



COMMISSION FILE NO: 26-080-6 **DATE INTRODUCED:** June 8, 2026

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

REFERRED BY COMMISSION CHAIRPERSON TO: Operations Committee

RELATING TO: Restore the Executive Director’s Original Delegated Authority, Contract W20028C01, Western Milwaukee Phase 2B Levee and Floodwall

SUMMARY:

The Commission is requested to restore the Executive Director’s original delegated change order authority on Contract W20028C01, Western Milwaukee Phase 2B Levee and Floodwall, with Super Excavators, Inc. (Super Excavators).

The Western Milwaukee Project is part of the overall Menomonee River Phase II Watercourse Management Plan (Plan). The Plan includes flood management with integrated watercourse restoration and reduces the flood risk for 402 structures while simultaneously providing aquatic and riparian habitat restoration.

The Western Milwaukee Project focuses on the Menomonee River between Hart Park and U.S. Highway (USH) 175 and is in the Cities of Milwaukee and Wauwatosa. The Western Milwaukee Phase 2B project consists of design and construction of a levee/floodwall system, lowering the floodplain between the river and the Canadian Pacific Kansas City Railroad (CPKC) tracks, and modifying the interior drainage system along W. State Street between N. 62nd Street and USH 175.

ATTACHMENTS: BACKGROUND KEY ISSUES RESOLUTION
FISCAL NOTE SBE OTHER _____

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COMMITTEE ACTION: _____ **DATE:** _____

COMMISSION ACTION: _____ **DATE:** _____

SUMMARY (Cont'd)

Restore the Executive Director's Original Delegated Authority, Contract W20028C01, Western Milwaukee Phase 2B Levee and Floodwall

In September 2023, the Commission awarded Contract W20028C01, Western Milwaukee Phase 2B Levee and Floodwall, to Super Excavators in the amount of \$40,945,637. The general scope of work for the contract includes:

- Demolition and abandonment of existing pavements, foundations, retaining walls, and public utilities.
- Soil remediation by excavation and offsite landfilling of approximately 20,000 tons of contaminated soils.
- Quarry stone streambank reconstruction along approximately 1,500 feet of the north bank and south bank of the Menomonee River.
- Excavation, grading, and onsite management of low level contaminated soil along approximately seven acres of the north bank floodplain of the Menomonee River and construction of approximately 1,700 feet of earthen levees.
- Construction of a 200-linear-foot hybrid levee floodwall and a 1,150-linear-foot concrete floodwall.
- Construction of approximately 6,600 feet of 12-inch to 72-inch diameter storm sewer and 350 feet of 120-inch by 60-inch combined sewer overflow, including manholes, inlets, cast-in-place structures, and lateral reconnections, seven flap gates ranging from 24-inch to 60-inch, and two under crossings of the CPKC tracks.
- Construction of approximately 1,850 feet of 16-inch water main, including building services up to the right-of-way line, located on W. State Street.
- Construction of approximately 2,000 feet of concrete encased conduit for City of Milwaukee (City) communication service located in W. State Street.
- Concrete pavement, asphalt, turf, and native vegetation restoration of all disturbed areas.

As the contract has progressed, the District has executed multiple change orders that address scope revisions and additions necessary to complete the project.

BACKGROUND

Restore the Executive Director's Original Delegated Authority, Contract W20028C01, Western Milwaukee Phase 2B Levee and Floodwall

Following is a summary of change orders executed under Executive Director's change order authority:

- **Site Access and Grading Adjustments:** Modify the south bank construction access road profile to minimize trail conflicts and park impacts, adjust grading to retain additional non-levee embankment material onsite, and address subsurface conditions affecting access road fencing.
- **Utilities and Structures:** Remove or adjust gas mains, water services, and sanitary sewers; repair water mains; clean a storm sewer manhole collar and dowel baskets; and modify Structure P18 and the W. State Street inlet; repairs to W. State Street storm sewer lateral.
- **Erosion and Surface Restoration:** Install clear and quarry stone for erosion protection, adjust south bank restoration plantings, and restore the N. Hawley Road underpass and W. State Street pavement.
- **Testing and Quality Control:** Perform material testing for select fill, specific gravity, and lime kiln dust; implement railroad track monitoring; and manage collateral costs for railroad tie and rail replacement.
- **Temporary and Miscellaneous Construction:** Install temporary earth retention obstruction mitigation, saw cut the Works Progress Administration (WPA) wall and pavement, and provide overtime allowances for railroad undercrossing work.
- **Soil and Environmental Work:** Reexcavate a portion of Soil Management Unit 2 to meet environmental requirements and properly remove and dispose underground storage tanks in accordance with regulatory standards; relocate one monitoring well to protect it and abandon additional wells; remove rock and concrete for sewer installation; and dispose comingled soil and garbage at approved landfills.
- **Quantity Adjustments:** Adjust quantities for imported fill, select material, quarry stone, gas main demolition, and W. State Street pavement to reflect actual field conditions.
- **Floodwall foundation additional concrete and reinforcing steel due to bedrock depth and WPA skirt wall foundation differing site conditions.**
- **Repair damage from August 2025 flood.**
- **Repair an 18-inch storm sewer requested by the City with future reimbursement to the District.**

BACKGROUND (Cont'd)

Restore the Executive Director's Original Delegated Authority, Contract W20028C01,
Western Milwaukee Phase 2B Levee and Floodwall

Following is a summary of the change orders authorized under Commission action:

- The Commission authorized an \$800,000 change order in the project corridor for riverbank repair that would be reimbursed by the City. The City has decided to not utilize the District's construction contractor to perform this work and will be implementing the bank repair separate from the District. This change order authority is no longer available.
- Additional south bank access restoration along Doyne Park, including planting trees, shrubs, and native species to improve aesthetics, and installing 1,000 feet of fencing along the maintenance drive to reduce fall risks.

The Commission has delegated to the Executive Director the authority to make changes to construction contracts up to \$400,000 or 10% of the original contract price, whichever is less. For this contract, a limit of \$400,000 prevails. As of the writing of this Commission document, the Executive Director has used \$399,965 of this authority leaving a balance of \$35. The request to restore the Executive Director's authority is in case any additional construction changes beyond the remaining Executive Director's authority are necessary. Without this restored authority, work may need to stop while staff obtains necessary change order authority from the Commission.

RESOLUTION

Restore the Executive Director's Original Delegated Authority, Contract W20028C01,
Western Milwaukee Phase 2B Levee and Floodwall

RESOLVED, by the Milwaukee Metropolitan Sewerage Commission, that the Executive Director's original delegated change order authority is restored on Contract W20028C01, Western Milwaukee Phase 2B Levee and Floodwall, with Super Excavators, Inc.