

MEETING: REGULAR MEETING OF THE PUBLIC WORKS & HIGHWAYS COMMITTEE

DATE & TIME: Tuesday, January 9, 2024 at 5:30 PM

**LOCATION: Germantown Village Hall Board Room
N112 W17001 Mequon Road**

Any member of the body and/or citizen may attend the meeting virtually through the WebEx platform, Meeting #: 2552 906 6373 Password: ZNmFyjsD343 which can be accessed by phone at 408-418-9388 or by logging on at: <https://villageofgermantown.my.webex.com/villageofgermantown.my/j.php?MTID=me0a6c12ad39928ebd45fa362b0c142d8>

Citizens not wishing to attend the meeting personally or virtually may submit any public comments by sending an email to comments@germantownwi.gov by 4 pm on the day of the meeting so that it can be provided to the members of the body for their consideration.

Previously recorded Village Board Meeting Videos can be viewed at https://www.youtube.com/channel/UCOYp0EgELzTCa9X_iCohyhQ.

AGENDA

- I. **CALL TO ORDER:** *This meeting has been given public notice in accordance with Section 19.83 and 19.84, Wis. Stats, in such form that will apprise the general public and news media of subject matter that is intended for consideration and action.*
- II. **ROLL CALL:** *Chairperson Kaminski, Trustees R. Miller, Hudson and Warren*
- III. **APPROVAL OF MINUTES:**
 - A. PWHC 12/6/23 Minutes for Approval
- IV. **PUBLIC COMMENT:** *Please be advised per State Statute Section 19.84(2), information will be received from the public. It is the policy of this municipality that there be a three-minute time period, per person, with time extensions per the Chief Presiding Officer's discretion; be further advised that there may be limited discussion on the information received, however, NO ACTION will be taken under public comments.*
- V. **NEW BUSINESS:**
 - A. Acceptance of Improvements - Willow Creek Dickman
 - B. 2024 Highway Department Patrol Truck Purchase
 - C. 2024 Parks Department Pick-Up Truck Purchase
 - D. Contract Award - Tower 3 Rehab
 - E. Contract Award - Well 5 Rehab
 - F. Contract Award - Well 12
 - G. A Resolution Petitioning the Office of the Commissioner of Railroads for the Alteration and Improvement of a Railroad Crossing
 - H. Division Road Reconstruction Strategy
- VI. **NEXT MEETING DATE:** *Set February Meeting Date.*
- VII. **ANNOUNCEMENTS:**
- VIII. **ADJOURNMENT:**

PUBLIC WORKS & HIGHWAYS COMMITTEE AGENDA

January 9, 2024

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UPON REASONABLE NOTICE, efforts will be made to accommodate the needs of disabled individuals through appropriate aids and services. For additional information or to request this service, please contact the Village Clerk at (262)250-4745 at least 2 days prior to the meeting.

MEETING:	AMENDED - REGULAR MEETING OF THE PUBLIC WORKS & HIGHWAYS COMMITTEE
DATE AND TIME:	Wednesday, December 6, 2023 5:30 PM
LOCATION:	Germantown Village Hall Board Room N112 W17001 Mequon Road

MINUTES

- I. **CALL TO ORDER:** Chairperson Kaminski called the meeting to order at 5:30pm.
- II. **ROLL CALL:** Chairperson Kaminski and Trustees R. Miller and Warren are present. Trustee Hudson is absent excused.
- III. **APPROVAL OF MINUTES:** **Motion:** Approve as presented
Motioned By: Rick Miller
Seconded By: Terri Kaminski
Yes: None
No: None
Abstain: None
Motion Passed (Yes 0, No 0, Abstained 0)
 - A. PWHC 11/1/23 Minutes for Approval
- IV. **PUBLIC COMMENT:** One resident spoke.
- V. **UNFINISHED BUSINESS**
 - A. Driveway Permit Discussion
Village Engineer Driscoll spoke regarding the driveway permit changes. The first change is the addition of language that reads: "On new construction for parcels with water service, curb stops shall not be located within 5-feet of the driveway." This is consistent with the Village of Germantown Development Handbook Section 2.1.2.2.2. The second change is the addition of language that reads: "For Driveway Elevation Certification, contact the Engineering Department at Village Hall." This change is to address concerns about property owners not filing driveway permits for work in the public right of way. As a result, property owners have constructed or reconstructed driveways with asphalt or concrete that don't match the final road grades. The Engineering email can be added to the driveway permit as well. Discussion followed. Staff recommends approval of the updates to the driveway permit with clarifying language and forward this to the Village Board with a positive recommendation.
Motion: Approve as presented
Motioned By: Rick Miller
Seconded By: Robert Warren
Yes: None
No: None

Abstain: None

Motion Passed (Yes 0, No 0, Abstained 0)

VI. NEW BUSINESS:

A. Acceptance of Improvements - Glenwood Park

Superintendent Zimmerman stated that MJ Construction was awarded the contract for sanitary sewer and watermain relay in the Glenwood Park neighborhood. Both the Sewer Utility and Water Utility have inspected the new pipes and find them to be acceptable. Restoration of the turf area and final lift of asphalt will be completed in the spring of 2024 when weather and growing conditions allow. It is the Sewer Utility and Water Utility's recommendation to accept the improvements as constructed by MJ Construction, and begin the 1-year warranty period.

Motion: as presented

Motioned By: Rick Miller

Seconded By: Robert Warren

Yes: None

No: None

Abstain: None

Motion Passed (Yes 0, No 0, Abstained 0)

B. 5 Year Road Program

Village Engineer Driscoll presented the Updated 5-Year Paving Program. All roads in the Village are reviewed annually and given a Paser rating and any road with a 3 paser rating or less is then considered for paving. Sealcoating is a separate process and is beneficial to prolonging the life of the road. Village Engineer Driscoll stated that the work we are proposing in 2024 is fixed at the 1.5 million in capital road improvement budget for that year. Discussion Followed.

Staff requested the Public Works and Highways Committee recommend to the Village Board the adoption of the 5-Year Road Program.

Motion: Approve as presented

Motioned By: Robert Warren

Seconded By: Rick Miller

Yes: None

No: None

Abstain: None

Motion Passed (Yes 0, No 0, Abstained 0)

C. Stormwater Update and Discussion

Village Engineer Driscoll stated that in response to the Municipal Separate Storm Sewer System (MS4) notification letter from the Wisconsin Department of Natural Resources (WDNR), Village staff received approval from the Village Board to contract with the consultant firm Graef for inspections of Village-owned ponds. These inspections have been completed. The associated findings and any costs estimates associated with maintenance and repair are anticipated for review in 2024, and potentially for inclusion as part of the 2025 budget. In addition to the Village-owned ponds, the MS4 permit also requires certification of privately owned ponds. This outreach letter was drafted as a reminder/notification to private property owners that stormwater ponds on their private property are required to have certification for

municipal compliance with WDNR requirements. There are 22 Village owned ponds and another approximately 150 privately owned ponds in the Village's stormwater system. The state requires certification every 5 years. Village Engineer Driscoll will bring this item back in the future with an update.

Motion: Approve as presented

Motioned By: None

Seconded By: None

Yes: None

No: None

Abstain: None

Motion (Yes 0, No 0, Abstained 0)

- VII. **NEXT MEETING DATE:** The next meeting date was set for Tuesday, January 9th, at 5:30pm.
- VIII. **ANNOUNCEMENTS:** None.
- IX. **ADJOURNMENT:** Chairperson Kaminski adjourned the meeting at 6:11pm..

BUSINESS OF THE PUBLIC WORKS & HIGHWAYS COMMITTEE

MEETING DATE: January 9, 2024

PLACEMENT: Action Item

ITEM TITLE: Acceptance of Improvements - Willow Creek Dickman

SUBMITTED BY: Timothy Zimmerman, Superintendent

SUMMARY EXPLANATION:

To accommodate the construction of the Dickman/Willow Creek multi-tenant building, a relocation and relay of a segment of the existing sanitary mainline was required. The relay was performed by J.M. Brennan on behalf of Briohn Building. The Utility has inspected this relay and found it to be true to alignment and grade.

ATTACHMENT:

RECOMMENDATION:

It is the Wastewater Utility's recommendation to accept the improvements as constructed by J.M. Brennan on behalf of Briohn Building and begin the one-year warranty period effective today January 9, 2024.

ACTION BY Committee:

Proper parliamentary procedure to deny a request is to have a motion made in the affirmative and, by voting NAY, would deny the request if a majority vote.

BUSINESS OF THE PUBLIC WORKS & HIGHWAYS COMMITTEE

MEETING DATE: January 9, 2024

PLACEMENT: Action Item

ITEM TITLE: 2024 Highway Department Patrol Truck Purchase

SUBMITTED BY: Scott Anderson, Superintendent

SUMMARY EXPLANATION:

Patrol truck purchases have been difficult at best to work through over the last few years. Despite these difficulties, to date, the village has maintained our current replacement cycle. A patrol truck spends 14 years as a route vehicle, before spending roughly another 6 years as a spare. Our current replacement cycle is 20 years. While well maintained during their life cycle, these trucks operate in a difficult environment and perform under extreme working conditions. It is crucial for winter operations that the village maintain our current replacement cycle, if not improve it over time.

In recent years, local vendors have supported previous customers as it relates to availability. During this period, it was nearly impossible to purchase a vehicle outside these relationships. While this is easing somewhat, I have concern over purchasing from another vendor, and the potential damage to our relationship with Truck Country. Please be reminded that the outstanding relationship we have with Truck Country helped the village maintain our current replacement schedule, by the vendor committing two truck chassis to Germantown in 2023.

Please also be reminded that the expenditure on a patrol truck is divided between two vendors. A chassis distributor, and Burke Truck & Equipment for the dump body, associated winter equipment, and assembly.

Truck Country of Wisconsin / Burke Truck & Equipment Inc.:	\$285,822.00
I State Truck Center / Burke Truck & Equipment Inc.:	\$285,261.00

ATTACHMENT:

RECOMMENDATION:

Staff recommends the purchase of a highway patrol truck from Truck Country of Wisconsin / Burke Truck & Equipment not to exceed the budgeted price of \$286,000.00, and to forward this request to the Village Board with a positive recommendation. If approved, the funds shall be allocated from Highway capital account: 40-562-000-592200.

ACTION BY Committee:

Proper parliamentary procedure to deny a request is to have a motion made in the affirmative and, by voting NAY, would deny the request if there was a majority vote.

BUSINESS OF THE PUBLIC WORKS & HIGHWAYS COMMITTEE

MEETING DATE: January 9, 2024

PLACEMENT: Action Item

ITEM TITLE: 2024 Parks Department Pick-Up Truck Purchase

SUBMITTED BY: Scott Anderson, Superintendent

SUMMARY EXPLANATION:

Funds were allocated as part of the 2024 Parks Department budget in the amount of \$60,000.00 for the replacement of a pick-up truck. Due to limited availability and high demand, General Motors has opened a very small commercial purchasing window each of the last three years. These commercial purchasing windows are often open and sold out within a single day. In recent years, this practice has made our competitive pricing and parliamentary procedure almost impossible to achieve. While this was starting to ease some, the recent automotive strike has set back production runs for the end of the 2024 **model year**, which will likely impact 2025 **model year** production.

Staff has been informed that we should anticipate similar short purchasing windows again this year. If time allows, it is my intention to request competitive pricing from several vendors. If the commercial purchasing window is as limited as in recent years, staff would purchase directly from Ewald to ensure we have a vehicle available to us. Ewald has been able to provide vehicles for the village throughout the recent difficult purchasing years and has been awarded during previous competitive pricing processes. To ensure that the village is prepared to purchase the 2025 **model year** pick-up truck, staff is requesting authorization to purchase a pick-up truck in an amount not to exceed \$60,000.00.

ATTACHMENT:

RECOMMENDATION:

Staff recommends the purchase of a 2025 model year pick-up truck in an amount not to exceed \$60,000.00, and to forward this request to the Village Board with a positive recommendation. If approved, the funds shall be allocated from the Parks Department capital account: 40-564-000-592200

ACTION BY Committee:

Proper parliamentary procedure to deny a request is to have a motion made in the affirmative and, by voting NAY, would deny the request if there was a majority vote.

BUSINESS OF THE PUBLIC WORKS & HIGHWAYS COMMITTEE

MEETING DATE: January 9, 2024

PLACEMENT: Action Item

ITEM TITLE: Contract Award - Tower 3 Rehab

SUBMITTED BY: Paul Haugen, Water Superintendent

SUMMARY EXPLANATION:

Tower 3 is located on Mequon Road and has passed its 22-year-old coating service life and is in need of a complete sandblast and recoat along with additional rehabilitation items. The scope of work includes the following tasks:

- Full sandblast, inside and outside. Full re-coat.
- Complete removal and re-installation of all insulation and covering on the fill pipe.
- Replace three dome hatches.
- Replace existing roof vent.
- Remove the deteriorating recalculation line.
- Miscellaneous electrical work.
- Fabricate a Chlorine injection point.
- Fabricate 2 egress ladders on the dome.
- Remove and abandon the inside flushing ring.
- Rework the front steel door to create a weatherproof seal.
- Fabricate 3 safety rescue points.
- Remove the abandoned electrical from the original construction.
- Asphalt paving replacement.
- Installation of a 12" water main isolation valve outside the tank footprint.

The project was designed and bid by Foth Engineering. There were six (6) bids ranging from \$809,050 to \$1,884,000. Foth Engineering's estimate of \$1,200,000 falls near mid-range of the bids. The bid amount includes an allowance of \$20,000.

The project will be funded by the DNR Safe Drinking Water Loan. This loan offers a below market value interest rate that has been reviewed and compared to bonding rates by Village of Germantown staff. It was identified that the rate offered by using this funding source provides notable interest rate savings.

ATTACHMENT:

1. LTR-2024-0104-GTown-Tower 3-Award Rec

RECOMMENDATION:

Staff recommends awarding of the rehabilitation contract to the low bidder, Seven Brothers Painting, Inc, in the amount of \$809,050.

ACTION BY Committee:

Proper parliamentary procedure to deny a request is to have a motion made in the affirmative and, by voting NAY, would deny the request if there was a majority vote.



Ballpark Commons Office Building
7044 S. Ballpark Drive, Suite 200
Franklin, WI 53132
(414) 336-7900
foth.com

January 4, 2024

Paul Haugen
Germantown Water Utility
N122W17177 Fond du Lac Avenue
Germantown, WI 53022

RE: Water Tower No. 3 Rehabilitation

Dear Paul:

I have reviewed the bids received on December 21, 2023, for the above referenced project. A summary of the bids is as follows:

Bidder	Total Base Bid Amount	Bid Alternate #1
Seven Brothers Painting, Inc	\$ 809,050.00	\$ +10,000.00
L and T Painting, Inc	\$ 857,840.00	\$ 0.00
O&J Coatings, Inc	\$ 880,000.00	\$ -10,000.00
Viking Industrial Painting	\$ 1,137,700.00	\$ 0.00
Classic Protective Coatings, Inc	\$ 1,153,000.00	\$ 0.00
TMI Coatings, Inc	\$ 1,884,000.00	\$ 0.00

The base bids include an allowance total of \$20,000.00. This allowance amount is the same for all contractors and is available to cover costs for additional work items that may arise during construction. The bid alternate was utilized to quantify the added cost or deduct for using Sherwin Williams paint products instead of Tnemec paint products. Tnemec is the preferred product. If significant savings were offered to use Sherwin Williams it would have been considered. The low bidder indicated a higher cost for using Sherwin Williams, so it is recommended to stay with Tnemec.

The engineering estimate for this project was \$1,200,000.

We recommend awarding the project to Seven Brothers Painting, Inc. for the total base bid amount of \$809,050.00. Their bid is complete and contains all required documentation. The project will be awarded on the base bid without the bid alternate as noted above.

This project will be funded by a DNR Safe Drinking Water Loan. This loan offers a below market value interest rate that has been reviewed and compared to bonding rates by Village of Germantown staff. It was identified that the rate offered by using this funding source provides notable interest rate savings.



Additional loan administration efforts will be required and will be coordinated by Village and Foth staff. Loan administration includes, but is not limited to, weekly payroll reviews, confirmation of adherence to Federal Davis-Bacon wage rates, coordination with DNR, loan application and loan closing.

Foth proposes to provide construction administration and observation services (with Jim Orr Coating Inspection LLC as a sub-consultant to Foth) in addition to the DNR loan application & administration services. Construction administration and observation includes, but is not limited to, on-site observation, coatings inspection, welding inspection, coordination of pay applications, submittal reviews, change order coordination, contractor correspondence and coordination, and other efforts to manage the construction project. Costs for all remaining construction & DNR loan services noted above are estimated to be approximately \$143,000 to 149,000. This range allows for a buffer which is typical of these services.

Upon written approval by the Village, Foth will proceed with the construction and DNR loan application phases of this project. An Addendum to the existing Agreement for Services will be issued for Village signature which will include all the remaining services noted above.

Please contact me if you have any questions.

Sincerely,

A handwritten signature in blue ink that reads "Eve Schnell".

Eve Schnell, PE, PTOE

Project Manager

cc: Scott Weigand – Village of Germantown
Matt Mortwedt – Village of Germantown
Jeff Downs – Village of Germantown
Kevin Driscoll – Village of Germantown
Steve Kreklow – Village of Germantown
Matt Uselding – Village of Germantown
Dale Broeckert – Foth Infrastructure & Environment, LLC

Enclosure: Bid Results Worksheet

Water Tower No 3 Rehabilitation (#8729527)
Owner: Village of Germantown
Solicitor: Foth - Milwaukee
12/21/2023 10:00 AM CST

					Seven Brothers Painting, Inc		l and t painting inc		O&J COATINGS INC		Viking Industrial Painting		Classic Protective Coatings Inc.		TMI Coatings, Inc.			
Sec	Line Item	Item Code	Item Description	UofM	Quantity	Unit Price	Extension	Unit Price	Extension	Unit Price	Extension	Unit Price	Extension	Unit Price	Extension	Unit Price	Extension	
General Conditions							\$10,000.00		\$8,000.00		\$20,000.00		\$25,800.00		\$39,650.00		\$95,000.00	
	1	1	Mobilization and Demobilization	LS	1	\$10,000.00	\$10,000.00	\$8,000.00	\$8,000.00	\$20,000.00	\$20,000.00	\$25,800.00	\$25,800.00	\$39,650.00	\$39,650.00	\$95,000.00	\$95,000.00	
Interior Dry - Coatings Work								\$45,000.00		\$60,540.00		\$52,000.00		\$208,700.00		\$71,300.00		\$166,000.00
	2	2	Sandblasting and recoating - Area AA - Identified surfaces (specials - 12" inlet pipe: thermal-thin, mechanical piping/valves: thermal-thick, floor: non-skid)	LS	1	\$7,500.00	\$7,500.00	\$9,500.00	\$9,500.00	\$15,000.00	\$15,000.00	\$10,000.00	\$10,000.00	\$9,500.00	\$9,500.00	\$40,000.00	\$40,000.00	
	3	3	Sandblasting and recoating - Area A - Identified surfaces (specials - 12" inlet pipe: thermal-thin, floor at door: non-skid)	LS	1	\$7,500.00	\$7,500.00	\$6,440.00	\$6,440.00	\$10,000.00	\$10,000.00	\$38,700.00	\$38,700.00	\$8,300.00	\$8,300.00	\$35,000.00	\$35,000.00	
	4	4	Sandblasting and recoating - Area B - Identified surfaces (specials - 12" inlet pipe: thermal-thin, platform: non-skid)	LS	1	\$7,500.00	\$7,500.00	\$12,000.00	\$12,000.00	\$10,000.00	\$10,000.00	\$20,000.00	\$20,000.00	\$8,900.00	\$8,900.00	\$25,000.00	\$25,000.00	
	5	5	Sandblasting and recoating - Area C - All surfaces (specials - 12" inlet pipe: thermal-thin, tank underbelly: thermal-thick, platform: non-skid)	LS	1	\$7,500.00	\$7,500.00	\$8,600.00	\$8,600.00	\$5,000.00	\$5,000.00	\$35,000.00	\$35,000.00	\$16,400.00	\$16,400.00	\$38,000.00	\$38,000.00	
	6	6	Sandblasting and recoating - Area D - All surfaces (specials - access tube wall: thermal-thick, stiffener ring: non-skid)	LS	1	\$7,500.00	\$7,500.00	\$16,000.00	\$16,000.00	\$10,000.00	\$10,000.00	\$95,000.00	\$95,000.00	\$18,200.00	\$18,200.00	\$25,000.00	\$25,000.00	
	7	7	Sandblasting and recoating - Areas A, B, C - Spot repairs (rusted, loose, peeled, etc.) - as identified/directed by Owner's inspector	Sq Ft	20	\$375.00	\$7,500.00	\$400.00	\$8,000.00	\$100.00	\$2,000.00	\$500.00	\$10,000.00	\$500.00	\$10,000.00	\$150.00	\$3,000.00	
Interior Wet - Coatings Work								\$162,250.00		\$218,000.00		\$300,000.00		\$245,200.00		\$320,000.00		\$510,000.00
	8	8	Sandblasting and recoating - Area E - All Surfaces	LS	1	\$162,250.00	\$162,250.00	\$218,000.00	\$218,000.00	\$300,000.00	\$300,000.00	\$245,200.00	\$245,200.00	\$320,000.00	\$320,000.00	\$510,000.00	\$510,000.00	
Exterior Dry - Coatings Work								\$450,700.00		\$450,900.00		\$420,000.00		\$497,400.00		\$632,850.00		\$869,000.00
	9	9	Temporary full containment system and associated provisions & restoration	LS	1	\$54,000.00	\$54,000.00	\$80,000.00	\$80,000.00	\$100,000.00	\$100,000.00	\$160,000.00	\$160,000.00	\$74,800.00	\$74,800.00	\$180,000.00	\$180,000.00	
	10	10	Sandblasting and recoating - Area EX1 - All surfaces (includes tower anchor bolts)	LS	1	\$40,000.00	\$40,000.00	\$348,000.00	\$348,000.00	\$280,000.00	\$280,000.00	\$322,600.00	\$322,600.00	\$421,400.00	\$421,400.00	\$540,000.00	\$540,000.00	
	11	11	Sandblasting and recoating - Area EX2 - All surfaces (specials - walking surfaces inside railings: non-skid)	LS	1	\$336,700.00	\$336,700.00	\$6,900.00	\$6,900.00	\$20,000.00	\$20,000.00	\$4,800.00	\$4,800.00	\$60,250.00	\$60,250.00	\$130,000.00	\$130,000.00	
	12	12	Germantown Logo and Selected Paint Scheme	LS	1	\$20,000.00	\$20,000.00	\$16,000.00	\$16,000.00	\$20,000.00	\$20,000.00	\$10,000.00	\$10,000.00	\$76,400.00	\$76,400.00	\$19,000.00	\$19,000.00	
Auxiliary Items (*Including all associated notes, requirements, and details throughout contract documents)								\$121,100.00		\$100,400.00		\$68,000.00		\$140,600.00		\$69,200.00		\$224,000.00
	13	13	All work items shown/described on S1.03 - Area EX1*	LS	1	\$17,000.00	\$17,000.00	\$8,800.00	\$8,800.00	\$15,000.00	\$15,000.00	\$10,000.00	\$10,000.00	\$8,300.00	\$8,300.00	\$90,000.00	\$90,000.00	
	14	14	All work items shown/described on S1.04 - Area EX2*	LS	1	\$30,900.00	\$30,900.00	\$24,000.00	\$24,000.00	\$10,000.00	\$10,000.00	\$33,700.00	\$33,700.00	\$16,100.00	\$16,100.00	\$40,000.00	\$40,000.00	
	15	15	All work items shown/described on S1.05 - Area E*	LS	1	\$7,500.00	\$7,500.00	\$4,000.00	\$4,000.00	\$2,000.00	\$2,000.00	\$17,100.00	\$17,100.00	\$2,650.00	\$2,650.00	\$15,000.00	\$15,000.00	
	16	16	All work items shown/described on S1.06 - Area D*	LS	1	\$3,500.00	\$3,500.00	\$11,000.00	\$11,000.00	\$5,000.00	\$5,000.00	\$8,400.00	\$8,400.00	\$3,200.00	\$3,200.00	\$18,000.00	\$18,000.00	
	17	17	All work items shown/described on S1.07 - Area C*	LS	1	\$9,200.00	\$9,200.00	\$14,500.00	\$14,500.00	\$10,000.00	\$10,000.00	\$33,700.00	\$33,700.00	\$8,900.00	\$8,900.00	\$15,000.00	\$15,000.00	
	18	18	All work items shown/described on S1.08 - Area B*	LS	1	\$1,000.00	\$1,000.00	\$3,800.00	\$3,800.00	\$10,000.00	\$10,000.00	\$2,100.00	\$2,100.00	\$15,500.00	\$15,500.00	\$5,000.00	\$5,000.00	
	19	19	All work items shown/described on S1.09 - Area A*	LS	1	\$8,000.00	\$8,000.00	\$13,000.00	\$13,000.00	\$5,000.00	\$5,000.00	\$12,100.00	\$12,100.00	\$6,700.00	\$6,700.00	\$16,000.00	\$16,000.00	
	20	20	All work items shown/described on S1.10 - Area AA*	LS	1	\$39,000.00	\$39,000.00	\$15,400.00	\$15,400.00	\$5,000.00	\$5,000.00	\$22,600.00	\$22,600.00	\$6,350.00	\$6,350.00	\$16,000.00	\$16,000.00	
	21	21	All work items & restoration shown/described on C1.01* - Existing Site Plan	LS	1	\$5,000.00	\$5,000.00	\$5,900.00	\$5,900.00	\$6,000.00	\$6,000.00	\$900.00	\$900.00	\$1,500.00	\$1,500.00	\$9,000.00	\$9,000.00	
Allowance								\$20,000.00		\$20,000.00		\$20,000.00		\$20,000.00		\$20,000.00		\$20,000.00
	ALL	ALL	Allowance - Additional Work Items	LS	1	\$20,000.00	\$20,000.00	\$20,000.00	\$20,000.00	\$20,000.00	\$20,000.00	\$20,000.00	\$20,000.00	\$20,000.00	\$20,000.00	\$20,000.00	\$20,000.00	
Alternate Bid A-1								\$10,000.00		\$0.00		(\$10,000.00)		\$0.00		\$0.00		\$0.00
	A-1	A-1	Coatings Manufacturer: Add/Deduct for using Sherwin Williams in lieu of Tnemec: Refer to Section 09 97 13	LS	1	\$10,000.00	\$10,000.00	\$0.00	\$0.00	(\$10,000.00)	(\$10,000.00)	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	
Base Bid Total:						\$809,050.00		\$857,840.00		\$880,000.00		\$1,137,700.00		\$1,153,000.00		\$1,884,000.00		

BUSINESS OF THE PUBLIC WORKS & HIGHWAYS COMMITTEE

MEETING DATE: January 9, 2024

PLACEMENT: Action Item

ITEM TITLE: Contract Award - Well 5 Rehab

SUBMITTED BY: Paul Haugen, Water Superintendent

SUMMARY EXPLANATION:

Well 5 is located off of Western Ave and has been slated for its 10-year DNR inspection and rehab. The scope of work will include:

- A treatment/rehab plan (per recommendations).
- New motor.
- New pump assembly.
- Full column pipe w/epoxy inside and out.
- Repair work on discharge piping.

The project was designed and bid by Foth Engineering. There were three (3) bids on the project ranging from \$111,005 - \$149,252. The estimate for the project was \$150,000. Foth has an existing agreement with the Village to continue with construction administration.

ATTACHMENT:

1. LTR-2024-0104-GTown-Well 5-Award Rec

RECOMMENDATION:

Staff recommends awarding the bid to the low bidder, Mid City Corporation, in the amount of \$111,005.00.

ACTION BY Committee:

Proper parliamentary procedure to deny a request is to have a motion made in the affirmative and, by voting NAY, would deny the request if there was a majority vote.



Ballpark Commons Office Building
7044 S. Ballpark Drive, Suite 200
Franklin, WI 53132
(414) 336-7900
foth.com

January 4, 2024

Paul Haugen
Germantown Water Utility
N122W17177 Fond du Lac Avenue
Germantown, WI 53022

RE: Well No. 5 Rehabilitation

Dear Paul:

I have reviewed the bids received on December 21, 2023, for the above referenced project. A summary of the bids is as follows:

Bidder	Total Base Bid Amount
Mid City Corporation	\$ 111,005.00
CTW Corporation, Wells and Pumps	\$ 118,570.00
Midwest Well Services, dba Municipal Well & Pump	\$ 149,252.00

This bid contains unit price work items for chemicals added to, or subtracted from, the planned well treatment & cleaning procedures. Bid prices include an estimated quantity of such unit price items. Depending on the actual needs of the project, these quantities may vary up or down, and are expected to slightly impact the final payment amount. The actual quantities will be closely documented to ensure accurate payment is made to the Contractor.

The engineering estimate for this project was \$150,000.

We recommend awarding the project to Mid City Corporation for the total base bid amount of \$111,005.00. Their bid is complete and contains all required documentation.

Foth has an existing Agreement with the Village which includes construction administration and observation services for this project. Construction administration and observation includes, but is not limited to, on-site observation, coordination of pay applications, submittal reviews, change order coordination, contractor correspondence and coordination, and other efforts to manage the construction project.

Upon written approval by the Village, Foth will proceed with the construction phase of this project.

Please contact me if you have any questions.



Sincerely,

A handwritten signature in blue ink that reads "Eve Schnell".

Eve Schnell, PE, PTOE

Project Manager

cc: Scott Weigand – Village of Germantown
 Matt Mortwedt – Village of Germantown
 Jeff Downs – Village of Germantown
 Kevin Driscoll – Village of Germantown
 Steve Kreklow – Village of Germantown
 Matt Uselding – Village of Germantown
 Dale Broeckert – Foth Infrastructure & Environment, LLC

Enclosure: Bid Results Worksheet

Well No 5 Rehabilitation (#8843147)
Owner: Village of Germantown
Solicitor: Foth - Milwaukee
12/21/2023 10:30 AM CST

						Mid City Corporation		CTW Corporation, Wells and Pumps		Midwest Well Services, dba Municipal Well & Pump	
Sectid	Line Item	Item Code	Item Description	UofM	Quantity	Unit Price	Extension	Unit Price	Extension	Unit Price	Extension
Part A - Section 33 21 15 - Potable Well Rehabilitation							\$46,555.00		\$53,365.00		\$69,462.00
	1A	1A	Mobilization and demobilization.	LS	1	\$3,200.00	\$3,200.00	\$11,910.00	\$11,910.00	\$13,800.00	\$13,800.00
	2A	2A	Perform initial pump test and pull and inspect well pump assembly.	LS	1	\$2,280.00	\$2,280.00	\$5,730.00	\$5,730.00	\$430.00	\$430.00
	3A	3A	Pre-well rehabilitation well televising.	LS	1	\$1,200.00	\$1,200.00	\$1,025.00	\$1,025.00	\$1,000.00	\$1,000.00
	4A	4A	Mechanical treatment-brushing of the well with acid.	LS	1	\$2,450.00	\$2,450.00	\$3,110.00	\$3,110.00	\$2,850.00	\$2,850.00
	5A	5A	Setup and removal of chemical rehabilitation and treatment equipment	LS	1	\$6,025.00	\$6,025.00	\$8,150.00	\$8,150.00	\$8,850.00	\$8,850.00
	6A	6A	Acid treatment - initial strength treatment	Ea	2	\$3,950.00	\$7,900.00	\$2,770.00	\$5,540.00	\$4,195.00	\$8,390.00
	7A	7A	Acid treatment - supplemental dose treatment	Ea	2	\$1,100.00	\$2,200.00	\$1,060.00	\$2,120.00	\$3,265.00	\$6,530.00
	8A	8A	Chlorine treatment - initial strength treatment	Ea	2	\$2,500.00	\$5,000.00	\$1,590.00	\$3,180.00	\$2,795.00	\$5,590.00
	9A	9A	Chlorine treatment - supplemental dose treatment	Ea	2	\$450.00	\$900.00	\$535.00	\$1,070.00	\$2,580.00	\$5,160.00
	10A	10A	Clorine-based treatment - initial strength treatment	Ea	2	\$3,200.00	\$6,400.00	\$2,405.00	\$4,810.00	\$3,515.00	\$7,030.00
	11A	11A	Chlorine-based treatment - supplemental dose treatment	Ea	2	\$400.00	\$800.00	\$610.00	\$1,220.00	\$1,430.00	\$2,860.00
	12A	12A	Post-well rehabilitation well televising.	LS	1	\$1,200.00	\$1,200.00	\$1,025.00	\$1,025.00	\$1,000.00	\$1,000.00
	13A	13A	Intermediate purge	Ea	6	\$800.00	\$4,800.00	\$125.00	\$750.00	\$327.00	\$1,962.00
	14A	14A	Well development	Hrs	24	\$50.00	\$1,200.00	\$150.00	\$3,600.00	\$140.00	\$3,360.00
	15A	15A	Final well disinfection	LS	1	\$1,000.00	\$1,000.00	\$125.00	\$125.00	\$650.00	\$650.00
Part B - Section 33 12 30 - Vertical Turbine Lineshaft Well Pump							\$51,200.00		\$41,880.00		\$62,770.00
	1B	1B	Mobilization and demobilization.	LS	1	\$1,000.00	\$1,000.00	\$4,340.00	\$4,340.00	\$8,450.00	\$8,450.00
	2B	2B	Provide well pump assembly.	LS	1	\$50,200.00	\$50,200.00	\$37,540.00	\$37,540.00	\$54,320.00	\$54,320.00
Part C - Miscellaneous Work Items							\$13,250.00		\$23,325.00		\$17,020.00
	1C	1C	Provide well pump discharge line piping modifications as shown on the drawings.	LS	1	\$10,500.00	\$10,500.00	\$8,230.00	\$8,230.00	\$4,690.00	\$4,690.00
	2C	2C	Provide recycle line as shown on the drawings.	LS	1	\$750.00	\$750.00	\$835.00	\$835.00	\$980.00	\$980.00
	3C	3C	Provide all necessary electrical modification to accommodate 100 H.P. motor.	LS	1	\$2,000.00	\$2,000.00	\$14,260.00	\$14,260.00	\$11,350.00	\$11,350.00
Supplemental Work Item Prices							\$76.65		\$86.40		\$90.00
	S1	S1	Inhibited HCL added to/subtracted from treatment.	GAL	1	\$6.50	\$6.50	\$4.50	\$4.50	\$10.00	\$10.00
	S2	S2	Sodium Hypochlorite added to/subtracted from treatment.	GAL	1	\$6.65	\$6.65	\$5.95	\$5.95	\$10.00	\$10.00
	S3	S3	Clearitas 101 added to/subtracted from treatment.	GAL	1	\$21.50	\$21.50	\$29.75	\$29.75	\$30.00	\$30.00
	S4	S4	Glycolic Acid added to/subtracted from treatment.	GAL	1	\$42.00	\$42.00	\$46.20	\$46.20	\$40.00	\$40.00
Base Bid Total:						\$111,005.00		\$118,570.00		\$149,252.00	

BUSINESS OF THE PUBLIC WORKS & HIGHWAYS COMMITTEE

MEETING DATE: January 9, 2024

PLACEMENT: Action Item

ITEM TITLE: Contract Award - Well 12

SUBMITTED BY: Paul Haugen, Water Superintendent

SUMMARY EXPLANATION:

Well 12, located at W210N13180 Gateway Crossing, was drilled in May 2021. Foth Engineering was contracted to provide the design of the Well 12 facility. That design was completed in December 2023 and released for public bid. Five (5) bids were received, ranging from \$2,557,000 - \$3,254,328.

The engineering estimate for the project was \$3,000,000 - \$3,700,000. The low bid was submitted by JH Hassinger for the amount of \$2,557,000.

ATTACHMENT:

1. LTR-2024-0104-GTown-Well 12-Award Rec

RECOMMENDATION:

Staff recommends awarding the bid to the low bidder, JH Hassinger, in the amount of \$2,557,000.

ACTION BY Committee:

Proper parliamentary procedure to deny a request is to have a motion made in the affirmative and, by voting NAY, would deny the request if there was a majority vote.



Ballpark Commons Office Building
7044 S. Ballpark Drive, Suite 200
Franklin, WI 53132
(414) 336-7900
foth.com

January 4, 2024

Paul Haugen
Germantown Water Utility
N122W17177 Fond du Lac Avenue
Germantown, WI 53022

RE: Well No. 12 Pumping Station

Dear Paul:

I have reviewed the bids received on December 21, 2023, for the above referenced project. A summary of the bids is as follows:

Bidder	Total Base Bid Amount
JH Hassinger, Inc.	\$ 2,557,000.00
Mike Koenig Construction Co., Inc.	\$ 2,816,800.00
Mid City Corporation	\$ 2,924,400.00
Hunzinger Construction	\$ 3,096,000.00
C.D. Smith Construction	\$ 3,254,328.00

The base bids include an allowance total of \$174,865.00. This allowance amount is the same for all contractors and covers costs for the security system, engine generator set, transfer switch, motor control centers, and adjustable frequency drives.

The engineering estimate for this project was \$3,000,000 - \$3,700,000.

We recommend awarding the project to JH Hassinger, Inc. for the total base bid amount of \$2,557,000.00. Their bid is complete and contains all required documentation.

This project will be funded by a DNR Safe Drinking Water Loan. This loan offers a below market value interest rate that has been reviewed and compared to bonding rates by Village of Germantown staff. It was identified that the rate offered by using this funding source provides notable interest rate savings.

Additional loan administration efforts will be required and will be coordinated by Village and Foth staff. Loan administration includes, but is not limited to, weekly payroll reviews, confirmation of adherence to Federal Davis-Bacon wage rates, coordination with DNR, loan application and loan closing.



Foth has an existing Agreement with the Village which includes construction administration and observation services for this project. The additional DNR loan application and administration services can be included under this same existing Agreement. Construction administration and observation includes, but is not limited to, on-site observation, coordination of pay applications, submittal reviews, change order coordination, contractor correspondence and coordination, and other efforts to manage the construction project.

Upon written approval by the Village, Foth will proceed with the construction and DNR loan application phases of this project.

Please contact me if you have any questions.

Sincerely,

A handwritten signature in blue ink that reads "Eve Schnell".

Eve Schnell, PE, PTOE

Project Manager

cc: Scott Weigand – Village of Germantown
Matt Mortwedt – Village of Germantown
Jeff Downs – Village of Germantown
Kevin Driscoll – Village of Germantown
Steve Kreklow – Village of Germantown
Matt Uselding – Village of Germantown
Dale Broeckert – Foth Infrastructure & Environment, LLC

Enclosure: Bid Results Worksheet

Well Station No 12 (#8845235)
Owner: Village of Germantown
Solicitor: Foth - Milwaukee
12/21/2023 01:00 PM CST

					JH Hassinger, Inc.		MIKE KOENIG CONSTRUCTION CO.		Mid City Corporation		Hunzinger Construction		C.D. Smith Construction	
Sect Line Item	Item Code	Item Description	UofM	Quantity	Unit Price	Extension	Unit Price	Extension	Unit Price	Extension	Unit Price	Extension	Unit Price	Extension
Base Bid						\$2,382,135.00		\$2,641,935.00		\$2,749,535.00		\$2,921,135.00		\$3,079,463.00
	1	1 Mobilization and Demobilization Landscaping, site grading, seeding and all other	LS	1	\$85,000.00	\$85,000.00	\$151,300.00	\$151,300.00	\$10,000.00	\$10,000.00	\$27,000.00	\$27,000.00	\$150,000.00	\$150,000.00
	2	2 restoration components Well Station: Construction of a municipal well station containing all components as outlined in the plans and	LS	1	\$180,000.00	\$180,000.00	\$83,020.00	\$83,020.00	\$182,000.00	\$182,000.00	\$79,435.00	\$79,435.00	\$250,000.00	\$250,000.00
	3	3 specifications.	LS	1	\$2,117,135.00	\$2,117,135.00	\$2,407,615.00	\$2,407,615.00	\$2,557,535.00	\$2,557,535.00	\$2,814,700.00	\$2,814,700.00	\$2,679,463.00	\$2,679,463.00
Allowances						\$174,865.00		\$174,865.00		\$174,865.00		\$174,865.00		\$174,865.00
A1	A1	Security System including but not limited to keyless entry and camera systems	LS	1	\$30,000.00	\$30,000.00	\$30,000.00	\$30,000.00	\$30,000.00	\$30,000.00	\$30,000.00	\$30,000.00	\$30,000.00	\$30,000.00
		Engine Generator Set (Section 26 32 13) AND Transfer												
A2	A2	Switch (Section 26 36 00)	LS	1	\$68,587.00	\$68,587.00	\$68,587.00	\$68,587.00	\$68,587.00	\$68,587.00	\$68,587.00	\$68,587.00	\$68,587.00	\$68,587.00
A3	A3	Motor Control Centers (Section 26 24 19)	LS	1	\$54,810.00	\$54,810.00	\$54,810.00	\$54,810.00	\$54,810.00	\$54,810.00	\$54,810.00	\$54,810.00	\$54,810.00	\$54,810.00
A4	A4	Adjustable Frequency Drives (Section 26 29 23)	LS	1	\$21,468.00	\$21,468.00	\$21,468.00	\$21,468.00	\$21,468.00	\$21,468.00	\$21,468.00	\$21,468.00	\$21,468.00	\$21,468.00
Base Bid Total:						\$2,557,000.00		\$2,816,800.00		\$2,924,400.00		\$3,096,000.00		\$3,254,328.00

BUSINESS OF THE PUBLIC WORKS & HIGHWAYS COMMITTEE

MEETING DATE: January 9, 2024

PLACEMENT: Action Item

ITEM TITLE: A Resolution Petitioning the Office of the Commissioner of Railroads for the Alteration and Improvement of a Railroad Crossing

SUBMITTED BY: Kevin Driscoll, Village Engineer

SUMMARY EXPLANATION:

On September 26, 2022, the Village Board adopted the 2050 Comprehensive Plan that included a roadway corridor / frontage road east of Interstate 41 from Freistadt Road to Rockfield Road. See Exhibit A.

On December 1, 2022, the Village of Germantown entered into an agreement with the Village of Richfield to extend Water and Sewer Utilities from Freistadt Road to a point north of Rockfield Road. The corridor for this utility work corresponds with the proposed 120-foot wide roadway corridor. See Exhibit B – Location Map.

This proposed road work includes a crossing of the existing railroad in the State of Wisconsin Department of Transportation right-of-way, operated by Wisconsin Southern Railroad under a lease agreement. See Exhibit C – Crossing Detail.

Currently, the existing private crossing is 32-feet wide. See Exhibit D - Agreements. The Office of the Commission of Railroads has jurisdiction over approval of railroad crossings, and a resolution from the Village Board is required to submit a petition to the OCR for the alteration and improvement of an at-grade crossing. See Exhibit E - Resolution.

Staff requests Village Board approval of a resolution to submit a petition to the Office of the Commission of Railroads for the alteration and improvement of an at-grade crossing. The anticipated schedule for this process with the OCR is approximately 6 months.

ATTACHMENT:

1. Exhibit A - Future Land Use
2. Exhibit B - RR Crossing Overview Map
3. Exhibit C - RR Crossing Detail
4. Exhibit D - Private Railroad Crossing Agreement (1972)
5. Exhibit E - Resolution

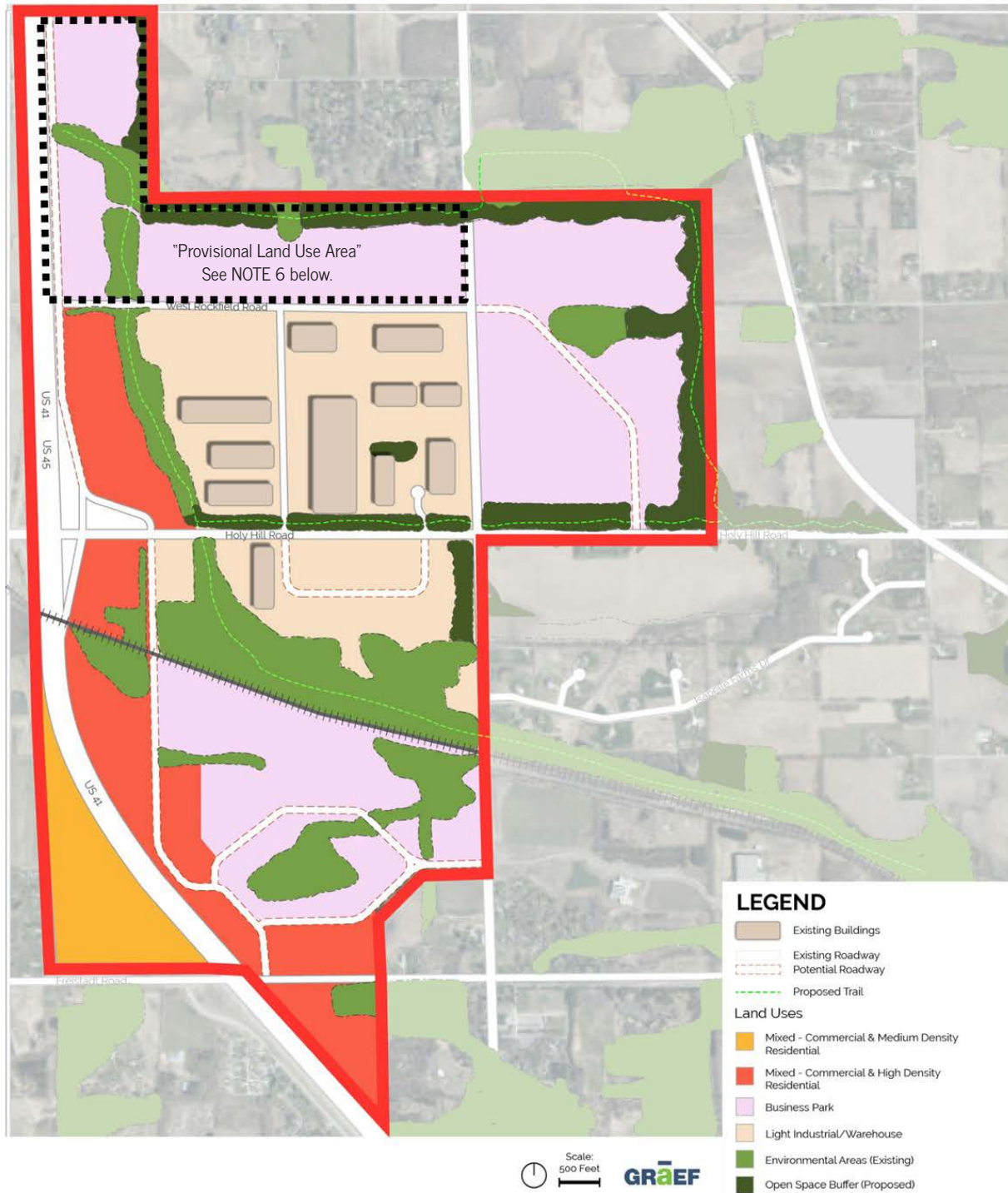
RECOMMENDATION:

Staff recommends the Village Board approve a resolution petitioning the Office of the Commission of Railroads for an Alternation of the Wisconsin & Southern Railroad private crossing to become a public road crossing.

ACTION BY Committee:

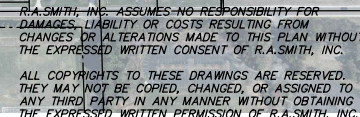
Proper parliamentary procedure to approve a request is to have a motion made in the affirmative and by voting NAY would deny the request if a majority vote.

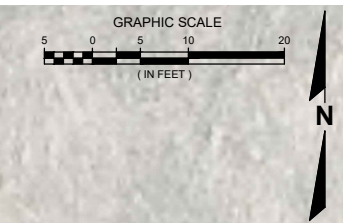
Figure 6.6 – Holy Hill Gateway & Freistadt District - Future Land Use Vision



NOTE 6:

Land use within the "Provisional Land Use Area" shall be consistent with the former 2020 Land Use Plan "Agricultural/Conservation Residential" designation that allows agricultural use and single-family residential use with a maximum density and minimum lot size of 1 dwelling per 5 acres. See Holy Hill Gateway District Profile in Chapter 5 for details on Master Planning.

Page 25 of 38



Know what's **below**.
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W62 N588 Washington Ave., Ste. 201
Cedarburg, WI 53012-2074
(262) 781-1000
crsmith.com

| Appleton, WI | Madison, WI
| Irvine, IL | Irvine, CA



Brookfield, WI | Milwaukee, WI | Appleton, WI | Madison, WI
Cedarburg, WI | Naperville, IL | Irvine, CA

**GERMANTOWN
B STREET RAILROAD CROSSING**

CROSSING DETAIL

||

© COPYRIGHT 2023 R.A. Smith, Inc.
DATE: MM/DD/YY
SCALE: 1" = 10'
JOB NO. ----
PROJECT MANAGER: ---
DESIGNED BY: ---
CHECKED BY: ---
SHEET NUMBER

EXHIBIT D

PRIVATE CROSSING AGREEMENT

THIS AGREEMENT, Made and entered into, this 13th day of July, 1972, by and between CHICAGO, MILWAUKEE, ST. PAUL AND PACIFIC RAILROAD COMPANY, a Wisconsin corporation, (hereinafter referred to as "Railroad"), and ALFRED H. STEINMAN, RICHARD A. STEINMAN and E. A. GALLUN, JR., Milwaukee, Wisconsin, (hereinafter referred to as "Licensee");

WITNESSETH:

That for and in consideration of the following undertakings, the parties hereto agree:

1. That Railroad does hereby grant Licensee the right and license to cross at grade over Railroad's track and right of way by means of a 32-foot private crossing, to be located at Engineer's Survey Station 1261+23, in the NW1/4, S.18, T.9N, R.20E, at or near the Town of Richfield, Washington County, Wisconsin, as indicated in yellow on plat dated July 1, 1969, hereto attached and hereof made a part.

2. That Railroad shall, at Licensee's sole cost and expense, install, maintain, repair, and renew said crossing.

Before any work is commenced hereunder, Licensee will deposit with the Railroad the sum of \$2,818.00 being the estimated cost of work to be performed by Railroad hereunder together with a \$50.00 preparation fee. If the said deposit shall prove to be more or less than the estimated amount, the difference, when known, shall be promptly paid by the Licensee or refunded by the Railroad Company, as the case may be.

3. That Licensee will, at its sole cost and expense, prepare the grading for the approaches to the said crossing and install the necessary drainage therefor and thereafter maintain,

repair, and renew the said approaches and drainage. All material used and all work performed hereunder will be of a quality as will meet the approval of Railroad's Chief Engineer.

4. That Licensee will, at its sole cost and expense, provide, install, and thereafter maintain two (2) "STOP" signs and two (2) "PRIVATE CROSSING" signs, one set of such signs on each side of the said crossing.

5. That Licensee assumes all risk of and indemnifies and saves harmless the Railroad of and from any claim, liability, loss, cost or expense resulting from loss of or damage to the property of the Railroad and the Licensee as well as their agents, servants, independent contractors and invitees and from injury to or death of the Railroad and of Licensee as well as their agents, servants, independent contractors and invitees, howsoever caused, resulting from or arising out of the presence or use of the said crossing.

Licensee shall, during the term of this agreement, provide and maintain liability insurance satisfactory to the Railroad, as will protect and relieve Licensee as well as the Railroad, of and from any and all liability and expense above referred to. Such insurance shall be in the form of a standard railroad protection insurance policy in the following minimum amounts:

PUBLIC LIABILITY

Bodily Injury	\$250,000.00 per person \$500,000.00 per occurrence
Property Damage	\$250,000.00 per occurrence \$500,000.00 per policy period

Certificates of such insurance shall carry an endorsement indicating that the Railroad is a co-insured party thereunder, and said certificates of insurance and endorsements thereto shall be filed with the Railroad.

6. That the right, license, and privilege herein granted shall continue in force until terminated by either party giving thirty (30) days' notice in writing to the other of a desire so to do.

7. That upon termination of the right, license and privilege herein granted, the Licensee shall promptly, at its sole cost and expense, restore the premises of the Railroad to their former state of usefulness. Upon failure of the Licensee so to do, Railroad may perform such work and the Licensee shall reimburse Railroad therefor.

8. That the Licensee shall not assign, the right, license and privilege herein granted, or any part thereof, without the consent in writing of the Railroad.

IN WITNESS WHEREOF, the parties hereto have caused this agreement to be duly executed as of the day and year first above written.

CHICAGO MILWAUKEE, ST. PAUL AND
PACIFIC RAILROAD COMPANY

T. Rivas
Witness

By H. Anderson
Assistant Vice President-Operation
and General Manager

Karen Schammel
Witness

Alfred H. Steinman
Alfred H. Steinman

Ray D. Vogel
Witness

Richard A. Steinman
Richard A. Steinman

Merle A. Stone
Witness

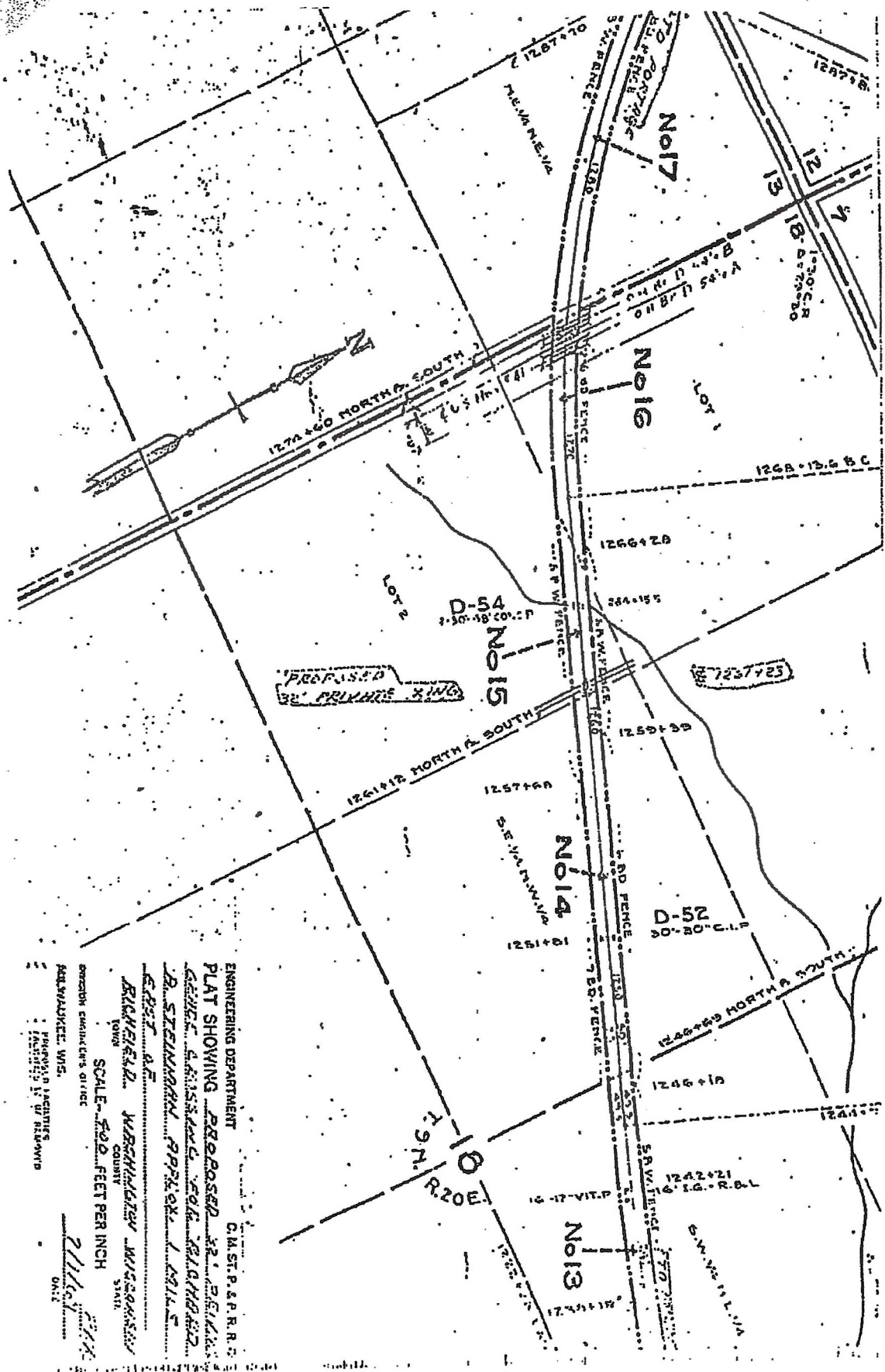
E. A. Gallun, Jr.
E. A. Gallun, Jr.

APPROVED

B. J. [Signature]
Vice President - Chief Engineer
C. M. & ST. P. & P. R. CO.

FORM APPROVED

[Signature]
General Attorney C. M. & ST. P. & P. R. CO.



ENGINEERING DEPARTMENT
 PLAT SHOWING PROPOSED R.R. SELLERS
 CREDIT & ASSOCIATE SELLERS BALDWIN
 R. STEINMANN APPROX. 1 MILE
 CREDIT & ASSOCIATE SELLERS BALDWIN
 RICHARD W. WASHINGTON
 TOWN OF WASHINGTON
 SCALE - 100 FEET PER INCH
 PREPARED BY W. R. RICHARDSON
 CHECKED BY W. R. RICHARDSON
 DATED 11/1/1914



Wisconsin & Southern Railroad Co.

P.O. Box 9229
5300 N. 33rd Street
Milwaukee, Wisconsin 53209-9229

Mr. Bernard Westfahl
Westfahl & Westfahl S.C.
930 Elm Grove Rd.
Elm Grove, WI

August 4, 1995

Dear Bernie:

This letter will serve as Wisconsin & Southern Railroad Co.'s. consent to the assignment of the private crossing agreement dated 7-31-72, a copy of which is attached, from Alfred Steinman, Richard Steinman and E.A. Gallum Jr. to Holy Hill self storage LLC. The parties agree that the following paragraphs are considered additions to and/or modifications of the original agreement.

9. That licensee will, at its sole cost and expense, keep the weeds, brush and other vegetation on each side of the crossing cut and mowed so as to provide adequate crossing visibility, to Railroad. Satisfactory visibility shall generally be provided by clearing a vision triangle from the railroads property line to a point 330 feet along the centerline of the tracks in each quadrant of the crossing. All obstructions within the vision triangle including, but not limited to, earth embankments and vegetation shall be kept at a maximum height of 3 feet 6 inches above the surface approach.

10. That licensee shall not and will not permit the crossing to be used for public crossing. Licensee's use of the crossing shall at all times be subordinate to the rights of the Railroad and such as not to in any way interfere with or impair any authorized use of the right-of-way, tracks, or other facilities of the Railroad or in any way to interfere with, obstruct, or endanger railroad operations.

11. That any change of use of this crossing shall be subject to review and approval by the railroad. The determination as to a change of use shall be based on a significant change in the volume of traffic or the type of vehicle using the crossing.



Wisconsin & Southern Railroad Co.

P.O. Box 9229
5300 N. 33rd Street
Milwaukee, Wisconsin 53209-9229

-2-

August 4, 1995

12. That if the Railroad or Licensee is ordered by competent authority to provide additional crossing protection at the crossing, the cost thereof shall be borne by the licensee.

13. That Licensee does not and shall not have at any time any interest or estate of any kind whatsoever in or across identified right-of-way, track, facilities, or premises by virtue of this document or of the occupancy or of the use hereunder. The Licensee acquires no further rights, title or interest therein, and does not attain any right to relocation costs or similar rights at termination of this Permit.

14. Licensee agrees that insurance limits will be increased as noted below:

Public Liability

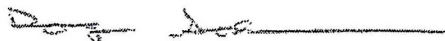
Bodily Injury

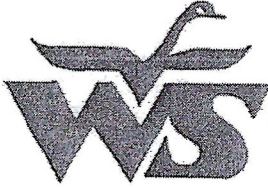
\$1,000,000 per person.
\$2,000,000 per occurrence.

Property Damage

\$1,000,000 per occurrence.
\$2,000,000 per policy period.

Sincerely,


Roger Schrieber
Executive V.P.



Wisconsin & Southern Railroad Co.

P.O. Box 9229
5300 N. 33rd Street
Milwaukee, Wisconsin 53209-9229

-3-

August 4, 1995

Wisconsin & Southern Railroad Co.

By Ray Lee

Ben Meighan
Witness

Title Exec V.P.

Date 9-7-95

Holy Hill Self Storage LLC.

By Timothy J. [Signature]

Benjamin [Signature]
Witness

Title owner

Date 9/5/95

EXHIBIT E

VILLAGE OF GERMANTOWN

RESOLUTION NO. ____-2024

A RESOLUTION PETITIONING THE OFFICE OF THE COMMISSIONER OF
RAILROADS FOR ALTERATION OF THE WISCONSIN & SOUTHERN
RAILROAD PRIVATE RAIL CROSSING TO BECOME A PUBLIC ROAD CROSSING
IN THE VILLAGE OF GERMANTOWN, WASHINGTON COUNTY

WHEREAS, Wisconsin & Southern Railroad, LLC maintains an active rail line in the Village which has a private crossing on Freistadt Road which is identified as Crossing No. 386894G/ MP 109.08; and

WHEREAS, the private crossing, in its current form, was established by the Agreement dated July 13, 1972, and amended August 4, 1995; and

WHEREAS, on September 22, 2022, the Village of Germantown adopted its 2050 Comprehensive Plan that includes a roadway corridor with a frontage road from Freistadt Road to a point north of Rockfield Road and that crosses the State of Wisconsin Department of Transportation right-of-way currently occupied by the Wisconsin & Southern Railroad operations; and

WHEREAS, on December 1, 2022, the Village of Germantown entered into an agreement with the Village of Richfield for the extension of sewer and water utilities along this same corridor that crosses the State of Wisconsin Department of Transportation right-of-way currently occupied by the Wisconsin & Southern Railroad operations; and

WHEREAS, the Village of Germantown proposes to alter and improve the at-grade crossing of the private road, with a public street crossing the track of the Wisconsin & Southern Railroad; and

WHEREAS, the alteration of the public crossing is necessary to promote public safety and convenience; and

WHEREAS, Section 195.29 of the Wisconsin Statutes authorizes the Office of the Commissioner of Railroads to determine whether the alteration of a public crossing is necessary to promote public safety and convenience, to determine any necessary warning devices for a public crossing, and to apportion the costs from the crossing, including the costs related to automatic warning devices;

NOW THEREFORE, BE IT RESOLVED by the Village Board of the Village of Germantown that the Village Attorney and Village staff are authorized and directed to take all necessary steps to petition the Office of the Commissioner of Railroads for an investigation and order to approve the alteration of the public crossing, including the determination of the necessity of any warning devices and the apportionment of the costs thereof.

Introduced by: _____

Adopted: January 15, 2024

Vote: Ayes: _____

Nays: _____

Dean M. Wolter, Village President

ATTEST:

Donna Cox
Village Clerk

BUSINESS OF THE PUBLIC WORKS & HIGHWAYS COMMITTEE

MEETING DATE: January 9, 2024

PLACEMENT: Presentation

ITEM TITLE: Division Road Reconstruction Strategy

SUBMITTED BY: Matthew Mortwedt, Public Works Director

SUMMARY EXPLANATION:

Staff is presenting preliminary estimates for reconstruction of Division Road and related topics.

For discussion:

1. Scope of the project – Asphalt pavement reconstruction only; or additional asphalt (turning lanes), curb and gutter, street lighting, and sidewalks/paths.
2. Utility considerations
 - a. Future upgrade of Old Farm Lift Station and upgrade or parallel run of force main south along division and west on Donges Bay Road.
 - b. The water main is approximately 30 years old with a useful life of 100 years and no substantial history or repairs.
3. Funding strategy
 - a. Grant Funding
 - i. LRIP (January 2024)
 - ii. STP Urban Grant Application (Fall 2024)
 - b. ARPA funding
 - c. Traditional funding methods
4. Timing

ATTACHMENT:

1. 010924 - PWHC - Division Road Estimate

RECOMMENDATION:

Establish a hybrid and phased approach to the reconstruction. Use a portion of the remaining ARPA funds to begin design.

ACTION BY Committee:

Preliminary Construction Estimate for Division Rd

Item	Quantity	Unit	Unit Price	Cost
Removals				
Pavement*	29000	Sq. Yard	0.00	0.00
Curb and Gutter	2215	Feet	10.00	22,150.00
Sidewalk	45520	Sq. Feet	5.00	227,600.00
Guardrail	138	Feet	3.00	414.00
Manholes / Inlets	8	Each	500.00	4,000.00
Culvert Pipes	12	Each	350.00	4,200.00
Earthwork				
Common Excavation (Cut)	29000	Cubic Yard	22.00	638,000.00
Borrow Excavation (Fill)	0	Cubic Yard	0.00	0.00
Rock Excavation	0	Cubic Yard	0.00	0.00
Roadway				
Base Aggregate Dense	20,700	Ton	22.00	455,400.00
Asphalt Pavement	10,700	Ton	90.00	963,000.00
Concrete Pavement**	0	Sq Yard	40.00	0.00
Curb and Gutter	7500	Feet	20.00	150,000.00
Sidewalk	60000	Sq Feet	5.00	300,000.00
Beam Guard	150	Feet	25.00	3,750.00
Beam Guard Terminals	2	Each	4,500.00	9,000.00
Drainage				
Storm Sewer Pipe	1500	Feet	95.00	142,500.00
Inlets and Covers	20	Each	1,750.00	35,000.00
Manholes and Covers	5	Each	3,500.00	17,500.00
Culvert Pipes	500	Feet	85.00	42,500.00
Signing and Marking				
Signs	70	Each	350.00	24,500.00
Pavement Marking	30000	Feet	1.50	45,000.00
Electrical				
Traffic Signals	0	Lump Sum	0.00	0.00

Street Lighting	1	Lump Sum	350,000.00	350,000.00
Bridges and Box Culverts				
Parapet Removal	1	Lump Sum	5,000.00	5,000.00
Other Significant Items				
Breaker Run	23000	Ton	22.00	506,000.00
Traffic Control	1	Lump Sum	50,000.00	50,000.00
Erosion Control	1	Lump Sum	75,000.00	75,000.00
Subtotal				\$4,070,514.00
6% Mobilization				\$244,230.84
25% Misc. Items				\$1,017,628.50
Total				\$5,332,373.34

*Removal captured in common excavation

**Not considered

Preliminary Design Estimate for Division Rd

Low End Estimate	1	Lump Sum	\$250,000.00	\$250,000.00
High End Estimate*	1	Lump Sum	\$500,000.00	\$500,000.00

*The larger the scope and complexity the closer design will approach this number