

STATE/MUNICIPAL AGREEMENT  
 FOR A  
 RAILROAD CROSSING IMPROVEMENT  
 PROJECT

DATE: May 10, 2023  
 I.D.: 5991-07-46 HWY: Sims Place  
 TITLE: C La Crosse, Sims Place  
 SUBTITLE: BNSF RR XING 917431D  
 COUNTY: La Crosse LENGTH: 0.0 miles

The signatory, City of La Crosse, hereinafter called the Municipality, through its undersigned duly authorized officers or officials, hereby requests the State of Wisconsin Department of Transportation, hereinafter called the State, to initiate and effect the highway or street improvement hereinafter described.

The authority for the Municipality to enter into this agreement with the State is extended by Section 86.25(1), (2), and (3) of the Statutes.

NEEDS AND ESTIMATE SUMMARY:

Existing Facility: Current at-grade crossing is signalized and is interconnected with adjacent at-grade RR crossing (USH 14/South Avenue) and roadway intersection (USH 14 & Green Bay St.) but does not meet current safety standards for interconnected at-grade crossing (no gate to prevent cuing between RR crossing and roadway intersection). Existing pedestrian crosswalk terminates on the North end on the RR tracks causing a safety hazard for pedestrians.

Proposed Improvement: It is proposed to add a concrete median island in conjunction with RR mast mounted signals with gates as well as relocate pedestrian crosswalk away from at-grade RR crossing. The project is programmed for construction in 2023.

Non-participating Items: None.

PHASE	Total Est. Cost	Federal/ State Funds	%	Municipal Funds	%
Construction:					
Participating	\$28,316.99	\$25,485.29	90%	\$2,831.70	10%
Non-Participating	\$0	\$0	0%	\$0	0%
State Review	\$283.17	\$254.85	90%	\$28.32	90%
Construction Total	\$28,600.16	\$25,740.14	90%	\$2,860.02	90%
Total Cost Distribution	\$28,600.16	\$25,740.14		\$2,860.02	

**\*Project costs in excess of 10% of total estimated cost must receive Region approval.**

This request is subject to the terms and conditions that follow (pages 2-3) and is made by the undersigned under proper authority to make such request for the designated Municipality and upon acceptance by the State shall constitute agreement between the Municipality and the State.

Signed for and in behalf of City of La Crosse:

\_\_\_\_\_ Name

\_\_\_\_\_ Title

\_\_\_\_\_ Date

## TERMS AND CONDITIONS:

1. The initiation and accomplishment of the improvement will be subject to the applicable Federal and State regulations.
2. The Municipality will pay to the State all costs incurred by the State in connection with the improvement which exceed Federal/State financing commitments or are ineligible for Federal/State financing.
3. Funding of each project phase (preliminary engineering, real estate, construction, and other) is subject to inclusion in an approved program. Federal aid and/or State highway fund financing will be limited to participation in the costs of the following items:
  - (a) The grading, base, and pavement.
  - (b) Construction engineering incidental to inspection and supervision of actual construction work.
  - (c) State review services.
4. Work necessary to complete the improvement to be financed entirely by the Municipality or other utility or facility owner includes the following items:
  - (a) New installation of or alteration of sanitary sewers and connections, water, gas, electric, telephone, telegraph, fire or police alarm facilities, parking meters, and similar utilities.
  - (b) Damages to abutting property due to change in street or sidewalk widths, grades or drainage.
  - (c) State review services.
5. As the work progresses, the Municipality will be billed and agrees to pay for work completed which is not chargeable to Federal/State funds. Upon completion of the project, a final audit will be made to determine the final division of costs and the Municipality agrees to pay any required reimbursement to the State.
6. If the Municipality should withdraw the project, it will reimburse the State for any costs incurred by the State in behalf of the project.
7. The work will be administered by the State and may include items not eligible for Federal/State participation.
8. The Municipality will at its own cost and expense:
  - (a) Maintain all portions of the project that lie within its jurisdiction for such maintenance through statutory requirements, in a manner satisfactory to the State and will make ample provision for such maintenance each year.
9. In order to guarantee the Municipality's foregoing agreements to pay the State, the Municipality, through its above duly authorized officers or officials, agrees and authorizes the State to set off and withhold the required reimbursement amount as determined by the State from any moneys otherwise due and payable by the State to the Municipality.

10. The basis for local participation is as follows:

ID 5991-07-46: 90%/10% Railroad Crossing Improvement Program.