

**CITY OF WEST ALLIS
RESOLUTION R-2021-0581**

**RESOLUTION RELATIVE TO ACCEPTING THE PROPOSAL OF CROWLEY
CONSTRUCTION CORPORATION TO INSTALL RAILROAD CROSSING
PAVEMENT MARKING FOR AN AMOUNT NOT TO EXCEED \$15,000 AND
APPROVING A 2021 ENGINEERING DEPARTMENT FUND TRANSFER AND
AMENDING THE 2021 CAPITAL IMPROVEMENT PROGRAM**

WHEREAS, Wisconsin Stat. § 86.12 requires railroad companies to repave and repair the area between their tracks and the area within four feet of their tracks at a crossing. Specifically, “all railroad companies ... shall keep the surface of the crossings ... in good condition and repair for highway travel”, and

WHEREAS, the OCR issued final orders on Docket 9040-RX-1378 on August 6, 2021 which not only directed UPRR to repair and replace the four rough railroad crossing surfaces but also directed the City to install and maintain proper signing and marking per the MUTCD at each crossing by October 15, 2021 as well, and

WHEREAS, additional funds are needed in 2021 to meet the City’s obligation to comply with the OCR Final Orders by installing signing and pavement marking, and

WHEREAS, On November 17, 2020 the Common Council approved the 2021 Capital Improvement Program and approved the funding in R-2020-0727, and

WHEREAS, the railroad crossing pavement marking is in need of funding in 2021 to comply with the OCR Final Orders. The funding amount required is \$15,000.

WHEREAS, The City Engineer has identified other projects in the 2021 Capital Improvement Program budget with excess funds that can be used to fund these additions. The projects proposed to be used to transfer their excess funding are:

1. 86th Street = \$7,500
2. Dakota Street = \$7,500

WHEREAS, staff is recommending approval to utilize available Capital Project Fund Balances in account number 350-6008-531.31-01 (Streets) to pay for the amounts that need to be paid from the budgeted amount for 2021 Capital Projects.

WHEREAS, the Engineering Department has solicited quotes from multiple firms to complete the pavement marking; that the quotes received were reasonable and hereby recommends and deems it to be for the best interests of the City of West Allis that the quote of Crowley Construction Corporation be accepted; and,

NOW THEREFORE, BE IT RESOLVED by the Common Council of the City of West Allis that the fund transfers be and hereby are approved.

BE IT FURTHER RESOLVED that the 2021 Capital Improvement Program be and hereby is approved as amended.

BE IT FURTHER RESOLVED that the Finance Director is authorized and directed to complete such transfers.

BE IT FURTHER RESOLVED, by the Mayor and Common Council of the City of West Allis that the proposal dated August 27, 2021 submitted by Crowley Construction Corporation to install railroad crossing pavement marking for an amount not to exceed \$15,000 be and is hereby accepted.

BE IT FURTHER RESOLVED that the City Engineer be and is hereby authorized to enter into a Professional Services Contract with Crowley Construction Corporation.

BE IT FURTHER RESOLVED that the City Engineer be and is hereby authorized to make such substantive changes, modifications, additions and deletions to and from the various provisions of the proposal from Crowley Construction Corporation as may be necessary and proper to correct inconsistencies, eliminate ambiguity and otherwise clarify and supplement said provisions to preserve and maintain the general intent thereof and to protect the interests of the City, including but not limited to, any and all changes necessary to preserve the intent of the Common Council of the City of West Allis.

SECTION 1: **ADOPTION** “R-2021-0581” of the City Of West Allis Municipal Resolutions is hereby *added* as follows:

A D O P T I O N

R-2021-0581(*Added*)

PASSED AND ADOPTED BY THE CITY OF WEST ALLIS COUNCIL SEPTEMBER 21, 2021.

| | AYE | NAY | ABSENT | ABSTAIN |
|-----------------------|------------|-------------------|-------------------|-------------------|
| Ald. Angelito Tenorio | <u>X</u> | <u> </u> | <u> </u> | <u> </u> |
| Ald. Vince Vitale | <u>X</u> | <u> </u> | <u> </u> | <u> </u> |
| Ald. Tracy Stefanski | <u>X</u> | <u> </u> | <u> </u> | <u> </u> |
| Ald. Marty Weigel | <u>X</u> | <u> </u> | <u> </u> | <u> </u> |
| Ald. Suzzette Grisham | <u>X</u> | <u> </u> | <u> </u> | <u> </u> |
| Ald. Danna Kuehn | <u>X</u> | <u> </u> | <u> </u> | <u> </u> |
| Ald. Thomas Lajsic | <u>X</u> | <u> </u> | <u> </u> | <u> </u> |
| Ald. Dan Roadt | <u>X</u> | <u> </u> | <u> </u> | <u> </u> |
| Ald. Rosalie Reinke | <u>X</u> | <u> </u> | <u> </u> | <u> </u> |
| Ald. Kevin Haass | <u>X</u> | <u> </u> | <u> </u> | <u> </u> |

Attest

Presiding Officer

Rebecca Grill

Rebecca Grill, City Clerk, City Of West Allis

Dan Devine

Dan Devine, Mayor City Of West Allis

