing with asphalt pavement. Also included is the placing of necessary water and sewer service pipes and storm sewer and appurtenances, and relaying sanitary sewer and storm sewer as required.

Repaving: Type "D" Replacing defective curb and gutter, removing, milling and/or pulverizing the existing pavement surface as required, and surfacing with new asphalt pavement. Also included is the placing of necessary water and sewer service pipes and storm sewer and appurtenances, and relaying sanitary sewer and storm sewer as required.

Repaving: Type "E" Replacing minimal defective curb and gutter, minor pavement milling, overlay existing pavement with asphalt pavement. Also included is the placing of necessary water and sewer service pipes and storm sewer and appurtenances, and relaying sanitary sewer and storm sewer as required.

The report of the Board of Public Works showing preliminary plans and specifications, estimated cost of permanent improvements, and the proposed assessments and awards of damages is on file in the City Clerk's office at the City Hall, 7725 W. North Avenue, Wauwatosa, Wisconsin and may be viewed there on any regular business day from Monday to Friday inclusive, between the hours of 8:00 A.M. and 4:30 P.M.

You are further notified that the Common Council will hear all interested persons, or their agents or attorneys, concerning matters contained in the preliminary resolution authorizing such assessments and the Board of Public Works report, including proposed assessments for improvements at a regular meeting of the Common Council held on Tuesday, February 06, 2018 at 7:30 P.M., in the Council Chambers at the City Hall, 7725 West North Avenue, Wauwatosa, Wisconsin. All comments will be considered at the public hearing and thereafter the amount of the assessments will be finally determined.

Dated _____
Carla A. Ledesma, City Clerk

Passed and Dated _____

Secretary

Approved _____

President

CITY OF WAUWATOSA
Resolution

By: Board of Public Works

WHEREAS, the Board of Public Works of the City of Wauwatosa reports that pursuant to the official notice, published as required by law, for proposals for WA4016 Sanitary Sewer Improvements under Contract 17-77 / Project 3101; and

WHEREAS, bids and proposals were received at the office of the City Clerk until 11:01 o'clock in the fore noon Thursday, January 11, 2018 , and therefore publicly opened; and

WHEREAS, that said bids and proposals are returned herewith, and the bids received are as follows:

Visu-Sewer, Inc.	\$892,734.50
Insituform Technologies USA, LLC	\$1,090,026.00
Michels Corporation	\$1,900,878.50
Terra Engineering & Construction Corp.	\$2,316,957.00; and

WHEREAS, the lowest bid received is from Visu-Sewer, Inc. in the amount of \$892,734.50; and

WHEREAS the Board of Public Works recommends that the proper City Officials be authorized to enter into a contract for doing said work of improvement.

NOW, THEREFORE, BE IT RESOLVED, by the Common Council of the City of Wauwatosa, that the proper City Officials be and they are hereby authorized and directed to enter into a contract with Visu-Sewer, Inc. for the work of WA4016 Sanitary Sewer Improvements under Contract 17-77 / Project 3101 at and for their bid price of \$892,734.50, this being the lowest and best bid.

BE IT FURTHER RESOLVED that the surety deposits, if any, be returned to the unsuccessful bidders.

Passed and Dated _____

Secretary

Approved _____

President

CITY OF WAUWATOSA
Resolution

By:

BE IT RESOLVED, By the Board of Public Works of the City of Wauwatosa, Wisconsin that the proper City Officers be and they are hereby authorized and directed to issue City orders in favor of the contractor listed below in the amount listed in the column headed "Amount" as partial payment for work completed pursuant to the terms of the contract noted.

<u>Contractor</u>	<u>Payment No.</u>	<u>Contract/Project No.</u>	<u>Amount</u>
Graphic House	6	16-04 / 1106, The Village Wayfinding Signage Project	\$128,845.25

Passed and Dated _____

Secretary

Approved _____

President