

**COMMISSION FILE NO:** 25-122-9 **DATE INTRODUCED:** September 8, 2025

**INTRODUCED BY:** Executive Director (Signature on File in the Office of the Commission)

**REFERRED BY COMMISSION CHAIRPERSON TO:** Policy, Finance, and Personnel Committee

**RELATING TO:** Authorization to Amend the Intergovernmental Cooperation Agreement between the Milwaukee Metropolitan Sewerage District and City of Milwaukee for the 30<sup>th</sup> Street Corridor Wet Weather Relief Phase 2 Stormwater West Basin, Project W11031

**SUMMARY:**

The Commission is requested to authorize the Executive Director to amend the intergovernmental cooperation agreement (ICA) between the Milwaukee Metropolitan Sewerage District and City of Milwaukee (City) for the 30<sup>th</sup> Street Corridor Wet Weather Relief Phase 2 Stormwater West Basin, Project W11031.

In December 2013, the Commission approved the 30<sup>th</sup> Street Industrial Corridor North Stormwater Plan (Plan). The Plan recommends constructing three separate District-owned stormwater basins, a fourth City-owned basin (Basin #4), and associated City-owned stormwater conveyance infrastructure to reduce the risks of flooding in an area bounded by West Townsend Avenue, West Hampton Avenue, North 27<sup>th</sup> Street, and North 41<sup>st</sup> Street in the City. Two District basins (East and North Basins) are complete. The third (West Basin) is currently in the design phase. Implementing the Plan will reduce the risk of flooding for up to the one percent annual probability flood event and reduce flow to the District's Inline Storage System, reducing the risk of combined sewer overflows.

In March 2022, the Commission authorized the Executive Director to execute the ICA to delegate responsibilities between the District and the City, including funding, design, property rights, construction, operation, and maintenance of the planned infrastructure improvements.

**ATTACHMENTS:** **BACKGROUND** ☐ **KEY ISSUES** ☐ **RESOLUTION** ☒  
**FISCAL NOTE** ☒ **S/W/MBE** ☐ **OTHER** ☐ \_\_\_\_\_

*PFP\_Authorization\_W11031\_Amendment\_ICA\_MMSD\_Milwaukee\_legislative\_file  
08-19-25*

**COMMITTEE ACTION:** \_\_\_\_\_ **DATE:** \_\_\_\_\_

**COMMISSION ACTION:** \_\_\_\_\_ **DATE:** \_\_\_\_\_

## **SUMMARY (Cont'd)**

Authorization to Amend the Intergovernmental Cooperation Agreement between the Milwaukee Metropolitan Sewerage District and City of Milwaukee for the 30<sup>th</sup> Street Corridor Wet Weather Relief Phase 2 Stormwater West Basin, Project W11031

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The ICA defines District and City components as follows:

- District Components:
  - West stormwater basin.
  - All infrastructure within District property boundary (from inlet to outfall).
- City Components:
  - Stormwater conveyance systems.
  - Basin #4.

Under this ICA, the District will:

- Contract with an engineering consultant to:
  - Perform preliminary engineering and hydraulic analysis for both District and City components.
  - Prepare final design, and bidding, construction, engineering services during construction, and post construction engineering for District components.
- Provide District draft and final design specifications and plans for City review.
- Pay for the relocation of City utilities necessary for construction of District components.
- Acquire all real estate interests including easements for District components.
- Remediate environmental issues related to construction of District components.
- Invoice the City for costs incurred by the District for City component preliminary engineering and design.
- Construct, own, operate, and maintain District components.

Under this ICA, the City will:

- Assign City representation to the consultant selection committee, project meetings, public outreach meetings, and design review.
- Reimburse the District for costs related to preliminary engineering and design not to exceed \$562,000 contingent on mutually agreed upon change orders.
- Relocate utilities, sewer infrastructure, and streets as necessary for the City components.
- Provide the District, at no cost, real estate, easements, or other rights for the construction of District components.
- Provide City draft and final design specifications and plans for District review.
- Remediate environmental issues related to construction of City components.
- Utilize green infrastructure in the stormwater conveyance facilities and streets constructed, if practical.
- Provide permits to the District at no cost.
- Construct, own, operate, and maintain the City components.

## **SUMMARY (Cont'd)**

### **Authorization to Amend the Intergovernmental Cooperation Agreement between the Milwaukee Metropolitan Sewerage District and City of Milwaukee for the 30<sup>th</sup> Street Corridor Wet Weather Relief Phase 2 Stormwater West Basin, Project W11031**

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Through planning and preliminary engineering, the District and City construction schedules were anticipated to be parallel to facilitate coordination of project components that have overlapping District and City responsibilities. In particular, the City stormwater conveyance structures on District property, City utility relocations, and the reconstruction of the east side of North 35<sup>th</sup> Street would be completed most efficiently if constructed in parallel with the basin construction. Due to a variety of factors, the City has had to delay their planned work, and their construction will now lag the District construction by 12 to 18 months. This delay introduces complications that will introduce additional costs due to rework and additional schedule delays. District and City staff collaborated to develop a plan to mitigate project delays and costs and propose to amend the ICA to reflect this mitigation plan.

The ICA currently has the City constructing their assets and connecting them to District constructed assets. The ICA proposes instead that the District will construct part of the City assets and the City will reimburse the District for those construction costs. This asset is an approximately 190-foot-long, double nine-foot by nine-foot box culvert from the proposed District west stormwater basin inlet, through private property, to the intersection of North 35<sup>th</sup> Street and West Hopkins Avenue. The City would then reimburse the District for actual construction costs in an amount not to exceed \$1,750,000.

The proposed change enables the District to complete construction of the west stormwater basin without the need for the City to tear up completed District work. The change also simplifies environmental permitting and eliminates the need for temporary excavation, shoring, or cutoff walls in the period between District and City construction, thereby eliminating public safety hazards.

In addition, the ICA identifies that the District will contract for and oversee engineering and design for other City components, with those costs reimbursable to the District by the City, in an amount not to exceed \$562,000. Staff now estimate that the City reimbursement amount is \$685,708 (an increase of \$123,708), and the City has agreed with this revised estimate. This amendment reflects the revised reimbursement amount.

## RESOLUTION

Authorization to Amend the Intergovernmental Cooperation Agreement between the Milwaukee Metropolitan Sewerage District and City of Milwaukee for the 30<sup>th</sup> Street Corridor Wet Weather Relief Phase 2 Stormwater West Basin, Project W11031

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**RESOLVED**, by the Milwaukee Metropolitan Sewerage Commission, that the Executive Director is authorized to amend the intergovernmental cooperation agreement between the Milwaukee Metropolitan Sewerage District and City of Milwaukee for the 30<sup>th</sup> Street Corridor Wet Weather Relief Phase 2 Stormwater West Basin, Project W11031.