

ROUTINE MAINTENANCE AGREEMENT

Wisconsin Department of Transportation

Calendar year 2020

SAUK COUNTY

The State of Wisconsin Department of Transportation (hereafter called the Department) authorizes the maintenance project herein described, and the above designated County, represented by its County Highway Committee and Highway Commissioner, agrees to perform such operations and furnish such materials as listed below. It is understood that the maintenance services authorized under this agreement shall be accomplished in compliance with state and federal law, the Highway Maintenance Manual and under the general direction of the Department. Payment for services provided under this agreement shall be made to the county based on actual labor, including fringe benefit costs, machinery allowances as specified in the current MAINTENANCE MANUAL, CHAPTER 2, and material purchases authorized by the Department. Such payment shall be made upon presentation of accounts itemized and verified in accordance with regulations of the Department.

In connection with the services provided under this agreement, the County agrees not to discriminate against any employee or applicant for employment because of sex, age, race, religion, color, handicap, physical condition, developmental disability as defined in s.51.05(5), sexual orientation, or national origin. This provision shall include, but not be limited to the following: employment upgrading, demotion or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. The County further agrees to post in a conspicuous place, available for employees and applicants for employment, notices setting forth these provisions.

The disclaimer language as contained in the State Highway Maintenance Manual is included in this agreement by reference. The County is obligated to provide services under this agreement only to the extent it receives Department funding for the same. The Department recognizes that the County does not warrant that maintenance funds provided by the Department are sufficient to provide for a uniform level of service or standard of state highway maintenance applicable to all situations. Certain factors, including but not limited to, weather restrictions and funding or labor shortages, may make universal, year-round compliance with the goals expressed within this manual impossible to achieve.

Estimated county costs		
By asset class project ID		
Asset class project ID	Asset class description	Estimated county costs
0056-01-01	Roadways - Asphalt	\$356,400
0056-01-03	Roadways - Concrete	\$100,000
0056-01-05	Roadways - Shoulders	\$95,000
0056-01-07	Miscellaneous Maintenance	\$120,000
0056-01-11	Winter	\$707,700
0056-01-21	Structures-RMA	\$115,000
0056-01-31	Roadsides - Facilities	\$145,000
0056-01-33	Roadsides - Vegetation	\$366,000
0056-01-35	Roadsides-TIC/Rest Area	\$25,100
0056-01-40	Administration Non Patrol Supervision	\$124,300
0056-01-41	Administration Patrol Supervision	\$110,000
0056-01-53	Miscellaneous	\$1,000
0056-01-61	Traffic Sign Repair	\$13,000
Total		\$2,278,500

Approvals

Total estimated county costs	
By expenditure category	
COUNTY LABOR	\$1,095,750
COUNTY EQUIPMENT	\$818,250
COUNTY MATERIALS	\$155,600
ADMINISTRATIVE SUPPORT	\$208,900
Total	\$2,278,500

ROUTINE MAINTENANCE AGREEMENT

Roadways - Asphalt

Wisconsin Department of Transportation

Calendar year 2020

SAUK COUNTY

0056-01-01

The Routine Maintenance program on the State Trunk Highway System in SAUK County shall be performed as indicated below:

SAUK COUNTY HIGHWAY DEPARTMENT

The county highway department shall provide the labor, equipment and authorized materials needed to complete routine maintenance activities as prescribed in chapter 4 and 5 of the HMM on the State Trunk Highway System in SAUK County with the following additions, clarifications and/or exclusions as defined by the Region:

Activity codes	Descriptions
001	Asphalt Spot Repair/Pothole Repair
002	Asphalt Crack Sealing
003	Asphalt Seal Coating
004	Asphalt Wedging/Rut Filling
005	Asphalt Milling/Bump Removal
008	Asphalt Thin Resurfacing
009	Traffic Control Roadway Asphalt

There is no identified work for this Maintenance Project ID.

Estimated county costs	
<i>For Roadways - Asphalt</i>	
COUNTY LABOR	\$181,000
COUNTY EQUIPMENT	\$118,900
COUNTY FURNISHED MATERIALS	\$41,000
ADMINISTRATIVE SUPPORT	\$15,500
Total	\$356,400

ROUTINE MAINTENANCE AGREEMENT

Roadways - Concrete

Wisconsin Department of Transportation

Calendar year 2020

SAUK COUNTY

0056-01-03

The Routine Maintenance program on the State Trunk Highway System in SAUK County shall be performed as indicated below:

SAUK COUNTY HIGHWAY DEPARTMENT

The county highway department shall provide the labor, equipment and authorized materials needed to complete routine maintenance activities as prescribed in chapter 4 and 5 of the HMM on the State Trunk Highway System in SAUK County with the following additions, clarifications and/or exclusions as defined by the Region:

Activity codes	Descriptions
011	Emergency Repair of Concrete Pavement
012	Non-emergency Repair of Concrete Pavement
013	Repair of Distressed Concrete Pavement
014	Traffic Control Roadway Concrete

There is no identified work for this Maintenance Project ID.

Estimated county costs	
<i>For Roadways - Concrete</i>	
COUNTY LABOR	\$50,000
COUNTY EQUIPMENT	\$36,000
COUNTY FURNISHED MATERIALS	\$10,000
ADMINISTRATIVE SUPPORT	\$4,000
Total	\$100,000

ROUTINE MAINTENANCE AGREEMENT

Roadways - Shoulders

Wisconsin Department of Transportation

Calendar year 2020

SAUK COUNTY

0056-01-05

The Routine Maintenance program on the State Trunk Highway System in SAUK County shall be performed as indicated below:

SAUK COUNTY HIGHWAY DEPARTMENT

The county highway department shall provide the labor, equipment and authorized materials needed to complete routine maintenance activities as prescribed in chapter 4 and 5 of the HMM on the State Trunk Highway System in SAUK County with the following additions, clarifications and/or exclusions as defined by the Region:

Activity codes	Descriptions
021	Gravel Shoulders
022	Paved Shoulders
024	Sweeping Shoulders
025	Traffic Control Roadway Shoulders

There is no identified work for this Maintenance Project ID.

Estimated county costs	
<i>For Roadways - Shoulders</i>	
COUNTY LABOR	\$49,700
COUNTY EQUIPMENT	\$35,500
COUNTY FURNISHED MATERIALS	\$6,000
ADMINISTRATIVE SUPPORT	\$3,800
Total	\$95,000

ROUTINE MAINTENANCE AGREEMENT

Miscellaneous Maintenance

Wisconsin Department of Transportation

Calendar year 2020

SAUK COUNTY

0056-01-07

The Routine Maintenance program on the State Trunk Highway System in SAUK County shall be performed as indicated below:

SAUK COUNTY HIGHWAY DEPARTMENT

The county highway department shall provide the labor, equipment and authorized materials needed to complete routine maintenance activities as prescribed in chapter 5 and 7 of the HMM on the State Trunk Highway System in SAUK County with the following additions, clarifications and/or exclusions as defined by the Region:

Activity codes	Descriptions
031	Sweeping Pavement
032	Miscellaneous Traffic Control
033	Surveillance
035	Hazardous Debris Removal

There is no identified work for this Maintenance Project ID.

Estimated county costs	
<i>For Miscellaneous Maintenance</i>	
COUNTY LABOR	\$95,600
COUNTY EQUIPMENT	\$19,100
ADMINISTRATIVE SUPPORT	\$5,300
Total	\$120,000

ROUTINE MAINTENANCE AGREEMENT

Winter

Wisconsin Department of Transportation

Calendar year 2020

SAUK COUNTY

0056-01-11

The Winter Maintenance program on the State Trunk Highway System in SAUK County shall be performed as indicated below:

SAUK COUNTY HIGHWAY DEPARTMENT

The county highway department shall provide the labor, equipment and authorized materials needed to complete routine maintenance activities as prescribed in chapter 5 and 6 of the HMM on the State Trunk Highway System in SAUK County with the following additions, clarifications and/or exclusions as defined by the Region:

Activity codes	Descriptions
070	Trucking Brine
071	Plow & Apply Chemicals
072	Non Storm Related Winter Activities
073	Apply Liquid Anti-Icing Chemicals
077	Alternate Chemicals
078	Trucking Salt: Shed to Shed within County
079	Trucking Salt: Depot to User County Shed OR County to County
097	Traffic Control for Winter Work

There is no identified work for this Maintenance Project ID.

Estimated county costs	
<i>For Winter</i>	
COUNTY LABOR	\$302,300
COUNTY EQUIPMENT	\$355,000
COUNTY FURNISHED MATERIALS	\$21,400
ADMINISTRATIVE SUPPORT	\$29,000
Total	\$707,700

ROUTINE MAINTENANCE AGREEMENT

Structures-RMA

Wisconsin Department of Transportation

Calendar year 2020

SAUK COUNTY

0056-01-21

The routine bridge and ferry maintenance and operation program on the State Trunk Highway System in SAUK County shall be performed as indicated below:

SAUK COUNTY HIGHWAY DEPARTMENT

The SAUK County Highway Department shall provide the labor, equipment and authorized materials needed to complete routine maintenance and/or operation of bridges and ferry located on the State Trunk Highway System in SAUK County with the following additions, clarifications and/or exclusions as defined by the Region:

A WORK LIST WILL BE PROVIDED BY WISDOT OF BRIDGES REQUIRING MAINTENANCE WORK TO BE COMPLETED THROUGH THIS CONTRACT. THIS WORK LIST WILL INCLUDE BRIDGE CLEANING, WASHING, AND OTHER MAINTENANCE WORK TO BE COMPLETED THROUGHOUT THE 2020 YEAR.

COLUMBIA COUNTY BRIDGE, B-11-0087 IS MAINTANINED BY SAUK COUNTY.

Activity codes	Descriptions
059	Paint
060	Deck
061	Maintain/Repair Superstructure
062	Maintain/Repair Substructure
063	Waterway/Slope Repair
065	Traffic Control for Structures/Bridge Inspections
066	Joint
067	Bearing
068	Railing
069	Approach

There is no identified work for this Maintenance Project ID.

Estimated county costs	
<i>For Structures-RMA</i>	
COUNTY LABOR	\$55,000
COUNTY EQUIPMENT	\$32,000
COUNTY FURNISHED MATERIALS	\$23,000
ADMINISTRATIVE SUPPORT	\$5,000
Total	\$115,000

ROUTINE MAINTENANCE AGREEMENT

Roadsides - Facilities

Wisconsin Department of Transportation

Calendar year 2020

SAUK COUNTY

0056-01-31

The Routine Maintenance program on the State Trunk Highway System in SAUK County shall be performed as indicated below:

SAUK COUNTY HIGHWAY DEPARTMENT

The county highway department shall provide the labor, equipment and authorized materials needed to complete routine maintenance activities as prescribed in chapter 5, 6 and 7 of the HMM on the State Trunk Highway System in SAUK County with the following additions, clarifications and/or exclusions as defined by the Region:

Activity codes	Descriptions
051	Clean/Repair/Replace Drainage Structure
052	Maintain Roadside Drainage
055	Maintain Safety Appurtenances
058	Traffic Control Roadside Facilities

Job Id	County in which work will be done	Highway Number	Asset ID	Location	Earliest Start Date	Latest End Date	Attachment specific to this work?	Estimated County Costs
	56 - SAUK	STH 60		Spring Green - Fox Road	03/16/2020	05/01/2020		\$35,000
Work Description: Installation only, 4 CMCP (1-72", 2-60", 1-48") & 12 Culvert extensions), includes some ditching								

Estimated county costs	
<i>For Roadsides - Facilities</i>	
COUNTY LABOR	\$69,000
COUNTY EQUIPMENT	\$57,000
COUNTY FURNISHED MATERIALS	\$10,000
ADMINISTRATIVE SUPPORT	\$9,000
Total	\$145,000

ROUTINE MAINTENANCE AGREEMENT

Roadsides - Vegetation

Wisconsin Department of Transportation

Calendar year 2020

SAUK COUNTY

0056-01-33

The Routine Maintenance program on the State Trunk Highway System in SAUK County shall be performed as indicated below:

SAUK COUNTY HIGHWAY DEPARTMENT

The county highway department shall provide the labor, equipment and authorized materials needed to complete routine maintenance activities as prescribed in chapter 5 and 7 of the HMM on the State Trunk Highway System in SAUK County with the following additions, clarifications and/or exclusions as defined by the Region:

Activity codes	Descriptions
041	Mowing
042	Litter Pickup
043	Woody Vegetation
044	Control of Unwanted Vegetation
045	Urban Mowing
046	Emerald Ash Borer Tree Removal
048	Traffic Control Roadside Vegetation

Job Id	County in which work will be done	Highway Number	Asset ID	Location	Earliest Start Date	Latest End Date	Attachment specific to this work?	Estimated County Costs
	56 - SAUK	Varouse STH's		Various locations in county	01/01/2020	04/30/2020		\$40,000
Work Description: Cut, remove, grind strumps & restoration all dead ash trees (& other species) in all public waysides in county.								

Estimated county costs	
<i>For Roadsides - Vegetation</i>	
COUNTY LABOR	\$185,000
COUNTY EQUIPMENT	\$153,000
COUNTY FURNISHED MATERIALS	\$10,200
ADMINISTRATIVE SUPPORT	\$17,800
Total	\$366,000

ROUTINE MAINTENANCE AGREEMENT

Roadsides-TIC/Rest Area

Wisconsin Department of Transportation

Calendar year 2020

SAUK COUNTY

0056-01-35

The Routine Maintenance program on the State Trunk Highway System in SAUK County shall be performed as indicated below:

SAUK COUNTY HIGHWAY DEPARTMENT

The county highway department shall provide the labor, equipment and authorized materials needed to complete routine maintenance activities as prescribed in chapter 5 and 7 of the HMM on the State Trunk Highway System in SAUK County with the following additions, clarifications and/or exclusions as defined by the Region:

Activity codes	Descriptions
053	Maintain/Repair Buildings
054	Maintain Facility Grounds

There is no identified work for this Maintenance Project ID.

Estimated county costs	
<i>For Roadsides-TIC/Rest Area</i>	
COUNTY LABOR	\$12,500
COUNTY EQUIPMENT	\$6,000
COUNTY FURNISHED MATERIALS	\$5,800
ADMINISTRATIVE SUPPORT	\$800
Total	\$25,100

ROUTINE MAINTENANCE AGREEMENT

Administration Non Patrol Supervision

Wisconsin Department of Transportation

Calendar year 2020

SAUK COUNTY

0056-01-40

The Routine Maintenance program on the State Trunk Highway System in SAUK County shall be performed as indicated below:

SAUK COUNTY HIGHWAY DEPARTMENT

The county highway department shall provide the labor, equipment and authorized materials needed to complete routine maintenance activities as prescribed in chapter 2 of the HMM on the State Trunk Highway System in SAUK County with the following additions, clarifications and/or exclusions as defined by the Region:

Activity codes	Descriptions
017	Training
018	Back Pay
091	Fixed Costs Reimbursements

There is no identified work for this Maintenance Project ID.

Reimbursement costs	
<i>For Administration Non Patrol Supervision</i>	
Equipment Storage Reimbursement	\$80,000
GPL Insurance	\$20,000
Radio	\$5,400
Salt Storage Reimbursement	\$4,000
Total	\$109,400

Estimated county costs	
<i>For Administration Non Patrol Supervision</i>	
COUNTY LABOR	\$4,000
COUNTY FURNISHED MATERIALS	\$6,800
ADMINISTRATIVE SUPPORT	\$113,500
Total	\$124,300

ROUTINE MAINTENANCE AGREEMENT

Administration Patrol Supervision

Wisconsin Department of Transportation

Calendar year 2020

SAUK COUNTY

0056-01-41

The supervision and direction of SAUK County Highway Department personnel performing maintenance on the State Trunk Highway System in SAUK County shall be the Patrol Superintendent(s) responsibility under the supervision of the County Highway Commissioner and the overall direction of the Wisconsin Department of Transportation. Reimbursement for the Patrol Superintendent(s) as prescribed in chapter 2 of the HMM for time, travel, and other incidents shall be outlined below:

SAUK COUNTY HIGHWAY DEPARTMENT

Since the State requires approximately 90.0 percent of 1 Patrol Superintendent(s) time to supervise and direct the county maintenance forces performing work for the State, the State agrees to pay 90.0 percent of the county's cost for the following items:

1. Salary and fringe Benefits
2. Transportation Costs at the per mile rate for Class 120 - Patrol Superintendent(s) Vehicles
3. Meals & Lodging, if appropriate
4. Training or Conferences, if approved by the DTSD Regional Director

Activity codes	Descriptions
093	Supervision/Engineering
094	Training
095	Back Pay

There is no identified work for this Maintenance Project ID.

Estimated county costs	
<i>For Administration Patrol Supervision</i>	
COUNTY LABOR	\$86,300
COUNTY FURNISHED MATERIALS	\$19,200
ADMINISTRATIVE SUPPORT	\$4,500
Total	\$110,000

ROUTINE MAINTENANCE AGREEMENT

Miscellaneous

Wisconsin Department of Transportation

Calendar year 2020

SAUK COUNTY

0056-01-53

The routine bridge and ferry maintenance and operation program on the State Trunk Highway System in SAUK County shall be performed as indicated below:

SAUK COUNTY HIGHWAY DEPARTMENT

The SAUK County Highway Department shall provide the labor, equipment and authorized materials needed to complete routine maintenance and/or operation of bridges and ferry located on the State Trunk Highway System in SAUK County with the following additions, clarifications and/or exclusions as defined by the Region:

Activity codes	Descriptions
059	Paint
060	Deck
061	Maintain/Repair Superstructure
062	Maintain/Repair Substructure
063	Waterway/Slope Repair
065	Traffic Control for Structures/Bridge Inspections
066	Joint
067	Bearing
068	Railing
069	Approach

There is no identified work for this Maintenance Project ID.

Estimated county costs	
<i>For Miscellaneous</i>	
COUNTY LABOR	\$450
COUNTY EQUIPMENT	\$400
COUNTY FURNISHED MATERIALS	\$100
ADMINISTRATIVE SUPPORT	\$50
Total	\$1,000

ROUTINE MAINTENANCE AGREEMENT

Traffic Sign Repair

Wisconsin Department of Transportation

Calendar year 2020

SAUK COUNTY

0056-01-61

The Routine Maintenance program on the State Trunk Highway System in SAUK County shall be performed as indicated below:

SAUK COUNTY HIGHWAY DEPARTMENT

The county highway department shall provide the labor, equipment and authorized materials needed to complete routine maintenance activities as prescribed in chapter 5 of the HMM on the State Trunk Highway System in SAUK County with the following additions, clarifications and/or exclusions as defined by the Region:

Activity codes	Descriptions
081	Permanent Sign Repair
085	Temporary/Emergency Sign Repair
087	Traffic Control for Traffic Work

There is no identified work for this Maintenance Project ID.

Estimated county costs	
<i>For Traffic Sign Repair</i>	
COUNTY LABOR	\$4,900
COUNTY EQUIPMENT	\$5,350
COUNTY FURNISHED MATERIALS	\$2,100
ADMINISTRATIVE SUPPORT	\$650
Total	\$13,000

Statewide Addendum for RMA
ROUTINE MAINTENANCE AGREEMENT
Wisconsin Department of Transportation

Calendar year 2020

SAUK COUNTY

(1) In the event that County makes a good faith determination that County's adherence to the guidelines, procedures, and standards set forth in the Wisconsin Department of Transportation's ("WisDOT") State Highway Maintenance Manual, as in effect and updated during the term of this Agreement (the "Maintenance Manual") in the maintenance, upkeep, and/or repair of State highways pursuant to this Agreement may, directly or indirectly, expose County to liability for damages related to Section 893.83(1), Stats., County may, in the exercise of County's discretion, contact WisDOT and present it with a written summary of the facts and circumstances concerning County's specific maintenance/repair request (the "Maintenance/Repair Authorization Request").

(2) In the event that County presents WisDOT with a Maintenance Repair Authorization Request, WisDOT shall review the Maintenance Repair Authorization Request and shall provide County with WisDOT's written specifications and decision (the "WisDOT Maintenance Decision") within three (3) business days of its receipt concerning County's execution of any and all work set forth in the Maintenance Repair Authorization Request. WisDOT's Maintenance Decision represents its official, governmental decision and shall be a directive to County, requiring that County's actions shall conform to the written specifications set forth in the WisDOT Maintenance Decision.

(3) WisDOT's Maintenance Decision renders it solely WisDOT's decision for County to proceed or refrain from proceeding with the maintenance work set forth in the Maintenance Repair Authorization Request. County and WisDOT expressly acknowledge that the foregoing procedure is intended to conform to the Wisconsin Court of Appeals' holding in *Estate of Lyons v. CNA Insurance Companies and Strand Associates, Inc.* and *Donna K. Waller*, 207 Wis. 2d 446 (1996).

(4) WisDOT shall reimburse County for its Actual Costs (as defined below) incurred in defending any lawsuits initiated against County on or after January 1, 2020, as a result of County's adherence to WisDOT's Maintenance Decision in the following amounts: (a) in an amount not to exceed Fifty Thousand and 00/100 (\$50,000.00) Dollars per occurrence (the "Per-Occurrence Cap"), and (b) up to a combined annual amount for all Seventy Two (72) state counties in an amount not to exceed One Million and 00/100 (\$1,000,000.00) Dollars (the "Annual Cap"). For purposes of this Addendum, "Actual Costs" are defined as all actual expenses incurred by County for legal representation and investigative services in defending any lawsuits initiated against County on or after January 1, 2020, as a result of County's adherence to WisDOT's Maintenance Decision.

(5) The specific procedures for WisDOT's reimbursement of County pursuant to paragraph (4), including but not limited to County's submission to WisDOT of appropriate documentation of County's legal and/or investigation expenses, shall be set forth in the Maintenance Manual.

(6) County shall not be eligible for reimbursement of its Actual Costs until such a time as (a) legal proceedings have been instituted against County in the form of County being served with a Summons and Complaint, and (b) notice of such legal proceedings and a copy of the Summons and Complaint has been delivered by certified mail to WisDOT, Office of General Counsel, 4822 Madison Yards Way, Room S922, P.O. Box 7910, Madison, WI 53707-7910. In the event that County is served with a Summons and Complaint and WisDOT has been properly notified.

(7) In accordance with this paragraph, County shall be eligible for reimbursement of Actual Costs incurred retroactive to the date of filing of any formal Notice of Claim which preceded service of the Summons and Complaint.

(8) The reference to Section 893.83(1) of this Addendum notwithstanding, it is WisDOT's position that the provisions of Section 893.83(1) are not applicable to the County's performance of maintenance on the Wisconsin state trunk highway system pursuant to the Routine Maintenance Agreement, entered into between WisDOT and County pursuant to Subsection 84.07(1), Stats.