

Local Roads Improvement Program (LRIP)

Guidelines and Requirements for Towns

2012 - 2013 Program Cycle



Town of Christiana, Dane County

LRIP homepage is located at:

<http://www.dot.wisconsin.gov/localgov/highways/lrip.htm>

Launch the LRIP Web Site:

<http://www.dot.wisconsin.gov/localgov/highways/lrip-system.htm>

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LOCAL ROADS IMPROVEMENT PROGRAM (LRIP) OVERVIEW

Objective

The Local Roads Improvement Program (LRIP) was established in 1991 to assist local units of government in improving seriously deteriorating county highways, municipal streets in cities and villages, and town roads. The program is governed by s. 86.31, *Wis. Stats.*, (<http://www.legis.state.wi.us/statutes/Stat0086.pdf>) and *ch. Trans 206* (<http://www.legis.state.wi.us/rsb/code/trans/trans206.pdf>).

Description

LRIP is a reimbursement program, which may pay up to a maximum of 50% of total eligible project costs, with the balance of the eligible costs funded by the local unit of government. All applicable projects are locally let and reimbursed by WisDOT upon project completion.

The program has three entitlement components that provide funding for road improvements. Counties are eligible for funding through the County Highway Improvement Program (CHI, formerly known as CHIP), towns through the Town Road Improvement Program (TRI, formerly known as TRIP), and cities and villages through the Municipal Street Improvement Program (MSI, formerly known as MSIP). MSI is comprised of cities and villages with populations less than 20,000 (MSILT, formerly known as MSIPLT) and cities and village with populations of 20,000 or more (MSIGT, formerly known and MSIPGT).

In addition to entitlements, there are also three discretionary components for counties, cities and villages, and towns to request funding for high-cost projects. Counties with high cost projects totaling \$250,000 or more in eligible costs are eligible for the County Highway Discretionary Improvement Program (CHID, formerly known as CHIP-D). Cities and villages with high cost projects with total eligible costs of \$250,000 or more are eligible for the Municipal Street Discretionary Improvement Program (MSID, formerly known as MSIP-D). Towns with high cost projects totaling \$100,000 or more in total eligible costs are eligible for the Town Road Discretionary Improvement Program (TRID, formerly known as TRIP-D).

Eligibility

Only work on existing county trunk highways, city and village streets, and town roads under the authority of the local unit of government are eligible for funding. Maintenance, new roads, or improvements to alleys or parking lots are not reimbursable through the program, pursuant to [ch. Trans 206](#).

All improvements must have a projected design life of at least ten years. (The same project location cannot be submitted more than once within a 10-year period.)

Eligible projects include the following categories:

- **Reconstruction** – A total rebuilding of the pavement and subgrade of an existing roadway. Major elements may include flattening of hills and grades, improvement of curves, widening of the roadbed, and elimination or shielding of roadside obstacles.
- **Resurfacing** – Placing a new surface on an existing roadway to extend or renew the pavement life. This project type includes pavement widening and shoulder paving (without changing the subgrade shoulder points), diamond grinding, joint repair, partial depth milling and relaying, or strictly overlaying the existing pavement.

- Reconditioning – Improvements in addition to resurfacing or pavement replacement. Reconditioning may include correcting an isolated grade, curve, intersection or sight distance problem to improve safety, changing the subgrade to widen shoulders or fixing a structural problem.
- Structure – Rehabilitation (repair, restoration or replacement of the components of the existing structure including asphaltic surfacing or concrete overlays, as well as measures taken to correct safety defects) or Replacement of an existing bridge.

Eligible Costs	
Any items that are an <i>integral part</i> of the street and road reconstruction which may include feasibility studies, design engineering, grading, base, paving, right-of-way acquisition, or the purchase of finished hot mix asphalt.	
Ineligible Project Costs	
New roads.	
Utilities costs: This includes new installations or alterations of sanitary sewers and connections, water, gas, electric, telephone, police, fire alarm facilities, parking meters, street signs and similar utilities.	
The cost to develop improvement plans.	
Maintenance costs: This includes patching, single sealcoats, grading to maintain gravel roads.	
Costs to advertise or title and other associated fees to purchase real estate.	
The cost of in-house engineering services.	
Some costs are typically ineligible, but may be allowed under certain conditions. The following are a few examples of these exceptions to the rule:	
Double chip seal: (For Towns Only)	The decision whether or not to allow double chip seal as an eligible program cost is determined by the County Highway Commissioner (CHC). The improvement is eligible as part of the project <i>only</i> if it has demonstrated good performance elsewhere in a specific geographic area and meets the requirement of a projected design life of at least ten years.
Parking lanes:	Parking lanes will be eligible <u>only if</u> they are <i>part</i> of a road or street improvement. If the improvement is <i>only</i> the addition or improvement of the parking lanes, it is <u>not</u> eligible. Parking lanes on a connecting highway are <u>not</u> eligible under any circumstance.
New lane addition:	If the addition of a new lane to a road is considered a new road it is <u>not</u> eligible. If the road is being redone (e.g., widening) and the addition of a new lane is <i>part</i> of the whole improvement, it is eligible.
Storm sewer:	If the road is otherwise in good condition and being opened up just to fix the storm sewer, it is <u>not</u> eligible. If work on the storm sewer is part of a needed road improvement, it is eligible.
Sidewalks, curb and gutter, guard rails, etc.:	These items are eligible <u>only if</u> they are part of a road or street improvement project. If the improvement consists <i>only</i> of the purchase and/or installation of these items, it is <u>not</u> eligible.

Traffic signals:	As a stand-alone project, traffic signals are <u>not</u> eligible. If work on the road includes new traffic signals as part of the road improvement, it is eligible.
Culvert pipe:	If bid out separately and not part of the original bid or purchased through the county bid, culvert pipe is <u>not</u> eligible. Culvert pipe is eligible only as part of the overall reconstruction contract.

There may be additional exceptions to the above-list of eligible and ineligible improvements. If applicants are unsure of eligibility contact the LRIP program manager.

General Requirements

- ▶ LRIP funds programmed to the project must be advertised for bids and let to contract. Towns, cities and villages may not use their own work forces or equipment on the LRIP project.
- ▶ The total project cost must equal at least twice the approved LRIP limit to be fully reimbursed.
- ▶ Public construction contracts must be completed in compliance with the prevailing wage law, subject to a minimum threshold.
 - The single trade threshold is \$48,000.
 - The multiple trade threshold is \$100,000 for counties, and cities and villages with a population 2,500 or greater, and towns and municipalities with a population less than 2,500 using the county as the contractor.
 - The multiple trade threshold on a project with a private contractor is \$234,000 for towns, and villages and cities with a population less than 2,500.
- ▶ Bicycle and pedestrian facilities must be considered in the scope of all construction and reconstruction projects as described in [s. 84.01\(35\), Wis. Stats.](#) Administrative Rule *ch. Trans 75* explains the requirements for urban and rural projects, and details the five allowable exceptions. Additional guidance is also available in the Wisconsin Department of *Transportation Facilities Development Manual (FDM)* Chapter 11, Section 46.
- ▶ An engineering certification is required when the total improvement costs are \$65,000 or more.
- ▶ The proposed project must be included in the local *Improvement Plan*.
- ▶ Improvements must be built to appropriate standards, unless an exception to standards has been requested and approved by WisDOT prior to construction.
- ▶ A project would not be eligible if LRIP funds were to be used as the local match for federal aid projects, or if federal aid funds were to be used as the local match for an LRIP project.

Application Deadline

Towns, as well as cities and villages with a population of less than 20,000 must submit project applications that meet all eligibility requirements to their County Town Road Improvement Committee (CTRIC) and County Municipal Street Improvement Committee (CMSIC), respectively, for approval. The committees then submit the approved project applications to the CHC by no later than November 1, 2011.

Cities and villages with a population of 20,000 or more (MSIGT) submit applications to CHC by November 1, 2011. CHC select county projects and submit applications to WisDOT by January 15, 2012.

Project Selection

LRIP is managed by the WisDOT Bureau of Transit, Local Roads, Railroads and Harbors (BTLR), but administered by local units of government. Each CHC serves as regional program coordinator and county advisor. They also act as administrative contacts between the state and local LRIP recipients in each county.

- ▶ Each CTRIC prioritizes and selects TRI entitlement projects and prioritize eligible TRID projects to forward to WisDOT for consideration.
- ▶ Each CMSIC prioritizes and selects MSILT entitlement projects for cities and villages with populations less than 20,000 and prioritizes eligible MSID projects to forward to WisDOT for consideration.
- ▶ Cities and village with populations of more than 20,000 (MSIGT) select entitlement projects and select MSID projects to forward to WisDOT for consideration.
- ▶ Each county selects CHI entitlement projects and selects and forwards CHID projects for consideration to CHIDC.
- ▶ Each County Highway Improvement District Committees (CHIDC, formerly known as CHIP-D) recommends CHID projects to the WisDOT Secretary for approval. Each CHIDC consists of all county highway commissioners within the WCHA district.
- ▶ The WisDOT Secretary appoints a Statewide Municipal Street Discretionary Improvement Committee (SMSIDC, formerly known as MSIP-D), consisting of selected League of Wisconsin Municipalities. This group recommends MSID project selections to the WisDOT Secretary for approval.
- ▶ The WisDOT Secretary appoints a Statewide Town Road Discretionary Improvement Committee (STRIDC, formerly known as TRIP-D), consisting of six Wisconsin Towns Association district directors and six at-large members. This group makes TRID project recommendations to the WisDOT Secretary for approval.

CHC submits all selected project applications to the BTLR for final approval no later than January 15, 2012.

Funding

LRIP is a biennial program with annual programming limits based on annual appropriation levels. LRIP funding is provided through two continuing appropriations, and programmed funds are available to local communities for three biennia (6 years). Any unused funds within a biennium are carried over and added to the new statewide funding level for the following biennium. Appendix C provides a list of funds allocated to each county.

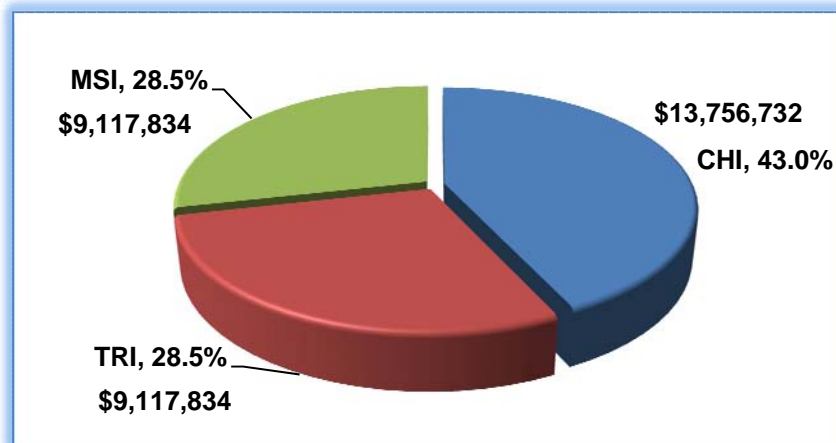
2011-2013 State Biennial Budget Levels

Funding Source	Funding Levels
State Segregated	\$56,066,000
Local Match	<u>\$56,066,000 (minimum)</u>
Total	\$112,132,000(estimated)

Entitlement Distribution

Pursuant to s. 86.31(3), Wis. Stats., (<http://www.legis.state.wi.us/statutes/Stat0086.pdf>), the statewide biennial entitlement level is \$32,394,000; \$401,600 was allocated for DNR environmental liaison position equivalents and the remaining \$31,992,400 is calculated and distributed among program components as shown in the figure below, with 43.0% of entitlement funds going to CHI, 28.5% to TRI, and 28.5% to MSI.

Entitlement Distribution among Components (Does not include carryover)



Funding levels are determined by:

County Highway Improvement Program (CHI) – Funding levels are based 60% on population and 40% on mileage, pursuant to [ch. Trans 206](#). Each county is guaranteed a minimum of 0.5% of the total statewide CHI funding (\$69,229.25).

Municipal Street Improvement Program (MSI) – Funding levels are based 50% on population and 50% on mileage, pursuant to [ch. Trans 206](#).

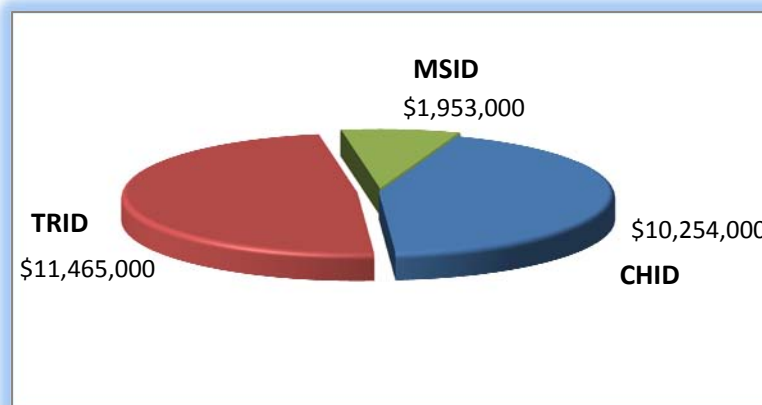
- ▶ MSILT – Cities and villages with a population less than 20,000.
- ▶ MSIGT – Cities and villages with a population of 20,000 or more.

Town Road Improvement Program (TRI) – Funding levels are based 100% on mileage, pursuant to [ch. Trans 206](#).

Discretionary Distribution

Beginning with the 2006-2007 program cycle, a separate appropriation was established by the legislature for discretionary funds. As shown in the figure below, the discretionary funding of \$23,672,000 is distributed as follows: approximately 8.3% to the County Highway Discretionary Improvement Program (CHID), 43.3% to the Municipal Street Discretionary Improvement Program (MSID), and 48.4% to the Town Road Discretionary Improvement Program (TRID).

Discretionary Distribution among Components



Project Agreement

For each approved project, WisDOT signs and mails an executed *State/Municipal Agreement* to the project applicant, along with a *Request for Project Reimbursement*. Copies of these documents are also mailed to the town clerk and the CHC. The LRIP Program Manager forwards the approved project agreements to WisDOT's Bureau of Business Services to encumber the funds.

Agreement Change Requests

Project Changes - Project changes are modifications to the improvement type, termini or LRIP funding amount. For towns, cities and villages a *Substitution-Change-Transfer Application* must be completed with change(s) and submitted to the CHC, indicating the reason for the change(s). The CHC must sign before it is sent to WisDOT. Change(s) to county projects the CHC completes, signs, and forwards a *Substitution-Change-Transfer Application* to WisDOT.

Project Substitutions - Project substitutions are a change in the roadway or structure. For towns, cities and villages a *Substitution-Change-Transfer Application* must be completed and submitted to the CHC, indicating which project is being substituted, and the reason for the substitution. The CHC must sign before it is sent to the department. Substituting a county project the CHC completes, signs and forwards a *Substitution-Change-Transfer Application* to WisDOT. Approval of the substitution is required by WisDOT **PRIOR** to awarding a contract to the contractor. Substitutions completed without notifying WisDOT will not be reimbursed. Only one substitution is allowed per project. If the substituted project is not built, funds will be returned to the appropriation for redistribution in the next biennium.

The *Substitution-Change-Transfer* Application and guidelines for submitting a request are located on the LRIP Homepage web site:

<http://www.dot.wisconsin.gov/localgov/highways/lrip.htm>.

Substitutions and changes are not allowed on TRID and MSID projects. Applicants compete for discretionary funds on a statewide basis and projects are selected for recommendation by STRIDC and SMSIDC and approved by the WisDOT Secretary based upon information provided in the application. If the applicant is unable to complete the project as it was approved by the STRIDC and SMSIDC, the funds will be returned to the appropriation for statewide competition in the next biennium.

Project Reimbursement

Before making a reimbursement request, the project must be completed and the contractor(s) paid. Once the contractor(s) has been paid, applicants may submit a *Request for Project Reimbursement*, along with the required paperwork, to the CHC. The CHC reviews the request, and if everything is in order, signs and forwards it to WisDOT.

A funding sunset policy has been implemented to ensure the timely use of program funds. LRIP entitlement and discretionary funds must be used within three biennia. All projects must be completed, contractor(s) paid and a *Request for Project Reimbursement* submitted before the program cycle sunset date. The following is a current list of program cycles with the corresponding sunset date:

Program Cycle	Sunset Date
2008-2009	June 30, 2013
2010-2011	June 30, 2015
2012-2013	June 30, 2017

All moneys not used by the sunset deadline are returned to the appropriation for redistribution in the next program cycle.

Program Compliance Review

[Chapter Trans 206](#) requires WisDOT to review LRIP projects to ensure that the program is functioning according to the rules and requirements governing the program. A review may be conducted at any time with a sampling of projects to ensure compliance with [s. 86.31, Wis. Stats., ch. Trans 206](#) and program policies contained in the *LRIP Guidelines and Requirements*. Sanctions for the program are identified in Appendix L.

Contact Information

Janice Watzke, Statewide LRIP Program Manager:

janice.watzke@dot.wi.gov or (608) 266-9497

Janice handles all program related questions and requests for project changes and substitutions.

Susan M. Hart, Contract Specialist-Senior:

susan1.hart@dot.wi.gov or (608) 264-7336

Sue handles all reimbursement requests.

TOWN ROAD IMPROVEMENT PROGRAM (TRI) ROLES AND RESPONSIBILITIES

Program Timeline

Schedule	Program Activity
July 2011	State of Wisconsin 2011-2013 state biennial budget is approved. WisDOT receives the 1 st year's (FY 2012) program funds.
August 2011	WisDOT holds LRIP informational program kickoff workshops with County Highway Commissioners (CHC) and MSIGT communities.
By October 1, 2011	Towns select County Town Road Improvement Committee (CTRIC) members and a chair.
November 1, 2011	The CTRIC chair notifies WisDOT of the name of the chair.
By November 1, 2011	CTRIC meets, makes their selections, and forwards selected TRI and prioritized TRID project applications to the CHC.
*After December 1, 2011	Nominees for the Statewide Town Road Discretionary Improvement Committee (STRIDC) are submitted to the WisDOT Secretary.
January 15, 2012	Statutory deadline for CHC to submit TRI and TRID applications to WisDOT.
*February 2012	WisDOT reviews and compiles all project applications and submits to STRIDC evaluation.
*February 2012	STRIDC meets, selects a chair, establishes a selection process, evaluates, selects and recommends projects to WisDOT Secretary for approval.
*March 2012	WisDOT Secretary approves TRID projects. WisDOT works with Governor's office to announce approved projects.
By March 15, 2012	WisDOT reviews and approves project applications.
By March 15, 2012	WisDOT mails <i>State/Municipal Agreements</i> to towns for approved projects for State FY 2012 funding.
July 1, 2012	WisDOT receives the 2 nd year's program (FY 2013) funds.
By July 15, 2012	WisDOT mails <i>State/Municipal Agreements</i> to towns for approved projects for State FY 2013 funding.
June 30, 2017	Deadline to reimburse 2012-13 projects.

*Only applies to TRID projects.

The following provides guidelines for specific roles:

Applicant

To qualify for LRIP funding, the project applicant must submit an application to the County Town Road Improvement Committee (CTRIC) for review, and include the following documents:

- ▶ A complete project application, preferably typed. The proposed improvement on the application must comply with applicable federal, state and local laws, administrative policy and program rules.
 - A signed *Terms and Conditions* statement. This document is the fourth page of the project application form. The head of government or their designee is required to sign the *Terms and Conditions*. The *Terms and Conditions* statement is the authorized local signature on the funding agreement.
 - A project location map that clearly identifies the location of the proposed improvement. The applicant may use the Wisconsin Information System for Local Roads (WISLR) to create a project location map.
- ▶ A copy of the town *Improvement Plan* (minimum of 2-years).
- ▶ For TRID applications, additional documentation, which highlights the selection criteria, should be included (*see TRID Overview*).

County Town Road Improvement Committee (CTRIC)

Each CTRIC will determine project recommendations for their county. The committee consists of no more than 5 town chairs or designees selected by all town chairs or designees in the county. The CHC may be included on the committee as a non-voting member.

The committee is required to:

- ▶ Select a chair for the next 2-years, no later than October 1, 2011.
- ▶ Establish criteria for the selection process for TRI projects.
- ▶ Recommend TRI projects to be funded.
- ▶ Ensures TRID applications are reviewed for eligibility, using the criteria for a discretionary project. If multiple applications have been submitted, the committee must prioritize.

The CTRIC Chair is required to fulfill the following requirements by November 1, 2011:

- ▶ Informs WisDOT in writing of the name of the chair.
- ▶ Convenes, presides over meetings, and performs administrative functions of the committee.
- ▶ Signs the approved TRI applications and identifies the committee-approved total TRI funds requested. This amount must to be within the entitlement allocation identified in Appendix C.
- ▶ Ensure the number of applications for submission to WisDOT is within the identified county programming caps (see Appendix D). The caps represent the number of towns in a county divided by two (plus one if the county has an uneven number of towns).
- ▶ Ensure selected TRI applications do not exceed more than one-half of the biennial entitlement for each funding year.

- ▶ Forwards the TRI and TRID project applications to the CHC.
- ▶ Forwards the minutes from the committee meeting(s) that identify the chair, members and actions taken by the committee to the CHC.

Project Recipient

After the town receives a copy of the signed *State/Municipal Agreement* from WisDOT, the recipient may start the project. Following is a summary of LRIP advertising, bidding and contracting requirements:

Pre-Bid Guidelines

- ▶ The town may not use their own work forces or equipment on LRIP projects. The project must be let to contract and awarded to the lowest responsible bidder.
- ▶ The town may request that the CHC conduct contract lettings.
- ▶ Local guidelines and criteria for selecting bids should be established prior to opening bids.
 - For help developing bid packages, specifications or advertisements, contact the CHC, an engineering consultant or the University of Wisconsin-Madison Transportation Information Center (UW-TIC). The UW-TIC has sample bid documents that can be adapted for individual use. Call Steve Pudloski at the UW-TIC at 1-800-442-4615 for more information or sample documents.

Note: Negotiated contracts for preliminary engineering (design), feasibility studies and real estate purchases are exempt from this requirement.
- ▶ The town is responsible to ensure that the improvement has been built to the specifications identified in the project application. Town road standards can be found in [ch. Trans 204](#), “Existing Town Road Improvement Standards”, (also included as Appendix F).
- ▶ The town must abide by all environmental requirements pursuant to [ch. Trans 206](#). Environmental Liaisons at the Wisconsin Department of Natural Resources are included in Appendix H. These contacts will help scope the project, review the project design and explain pertinent environmental regulations.
- ▶ If the town has chosen to bid *Hot Mix Asphalt Only*, the final cost to purchase the finished hot mix asphalt must be at least twice the awarded LRIP amount in order to receive all approved funds.
- ▶ Bikeway and pedestrian facilities must be considered in the scope of the project, pursuant to [s. 84.01\(35\), Wis. Stats.](#) Administrative Rule [ch. Trans 75](#) provides detail on the exceptions to these requirements.
- ▶ Prevailing wage rates are required on improvement projects, subject to the minimum threshold, as established in *2011 Wisconsin Act 32*. Municipalities and counties with projects requiring prevailing wage rates should contact [Wisconsin Dept of Workforce Development](#) to obtain a determination before advertising.

Advertising

- ▶ The program requires a Class 2 notice. Pursuant to [s. 985.07\(2\), Wis. Stats.](#)
“All notices designated as class 2 notices require 2 insertions.”

Pursuant to [s. 985.01\(1m\), Wis. Stats.](#)

““Insertion” when used to indicate the publication of a legal notice more than one time, means once each week for consecutive weeks, the last of which shall be at least one week before the act or event, unless otherwise specified by law.”

- ▶ The advertisement must identify the location(s) of the project and state it is an LRIP project or a TRI/TRID. (An example of an advertisement is in Appendix K.)
- ▶ If the project is estimated at or above the minimum threshold, the notice must indicate that the contractor will be paid prevailing wage rates.

Bidding and Contracting

- ▶ The town must receive their *State/Municipal Agreement* before awarding a contract. For each approved project, WisDOT signs and mails an executed *State/Municipal Agreement* to the project applicant, along with a *Request for Project Reimbursement*. Copies of these documents are also mailed to the town clerk and the CHC.
- ▶ The town may contact contractors and invite them to bid.
- ▶ The contract should be awarded to the lowest responsible bidder.

Pursuant to [s. 60.47\(1\)\(b\), Wis. Stats.](#),

“Responsible bidder means a person who, in the judgment of the town board, is financially responsible and has the capacity and competence to faithfully and responsibly comply with the terms of the public contract.”

- ▶ Provided the town has established guidelines and criteria for selecting bids prior to opening bids the town may reject bids as not “responsible” for reasons determined by the letting authority.
 - Considerations may include bidder qualifications, excessive cost, timing, financial responsibility of the bidder, prior work done by the bidder, or other considerations that may affect the potential project.
- ▶ The town may re-advertise for bids if the submitted bids are considered not-responsible or if no bids are received.
- ▶ A bid can be determined as not “responsive” if the contractor added or deleted items from the bid, including, but not limited to, bids for a different type of paving than specified in the advertisement for bid.
 - For example, a town may deem a bid for “cold mix” asphalt not responsive, if they specifically requested bids for “hot mix” asphalt. The town may decide to change the project scope to “cold mix” asphalt based on bid received but must re-bid to permit all bidders an opportunity to provide prices, based on the new project scope.

Procedures to Reject Bids

If the decision has been made to reject all bids it is important to formally record the decision and state the reason(s) in the board minutes or bid award and rejection letters. This is especially important if the lowest bidder is deemed “not responsible” or “not responsive”. Pursuant to [s. 86.31 \(6\)\(h\), Wis. Stats.](#), ALL of the following must be met before a town may reject all bids and award a contract to the county:

- ▶ The town must have a written and sealed pre-bid estimate of the improvement, which includes the source of the estimate, PRIOR to the time set for the opening of bids. This

estimate is not to be opened until after all bids have been opened. This estimate may be based on:

- Estimate provided by the county;
 - Professional estimates;
 - Bids on similar types of contracts let or performed in the last two years;
 - Estimates prepared by town officers detailing projected costs and amounts of materials required.
- ▶ Towns may reject all competitive bids and enter into a contract with their county IF the amount of the lowest bid exceeds the county's cost estimate for the improvement by at least 10%. The town board notifies the two lowest bidders (or, the one bidder) to determine if the pre-bid estimate failed to take some factor into account, which resulted in the bids significantly exceeding the pre-bid estimate.
- ▶ The amount of the contract with the county for the improvement must be at least 10% below the lowest bid received for the improvement. Towns may re-bid IF the amount of the county quote for the improvement is less than 10% below the lowest competitive bid received for the improvement.
- ▶ Additionally, a county may not perform work in another county unless one of the following:
- A part of the project location in the county doing the work, and no part of the project goes beyond the adjacent county.
 - The project location is, wholly or in part, in a municipality that lies partially within the county doing the work.

Bidding the Purchase of Hot Mix Asphalt Only

Purchase of Hot Mix Asphalt Only means the town will be using their LRIP funds to purchase the finished hot mix asphalt material from the contractor and the paving is done outside the scope of the LRIP projects – for example by the county at the request of the town.

- ▶ Guidelines for the town to use a hot mix asphalt contract established by the county in which the town is located, provided all of the following requirements are met:
- The town pays the private contractor directly.
 - The county bidding documents specifically identify which towns may be included in the county contract for use on their LRIP project(s).
 - The county provides a copy of the affidavit of publication or advertisement for bid and dates of notice.
 - Town board meeting minutes approving action to use the county contract for hot mix asphalt are provided to the department at the time of reimbursement.

Note: The town MAY NOT advertise and bid the project for the entire improvement and then select the county bid for asphalt only.

Engineer's Certification

If the total improvement costs are \$65,000 or more, an engineer's certification is required, which includes the following:

- ▶ The signature of a registered, professional engineer, stating that the improvement has been designed with a projected life of at least 10-years, the design uses current WisDOT specifications, and all construction will be accomplished consistent with WisDOT specifications. (An example of the language used in the certification is included in Appendix J.)
- ▶ The certification does not require extensive engineering inspection, materials testing, design services or warranty the performance of the improvement. It is recommended that the engineer is involved before beginning design and construction of the project.

Exception to Standards

The applicant must also confirm that the project is built to appropriate standards, as identified in this document, or the project applicant must have requested an exception to standards. The request for an exception to standards is submitted, in writing, to the WisDOT Local Program Engineer located in each WisDOT regional office for review (refer to Appendix G for WisDOT contact list) and approval by the Chief of the Project Services Section in the Bureau of Project Development. This must be done prior to construction.

- ▶ A written request for an exception to standards must state the reason(s) for the request (refer to Appendix I for an example of a request for Exceptions to Standards). WisDOT will process complete and accurate requests within 30 days of receipt.
 - An exception to standards should be obtained prior to beginning the project.
 - If an exception to standards is approved WisDOT will provide a written notice.
 - A courtesy copy of the original request and the approval must be forwarded to the CHC.
 - Without a written notice of the approved exception to standards from WisDOT, LRIP funds will be withdrawn from the project.

Project Completion/Reimbursement

Once the contractor(s) has been paid, the applicant may make a reimbursement request. The following required documentation must be sent to the county highway commissioner upon project completion:

- ▶ A copy of the advertisement for bid – ideally an *Affidavit of Publication* - identifying the text of the ad, the name of the publication in which it was placed, and when it was advertised. (Examples of an affidavit of publication and advertisement are in Appendix K).
- ▶ Bid award and rejection notices or dated board minutes, indicating action taken.
- ▶ An engineer certification, if required.
- ▶ An exception to standards, if required.
- ▶ Documentation to confirm contractor payment. This may be either:
 - Copies of project invoices showing payment to the contractor(s), OR
 - Dated town board minutes identifying board action approving payment to the contractor(s).

- ▶ A completed *Request for Project Reimbursement*, signed by the head of government or designee.

Note: Documentation for each project should be kept for 10 years from project closing. When WisDOT performs project reviews, the town will be required to supply copies of all project documentation.

If the project is not let to contract according to LRIP advertising and bidding requirements, the project will not be reimbursed.

Statewide Town Road Discretionary Improvement Committee (STRIDC)

The (STRIDC) consists of six Wisconsin Towns Association district directors and six members at large, appointed by the WisDOT Secretary. Beginning this program cycle, the Wisconsin Farm Bureau will join the Great Lakes Timber Professionals Association and the Wisconsin Dairy Business Association as voting members on the committee.

- ▶ Prior to the committee meeting, members receive a copy of each application for review from WisDOT. The meeting will be scheduled no later than February 2012.
- ▶ A STRIDC member may not serve on the committee if a TRID project has been submitted by their town.
- ▶ The committee meets, selects a chair, and sets up criteria to evaluate submitted projects. These criteria shall include, in order of priority: (1) safety, (2a) reconstruction with heavy vehicle or high volume traffic, (2b) reconstruction with typical traffic, and (3) multi-jurisdictional projects.
- ▶ The committee has a goal of fair geographic distribution; however, they may recommend more than one project per county each program cycle.
- ▶ No later than March 1 of each even-numbered year, the committee recommends TRID projects for WisDOT Secretary's approval within the specified funding level.

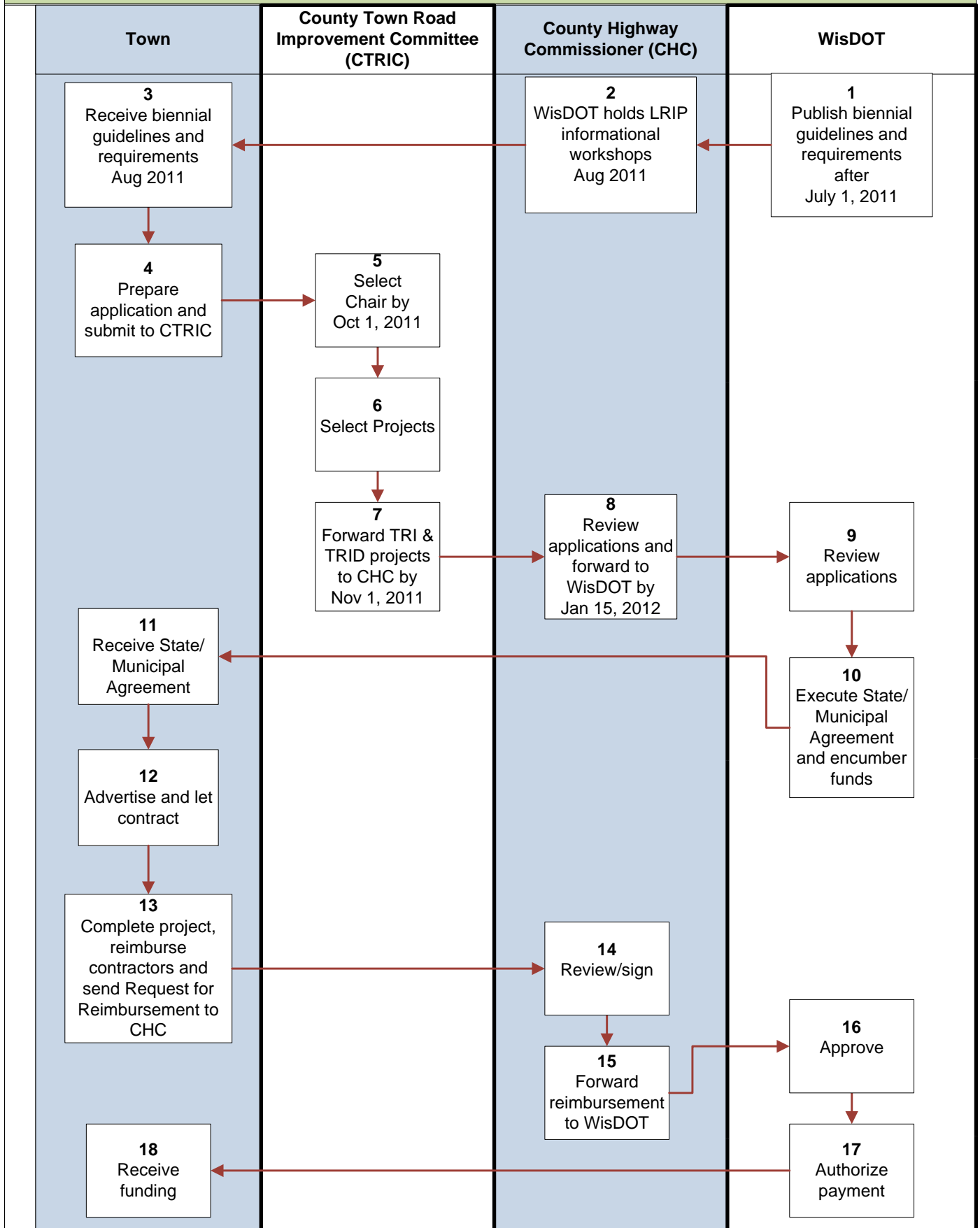
County Highway Commissioner (CHC)

The role of the CHC is to serve as an administrative liaison between WisDOT and project applicants within their county, and provide ongoing support throughout the duration of the project. They:

- ▶ Convene and preside over the initial county CTRIC to select the membership and chair. The commissioner may not be a voting member of the CTRIC, but may be included as a non-voting member.
- ▶ Review the project application to confirm:
 - All application fields are completed.
 - Project location is eligible using On/At location description and the project location map.
 - Project is eligible based on the type of improvement.
 - CTRIC chair has signed the application and identified the approved amount of TRI funds. (Note: The CHC may not sign on behalf of the committee chair.)
 - Head of government or designee has signed the *Terms and Conditions* statement.
 - An *Improvement Plan* has been submitted (minimum of 2-years).
 - Inform the project applicant of any ineligible application requests, missing information or other application issues.
- ▶ Before forwarding hard copy project applications to WisDOT, review applications to ensure:

- The CTRIC has not submitted more project applications than the programming caps allow. Programming caps are identified in Appendix D.
 - The CTRIC has not exceeded entitlement funds, as identified in Appendix C.
 - The sum of LRIP funds requested for all entitlement applications does not exceed one-half of the biennial entitlement for each year.
- ▶ Forward all project applications and CTRIC meeting minutes to WisDOT by January 15, 2012. All TRI and TRID applications for a county should be submitted at the same time.
- ▶ Conduct contract lettings for a town upon request.
- ▶ Review the *Request for Reimbursement* and if everything is in order, they sign and forward the hard copy request to WisDOT. Prior to signing the following is a list of required paperwork:
- A completed project application.
 - Signed *Terms and Conditions*.
 - A project location map.
 - The town's *Improvement Plan* (minimum of 2-years).
 - A copy of the *State/Municipal Agreement*.
 - Proof of advertisement for bid – ideally an *Affidavit of Publication*, identifying the text of the ad, the name of the publication in which it was placed, and when it was advertised. (An example of an affidavit of publication and advertisement is in Appendix K).
 - ▶ If the project cost is at or above the minimum threshold to pay prevailing wage rates, confirm that the bid notices included this requirement.
 - Bid award and rejection notices or dated board minutes, indicating action taken.
 - An engineer's certification, if required.
 - An exception to standards, if required.
 - Copies of the project invoices showing payment to the contractor(s) prior to submitting the *Request for Project Reimbursement* OR dated board minutes identifying board action approving payment to the contractor(s).
 - The *Request for Project Reimbursement*.
- ▶ Inform the project applicant of any missing documentation or other document issues. If eligibility questions arise, contact the LRIP Program Manager.
- ▶ Based on the documentation provided and knowledge of the project, confirm project compliance with all applicable laws, administrative policy and program rules, and contract bidding requirements, signs the *Request for Project Reimbursement* and forwards the request to WisDOT.
- ▶ Documentation for each project should be kept for 10 years from the project closing. When WisDOT performs project reviews, the commissioner will be required to supply copies of project documentation.

Town Road Improvement Program (TRI)



TOWN ROAD IMPROVEMENT PROGRAM (TRI) PROCESS

The flowchart identifies the general procedures utilized for the Town Road Improvement Program (TRI). The following is a step-by-step description of each procedure.

Steps 1: The State of Wisconsin's 2011-13 state biennial budget sets the final appropriation amounts for the 2012-13 program cycle and WisDOT publishes *LRIP Guidelines and Requirements* on line on the [LRIP Homepage](#) after July 1, 2011.

Steps 2: WisDOT holds LRIP program kickoff workshops with county highway commissioners (CHC), and cities and villages with a population of 20,000 or more in August 2011.

Step 3 and 4: Towns receive *LRIP Guidelines and Requirements* and prepare hard copy project application. Towns forward the application to the County Town Road Improvement committee (CTRIC).

Step 5, 6 and 7: By October 1, 2011, towns select a chair and members of the CTRIC. The CTRIC reviews and approves projects within the county's entitlement amount identified in Appendix C and programming caps identified in Appendix D. The CTRIC reviews TRID projects for eligibility and prioritizes multiple applications. The CTRIC chair forwards TRI and TRID projects to the CHC by November 1, 2011.

Step 8: The CHC reviews project application(s) and supporting materials for completeness and compliance with applicable statutory law, administrative policy and program rules. CHC forwards the project application(s) to WisDOT by January 15, 2012.

Step 9: WisDOT reviews and approves or rejects project applications. CHC will be notified of applications that are incomplete or missing documentation and will be put on-hold until the required information or documentation is received.

Steps 10: WisDOT processes approved State FY 2012 funded projects by March 15, 2012 and State FY 2013 funded projects by July 15, 2012 and forwards *State/Municipal Agreements* to recipient, copy to CHC, and copy to Bureau of Business Services (BBS) to encumber the funds.

Step 11 and 12: Town receives an executed *State/Municipal Agreement* from WisDOT and advertises and lets the project to contract.

Step 13: Complete the project. The town pays the contractor(s) in full. Once the contractor(s) has been paid, town completes and signs the project's *Request for Project Reimbursement* and forwards it to the CHC.

Step 14 and 15: The CHC reviews the *Request for Reimbursement* and either signs and forward to WisDOT or requests additional information.

Steps 16 through 18: Upon receipt of completed *Request for Project Reimbursement* the Contract Specialist reviews and either forwards for approval signature or requests additional information. Once a *Request for Reimbursement* has been approved by the Program Administrator, the Contract Specialist submits the request to BBS to process the payment. WisDOT sends the reimbursement check to the town treasurer within 30 days of receipt.

TOWN ROAD DISCRETIONARY IMPROVEMENT PROGRAM (TRID) OVERVIEW

Description

The Town Road Discretionary Improvement Program (TRID) targets high cost town road improvement projects with a total project cost of \$100,000 or more. This discretionary program provides a statewide opportunity for significant, high-priority town road improvements.

Eligibility

- Town road improvement projects must meet the general program requirements, and address the selection criteria described below under *TRID Selection Criteria* to be eligible for consideration under this program.
- Discretionary projects must be included in the town's *Improvement Plan* (minimum of 2-years).
- Because applicants compete for discretionary funds on a statewide basis and projects are selected based upon information provided in the town's application, it is important to correctly identify the improvement on the application. Substitutions and changes are not permitted on approved TRID projects.
- Discretionary projects exceed the \$65,000 threshold for certification; therefore, a registered professional engineer must certify the design and construction has been completed to the appropriate improvement standard, as defined in Administrative Rule Trans 204, which will hold up to the current and anticipated traffic weight and volume. Sign off by a registered PE that the project has a design life of ten years is not necessarily the same thing as a professional design.
- Applicants are advised not to submit resurfacing or hot mix asphalt purchase only projects. Resurfacing projects have never been recommended by the discretionary committee, because they do not fit the selection criteria required of the discretionary program.
- A project would not be considered eligible if LRIP funds were to be used as the local match for federal aid projects or if federal aid funds were to be used as the local match for an LRIP project.

Note: If the cost of the project is significant enough that it may use most or all of the statewide funding for the biennium, the project is unlikely to be funded.

Application Process

Applications must be submitted to the County Town Road Improvement Committee (CTRIC) for review, and then forwarded to the CHC. Additional documentation emphasizing the criteria of safety, reconstruction with heavy vehicle or high-traffic volume, reconstruction with typical traffic and/or joint projects with other jurisdictions is required for an application to receive consideration by the committee. This information is limited to no more than five additional 8.5 x 11 pages, (including pictures) and should be attached to the application. All applicants must submit 18 copies of the completed application, supporting materials and pictures.

Multiple applications may be submitted within a single county. If there is more than one application submitted, the CTRIC must assign a ranking (1st choice, 2nd choice, etc.). Although the Statewide Town Road Discretionary Improvement Committee (STRIDC) takes into consideration the CTRIC recommendations related to ranking, the final decision is based on STRIDC's independent evaluation of the applications.

Notification of projects selected by the STRIDC committee will not be announced until the WisDOT Secretary authorizes the recommendations. Until the announcement has been made, program staff is unable to provide information regarding selections or ranking of projects.

TRID Selection Criteria

The STRIDC consists of six Wisconsin Towns Association (WTA) district directors and six members at large nominated by WTA and appointed by the WisDOT Secretary along with representatives from the Wisconsin Farm Bureau, the Great Lakes Timber Professionals Association and the Wisconsin Dairy Business Association. This group is convened to make TRID project recommendations. Nominees to the committee receive a letter from WisDOT confirming their selection. STRIDC members may not submit projects during the term of their assignment on the committee. The committee has a goal of fair geographic distribution, but may, at their discretion, approve more than one project per county. The committee also has a goal to maintain as close to a 50 percent state / 50 percent local match as possible.

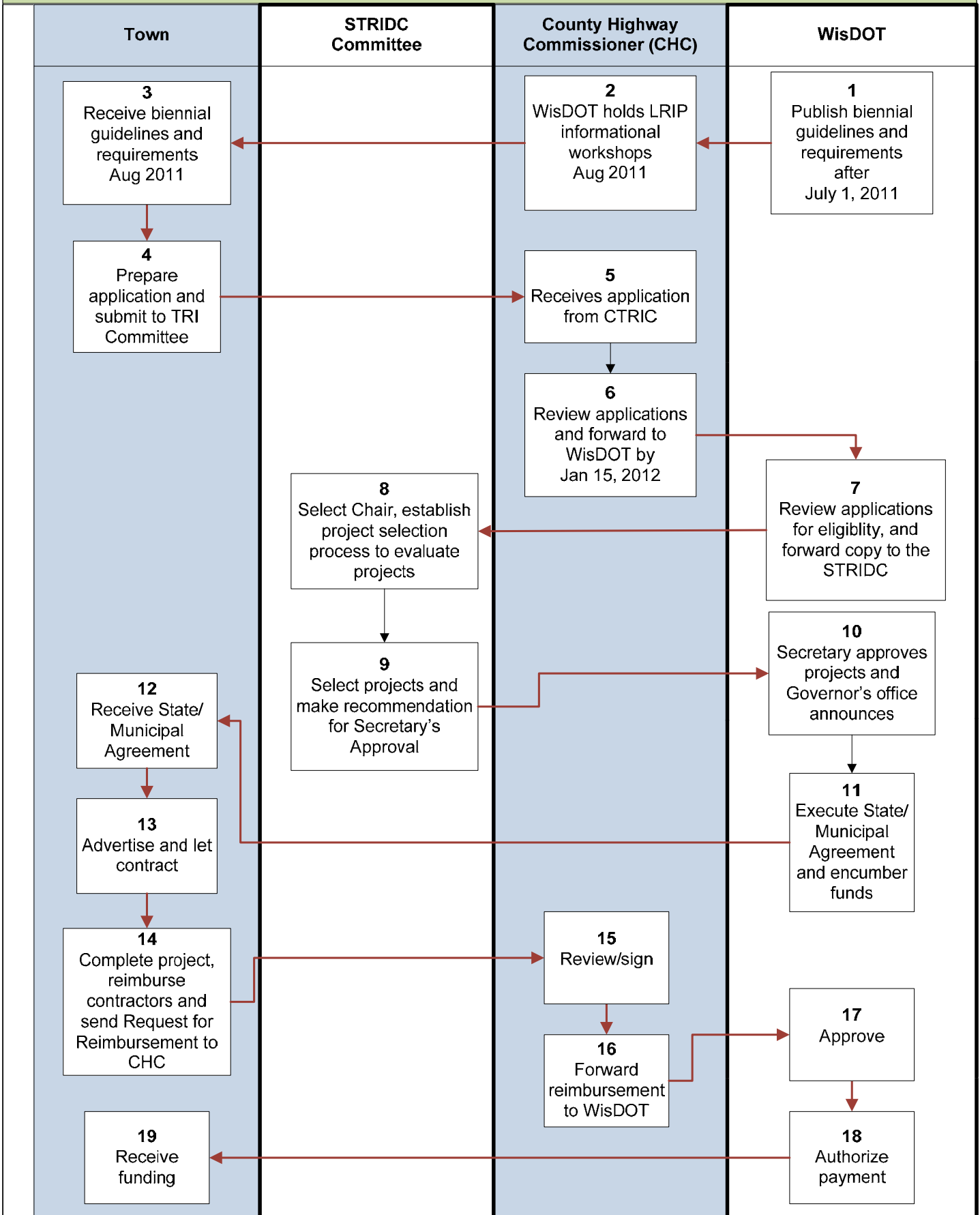
The criteria for TRID selection, in order of priority, are:

- (1) Safety: The highest priority is given to projects that improve safety, or correct an existing traffic safety hazard. Applicants should submit information detailing the hazard, accident history or risk factors. Other relevant information such as the volume and type of traffic which supports the need for the safety improvement should also be submitted. Towns should have already examined any alternatives to reduce the safety hazard, other than reconstruction such as reducing speed limits or installing traffic signs/signals. Any other information concerning safety issues on public facilities in the area such as schools, parks, etc., may also be included in the application.
- (2a) Reconstruction with heavy vehicle or high volume traffic: The 2011-2013 state biennial budget provides an additional \$10 million over the next two years, specifically for Town Road Discretionary (TRID) projects. These additional moneys are intended to pay for high-priority improvements on roads damaged by or inadequate for high-volume and/or heavy traffic. Projects must be designed and completed to the appropriate improvement standard, and must include an adequate base, after accounting for current and anticipated traffic weight and volume. (*Note: professional design is required on these projects.*) Relevant documentation included with the application should include traffic volumes and types, including the roadway's service to any new and expanding livestock or other agricultural facilities, forestry and existing or anticipated freight routes. The application should also identify proximity to public facilities and/or population or economic centers. A traffic study may be useful, but is not required, provided the heavy traffic volume or truck traffic is explained.
- (2b) Reconstruction with typical traffic: Supplemental information should provide an explanation of the reconstruction. Any information that distinguishes the project from a routine surface improvement project is appropriate. For example, what type of reconstruction will be done. If drainage is included, how will it be improved as part of the project.
- (3) Multi-jurisdictional Projects: Joint projects between jurisdictions (towns working in cooperation with other towns, villages, cities, or the county). These projects may include town line roads, multiple intersections with county roads, or joint line roads between cities and villages with towns. However, TRID funds are available only to towns. It is necessary to select and identify on the application which town will be the recipient for the project.

Other factors that merit consideration include:

- Economic or job development in the area.
- Possible jurisdictional transfer between town and county.
- Unique characteristics of the road, such as tourist sites, historic sites, or any other factors that will make the project unique.

Town Road Discretionary Improvement Program (TRID)



TOWN ROAD DISCRETIONARY IMPROVEMENT PROCESS (TRID)

The flowchart identifies the general procedures for the Town Road Discretionary Improvement Program (TRID, formerly known as TRIP-D). The following is a step-by-step description of the process.

Steps 1: The State of Wisconsin's 2011-13 state biennial budget sets the final appropriation amounts for the 2012-13 program cycle and WisDOT publishes *LRIP Guidelines and Requirements* on line on the [LRIP Homepage](#) after July 1, 2011.

Steps 2: WisDOT holds LRIP program kickoff workshops with CHC, and cities and villages with a population of 20,000 or more in August 2011.

Step 3 and 4: Towns receive *LRIP Guidelines and Requirements* and prepare hard copy project application and supporting material. Towns forward the application to the County Town Road Improvement committee (CTRIC).

Step 5 and 6: The CHC reviews the project application(s) and supporting material for completeness and compliance with applicable statutory law, administrative policy and program rules and forwards the prioritized project application(s) to WisDOT by January 15, 2012.

Step 7: WisDOT reviews the applications. After receiving all TRID applications statewide, hard copies of each eligible application are forwarded to the TRID committee members for independent review before the committee meets.

Steps 8 and 9: The CTRIC meets, selects a chair and establishes a process to evaluate projects. The committee makes their recommendations to the WisDOT Secretary for approval.

Steps 10: The WisDOT Secretary approves projects in March 2012. The Governor's office announces approved projects shortly thereafter.

Steps 11: WisDOT processes approved State FY 2012 funded projects by March 15, 2012 and State FY 2013 funded projects by July 15, 2012 and forwards *State/Municipal Agreements* to recipient, copy to CHC, and copy to Bureau of Business Services (BBS) to encumber the funds.

Step 12 and 13: Town receives an executed *State/Municipal Agreement* from WisDOT and advertises and lets the project to contract.

Step 14: Complete the project. The town pays the contractor(s) in full. Once the contractor(s) has been paid, complete and sign the project's *Request for Project Reimbursement* and forward it to the CHC.

Step 15 and 16: The CHC reviews the *Request for Reimbursement* and either signs and forward to WisDOT or requests additional information.

Steps 17 through 19: Upon receipt of completed *Request for Project Reimbursement* the Contract Specialist reviews and either forwards for approval signature or requests additional information. Once a *Request for Reimbursement* has been approved by the Program Administrator, the Contract Specialist submits the request to BBS to process the payment. WisDOT sends the reimbursement check to the town treasurer within 30 days of receipt.

payable to the county or municipality for the following year for each working day after July 31 that the report form is actually submitted, subject to the following limitations:

1. The amount of the reduction may not exceed 10% of the aids payable to the county or municipality under s. 86.30 (2) for the following year.

2. The amount of aids payable to the county or municipality under s. 86.30 (2) during the following year may not be reduced to less than 90% of the aids actually paid to the county or municipality under s. 86.30 (2) during the preceding year.

(j) The aids payable to a county or municipality that is required to submit a financial report form under par. (d) and financial reports under par. (g) shall be reduced under any applicable provision of par. (e), (f), (h) or (i), subject to the limitations under pars. (f) and (i).

(6) ELIGIBLE COST ITEMS. All public road, street or alley construction and maintenance expenditures within the right-of-way are generally reportable as eligible cost items.

(a) Maintenance items include without limitation because of enumeration:

1. Pavement and curb and gutter repair.
2. Maintenance of bridges, culverts and storm sewers.
3. Snow plowing and ice control.
4. Maintenance of traffic control devices.

(b) Construction items include without limitation because of enumeration:

1. Storm drainage systems, culverts and bridges.
2. Grading, base and surface.
3. Marking, signs and traffic control signals.
4. Engineering.
5. Right-of-way acquisition, including relocation assistance.

(c) The following other costs to the extent they are highway related are reportable:

1. Machinery and vehicle costs.
2. Expenditures for buildings required for road or street purposes.
3. Interest cost related to funds borrowed to finance any eligible cost item.
4. Street lighting costs.

(cm) Some portion of law enforcement costs determined by the department, in consultation with the representatives appointed under sub. (5) (am), may be reported as eligible cost items. The department may establish different portions under this paragraph for different classes of counties or municipalities.

(d) Road, street or alley costs not eligible include costs that are financed with public funds other than road or street funds, items that are by statute, ordinance or local policy not a public expense or responsibility and all administrative costs. Costs not eligible include costs incurred on every way or place in private ownership and used for vehicular travel only by the owner and those having express or implied permission from the owner and every road, alley or driveway upon the grounds of public institutions.

(e) Cost data shall not include state or federal contributions to the work, all other public agency fund contributions, and all private contributions other than local assessments or special assessments paid by governmental agencies.

(f) The department shall provide a manual of cost reporting guidelines which further details eligible and ineligible costs.

(7) COST REVIEW AND AUDIT. (a) The department shall analyze the county and municipal highway-related cost data to identify that data that does not conform to reasonable averages and statistical groups or with previous reported costs. The department may request information from those municipalities or counties to explain the deviation. If not satisfied, the department may order the municipality or county to conduct and report to the department an independent certified audit of its financial report or, if the county or municipality has already conducted an audit of its finan-

cial report which complies with requirements under 31 USC 7501 to 7505, may require the county or municipality to provide the department with an itemization of data comprising that audit. The costs of an audit or of providing the department itemized data comprising an audit shall be a reportable cost item if the audit substantially verifies the original financial report.

(b) If the county or municipality fails to conduct an independent audit when ordered to do so by the department, the aids payable during the following year shall be equal to 90% of the aids actually paid during the preceding year. If the department has reason to believe that the 90% payment will be greater than the actual payment should be, the department may itself order an independent audit and deduct the audit costs from the transportation aids paid to the county or municipality under s. 86.30 (2). Any underpayment or overpayment of aids resulting from financial reporting errors shall be rectified by adjusting aids paid in the following year.

(c) Any municipality having a population of 2,500 or less which has submitted its financial report form may amend it prior to March 31 or prior to May 15 if a written request for extension has been received by the department of revenue. Any county or any municipality having a population over 2,500 which has submitted its financial report form may amend it prior to May 1 or prior to May 15 if a written request for extension has been received by the department of revenue. Any amendments shall be submitted to the department of revenue. Any county or municipality which desires to amend its financial report form after May 15 shall submit an independent, certified audit to the department of revenue no later than August 15.

(d) Any county or municipality that desires to amend past-year cost reports shall submit an independent, certified audit to the department. Any county or municipality that desires to amend past-year financial report forms shall submit amendments to the department of revenue.

History: 1977 c. 29; 1979 c. 34, 221; 1981 c. 20; 1983 a. 27, 192, 405; 1985 a. 29, 332; 1987 a. 27; 1989 a. 167; 1991 a. 39; 1995 a. 216; 1997 a. 106; 1999 a. 9.

86.305 Eligibility for transportation aids. The restriction of access to a street under s. 66.0429 (3) may not affect the eligibility of a city to receive any state transportation aids.

History: 1993 a. 113; 1999 a. 150 s. 672.

86.31 Local roads improvement program. (1) DEFINITIONS. In this section:

(a) “County highway improvement program district” means a group of counties established by the department by rule under sub. (6) (f).

(am) “County highway improvement program district committee” means a committee established by the department by rule under sub. (6) (f) consisting of all of the county highway commissioners from counties within a county highway improvement program district.

(ar) “Entitlement” means the amount of aid made available under sub. (3) for reimbursement within a county for the components specified in sub. (3) (a) 1. to 3.

(b) “Improvement” means a highway construction project with a projected design life of at least 10 years or a feasibility study of a highway construction project with a projected design life of at least 10 years.

(c) “Local roads” means county trunk highways, town roads, or streets under the authority of cities or villages.

(d) “Political subdivision” means a county, city, village or town.

(e) “Program” means the local roads improvement program.

(f) “Street” has the meaning given in s. 340.01 (64).

(2) ADMINISTRATION. (a) The department shall administer a local roads improvement program to accelerate the improvement of seriously deteriorating local roads by reimbursing political subdivisions for improvements. The selection of improvements that may be funded under the program shall be performed by officials

of each political subdivision, consistent with the requirements of subs. (3), (3g), (3m) and (3r). The department shall notify each county highway commissioner of any deadline that affects eligibility for reimbursement under the program no later than 15 days before such deadline.

(b) Except as provided in par. (d), improvements for highway construction projects funded under the program shall be under contracts. Such contracts shall be awarded on the basis of competitive bids and shall be awarded to the lowest responsible bidder. If a city or village does not receive a responsible bid for an improvement, the city or village may contract with a county for the improvement. A town may contract with a county for the improvement subject to the criteria and procedures promulgated as rules under sub. (6) (h).

(c) Improvements consisting of feasibility studies funded under the program may be performed by political subdivisions or the department of transportation, including the making and execution of all contracts.

(d) County trunk highway improvements funded under the program, including the hauling and laying of asphaltic hot mix, may be performed by county highway departments, subject to the following restrictions:

1m. The county highway department demonstrates that it is cost-effective for it to perform the work and that competitive bidding is to be used for improvements with an estimated total cost at least equal to the total funds allocated for its county trunk highway improvements under the program during the current biennium.

4. Contracts for the purchase of asphaltic hot mix shall be awarded on the basis of competitive sealed bidding.

5. Each county highway improvement program district committee shall do all of the following with respect to any work to be performed by any county highway department within the county highway improvement program district:

a. Review the proposed work and determine that it is cost-effective for the county highway department to perform the work.

b. Approve the proposed work prior to its being performed by the county highway department.

(e) The department of transportation may not require as a condition of reimbursement that the design and construction of any improvement with eligible costs totaling \$65,000 or less be certified by a registered professional engineer.

(3) ENTITLEMENT COMPONENT. (a) Funds provided under s. 20.395 (2) (fr) shall be distributed under this subsection. For purposes of entitlement, the program shall consist of the following components:

1. County trunk highway improvements.
2. Town road improvements.
3. City and village street improvements.

(b) From the appropriation under s. 20.395 (2) (fr), the department shall allocate funds for entitlement as follows:

1. For county trunk highway improvements, 43%.
2. For town road improvements, 28.5%.
3. For city and village street improvements, 28.5%.

(c) Entitlements for each component under this subsection will be determined by a formula and calculated for each county, except that cities and villages with a population of 20,000 or more shall receive a proportionate share of the entitlement for city and village street improvements for the applicable county. No county may receive less than 0.5% of the total funds allocated to counties for county trunk highway improvements under par. (b) 1.

(3g) COUNTY TRUNK HIGHWAY IMPROVEMENTS — DISCRETIONARY GRANTS. From the appropriation under s. 20.395 (2) (ft), the department shall allocate \$5,355,000 in fiscal year 2007–08, \$5,462,100 in fiscal year 2008–09, and \$5,127,000 in fiscal year 2009–10 and each fiscal year thereafter, to fund county trunk highway improvements with eligible costs totaling more than \$250,000. The funding of improvements under this subsection is

in addition to the allocation of funds for entitlements under sub. (3).

(3m) TOWN ROAD IMPROVEMENTS — DISCRETIONARY GRANTS. From the appropriation under s. 20.395 (2) (ft), the department shall allocate \$765,000 in fiscal year 2007–08, \$780,300 in fiscal year 2008–09, and \$732,500 in fiscal year 2009–10 and each fiscal year thereafter, to fund town road improvements with eligible costs totaling \$100,000 or more. The funding of improvements under this subsection is in addition to the allocation of funds for entitlements under sub. (3).

(3r) MUNICIPAL STREET IMPROVEMENTS — DISCRETIONARY GRANTS. From the appropriation under s. 20.395 (2) (ft), the department shall allocate \$1,020,000 in fiscal year 2007–08, \$1,040,400 in fiscal year 2008–09, and \$976,500 in fiscal year 2009–10 and each fiscal year thereafter, to fund municipal street improvement projects having total estimated costs of \$250,000 or more. The funding of improvements under this subsection is in addition to the allocation of funds for entitlements under sub. (3).

(3s) WEST CANAL STREET RECONSTRUCTION AND EXTENSION. Notwithstanding limitations on the amount and use of aids provided under this section, or on eligibility requirements for receiving aids under this section, and subject to s. 84.03 (3) (b), the department shall award a grant of \$2,500,000 to the city of Milwaukee for the purposes specified under s. 84.03 (3) (a). Notwithstanding subs. (3) (b), (3g), (3m), and (3r), payment of the grant under this subsection shall be made from the appropriation under s. 20.395 (2) (fr) before making any other allocation of funds under subs. (3) (b), (3g), (3m), and (3r), and the allocation of funds under subs. (3) (b), (3g), (3m), and (3r) shall be reduced proportionately to reflect the amount of the grant made under this subsection. This subsection does not apply after December 31, 2005.

(3t) PAYMENTS RELATED TO ENVIRONMENTAL REVIEW OF LOCAL PROJECTS. Notwithstanding limitations on the amount and use of aids provided under this section, or on eligibility requirements for receiving aids under this section, and subject to any applicable interagency agreement between the department of transportation and the department of natural resources, the department of transportation may make a payment in each fiscal year to the department of natural resources to support 3.0 full-time equivalent positions in the department of natural resources related to the environmental review of local transportation projects. Notwithstanding sub. (3), any payment under this subsection shall be made from the appropriation under s. 20.395 (2) (fr) before making any other allocation of funds under sub. (3). After the department of transportation makes the payment under this subsection, the allocation of funds under sub. (3) shall be reduced proportionately to reflect the amount of the payment.

(4) REIMBURSEMENT FOR IMPROVEMENTS. All costs of an improvement funded under this section shall be the responsibility of the political subdivision. At the completion of an improvement, the political subdivision may apply to the department for reimbursement of not more than 50% of eligible costs in the manner and form prescribed by the department.

(5) EXCEPTIONS. Nothing in this section prevents improvements under other highway aid programs if applicable.

(6) RULES. The department shall promulgate rules to implement and administer the program. The rules shall include all of the following:

- (a) Criteria for county administrative responsibilities.
- (b) Reallocation of any uncommitted funds, including a procedure to reallocate uncommitted funds between counties.
- (c) Formulas and procedures for entitlements and reimbursements for each program component under sub. (3) (a) 1. to 3.
- (d) Procedures for reimbursements for county trunk highway improvements under sub. (3g), for town road improvements under sub. (3m) and for municipal street improvements under sub. (3r).
- (e) Procedures for the selection and administration of improvements.

(f) Procedures for the establishment, administration and operation of county highway improvement program districts and county highway improvement program district committees.

(g) Specific criteria for making determinations of cost-effectiveness under sub. (2) (d) 5. a. and procedures for review by the department of disputes relating to whether proposed work to be performed by a county highway department is cost-effective for purposes of sub. (2) (d) 5. a.

(h) Criteria and procedures for contracting with a county for a town road improvement that includes at least all of the following:

1. A requirement that a written and sealed estimate of the cost of the improvement that includes the source of the estimate be prepared prior to the time set for the opening of bids for the improvement and not be opened until after the opening of all bids.

2. A requirement that all bids may be rejected and the contract awarded to a county for the improvement if the lowest bid exceeds the cost estimate under subd. 1. by at least 10% and the town board notifies the 2 lowest bidders or, if only one bid was received, the bidder to provide information on the accuracy of the cost estimate under subd. 1.

3. A requirement that the amount of the contract with a county for the improvement be at least 10% below the lowest bid received for the improvement.

4. A provision that permits rebidding if the amount of the proposed contract with a county for the improvement is less than 10% below the lowest bid received for the improvement.

History: 1991 a. 39, 269; 1993 a. 16, 437; 1997 a. 27; 1999 a. 9; 2001 a. 16; 2003 a. 33; 2005 a. 25; 2007 a. 20; 2009 a. 28.

Cross-reference: See also ch. Trans 206, Wis. adm. code.

APPENDIX Ab

SECTION 1675N. 59.52 (30) of the statutes is created to read:

59.52 (30) LIMITATION ON PERFORMANCE OF HIGHWAY WORK. Notwithstanding ss. 66.0131, 66.0301, and 83.035, a county may not use its own workforce to perform a highway improvement project on a highway under the jurisdiction of another county or a municipality that is located in a different county unless one of the following applies:

- (a) A portion of the project lies within the county performing the work and no portion of the project extends beyond an adjoining county.
- (b) The project lies, wholly or in part, within a municipality that lies partially within the county performing the work.

SECTION 1713M. 62.15 (1d) of the statutes is created to read:

62.15 (1d) LIMITATION ON HIGHWAY WORK PERFORMED BY A COUNTY. Notwithstanding ss. 66.0131, 66.0301, and 83.035, a city having a population of 5,000 or more may not have a highway improvement project performed by a county workforce except as provided under s. 86.31 (2) (b).

SECTION 1727MB. 66.0903 (1) (dr) of the statutes is amended to read:

66.0903 (1) (dr) "Minor service or maintenance work" means a project of public works that is limited to minor crack filling, chip or slurry sealing, or other minor pavement patching, not including overlays, that has a projected life span of no longer than 5 years or that is performed for a town and is not funded under s. 86.31, regardless of projected life span; the depositing of gravel on an existing gravel road applied solely to maintain the road; road shoulder maintenance; cleaning of drainage or sewer ditches or structures; or any other limited, minor work on public facilities or equipment that is routinely performed to prevent breakdown or deterioration.

SECTION 1727N. 66.0903 (5) (a) of the statutes is amended to read:

66.0903 (5) (a) A single-trade project of public works for which the estimated project cost of completion is below \$25,000 less than \$48,000, a multiple-trade project of public works for which the estimated project cost of completion is less than \$100,000, or, in the case of a multiple-trade project of public works erected, constructed, repaired, remodeled, or demolished by a private contractor for a city or village having a population of less than 2,500 or for a town, a multiple-trade project of public works for which the estimated project cost of completion is less than \$234,000.

SECTION 2278D. 86.31 (2) (a) of the statutes is amended to read:

86.31 (2) (a) The department shall administer a local roads improvement program to accelerate the improvement of seriously deteriorating local roads by reimbursing political subdivisions for improvements. The selection of improvements that may be funded under the program shall be performed by officials of each political subdivision, consistent with par. (h) and the requirements of subs. (3), (3g), (3m)₂ and (3r). The department shall notify each county highway commissioner of any deadline that affects eligibility for reimbursement under the program no later than 15 days before such deadline.

SECTION 2278EM. 86.31 (2) (b) of the statutes is amended to read:

86.31 (2) (b) Except as provided in par. (d), improvements for highway construction projects funded under the program shall be under contracts. Such contracts shall be awarded on the basis of competitive bids and shall be awarded to the lowest responsible bidder. If a city or village does not receive a responsible bid for an improvement, the city or village may contract with a county for the improvement. A-Subject to s. 59.52 (30), a town may contract with a county for the improvement subject to the criteria and procedures promulgated as rules under sub. (6) (h).

SECTION 2278J. 86.31 (2) (h) of the statutes is created to read:

86.31 (2) (h) A double seal coat project on a town road may be funded under the program if it has a projected life of at least 10 years, similar projects in the same geographic area have performed satisfactorily, and the county highway commissioner of the county in which the project is located approves the project's eligibility for funding.

SECTION 2278M. 86.31 (3m) of the statutes is amended to read:

86.31 (3m) TOWN ROAD IMPROVEMENTS — DISCRETIONARY GRANTS. From the appropriation under s. 20.395 (2) (ft), the department shall allocate ~~\$765,000 in fiscal year 2007-08, \$780,300 in fiscal year 2008-09, and \$732,500 in fiscal year 2009-10~~ and in fiscal year 2010-11, and \$5,732,500 in fiscal year 2011-12 and each fiscal year thereafter, to fund town road improvements with eligible costs totaling \$100,000 or more. The funding of improvements under this subsection is in addition to the allocation of funds for entitlements under sub. (3).

SECTION 2278O. 86.31 (6) (h) (intro.) of the statutes is amended to read:

86.31 (6) (h) ~~Criteria~~ Subject to s. 59.52 (30), criteria and procedures for contracting with a county for a town road improvement that includes at least all of the following:

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Chapter Trans 206

LOCAL ROADS IMPROVEMENT PROGRAM

Trans 206.01	Purpose and scope.	Trans 206.05	County highway improvement.
Trans 206.02	Definitions.	Trans 206.06	Town road improvement.
Trans 206.03	Uniform provisions.	Trans 206.07	County highway improvement program districts and committees.
Trans 206.035	Town road improvement discretionary provisions.	Trans 206.08	Statewide town road improvement discretionary committee.
Trans 206.04	Municipal street improvement.		

Trans 206.01 Purpose and scope. The purpose of this chapter is to interpret and administer procedures for assisting in the improvement of deteriorating local highways, streets and roads under s. 86.31 (6), Stats.

History: Cr. Register, June, 1992, No. 438, eff. 7-1-92.

Trans 206.02 Definitions. The words and phrases defined in s. 86.31 (1), Stats., have the same meaning in this chapter unless a different definition is specifically provided. In this chapter:

(1) "Administrative cost" means the county highway commissioner's staff and material costs to perform the county highway commissioner's duties to the county MSI program for cities and villages with a population of 20,000 or less, and the county TRI program, including the cost of conducting bid lettings for MSI projects in cities and villages with a population of 20,000 or less and for TRI projects.

(1m) "Annual allocation" means the annual amount of state funds available under the TRID component of the local roads improvement program to a town to make improvements with total project costs of \$100,000 or more to local town roads.

(2) "Annual entitlement" means the annual amount of state funds available under the local roads improvement program to a county, county town road improvement committee, county municipal street improvement committee, or city or village with a population of 20,000 or more to make improvements to the local roads.

(2m) "Biennial allocation" means the sum of the 2 annual allocations in a state biennium.

(3) "Biennial entitlement" means the sum of the 2 annual entitlements in a state biennium.

(4) "Chief executive" means the town board chairperson, village president, elected mayor or city manager.

(5) "Contract administration" means the preparing of or having plans prepared for the project, acquiring right of way, letting of bids and construction supervision of a local roads improvement program project.

(6) "Cost ceiling" means the maximum amount the state of Wisconsin will pay as its share of the local road improvement project under this chapter.

(7) "County board chairperson" has the meaning specified in s. 59.05, Stats.

(8) "County executive" has the meaning specified in s. 59.17, Stats.

(9) "County highway commissioner" has the meaning specified in s. 83.01, Stats.

(10) "County highway improvement" or "CHI" means the improvement projects on the county trunk system funded by the county highway improvement entitlement component of the local roads improvement program as authorized under s. 86.31 (3), Stats.

(11) "County highway improvement plan" means a county's 5-year plan of improvements to the county trunk system which is

eligible to be funded from the county highway improvement component of the local roads improvement program.

(12) "County highway improvement program district" means a group of counties designated by the secretary of transportation under s. 86.31, Stats., to be a county highway improvement program district.

(13) "County highway improvement program district committee" means a committee consisting of not more than 5 county executives or designees or when there is no office of county executive, county board chairpersons or the chairperson's designee from counties within a county highway improvement district.

(14) "County municipal street improvement committee" or "CMSIC" means a committee of not more than 5 chief executives or designees of cities and villages with a population of less than 20,000 within the county responsible to select MSI projects within the county.

(15) "County town road improvement committee" or "CTRIC" means a committee of not more than 5 town chairpersons or designees from within the county responsible to select TRI projects within the county.

(16) "Department" means the department of transportation.

(17) "Eligible project" means one or more logical phases of a specific improvement including, but not limited to, a feasibility study, design engineering, grading, base, paving, and road finish materials such as hot mix asphalt.

(18) "Feasibility study" means the engineering and environmental studies for a specific section of a local road that will lead to a LRIP improvement project.

(19) "Local roads improvement program" or "LRIP" means the state entitlement program with county trunk highway, town road and municipal street entitlement components as established in s. 86.31, Stats., or the state allocation component separate from the entitlement program as established in s. 86.31 (3m), Stats.

(20) "LRIP project application" means a department of transportation form which describes the projects that may be funded with LRIP entitlements, or LRIP allocations under TRID, in the current state biennium.

(21) "Miles" means the number of miles of roads and streets as determined by the department of transportation under s. 86.302, Stats.

(22) "Municipal street improvement" or "MSI" means the improvement projects on the city and village street system funded by the municipal street improvement entitlement component of the local roads improvement program as authorized under s. 86.31 (3), Stats.

(23) "Municipal street improvement plan" means a city or village's 5-year plan of improvements to the municipal street system eligible to be funded from the municipal street improvement component of the local roads improvement program.

(24) "PASER" means the pavement surface evaluation and rating process developed and taught by the transportation information center at the university of Wisconsin extension, Madison, WI 53706.

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(25) "Population" means the population of a political subdivision as determined in s. 86.33, Stats.

(26) "Project agreement" means a formal agreement between the state and a political subdivision which states the responsibilities of each of the parties to the agreement.

(27) "Recipient" means a county, county town road improvement committee, county municipal street improvement committee, or a city or village with a population of 20,000 or more, or a town under the TRID.

(28) "Secretary" means the secretary of the department of transportation.

(29) "State biennium" means a period from July 1 of every odd-numbered year through June 30 of the next odd-numbered year.

(30) "State fiscal year" means a period from July 1 through June 30.

(31) "Statewide town road improvement discretionary committee" or "STRIDC" means the committee appointed by the secretary responsible to recommend TRID projects for approval by the secretary.

(32) "Town road improvement" or "TRI" means the improvement projects on the town road system funded by the town road improvement entitlement component of the local roads improvement program as authorized under s. 86.31 (3), Stats.

(33) "Town road improvement discretionary" or "TRID" means the improvement projects on the statewide town road system funded by the town road improvement discretionary allocation component of the local roads improvement program as authorized under s. 86.31 (3m), Stats.

(34) "Town road improvement plan" means a town board's 2 or more year plan for improvements to the town road system eligible to be funded from the town road improvement component of the local roads improvement program.

History: Cr. Register, June, 1992, No. 438, eff. 7-1-92; am. (1), (19), (20) and (27), renum. (31) and (32) to be (32) and (34), cr. (1m), (2m), (31) and (33), Register, December, 1994, No. 468, eff. 1-1-95; am. (1), Register, October, 1997, No. 502, eff. 11-1-97; **correction in (8) made under s. 13.93 (2m) (b) 7., Stats.**

Trans 206.03 Uniform provisions. (1) ENTITLEMENT. The local roads improvement program is an annual entitlement program for improvements to local roads. Biennially, an entitlement shall be made to each county, each CMSIC and CTRIC and to each city or village whose population is 20,000 or more. Entitlements to the recipient shall be determined as follows:

(a) Municipal street improvement for each CMSIC and for each city or village with a population of 20,000 or more: 50% of each county's, city's or village's, with a population of 20,000 or more, proportionate share of total miles of all city or village streets in the state and 50% of each county's, city's or village's, with a population of 20,000 or more, proportionate share of the total population of all cities and villages in the state.

(b) County highway improvement shall be 60% of each county's proportionate share of the state population and 40% of each county's proportionate share of total county trunk miles of all county trunk miles in the state; except no county's entitlement shall be less than one half of one percent (0.5%) of the total funds allocated to the counties under this chapter.

(c) Town road improvement shall be on each county's proportionate share of town road miles to all town road miles in the state.

(2) OPTION TO ACCUMULATE ENTITLEMENT UNTIL THE SECOND YEAR OF THE BIENNIUM. To permit maximum flexibility in the use of entitlements and use all entitlements in the biennium appropriated, a recipient may:

(a) Use the entitlement in the state fiscal year it is available.

(b) Accrue the annual entitlement until the second year of the state biennium rather than using it in the year it is available.

(c) Request approval, on the LRIP project application form, from the department to use the entire biennial entitlement in the first year of the biennium.

(3) COMMITMENT OF ENTITLEMENT. (a) No later than November 1 of each odd-numbered year, each recipient shall complete the LRIP project application form and send it to the appropriate county highway commissioner.

(b) No later than January 15 of each even-numbered year, the appropriate county highway commissioner shall send the department a copy of each LRIP project application submitted by each recipient in the county.

(c) Upon the approval of each LRIP project application by the department, the estimated cost of the project listed on the LRIP project application form shall be considered committed, and entitlement funds shall be reserved for the political subdivision with an approved LRIP project. A project agreement for each LRIP project shall be executed and received by the department no later than April 1 of the next odd-numbered year. If an executed project agreement is not received by April 1 of the next odd-numbered year, the commitment of state funds shall be withdrawn.

(4) UNCOMMITTED LRIP ENTITLEMENTS. (a) Any entitlements not committed by the recipient by November 1 of each odd-numbered year shall be available for use by other recipients.

(b) The first priority for uncommitted entitlements shall be for use by other recipients within the same county. The county highway commissioner of that county is responsible for determining if the uncommitted entitlement can be used within the county and which recipient will receive it.

(c) The second priority for any uncommitted entitlement that cannot be used within the county shall be for use within the county highway improvement program district. The county highway improvement district committee shall be responsible for determining if uncommitted entitlement can be used within the district and which recipient will receive it.

(d) On July 1 of each odd-numbered year, all uncommitted entitlements from the previous biennium shall be added to the LRIP appropriation for the current biennium and redistributed according to the distribution formula in s. Trans 206.03 (1).

(5) PAYMENT OF PROJECT COSTS. (a) The local roads improvement program is a reimbursement program. The political subdivision where the work is performed shall be responsible for payment of project costs. At the completion of the project, the political subdivision may apply to the department of transportation for reimbursement of eligible costs in accordance with the project agreement. Application for reimbursement shall be on forms prescribed by the department.

(b) If a project is the result of an agreement among more than one recipient, the project agreement shall identify one political subdivision as responsible for initial funding of the project and to whom the state shall reimburse eligible costs.

(6) ELIGIBLE PROJECTS. (a) Any improvement to the county trunk, town road or city or village street system shall be eligible for funding under this chapter provided the political subdivision has complied with the provisions of this chapter.

(b) The county, CTRIC or CMSIC, cities or villages with populations of 20,000 or more, or towns under the TRID, may enter into agreements with counties, other county MSI or TRI committees, other cities or villages with populations of 20,000 or more or towns under the TRID to participate in projects that meet the standards of the local roads improvement program.

(7) DUTIES OF THE COUNTY HIGHWAY COMMISSIONER. The county highway commissioner shall perform the following:

(a) Serve as the administrative contact between the department and all recipients in the county.

(b) No later than January 15 of each even-numbered year, report to the secretary or the secretary's designee, on the form in

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the manner prescribed by the department, the list of projects to be developed or constructed under the CHI, TRI, TRID and MSI components of the LRIP in the current state biennium.

(c) Determine if uncommitted entitlements of a recipient in the county can be used by another recipient within the county.

(8) REIMBURSEMENT OF COUNTIES FOR ADMINISTRATIVE COSTS RELATED TO THE CMSIC AND THE CTRIC. (a) Counties shall be reimbursed for the costs of the administrative services provided by the county highway department to that CTRIC and CMSIC.

(b) For the years 1992 through 1995 of the local roads improvement program, 5% of each county's MSI entitlement for cities and villages with a population of less than 20,000 and 5% of each county's TRI entitlement shall be distributed to the county treasurer as reimbursement for the administrative costs of the MSI and TRI.

(c) Beginning with 1996, the percentage of each county's MSI entitlement for cities and villages with a population of less than 20,000 and county's TRI entitlement to be distributed to the county for administrative costs related to the MSI and TRI shall be reviewed with the county highway commissioner and the chairpersons of the county TRI and the MSI committees to determine an appropriate level of reimbursement. The county highway commissioner shall notify the department what percent level of reimbursement was selected as a result of the review. Until such notification is received, the level of reimbursement shall continue at 5%.

(9) ELIGIBLE LRIP PROJECT COSTS. Feasibility studies, design, right-of-way acquisition, any item which is an integral part of street and road construction, and related engineering costs are eligible costs. New installations or alterations of sanitary sewers and connections, water, gas, electric, telephone, police or fire alarm facilities, parking meters, street signs and similar utilities are not eligible costs. The cost to develop each county, municipality or town's improvement plan is not an eligible cost.

(10) CONTRACT ADMINISTRATION. (a) The political subdivision with the eligible project shall be responsible for contract administration of the project. If an eligible project is located in more than one political subdivision, the project agreement shall specify the political subdivision responsible for contract administration.

(b) The design and construction of all eligible projects with eligible costs totaling more than \$50,000 under this chapter shall be certified by a registered professional engineer.

(11) FINANCIAL PARTICIPATION. (a) The state shall provide a maximum of 50% of the total eligible project cost up to the cost ceiling specified in the project agreement. The remainder of the cost shall be provided by the political subdivision where the work is performed.

(b) The political subdivision's share may be in the form of cash, engineering or right of way.

(c) No entitlement shall be used as the local match for federal aid projects.

(d) No federal aid funds shall be used as the local match for an eligible project.

(12) PROJECT AGREEMENT. (a) Each eligible project which is funded under this chapter shall be the subject of a formal agreement between the political subdivision and the department. The secretary or the secretary's designee shall sign the project agreement for the department. The secretary or the secretary designee's signature on the project agreement shall be the official acceptance of the terms of the agreement. When the project agreement is between the state and a county, the county executive or designee, or when there is no office of county executive, the county board chairperson or designee shall sign the project agreement for the county. When the project agreement is between the state and a town, village or city, the chief executive or designee of the politi-

cal subdivision shall sign the project agreement for the political subdivision.

(b) Each project agreement must be signed by the department no later than April 1 of each odd-numbered year.

(c) The project agreement shall include, but is not limited to, the following items of information:

1. Name of the signatory political subdivision or, in the case of a joint project, the project agreement shall include the names of all the political subdivisions and county MSI or TRI committees participating in the project.

2. Statement of need for the project.

3. Description of the proposed work as approved by the CTRIC, STRIDC or CMSIC where appropriate and the intended construction year.

4. Cost estimate of the work.

5. Description of the cost participation of each party to the agreement, including the amount of the cost ceiling for preliminary engineering, real estate acquisition and construction.

6. Description of all special provisions and considerations that apply to the proposed project.

7. Signed statement by the county executive or designee, or when there is no office of county executive, the county board chairperson or designee, town, city or village's chief executive or designee certifying that the work will be done in accordance with all federal, state and local laws, rules, ordinances and standards.

8. A statement that the department will only participate in eligible construction projects which are actually constructed to the appropriate standards described in this chapter. The entire cost of construction projects not constructed, or not constructed to standards, is the responsibility of the political subdivision.

9. A statement that the political subdivision with the eligible project assumes all responsibility for complying with all germane environmental requirements for the improvement, and certifies that an environmental analysis was completed and that all applicable environmental laws were followed.

(13) EXCEPTION TO STANDARDS. (a) The secretary or the secretary's designee may authorize deviation from the standards in special cases in which strict application of the standards is impractical and deviation is not contrary to the public interest and safety, and in the case of eligible county projects is not contrary to the intent of s. 84.01 (9) (b), Stats.

(b) Any deviation in the standards shall be approved in writing by the secretary or the secretary's designee before any reimbursement payments are made.

(14) PROJECT SUBSTITUTION. When a recipient informs the department that an eligible project for which a CHI, TRI or MSI project agreement has been executed cannot be built, that recipient shall have the option of substituting another eligible project that can be constructed in the same time period. The parties shall then void the original project agreement and execute a new project agreement for the substitute project. This subsection does not apply to recipients of TRID allocations.

(15) DUTIES OF DOT. The department shall perform the following:

(a) Compute the annual and biennial entitlement for each county, each CMSIC and CTRIC and for each city or village with a population of 20,000 or more.

(b) Inform, by September 1 of each odd-numbered year, each county, each CTRIC and CMSIC, and the chief executive of each city or village with a population of 20,000 or more of their biennial entitlement by state fiscal year for the current state biennium.

(c) Maintain a financial record of each project agreement and any other information the department deems necessary.

(d) Review a sufficient number of projects to ensure that the program is functioning according to applicable state laws and rules.

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- (e) Encumber state funds for all approved project agreements.
- (f) Prepare, by June 30 of each odd-numbered year, a report listing all completed projects under the local roads improvement program.
- (g) Determine if proposed projects meet the criteria of this chapter.

History: Cr. Register, June, 1992, No. 438, eff. 7-1-92; am. (6) (b), (7) (b) and (14), Register, December, 1994, No. 468, eff. 1-1-95; the correction in (12) (c) 8, made under s. 13.93 (2m) (b) 12., Stats., Register, August, 1996, No. 488; am. (12) (c) 3., Register, October, 1997, No. 502, eff. 11-1-97.

Trans 206.035 Town road improvement discretionary provisions. (1) **ALLOCATION.** The TRID is an annual allocation for improvements to town roads in excess of \$100,000 total project cost. Biennially, selected allocations shall be made to towns. Allocations to the recipient shall be recommended by the STRIDC and approved by the secretary.

(2) Option to accumulate allocation until the second year of the biennium. To permit maximum flexibility in the use of allocations and use all allocations in the biennium appropriated, a recipient may:

- (a) Use the allocation in the state fiscal year it is available.
- (b) Accrue the annual allocation until the second year of the state biennium rather than using it in the year it is available.
- (c) Request approval, on the LRIP project application form, from the department to use the entire biennial allocation in the first year of the biennium.

(3) **COMMITMENT OF ALLOCATION.** (a) No later than November 1 of each odd-numbered year, each applicant shall complete the LRIP project application form and send it to the appropriate county highway commissioner.

(b) No later than January 15 of each even-numbered year, the appropriate county highway commissioner shall send the department a copy of each LRIP project application submitted by each applicant in the county.

(c) Upon the approval of each LRIP project application by the department, the estimated cost of the project listed on the LRIP project application form shall be committed, and allocated funds shall be reserved for the political subdivision with an approved LRIP project. A project agreement for each LRIP project shall be executed and received by the department no later than April 1 of the next odd-numbered year. If an executed project agreement is not received by April 1 of the next odd-numbered year, the commitment of state funds shall be withdrawn.

(4) **UNCOMMITTED TRID ALLOCATIONS.** On July 1 of each odd-numbered year, all uncommitted allocations from the previous biennium shall be added to the TRID appropriation for the current biennium.

History: Cr. Register, December, 1994, No. 468, eff. 1-1-95.

Trans 206.04 Municipal street improvement.

(1) **DUTIES OF ALL CITIES AND VILLAGES.** Each city and village shall establish and maintain a 5-year municipal street improvement plan which identifies projects eligible to be funded under the MSI entitlement. The plan shall be based on sound traffic and pavement management principles. It shall include a priority list of needs and a 5-year schedule of improvements.

(2) **COUNTY MUNICIPAL STREET IMPROVEMENT COMMITTEES (CITIES AND VILLAGES WITH POPULATIONS OF LESS THAN 20,000).** (a) In each county there shall be a county municipal street improvement committee to select city and village street improvement projects for the municipal street improvement component of the local roads improvement program. The CMSIC shall consist of not more than 5 chief executives or designees of villages and cities in the county with populations of less than 20,000. The committee shall be selected by all the chief executives or designees of all the villages and cities in the county with a population of less than 20,000. The committee shall select a chairperson from its members.

(b) The selection of the CMSIC shall occur biennially, in the odd-numbered years, not later than October 1. The term of office for each county municipal street improvement committee member shall be 2 years, and shall be from October 1 of the current odd-numbered year to September 30 of the next odd-numbered year.

(c) In addition to the village or city chief executive committee members, each CMSIC may include as a non-voting member the county highway commissioner.

(3) **DUTIES OF THE CMSIC.** Each CMSIC committee shall perform the following:

(a) Send, no later than November 1 of each odd-numbered year, each LRIP project application form listing of all MSI projects planned for the current state biennium to the county highway commissioner.

(b) Determine, in a case where a proposed project under agreement cannot be built within the specified time frame, whether a substitute project should be put under agreement.

(c) Determine whether to enter into joint agreements with other recipients.

(4) **SELECTION AND DUTIES OF THE CHAIRPERSON OF THE CMSIC.** The chairperson of the CMSIC shall be selected by the members of the CMSIC no later than November 1 of each odd-numbered year. The duties of the chairperson shall include, but are not limited to, the following:

(a) Inform, by November 1 of each odd-numbered year, the secretary, in writing, of the name of the chairperson of the CMSIC.

(b) Convene the CMSIC when necessary.

(c) Preside over meetings of the CMSIC and perform all administrative duties required of the chairperson.

(5) **DUTIES OF A CITY OR VILLAGE WITH A POPULATION OF LESS THAN 20,000 WITH A MSI PROJECT.** Each city or village with a population of less than 20,000 with a MSI project shall perform the following:

(a) Execute, no later than April 1 of each odd-numbered year, an approved project agreement for each MSI project awarded to the city or village.

(b) Prepare all documents necessary to letting the LRIP project to competitive bid.

(c) Certify through the city or village's chief executive, at the time the city or village requests reimbursement, that the work funded under the municipal street improvement program entitlement was performed in accordance with all applicable federal, state and local laws, rules, ordinances and standards.

(6) **DUTIES OF CITIES OR VILLAGES WITH A POPULATION OF 20,000 OR MORE.** Each city or village with a population of 20,000 or more shall perform the following:

(a) Administer the LRIP entitlement in accordance with this chapter.

(b) Send, no later than November 1 of each odd-numbered year, the LRIP project application form, listing all MSI projects planned for the current state biennium to the county highway commissioner.

(c) Prepare all documents necessary to letting the LRIP project to competitive bid.

(d) Execute, no later than April 1 of each odd-numbered year, an approved project agreement for each MSI project.

(e) Certify through the city or village's chief executive, at the time the city or village requests reimbursement, that the work funded under the municipal street improvement program entitlement was performed in accordance with all applicable federal, state and local laws, rules, ordinances and standards.

(7) **CITIES OR VILLAGES IN MORE THAN ONE COUNTY.** (a) 1. Each city or village with a population of less than 20,000 and whose corporate limits extend into more than one county, shall select by September 1, 1992, which CMSIC it wishes to join. By September 1, 1992, the city or village shall notify, in writing, the

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secretary and all the affected CMSICs and county highway commissioners, which CMSIC it will join.

2. Any city or village with a population less than 20,000 not selecting a CMSIC by September 15, 1992, shall be assigned to a CMSIC by the secretary.

(b) 1. Each city and village with a population of 20,000 or more and whose corporate limits extend into more than one county shall select by September 1, 1992, which county it wishes any of its uncommitted entitlement to be assigned. By September 1, 1992, the city or village shall notify, in writing, the secretary and all the affected county highway commissioners, which county it wishes to assign its uncommitted entitlement.

2. Any city or village with a population of 20,000 or more not selecting a county by September 15, 1992, shall be assigned to a county by the secretary.

(8) DUTIES OF THE COUNTY HIGHWAY COMMISSIONER. Each county highway commissioner shall perform the following:

(a) Convene and preside over the initial meeting of all the chief executives of villages and cities with populations of less than 20,000, to select the membership and chairperson of the CMSIC.

(b) Conduct contract lettings for the city or village with municipal street improvement projects upon the request of the city or village.

(9) STANDARDS. All municipal street improvement projects funded under this chapter shall be designed and constructed using the state standards as described in the department's facility development manual procedure 11-20-1 except as provided in s. Trans 206.03 (13).

History: Cr. Register, June, 1992, No. 438, eff. 7-1-92.

Trans 206.05 County highway improvement.

(1) DUTIES OF THE COUNTY EXECUTIVE. Each county executive or designee, or where there is no office of county executive, the county board chairperson or the chairperson's designee shall perform the following:

(a) Establish and maintain a 5-year program of county trunk improvement projects eligible to be funded from the county highway improvement entitlement of the local roads improvement program. It shall include a priority list of needs and a 5-year schedule of improvements.

(b) Send, no later than January 15 of each even-numbered year, to the department the LRIP project application form listing the CHI projects planned in the current state biennium.

(c) Execute, no later than April 1 of each odd-numbered year, an approved project agreement for each project that will be constructed in the current state biennium as a county highway improvement project.

(d) Certify that the county trunk improvement projects selected meet the eligibility requirements of this chapter.

(e) Determine in a case where a proposed project under agreement cannot be built in the specified time frame, whether a substitute project should be put under agreement.

(f) Determine whether to enter into agreements with other recipients of the local roads improvements to jointly fund eligible local road improvement projects.

(2) STANDARDS. All county trunk improvement projects funded under this chapter shall be designed and constructed according to standards in ch. Trans 205 except as provided in s. Trans 206.03 (13).

History: Cr. Register, June, 1992, No. 438, eff. 7-1-92.

Trans 206.06 Town road improvement. (1) COUNTY TOWN ROAD IMPROVEMENT COMMITTEES. (a) In each county, there shall be a town road improvement committee that shall select improvement projects for the town road improvement component of local roads improvement program in the county.

(b) The CTRIC shall consist of no more than 5 town chairpersons or designees selected by all the town chairpersons or designees in the county, one of whom shall be designated as chairperson by the committee. The selection of each CTRIC shall occur biennially, in the odd-numbered years, not later than October 1. The term of office for each CTRIC member shall be 2 years, and shall be from October 1 of the current odd-numbered year to September 30 of the next odd-numbered year.

(c) In addition to the town chairperson members, each CTRIC may include as a non-voting member the county highway commissioner.

(2) DUTIES OF THE COUNTY TRI COMMITTEE. Each CTRIC shall perform the following:

(a) Submit, no later than November 1 of each odd-numbered year, to the county highway commissioner the LRIP project application form listing of TRI projects planned, and TRID project applications prioritized for the current state biennium.

(b) Determine in the case where a proposed TRI project under agreement cannot be built within the specified time frame whether a substitute TRI project should be put under agreement.

(c) Determine whether to enter into agreements with other recipients of the local roads improvement for the joint funding of eligible local roads improvement projects.

(3) SELECTION AND DUTIES OF THE CHAIRPERSON OF THE CTRIC. The chairperson of the CTRIC shall be selected by the members of the CTRIC no later than November 1 of each odd-numbered year. The duties of the chairperson shall include, but are not limited to, the following:

(a) Notify, no later than November 1 of each odd-numbered year, the secretary of the name of the chairperson of the CTRIC.

(b) Convene the CTRIC when necessary.

(c) Preside over the CTRIC and perform all administrative duties required of the chairperson.

(4) DUTIES OF THE TOWNS. Each town participating in TRI and TRID shall establish and maintain as a minimum, a 2-year plan of improvements to the town roads eligible to be funded under the TRI and TRID components. The plan shall be based on sound engineering and management principles and life cycle cost criteria such as, but not limited to, the PASER program model. It shall include a priority list of needs and a 2-year schedule of improvements.

(5) DUTIES OF TOWNS WITH A TRI OR TRID PROJECT. Towns with a TRI or TRID project shall perform the following:

(a) Execute, no later than April 1 of each odd-numbered year, an approved project agreement for each TRI project awarded to the town by the CTRIC or TRID project awarded to the town by the department.

(b) Prepare all necessary documents to let the LRIP project to competitive bid.

(c) Certify, by the town chairperson, at the time reimbursement is requested that the work was performed in accordance with all applicable federal, state and local laws, rules, ordinances and standards.

(6) DUTIES OF THE COUNTY HIGHWAY COMMISSIONER. The county highway commissioner shall perform the following:

(a) Convene and preside over the initial meeting of all town chairpersons to select the membership and chairperson of the town road improvement program committee.

(b) Conduct contract lettings for a town with a TRI or TRID project upon the request of the town.

(7) STANDARDS. All town road improvement projects funded under this chapter shall be designed and constructed using the state town road standards as described in ch. Trans 204, except as provided in s. Trans 206.03 (13).

History: Cr. Register, June, 1992, No. 438, eff. 7-1-92; am. (2) (a) and (b), (4), (5) (intro.), (a), (6) (b), Register, December, 1994, No. 468, eff. 1-1-95.

Unofficial Text (See Printed Volume). Current through date and Register shown on Title Page.

Trans 206.07 County highway improvement program districts and committees. (1) COUNTY HIGHWAY IMPROVEMENT PROGRAM DISTRICT COMMITTEES. In each county highway improvement program district, there shall be a county highway improvement program district committee. The committee shall consist of no more than 5 county executives or the county executive's designee or when there is no office of county executive, county board chairpersons or the chairperson's designee from counties in the district. The committee shall be chosen by all the county executives or the executive's designee or when there is no office of county executive, the county board chairperson or the chairperson's designee in the district. The committee members shall serve 2-year terms beginning October 1 of the odd-numbered years and ending September 30 of the next odd-numbered year. The secretary or designee shall serve as a non-voting member of each county highway improvement program district committee.

(2) DUTIES OF THE COUNTY HIGHWAY IMPROVEMENT DISTRICT COMMITTEE. The county highway improvement district committee shall perform the following:

(a) Establish criteria for the selection of CHI projects to be funded from uncommitted entitlements of member counties.

(b) Select, no later than January 15 of each even-numbered year, CHI projects to be funded from uncommitted entitlements from within the district from the member counties CHI project lists.

(c) Select, no later than October 1 of the odd-numbered years, the committee chairperson for the next 2 years.

(3) SELECTION AND DUTIES OF THE CHAIRPERSON OF THE COUNTY HIGHWAY IMPROVEMENT PROGRAM DISTRICT. (a) The chairperson of the county highway improvement program district committee shall be selected from the district committee members.

(b) Selection shall occur by October 1 of each odd-numbered year.

(c) The chairperson shall perform the following:

1. Preside over the meetings of the committee.
2. Convene a meeting of the committee as needed.

3. Convene and preside over a meeting of all county executives or county executives' designees or when there is no office of county executive county board chairpersons or the chairpersons' designees in the district, no later than October 1 of each odd-numbered year, for the purpose of selecting committee members and a chairperson for the next 2-year period.

(d) Inform in writing, no later than November 1 of each odd-numbered year, the secretary and all county executives or the county executives' designees or when there is no office of county

executive, county board chairpersons or the chairpersons' designees in the district of the committee membership.

(e) Inform the secretary and all county executives or county executives' designees or when there is no office of county executive, county board chairpersons or the chairpersons' designees in the district, no later than January 15 of each even-numbered year, of the committee's selection of projects in the district to be funded with the uncommitted entitlements of counties CMSIC, CTRIC, and municipalities with a population of less than 20,000 in the district.

(4) ELIGIBLE PROJECTS. Any improvement to the county trunk system in any of the counties within the county highway improvement program district is an eligible project, provided the county has complied with the provisions of the chapter pertaining to the county highway improvement component.

(5) SELECTED PROJECTS. A county trunk improvement project selected for funding under this chapter shall be constructed under the provisions of s. Trans 206.05. The county executive or county executive's designee or when there is no office of county executive the county board chairperson or county board chairperson's designee from the county of the selected project shall be responsible for the development and construction of the project and the certification that the project constructed complies with the provisions of the county highway improvement component.

Note: Forms can be obtained from the Wisconsin Department of Transportation, Division of Highways, P.O. Box 7916, Madison, WI 53707-7916.

History: Cr. Register, June, 1992, No. 438, eff. 7-1-92.

Trans 206.08 Statewide town road improvement discretionary committee. (1) There shall be one STRIDC.

The committee shall consist of members appointed by the secretary and have geographically balanced representation. The committee members shall serve 2-year terms beginning October 1 of the odd-numbered years and ending September 30 of the next odd-numbered year. The secretary or designee shall serve as a non-voting member of each statewide town road improvement discretionary committee.

(2) The statewide town road improvement discretionary committee shall perform the following duties:

(a) Establish criteria for the selection of TRID projects. These criteria shall include, but are not limited to, safety, reconstruction, traffic volume and type, and multi-jurisdictional projects.

(b) Select, no later than March 1 of each even-numbered year, TRID projects to be funded statewide.

(c) Select, no later than December 1 of the odd-numbered years, the committee chairperson for the next 2 years.

History: Cr. Register, December, 1994, No. 468, eff. 1-1-95.

APPENDIX C

**2012-2013 Local Roads Improvement Program
Town Road Improvement Program (TRI) Entitlement Funds**

County	Allocation	County	Allocation
Adams County	\$ 155,435.30	Marinette County	\$ 209,098.56
Ashland County	\$ 111,381.98	Marquette County	\$ 69,537.80
Barron County	\$ 195,250.34	Menominee County	\$ 11,115.98
Bayfield County	\$ 244,060.82	Monroe County	\$ 129,735.66
Brown County	\$ 93,045.19	Oconto County	\$ 204,545.30
Buffalo County	\$ 72,298.17	Oneida County	\$ 181,802.89
Burnett County	\$ 164,269.02	Outagamie County	\$ 134,814.84
Calumet County	\$ 67,241.49	Ozaukee County	\$ 38,223.22
Chippewa County	\$ 158,887.51	Pepin County	\$ 32,841.71
Clark County	\$ 220,113.29	Pierce County	\$ 107,957.90
Columbia County	\$ 128,380.08	Polk County	\$ 187,424.86
Crawford County	\$ 91,627.74	Portage County	\$ 144,087.30
Dane County	\$ 225,979.95	Price County	\$ 139,560.75
Dodge County	\$ 141,944.25	Racine County	\$ 45,331.54
Door County	\$ 105,106.13	Richland County	\$ 88,992.53
Douglas County	\$ 172,131.07	Rock County	\$ 141,014.76
Dunn County	\$ 139,147.33	Rusk County	\$ 110,789.98
Eau Claire County	\$ 86,381.22	Sauk County	\$ 147,712.47
Florence County	\$ 53,105.00	Sawyer County	\$ 147,905.12
Fond du Lac County	\$ 128,322.43	Shawano County	\$ 158,303.94
Forest County	\$ 105,615.17	Sheboygan County	\$ 83,111.82
Grant County	\$ 188,766.37	St. Croix County	\$ 157,524.91
Green County	\$ 100,905.82	Taylor County	\$ 143,662.63
Green Lake County	\$ 46,137.29	Trempealeau County	\$ 109,929.38
Iowa County	\$ 94,739.65	Vernon County	\$ 147,794.03
Iron County	\$ 73,506.09	Vilas County	\$ 155,889.50
Jackson County	\$ 138,560.95	Walworth County	\$ 118,871.39
Jefferson County	\$ 100,236.47	Washburn County	\$ 127,650.27
Juneau County	\$ 141,018.98	Washington County	\$ 85,770.93
Kenosha County	\$ 26,111.65	Waukesha County	\$ 103,726.65
Kewaunee County	\$ 67,898.18	Waupaca County	\$ 135,478.56
La Crosse County	\$ 55,811.92	Waushara County	\$ 111,131.68
Lafayette County	\$ 98,058.28	Winnebago County	\$ 99,164.95
Langlade County	\$ 93,908.59	Wood County	\$ 125,103.65
Lincoln County	\$ 107,284.33	Total	\$ 8,718,056.22
Manitowoc County	\$ 131,196.70		
Marathon County	\$ 258,584.01		

Note:

Carryover has already been added and Administrative Fee deducted from the entitlement funds.

Funding for 3.0 FTE DNR single point of contact positions for FY 2012 and FY 2013 in the amount of \$200,800 for each fiscal year has already been set aside.

APPENDIX C

Discretionary Allocations

**2012-2013 Local Roads Improvement Program (LRIP)
Discretionary Funds**

County Highway Discretionary Improvement Program (CHID)

	Allocations
WCHA District 1 - South Central	\$1,701,136.22
WCHA District 2 - Southeast	\$2,412,635.45
WCHA District 3 - Northeast	\$1,825,337.51
WCHA District 4 - Central	\$1,113,655.81
WCHA District 5 - Southwest	\$715,973.78
WCHA District 6 - West Central	\$1,131,615.36
WCHA District 7 - North Central	\$578,460.03
WCHA District 8 - Northwest	\$780,269.76
Total	\$10,259,083.92

Town Road Discretionary Improvement Program (TRID)

	Allocation
Statewide Total	\$11,546,224.07

Municipal Street Discretionary Improvement Program (MSID)

	Allocation
Statewide Total	\$2,680,223.85

Total Discretionary Allocations \$24,485,531.84

Note:

Carryover has already been added to each discretionary component.

APPENDIX D

TRI PROGRAMMING CAPS BY COUNTY*

County	Number of Towns	Programming Cap
Adams	17	9
Ashland	13	7
Barron	25	13
Bayfield	25	13
Brown	13	7
Buffalo	17	9
Burnett	21	11
Calumet	9	5
Chippewa	23	12
Clark	33	17
Columbia	21	11
Crawford	11	6
Dane	34	17
Dodge	24	12
Door	14	7
Douglas	16	8
Dunn	22	11
Eau Claire	13	7
Florence	8	4
Fond du Lac	21	11
Forest	14	7
Grant	33	17
Green	16	8
Green Lake	10	5
Iowa	14	7
Iron	10	5
Jackson	21	11
Jefferson	16	8
Juneau	19	10
Kenosha	6	3
Kewaunee	10	5
La Crosse	12	6
Lafayette	18	9
Langlade	17	9
Lincoln	16	8
Manitowoc	18	9
Marathon	41	21

County	Number of Towns	Programming Cap
Marinette	18	9
Marquette	14	7
Menominee	1	1
Milwaukee	0	0
Monroe	24	12
Oconto	23	12
Oneida	20	10
Outagamie	20	10
Ozaukee	6	3
Pepin	8	4
Pierce	17	9
Polk	24	12
Portage	17	9
Price	17	9
Racine	6	3
Richland	16	8
Rock	20	10
Rusk	24	12
St. Croix	21	11
Sauk	22	11
Sawyer	16	8
Shawano	25	13
Sheboygan	15	8
Taylor	22	11
Trempealeau	15	8
Vernon	21	11
Vilas	14	7
Walworth	16	8
Washburn	21	11
Washington	12	6
Waukesha	11	6
Waupaca	22	11
Waushara	18	9
Winnebago	16	8
Wood	22	11

*The caps represent the number of towns in a county divided by two (plus one if a county has an uneven number of towns).

APPENDIX E

Checklist to assist in completing a Local Roads Improvement Program (LRIP) Project

This checklist is designed to assist in each phase of the LRIP project life cycle. This document is an organizational tool only, and should not be submitted to the county highway commissioner or WisDOT. The checklist is in chronological order, and for best results please follow each step in the order it appears. This checklist should be used in conjunction with the LRIP guidelines and requirements.

Check each box as appropriate to indicate the documentation has been received and/or the task has been completed.

COMPLETE THE PROJECT APPLICATION(S)

- Town completed application form, with all text and data fields filled-in.
- Signed *Terms and Conditions*, (the fourth page of the application), head of government or their designee must sign.
- Town supplied a Wisconsin Information Systems for Local Roads (WISLR) map with the project location highlighted.
- Town supplied a copy of the local *Improvement Plan* (Minimum of 2-Years).

In addition for proposed applications for a Town Road Discretionary Improvement Project (TRID)

- Town provided documentation supporting the eligibility criteria for a discretionary project. Limited to no more than five additional 8 ½" x 11" pages, including pictures and should be attached to the application. **Note:** Supporting documentation is essential for serious consideration of the project.
- Town provided 18 copies of the complete application materials (including the supporting documentation).

Once all application materials have been gathered, and are complete:

- Forwarded TRI and TRID applications to the County Town Road Improvement Committee (CTRIC).

Date sent: _____.

STATE/MUNICIPAL AGREEMENT RECEIVED

- Town received State/Municipal Agreement (SMA) from WisDOT. The town must receive SMA before advertising and awarding a contract.

Date received: _____.

PRE BID

- Town established local guidelines and criteria for the selection of bids to help distinguish a responsive or responsible bid from a non-responsive or non-responsible bid.

On TRID reconstruction projects with heavy vehicle or high volume traffic, written bid specification must address anticipated traffic weights and volume.

- Ensured all *ch. Trans 204* standards, rules and regulations were followed.

On TRID reconstruction projects with heavy vehicle or high volume traffic, professional design is required.

- Ensure project will be built as identified at application time.

- If applicable, bikeway and pedestrian facilities have been considered in the scope of the project as described in s. [84.01\(35\)](#), Wis. Stats. Exceptions are described in *ch. Trans 75*.

- Yes No An exception to standards request was made. Send a copy of the written exception request to WisDOT Central Office with a copy to the county highway commissioner. (An example of an Exception to Standards is in Appendix I.)

If yes, date sent to WisDOT: _____.

Date approval received from WisDOT: _____.

Date sent to county highway commissioner: _____.

ADVERTISEMENT REQUIREMENTS

- Town advertised for bid in an official local newspaper or trade journal. (Note: The advertisement must be a Class 2 notice, defined as two insertions for two consecutive weeks.

Date 1st notice placed: _____.

Date 2nd notice placed: _____.

- Advertisement identified the project as an LRIP project (see Appendix K for an example of an advertisement for bid).

- Yes No Advertisement identified prevailing wage rates were required. On single trade projects, the new threshold is \$48,000. The threshold is \$100,000 for towns using the county as the contractor. The multiple trade threshold is increased to \$234,000 for towns using a private contractor.

- Yes No The town chose to advertise for Hot Mix Asphalt using the county's bid.

- The town should not bid the project separately.
- County advertisement should identify TRIP funds.

BIDDING REQUIREMENTS

Yes No An engineer's certification was required because improvement costs exceeded \$65,000. Town must obtain a professional engineer's certification stating the project will be designed and constructed to last a minimum of 10-years (see Appendix J).

Date obtained: _____.

Yes No The County submitted a sealed quote to the town to perform work. (**Note:** County quotes must be based on time and material costs. The county may not provide a bid for the project.

CONTRACTING REQUIREMENTS

Bidder selected and notified, in writing, of the final decision regarding the bids received.

Date notified: _____.

Yes No Town accepted county quote. Statutory law requires the quote to be less than 10% below the lowest competitive bid received.

Decision was made to reject all bids. Minutes must document the justification of the decision to the contractors, or if the bids received are considered non-responsive

No bids received

Re-advertised for bids.

Awarded the project to the county.

Town board minutes reflect bid award and rejection notices or, indicate action taken (required, even if the town used the county bid). The county board minutes should also reflect this action.

Board minutes date: _____.

PROJECT AGREEMENT CHANGE(S) OR A SUBSTITUTION REQUESTED

Project Change(s) - modifications to the improvement type, termini or LRIP funding amount to current project.

A *Substitution-Change-Transfer Application* and a letter of explanation sent to the county highway commissioner requesting the project change(s).

Date sent: _____.

Town received a copy of the approved revised *State/Municipal Agreement* from WisDOT.

Date received: _____.

Project Substitution – replace the existing project with a new roadway or structure. Only one substitution is allowed per project.

- Forwarded a completed *Substitution-Change-Transfer Application* form and submitted to the county highway commissioner

Date sent: _____.

- Town received a copy of the *State Municipal Agreement* signed by WisDOT for the substituted project.

Date received: _____.

Note: Follow the check list for a new project.

PROJECT COMPLETED AND A REQUEST FOR REIMBURSEMENT

- Improvement completed. Date _____.
- Contractor paid. Date _____.
- Request for Reimbursement* completed and sent to the county highway commissioner for signature, along with copies of:
 - Final invoices, which show payment to the contractor(s).
 - Proof of the advertisement for bid. An *Affidavit of Publication* identifying the text of the ad, where it was placed, and when it was advertised is ideal, but not required. (An example of an *Affidavit of Publication* and advertisement is in Appendix K.)

OR

- Contract established by the county and the county has copy of proof of advertisement for bid. City or Village should retain a copy for project records.
- Board minutes or bid award/rejection notices to the county highway commissioner.

Yes No Engineer's certification is required.

Date sent to county highway commissioner _____.

- Date check received from WisDOT: _____.

RECORDS RETENTION REQUIREMENTS

Retain all project documents in the project file for a minimum of ten years after the project has been reimbursed. The project is subject to a review by the State, as indicated on page three of the *State/Municipal Agreement*, in the *Terms and Conditions*.

Unofficial Text (See Printed Volume). Current through date and Register shown on Title Page.

Chapter Trans 204

EXISTING TOWN ROAD IMPROVEMENT STANDARDS

Trans 204.01 Purpose.
Trans 204.02 Definitions.

Trans 204.03 Town road standards.
Trans 204.04 Exceptions to standards.

Trans 204.01 Purpose. The purpose of this chapter is to establish uniform minimum design standards for the improvement of existing town roads, as required by s. 82.52, Stats.

History: Cr. Register, September, 1992, No. 441, eff. 10-1-92; correction made under s. 13.93 (2m) (b) 7., Stats.

Trans 204.02 Definitions. In this chapter:

(1) "Average daily traffic" or "ADT" means the total traffic volume during a stated period divided by the number of days in that stated period; unless otherwise specified, the stated period is one year.

(2) "Bridge rehabilitation" means the preservation or restoration of the structural integrity of an existing bridge as well as work to correct safety defects.

(3) "Bridge replacement" means building a new bridge to replace an existing bridge.

(4) "Design speed" means the maximum safe speed that can be maintained over a specified section of a highway when conditions are so favorable that the design features of the highway govern.

(5) "Improvement" means a town road construction project with a projected design life of at least 10 years.

(6) "Improvement level" means the type of construction improvement. It can range from resurfacing to complete reconstruction of a town road.

(7) "Load posted" means the placement of regulatory signs at a bridge indicating the safe load carrying capacity of the bridge.

(8) "Recondition" means work in addition to resurfacing, and includes pavement widening, shoulder paving, and improvement of an isolated grade, curve, intersection or correction of a sight distance problem to improve safety.

(9) "Reconstruction" means total rebuilding of an existing town road to improve maintainability, safety, geometrics and traffic service.

(10) "Resurfacing" means placing a new surface, exclusive of seal coating, on an existing roadway to provide a better all weather surface, a better riding surface, and to extend or renew the pavement life.

(11) "Roadway" means the portion of a highway, including shoulders, for vehicular use.

(12) "Shoulder" means the portion of a roadway that is contiguous to the traveled way and is used primarily for vehicular stopping in an emergency.

(13) "Traveled way" means the portion of the roadway designed for movement of vehicles exclusive of the shoulders.

(14) "Usable bridge width" means the clear width between curbs or rails, whichever is less.

History: Cr. Register, September, 1992, No. 441, eff. 10-1-92.

Trans 204.03 Town road standards. (1) The minimum design standards for each of the town road improvement levels are as shown in the following tables:

TABLE A—RECONSTRUCTION

TRAFFIC VOLUME			ROADWAY WIDTH DIMENSIONS IN FEET		
Design Class	Current ADT	Design Speed MPH	Traveled Way	Shoulder	Roadway
T1	Under 250	40	20	3	26
T2	250–750	50	22	4	30
T3	Over 750	55	24	6	36

TABLE B—RESURFACING AND RECONDITIONING

TRAFFIC VOLUME			ROADWAY WIDTH DIMENSIONS IN FEET		
Design Class	Current ADT	Design Speed MPH	Traveled Way	Shoulder	Roadway
TR1	Under 250	—	18	2	22
TR2	250–400	40	20	2	24
TR3	401–750	50	22	2	26
TR4	Over 750	55	22	4	30

Note: Examples of resurfacing and reconditioning improvements which may be appropriate for existing town roads include, but are not limited to, pavement rehabilitation; widening lanes and shoulders; replacing bridge elements to correct structural deficiencies; bridge deck overlays; bridge and culvert replacement; and other related improvements such as minor grading, subgrade work and correction of drainage problems.

(2) The geometry of the town road shall be designed to safely accommodate vehicles traveling at the design speed selected for the road improvement.

(3) The minimum design standards for existing town bridges are as shown in the following table:

TABLE C – EXISTING BRIDGES

CURRENT TRAFFIC VOLUME ADT	USABLE BRIDGE WIDTH
Under 400	Traveled way
400 – 750	Traveled way plus 1 foot each side
Over 750	Traveled way plus 2 feet each side

(4) Bridge replacement, rehabilitation or widening is required where a bridge is either load posted or has a usable width that is less than the traveled way width. Bridge replacement or widening should be evaluated if the usable bridge width is less than the values shown in Table C. If widening of the traveled way is planned as part of the town road improvement, the usable bridge width should be compared to the approaches after they are widened to determine whether or not bridge replacement or widening should be evaluated.

Unofficial Text (See Printed Volume). Current through date and Register shown on Title Page.

(5) The minimum design standards for new bridges on town roads are as shown in ch. Trans 214.

History: Cr. Register, September, 1992, No. 441, eff. 10-1-92.

Trans 204.04 Exceptions to standards. The secretary or the secretary's designee may authorize deviation from the standards in this chapter in special cases in which strict application of the standards is impractical and in which deviation is not contrary to the public interest and safety.

History: Cr. Register, September, 1992, No. 441, eff. 10-1-92.

APPENDIX G

WISDOT CONTACTS FOR REQUESTING AN EXCEPTION TO ROADWAY STANDARDS

Written requests for an exception to standards must be sent to the following WisDOT address for consideration based upon where your county is located within the five regions:

County or Community	Contact	
Columbia, Crawford, Dane, Dodge, Grant, Green, Iowa, Jefferson, Juneau, La Crosse, Lafayette, Monroe, Richland, Rock, Sauk, Vernon	<u>Design</u>	<u>Construction</u>
	Brenda Schoenfeld (608) 246-5406 brenda.schoenfeld@dot.wi.gov	Mark Sponem (608) 245-2627 mark.sponem@dot.wi.gov
	WisDOT Southwest Region 2101 Wright St. Madison, WI 53704-2583	
Kenosha, Racine, Walworth, Washington, Waukesha.	Kathy Kramer (262) 548-8772 kathleen.kramer@dot.wi.gov	
All communities in Milwaukee County except for the City of Milwaukee	WisDOT Southeast Region 141 NW Barstow Street Waukesha, WI 53187-0798	
Ozaukee, Milwaukee	Jason Roselle (262) 548-8800 jason.roselle@dot.wi.gov	
City of Milwaukee	WisDOT Southeast Region 141 NW Barstow Street Waukesha, WI 53187-0798	
Fond du Lac, Outagamie and Winnebago	Brian Edwards (920) 492-0149 brian.edwards@dot.wi.gov	
	WisDOT Northeast Region 944 Vanderperren Way Green Bay, WI 54304	
Brown, Calumet, Door, Kewaunee, Manitowoc, Marinette, Oconto, Sheboygan,	Dave Schmidt (920) 492-0137 dave.schmidt@dot.wi.gov	
	WisDOT Northeast Region 944 Vanderperren Way Green Bay, WI 54304	
Adams, Florence, Forest, Iron, Green Lake, Lincoln, Langlade, Marathon, Marquette, Menominee, Oneida, Portage, Price, Shawano, Vilas, Waupaca, Waushara, Wood	Robin Stafford (715) 365-5750 robin.stafford@dot.wi.gov	
	WisDOT North Central Region 510 Hanson Lake Road P.O. Box 777 Rhineland, WI 54501-0777	
Ashland, Barron, Bayfield, Buffalo, Burnett, Chippewa, Clark, Douglas, Dunn, Eau Claire, Jackson, Pepin, Pierce, Polk, Rusk, Sawyer, St. Croix, Taylor, Trempealeau, Washburn	Andy Stensland (715) 392-7963 andrew.stensland@dot.wi.gov	
	WisDOT Northwest Region W7102 Green Valley Road Spooner, WI 54801	

APPENDIX H

DNR's TRANSPORTATION LIAISON STAFF *(revised 02/04/2011)*

Central Office Coordinators

General Coordination	Mike Halsted	Michael.Halsted@Wisconsin.gov	(608) 267-9742
Endangered Resources	Lisie Kitchel	Lisie.Kitchel@wisconsin.gov	(608) 266-5248

Regional Leads

Northeast Region	Al Stranz	allan.stranz@wisconsin.gov	(920) 662-5118
Northern Region	Bill Clark	williamH.clark@wisconsin.gov	(715) 635-4226
South Central Region	Russ Anderson	russell.anderson@wisconsin.gov	(608) 275-3467
Southeast Region	Mike Thompson	michaelc.thompson@wisconsin.gov	(414) 263-8648
West Central Region	Tom Lovejoy	Tom.Lovejoy@Wisconsin.gov	(715) 839-3747

Regional Transportation Liaisons By County

COUNTY	DOT REGION	LIAISON	Email	PHONE #
Adams	North Central	Tony Fischer	anthony.fischer@wisconsin.gov	(715) 421-7867
Ashland	Northwest	Shawn Haseleu	shawn.haseleu@wisconsin.gov	(715) 635-4228
Barron	Northwest	Bill Gantz	william.gantz@wisconsin.gov	(715) 635-4227
Bayfield	Northwest	Shawn Haseleu	shawn.haseleu@wisconsin.gov	(715) 635-4228
Brown	Northeast	Jim Doperalski Jr.	james.doperalski@wisconsin.gov	(920) 662-5119
Buffalo	Northwest	Karen Kalvelage	Karen.Kalvelage@Wisconsin.gov	(608) 785-9115
Burnett	Northwest	Amy Cronk	amy.cronk@wisconsin.gov	(715) 635-4229
Calumet	Northeast	Matt Schaeve	matthew.schaeve@wisconsin.gov	(920) 662-5472
Chippewa	Northwest	Nick Schaff	nicholas.schaff@wisconsin.gov	(715) 839-1609
Clark	Northwest	Nick Schaff	nicholas.schaff@wisconsin.gov	(715) 839-1609
Columbia	Southwest	Russ Anderson	russell.anderson@wisconsin.gov	(608) 275-3467
Crawford	Southwest	Karen Kalvelage	Karen.Kalvelage@Wisconsin.gov	(608) 785-9115
Dane	Southwest	Amanda Cushman	amanda.cushman@wisconsin.gov	(608) 275-3485
Dodge	Southwest	Julie Widholm	julie.widholm@wisconsin.gov	(608) 275-3210

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COUNTY	DOT REGION	LIAISON	Email	PHONE #
Door	Northeast	Jim Doperalski Jr.	james.doperalski@wisconsin.gov	(920) 662-5119
Douglas	Northwest	Amy Cronk	amy.cronk@wisconsin.gov	(715) 635-4229
Dunn	Northwest	Nick Schaff	nicholas.schaff@wisconsin.gov	(715) 839-1609
Eau Claire	Northwest	Nick Schaff	nicholas.schaff@wisconsin.gov	(715) 839-1609
Florence	North Central	Jon Simonsen	jonathan.simonsen@wisconsin.gov	(715) 365-8916
Fond du Lac	Northeast	Bobbi Jo Fischer	Bobbi.Fischer@wisconsin.gov	(920) 787-4686 ext 3007
Forest	North Central	Jon Simonsen	jonathan.simonsen@wisconsin.gov	(715) 365-8916
Grant	Southwest	Russell Anderson	russell.anderson@wisconsin.gov	(608) 275-3467
Green	Southwest	Julie Widholm	julie.widholm@wisconsin.gov	(608) 275-3210
Green Lake	North Central	Bobbi Jo Fischer	Bobbi.Fischer@wisconsin.gov	(920) 787-4686 ext 3007
Iowa	Southwest	Amanda Cushman	amanda.cushman@wisconsin.gov	(608) 275-3485
Iron	North Central	Laura Boquist	laura.boquist@wisconsin.gov	(715) 365-8920
Jackson	Northwest	Karen Kalvelage	Karen.Kalvelage@Wisconsin.gov	(608) 785-9115
Jefferson	Southwest	Julie Widholm	julie.widholm@wisconsin.gov	(608) 275-3210
Juneau	Southwest	Tony Fischer	anthony.fischer@wisconsin.gov	(715) 421-7867
Kenosha	Southeast	Craig Webster	craig.webster@wisconsin.gov	(262) 574-2141
Kewaunee	Northeast	Jim Doperalski	james.doperalski@wisconsin.gov	(920) 662-5119
La Crosse	Southwest	Karen Kalvelage	Karen.Kalvelage@Wisconsin.gov	(608) 785-9115
Lafayette	Southwest	Amanda Cushman	amanda.cushman@wisconsin.gov	(608) 275-3485
Langlade	North Central	Jon Simonsen	jonathan.simonsen@wisconsin.gov	(715) 365-8916
Lincoln	North Central	Jon Simonsen	jonathan.simonsen@wisconsin.gov	(715) 365-8916
Manitowoc	Northeast	Matt Schaeve	matthew.schaeve@wisconsin.gov	(920) 662-5472
Marathon	North Central	Tony Fischer	anthony.fischer@wisconsin.gov	(715) 421-7867
Marinette	Northeast	Jay Schiefelbein	jeremiah.schiefelbein@wisconsin.gov	(920) 662-5157
Marquette	North Central	Bobbi Jo Fischer	Bobbi.Fischer@wisconsin.gov	(920) 787-4686 ext 3007

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COUNTY	DOT REGION	LIAISON	Email	PHONE #
Milwaukee	Southeast	Ms. Toni Revane	toni.revane@wisconsin.gov	(414) 263-8517
Monroe	Southwest	Karen Kalvelage	Karen.Kalvelage@Wisconsin.gov	(608) 785-9115
Oconto	Northeast	Al Stranz	allan.stranz@wisconsin.gov	(920) 662-5118
Oneida	North Central	Jon Simonsen	jonathan.simonsen@wisconsin.gov	(715) 365-8916
Outagamie	Northeast	Jim Doperalski Jr.	james.doperalski@wisconsin.gov	(920) 662-5119
Ozaukee	Southeast	Joanne Kline	joanne.kline@wisconsin.gov	(414) 263-8756
Pepin	Northwest	Nick Schaff	nicholas.schaff@wisconsin.gov	(715) 839-1609
Pierce	Northwest	Nick Schaff	nicholas.schaff@wisconsin.gov	(715) 839-1609
Polk	Northwest	Bill Gantz	william.gantz@wisconsin.gov	(715) 635-4227
Portage	North Central	Tony Fischer	anthony.fischer@wisconsin.gov	(715) 421-7867
Price	North Central	Laura Boquist	laura.boquist@wisconsin.gov	(715) 365-8920
Racine	Southeast	Craig Webster	craig.webster@wisconsin.gov	(262) 574-2141
Richland	Southwest	Russ Anderson	russell.anderson@wisconsin.gov	(608) 275-3467
Rock	Southwest	Julie Widholm	julie.widholm@wisconsin.gov	(608) 275-3210
Rusk	Northwest	Bill Gantz	william.gantz@wisconsin.gov	(715) 635-4227
Sauk	Southwest	Russ Anderson	russell.anderson@wisconsin.gov	(608) 275-3467
Sawyer	Northwest	Andy Barta	andrewh.barta@wisconsin.gov	(715) 635-4071
Shawano	North Central	Al Stranz	allan.stranz@wisconsin.gov	(920) 662-5118
Sheboygan	Northeast	Joanne Kline	joanne.kline@wisconsin.gov	(414) 263-8756
St. Croix	Northwest	Nick Schaff	nicholas.schaff@wisconsin.gov	(715) 839-1609
Taylor	Northwest	Bill Gantz	william.gantz@wisconsin.gov	(715) 635-4227
Trempealeau	Northwest	Karen Kalvelage	Karen.Kalvelage@Wisconsin.gov	(608) 785-9115
Vernon	Southwest	Karen Kalvelage	Karen.Kalvelage@Wisconsin.gov	(608) 785-9115
Vilas	North Central	Jon Simonsen	jonathan.simonsen@wisconsin.gov	(715) 365-8916
Walworth	Southeast	Craig Webster	craig.webster@wisconsin.gov	(262) 574-2141
Washburn	Northwest	Andy Barta	andrewh.barta@wisconsin.gov	(715) 635-4071

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COUNTY	DOT REGION	LIAISON	Email	PHONE #
Washington	Southeast	Maureen Millmann	maureen.millmann@wisconsin.gov	(414) 263-8613
Waukesha	Southeast	Maureen Millmann	maureen.millmann@wisconsin.gov	(414) 263-8613
Waupaca	North Central	Matt Schaeve	matthew.schaeve@wisconsin.gov	(920) 662-5472
Waushara	North Central	Bobbi Jo Fischer	Bobbi.Fischer@wisconsin.gov	(920) 787-4686 ext 3007
Winnebago	Northeast	Bobbi Jo Fischer	Bobbi.Fischer@wisconsin.gov	(920) 787-4686 ext 3007
Wood	North Central	Tony Fischer	anthony.fischer@wisconsin.gov	(715) 421-7867
SE Freeways Racine & Kenosha	Southeast	Craig Webster	craig.webster@wisconsin.gov	(262) 574-2141
SE Freeways Milwaukee	Southeast	Mike Thompson	michaelc.thompson@wisconsin.gov	(414) 263-8648
General Mitchell Airport	Southeast	Peter Fantle	peter.fantle@wisconsin.gov	(414) 263-8522

APPENDIX H

Addresses for DNR Regional Transportation Liaison Addresses

DNR Office Address	Liaison
DNR South Central Region Headquarters 3911 Fish Hatchery Road Fitchburg, WI 53711	Russ Anderson Julie Widholm Amanda Cushman
DNR Northern Region Headquarters 810 W. Maple Street Spooner, WI 54801	Bill Clark Bill Gantz Amy Cronk Shawn Haseleu Andy Barta
DNR Northern Region Headquarters 107 Sutliff Rhineland, WI 54501	Jon Simonsen Laura Boquist
DNR West Central Region Headquarters 1300 West Clairemont Avenue Eau Claire, WI 54702	Tom Lovejoy Nick Schaff
DNR Service Center 3550 Mormon Coulee Rd La Crosse, WI 54601	Karen Kalvelage
DNR Service Center 473 Griffith Drive Wisconsin Rapids, WI 54494	Tony Fischer
DNR Southeast Region Headquarters 2300 N. Dr. Martin Luther King Jr. Dr. Milwaukee, WI. 53212	Mike Thompson Joanne Kline Maureen Millmann Ms. Toni Revane Pete Fantle
DNR Service Center 141 NW Barstow Room 180 Waukesha, WI 53188	Craig Webster
DNR Northeast Regional Headquarters 2984 Shawano Ave. Green Bay, WI 54313	Al Stranz Jim Doperalski Matthew Schaeve Jay Schiefelbein
Wautoma Service Center 427 East Tower Drive, Suite 100 Wautoma, WI 54982	Bobbi Jo Fischer
DNR Central Office 101 South Webster St Madison, WI 53707	Mike Halsted - OE/7 Lisie Kitchel- ER/6

APPENDIX I

EXAMPLE LETTER REQUESTING AN EXCEPTION TO STANDARDS

Address to WisDOT contact (see Appendix G)

Our department, on behalf of two towns in our county, is requesting exception to design standards on projects slated for construction this summer. An early response would be appreciated so that these projects can proceed as scheduled. These projects are presently being bid for construction.

A description of each project is as follows: Bouska Road
USH 18 – Town Line Road
Town of Bridgeport
Project ID 6245

Bouska Road is a town road classified as a major collector and has an ADT of 340. The existing traveled way ranges from 19 to 22 feet with no shoulders. The length of the LRIP Project is 1580 feet. The posted speed limit is 45 miles per hour.

The Town is planning to reconstruct 1580 feet to improve vertical and horizontal alignment. But because of the hilly terrain, environmental impact, project costs, and lack of funding; alignment will be improved but may not totally meet the T2 standards. This section will be built with a 22 foot traveling surface and four- foot shoulders wherever possible. A short distance on each end of this project will be forced to have narrower shoulders because of the terrain and right-of-way width. Local Road Improvement fund dollars have been appropriated for the project with the length of 1580 feet and the remainder will be funded with local dollars.

Rush Creek Road
STH 35 – Mule Hollow Road
Town of Clayton
TRIP – Project ID: 7141

Rush Creek Road is a town road classified as a local road and has an estimated ADT of 64. The existing traveled way ranges from 19 to 20 feet with no shoulders. The length of the LRIP project is 3000' more or less. There is no posted speed limit.

The town is proposing to raise the first 1000 feet starting at the intersection of STH 35 to help provide access to the residents and emergency services during flood events of the Mississippi River. It is uncertain if the Q100 flood elevations can be accomplished. The remaining 2000 feet will be resurfaced with gravel to upgrade the surface. The town is requesting a design exception for the project. The traveled way is proposed to stay on the present alignment at 20 foot with no shoulders.

The Wisconsin Department of Natural Resources has been involved with this project because of Rush Creek Road's location through the Rush Creek Natural Area. If the road were to be widened it would impact the local wetlands that are along the roadway and one of the last major breeding grounds of the Timber Rattle Snake, among other concerns for the wildlife in the area. Impact on this sensitive area must be kept to a minimal disturbance.

If you have any questions related to our requests, please contact me at our office. Again I ask for your immediate response to the above.

Sincerely,



Freeing Wisconsin's Landscapes

1293 Washington Avenue
Cedarburg, Wisconsin 53012-9304

APPENDIX J

ENGINEERS CERTIFICATION

ROADWAY RESURFACING/RECONSTRUCTION PROJECT

ON ROUTE: Williams Drive

AT ROUTE: Bridge Street

TOWARD ROUTE: Termini

MUNICIPALITY: Town of Cedarburg

COUNTY: Ozaukee County, Wisconsin

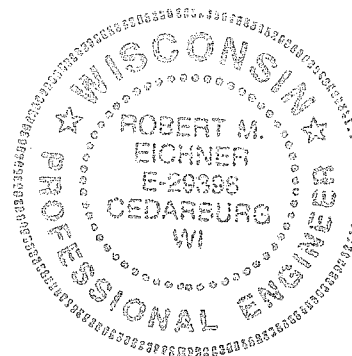
This is to certify that the above referenced project has been designed with a minimum ten (10) year useful life

Work included placement of a 4-inch bituminous pavement on a base consisting of 4-inches of pulverized asphalt and 6-inches of granular base, on the above mentioned roadway to correct current roadway deficiencies.

All design has been accomplished using current specifications of the Wisconsin Department of Transportation, and all construction was accomplished consistent with those specifications.

Certified By 
Robert M. Eichner, P.E.

Dated 10/14/08



PROOF OF PUBLICATION OF NOTICE
In the matter of
TOWN OF NEW HOLSTEIN BID -FUR FARM

STATE OF WISCONSIN

County of Manitowoc } ss

Personally appeared before, me Mark Sherry, who being duly sworn, says that he is the publisher of the TRI COUNTY NEWS, a weekly newspaper, printed and published at the City of Kiel, in said County, and that the notice, a printed copy of which is hereto annexed, is taken from said paper, in which it was published therein on.

APRIL 29, 2010
MAY 6, 2010

Signed Mark E. Sherry

Subscribed and sworn to before me Mark E. Sherry

this 10 day of MAY 2010

Shawn Sherry
Notary Public

My Commission expires DEC. 30, 2012

INVITATION TO BID
TOWN OF NEW HOLSTEIN, CALUMET COUNTY

The TOWN OF NEW HOLSTEIN, CALUMET COUNTY is accepting sealed bids for the reconstruction of one quarter (1/4) mile of Fur Farm Road.

THIS IS A TRIP PROJECT

Work to be provided will consist of complete pulverization of existing road and to be replaced with 2" x 22' hot mix asphalt with 2' shoulder. Bids will be accepted until 7 p.m. on Wednesday, May 12, 2010, at the Town of New Holstein Town Hall, W1465 Tecumseh Road, New Holstein, WI 53061.

"The bidder's attention is called to the fact that this project is subject to a prevailing wage rate determination which has been issued by the State of Wisconsin and that the prevailing wage rates and hours of labor set forth in this determination shall be applicable to this project."

For further information and bid terms please contact Doug Franzen, Road Superintendent, at W1465 Tecumseh Road or by calling 920-898-4606.

Bids will be opened and awarded on Wednesday, May 12, 2010, at 7 p.m. at the Town of New Holstein Town Hall, W1465 Tecumseh Road, New Holstein, WI 53061.

The Town of New Holstein reserves the right to accept or reject any or all bids or any part(s) thereof, waive any informalities in the bidding process, and to accept the bid proposal or portion of a bid proposal deemed most advantageous to the Town.

WNAJLP
Marlene Thede, Clerk
Town of New Holstein

APPENDIX L

Local Roads Improvement Program -- Program Reviews

Scope and Sanctions

1. The LRIP-funded improvement is not performed per the State/Municipal Agreement (Trans 206.03(12)).
 - Improvement to a different road or structure than identified in the application and agreement (and a Project Substitution was not requested by the local community and processed by WisDOT), or to a totally different segment of the road identified in the application and agreement (and a Project Change was not requested by the local community and processed by WisDOT)– reimbursement for an “initial offense”/reimbursement for a “successive offense(s)”
 - The actual termini for the improvement is not accurately identified and a Project Change was not requested by the local community and processed by WisDOT (i.e. a portion of the segment is not accurately described in the application and agreement) – written warning for an “initial offense”/written warning for a “successive offense(s)”
 - The final improvement is a lower level of work than identified in the application and agreement (i.e. thinner pavement thickness, narrower lanes, narrower shoulders, etc.), a Project Change was not requested by the local community and processed by WisDOT, but the project meets the 10-year design life – written warning for an “initial offense”/probation for a “successive offense(s)”
 - The final improvement funded through a competitive process with TRIP-D or MSIP-D funds is significantly below the level of work identified in the application (i.e. application and agreement identified a reconstruction project, but the final improvement was a resurfacing project, etc.), the applicant did not communicate the change to the funding review committee and obtain a Project Change from WisDOT prior to proceeding with the improvement, but the project meets the 10-year design life – review by the funding review committee to determine the sanction, up to and including reimbursement for an “initial offense”/review by the funding review committee to determine the sanction, up to and including reimbursement for a “successive offense(s)”
2. The improvement does not meet the minimum LRIP road standards and an Exception to Standards is not granted (Trans 206.03(12)(c)(8) and Trans 206.03(13)).
 - The entire project does not meet the minimum roadway standards for lane and/or shoulder widths and no exception was granted – reimbursement for an “initial offense”/reimbursement for a “successive offense(s)”
 - A portion of the improvement doesn’t meet the minimum roadway standards for lane and/or shoulder widths and no exception was granted – reimbursement only for the portion of the non-complying improvement for an “initial offense”/ reimbursement only for the portion of the non-complying improvement for a “successive offense(s)”.
 - ▶ For example, there is a 1.0-mile improvement funded with LRIP. A 0.1-mile segment of the improvement was built below standards. The local community must reimburse WisDOT 10% of the LRIP funds that were programmed for this project.

- A “Make it Right” alternative is established to provide the local community with the option to improve the non-complying work to meet standards, avoiding reimbursement of LRIP funds.
3. The local community submits the Request for Reimbursement WisDOT prior to fully paying the contractor (Wis. St. 86.31(4) and Trans 206.03(5)(a)).
 - WisDOT will only process a Request for Reimbursement when the local community has received a final invoice from the contractor and the community has taken action to pay the contractor.
 4. Bids were not advertised according to the Class Two notice requirements (program policy requiring compliance with Wis. St. 985.07(2)).
 - Bids were not advertised – reimbursement for an “initial offense”/reimbursement for a “successive offense(s)”
 - Bids were advertised two over non-consecutive weeks – probation for an “initial offense”/suspension for a “successive offense(s)”
 - Bids were only advertised for one week – probation for an “initial offense”/suspension for a “successive offense(s)”
 5. Contract awarded prior to receiving executed State/Municipal Agreement (program policy).
 - Written warning for an “initial offense”/written warning for a “successive offense(s)”
 6. The applicant didn’t have a proper Improvement Plan (Trans 206.06(4) for towns, Trans 206.04(1) for cities and villages, and Trans 206.05(1)(a) for counties).
 - Local community doesn’t have an Improvement Plan – probation for an “initial offense”/suspension for a “successive offense(s)”
 - The Improvement Plan meets the minimum planning horizon, but the LRIP-funded project isn’t in the plan – probation for an “initial offense”/suspension for a “successive offense(s)”
 - The LRIP-funded project is in the Improvement Plan, but the plan doesn’t meet the minimum planning horizon – probation for an “initial offense”/suspension for a “successive offense(s)”
 7. Advertisement for bids didn’t identify project as an LRIP project (program policy).
 - Written warning for an “initial offense”/written warning for a “successive offense(s)”
 8. Program documentation was missing from the County Highway Commissioner files (program policy).
 - Documentation was missing from the project file at the time of the program review, but is provided by the local community as follow up to the review and confirms compliance – written warning for an “initial offense”/written warning for a “successive offense(s)”
 - Documentation is missing to demonstrate compliance by the local community with program requirements #1-7 – refer to respective program sanctions above

Sanction Definitions

“Reimbursement” – The local community must reimburse WisDOT for the LRIP funds that were programmed to the non-complying project. General Transportation Aids, in the amount of the LRIP funds requiring reimbursement, will be garnished from communities that do not reimburse the state within 90 days of the state’s written request. Two equal reductions in GTA funds will be made to two successive GTA quarterly payments to offset the LRIP funds. Additional quarterly payment(s) will be withheld in cases where the reimbursed funds are larger than two quarterly payments. The amounts garnished will not be factored into future maximum or minimum GTA cushion adjustments or affect other future GTA calculations.

“Suspension” -

- TRIP and MSIPLT Municipalities: Given the programming caps limiting applications during each program cycle, the community is ineligible to apply for LRIP entitlement funding for two program cycles following the program review. The community is also ineligible to apply for TRIP-D or MSIP-D funding for one program cycle following the program review.
- MSIPGT Municipalities: The village or city is ineligible to apply for MSIPGT entitlement funding for one program cycle following the program review. While under suspension, the MSIPGT funds generated by the community will be distributed to the other MSIPGT communities as part of the program cycle MSIPGT entitlement calculation. The village or city is also ineligible to apply for MSIP-D funding for one program cycle following the program review.
- Counties: The county is ineligible to apply for CHIP entitlement funding for one program cycle following the program review. While under suspension, the CHIP funds generated by the county will be distributed to the other counties as part of the program cycle CHIP entitlement calculation. The county is also ineligible to apply for CHIP-D funding for one program cycle following the program review.

“Probation” – Provides local units of government with official notice that the community will be “suspended” for a future violation of the same program requirement. The probation status will be dropped when a subsequent program review is conducted with the community and violations of the same program requirement are not found.

“Written Warning” –

- Municipalities: WisDOT will send a written warning to the Chief Elected Official and Clerk identifying the program violation and providing a reminder on the program requirements. A copy of the written warning will be provided to the County Highway Commissioner.
- Counties: WisDOT will send a written warning to the County Highway Commissioner and County Clerk identifying the program violation and providing a reminder on the program requirements.

Appeals Process

The following steps form the basis of the appeals process relating to the LRIP Program Review. The intent of the appeals process is to provide local units of government with an opportunity to present additional information that may compel WisDOT to modify findings based on sound public policy prior to imposing a program sanction. The appeals process has been structured so that local communities can work with WisDOT and consent to the final determination at the lowest level possible within the organization. The opportunity to request a “peer review” of the information by an advisory group composed of representatives from local associations is also part of the LRIP Appeals Process.

Step One - The WisDOT Local Transportation Programs and Finance Section will conduct program reviews and identify violations and related sanctions. The section will forward their findings to the local community and provide the community with the opportunity to furnish additional information to finalize the program review findings. The additional information must be provided in writing to the Section Chief within 14 days of receipt of the letter from the section and clearly state justification for their appeal based on program requirements and the program review policy. The Section Chief will review the information and respond in writing within 30 days of receipt of the letter.

Step Two – If a community is unsatisfied with the findings from Step One, they may request to progress to Step Two of the LRIP Appeals Process. The request to proceed to Step Two of the LRIP Appeals Process must be submitted in writing to the Director of the WisDOT Bureau of Transit, Local Roads, Railroads and Harbors within 30 days of receipt of the letter from the Chief of the WisDOT Local Transportation Programs and Finance Section. The letter must clearly state justification for their appeal based on program requirements and the program review policy.

An Advisory Committee comprised of local representatives will consider the appeal and provide a recommendation to the Director of the WisDOT Bureau of Transit, Local Roads, Railroads and Harbors. The Advisory Committee will include a representative from the Wisconsin County Highway Association, the League of Wisconsin Municipalities, and the Wisconsin Towns Association.

Step Three – The Advisory Committee will forward their written recommendation to the Director of the WisDOT Bureau of Transit, Local Roads, Railroads and Harbors. Information provided to the Director should include:

- New information provided to the advisory committee by the community, if applicable,
- Any other pertinent information collected or considered by the advisory committee, and
- The formal recommendation for resolving the dispute.

The Bureau Director will review the information and respond in writing within 30 days of receipt of the letter. All rulings by the Bureau Director will be final and is the last step in the WisDOT appeals process, subject to the appeals process in Wisconsin Statute Chapter 227 – Administrative Procedure and Review.

Related Issue:

For the purposes of progressive program sanctions, multiple offenses of the same program violation that are discovered at one program review will all be treated as an “initial offense” for the community. A “successive offense” will not be recorded nor will the related sanction be imposed based on the findings from the same program review that discovered the “initial offense”. A “successive offense”, if applicable, can only be the result of findings from a subsequent program review that is conducted after the “initial offense” was discovered.