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Memorandum of Understanding

between

Wisconsin Department of Transportation, Wisconsin County Highway Association, and Wisconsin Transportation Builders Association

The Wisconsin Department of Transportation (WisDOT), the Wisconsin County Highway Association (WCHA), and Wisconsin Transportation Builders Association (WTBA) are entering into this Memorandum of Understanding for the purpose of documenting their general agreement on certain matters of mutual interest.

DEFINITIONS

The terms "routine maintenance", "corrective maintenance", and "preventative maintenance" have the meanings set forth in Appendix A.

The term "improvement" has the meaning set forth in Sec. 84.06(1) of the Wisconsin Statutes.

The term "level of service model" refers to a model developed by WisDOT to determine the level of investment required on the state highway system to achieve the minimum desired level of routine maintenance service.

The parties agree that:

1. **ADEQUACY OF FUNDING.** The level of service model is the best measure of the funding needed for state highway maintenance. Recognizing that budgetary decisions are made by the Legislature and Governor, WisDOT will continue to seek to fund maintenance at that level.
2. **PERFORMANCE OF ROUTINE STATE HIGHWAY MAINTENANCE.** Routine maintenance, as defined in Appendix A, should primarily be performed by counties under their Routine Maintenance Agreements.
3. **PERFORMANCE OF OTHER STATE HIGHWAY MAINTENANCE WORK.** Corrective and preventive maintenance, as defined in Appendix A, should primarily be performed by private contractors. However, WisDOT should retain the option of having this work performed by counties where (a) the projects are small (e.g. <\$100,000), (b) a contractor is unavailable, or (c) the project is an emergency requiring timely response. The \$100,000 limit for small projects does not apply to crack sealing.
4. **PERFORMANCE OF CRACK SEALING AND CONCRETE BRIDGE DECK SEALING WORK.** Crack sealing and concrete bridge deck sealing are typically routine maintenance, and should be performed by counties. However, in instances of large backlog of needed work, insufficient availability of county resources, or where the work is to be coordinated with a let improvement project, or when the Department believes it's advantageous from an asset management perspective, WisDOT will retain the option of having this work performed by private contractors.

5. **PERFORMANCE-BASED MAINTENANCE.** WisDOT and WCHA will establish a working group to recommend changes in the state maintenance manual and routine maintenance agreements that will ultimately replace the actual cost reimbursement requirement with language and procedures that support performance based or unit price reimbursement where appropriate.
6. **STATE HIGHWAY IMPROVEMENTS.** Section 59.52(30) of the Wisconsin Statutes limits the authority of counties to perform highway improvements in another county. Unless agreed to by both parties, WTBA and WCHA will not seek any modification to either strengthen or relax that limitation.
7. **LOCAL SYSTEM IMPROVEMENTS.** Section 62.15 (1d) of the Wisconsin Statutes limits the authority of counties to perform highway improvements in a city with a population over 5,000. Unless agreed to by both parties, WTBA and WCHA will not seek any modification to either strengthen or relax that limitation.
8. **LOCAL ROADS IMPROVEMENT PROGRAM.** Section 86.31(2)(d) of the Wisconsin Statutes describes the circumstances under which counties may perform highway improvements under the Local Roads Improvement Program. Unless agreed to by both parties, WTBA and WCHA will not seek any modification to either broaden or narrow that description.
9. **LOCAL FORCE AGREEMENTS ON STATE/FEDERAL FUNDED PROJECTS.** WisDOT will not enter into new local force agreements for pavement or bridge improvement rehabilitation projects (i.e. projects with scope going beyond corrective, preventive or restorative maintenance) using state and/or federal funding on or after July 1, 2015. This provision is subject to renegotiation at any time that WisDOT determines that the state budget does not fund at least 90 percent of the level of service maintenance model.
10. **BEST EFFORTS TO SUPPORT THIS AGREEMENT.** The parties will make their best efforts to support the terms of this agreement publicly, with their members (in the case of WCHA and WTBA), and with the state legislature. WisDOT is an agency of the state. Nothing in this memorandum shall be construed to create an obligation on the part of WisDOT to do anything inconsistent with the state budget or with any provision of state law or the Wisconsin Administrative Code.

APPENDIX A

Classification of Maintenance Activities

Travel Way

The table below defines travel way maintenance activities by category.

Routine Maintenance	Corrective Maintenance	Preventative & Restorative Maintenance
<p>Travel Way related work to include:</p> <p>Crack-sealing</p> <p>Patching alligator cracking and high severity cracks</p> <p>Rut filling/wedging for safety</p> <p>Overlays to restore rideability (overlays not to exceed total average depth of 2"), and not to exceed 500' on length</p> <p>Seal coats</p> <p>Concrete joint repair limited to less than 10 locations (for instance) per lane mile</p> <p>Concrete crack repair limited to less than 10 locations (for instance) per lane mile</p> <p>Urgent repair of blow-ups, potholes and punchouts</p> <p>Minor milling</p> <p>Sweeping pavement</p> <p>Traffic control (routine & emergency)</p> <p>Hazardous debris removal Surveillance</p> <p>Installation and replacement of long line and special pavement markings</p> <p>Routine sign replacements</p> <p>*Note: 500' does not include transitions</p>	<p>Travel Way related work to include:</p> <p>Overlays not to exceed an average depth of 2" to extend service life to the next improvement project</p> <p>Concrete Joint Repair</p> <p>Concrete patching and slab replacement</p> <p>Milling</p> <p>Diamond grinding</p> <p>Urgent repair of blow-ups, potholes and punchouts</p> <p>Asphaltic patching-full depth</p> <p>Patching alligator cracking and high severe cracking</p>	<p>Travel Way related work to include:</p> <p>Resurfacing</p> <p>PCC dowel bar retrofitting w/diamond grinding</p> <p>Asphaltic patching- partial and full depth</p> <p>Concrete joint repair</p> <p>Concrete patching - partial and full depth</p> <p>Concrete Joint Repair</p> <p>Milling</p> <p>Diamond grinding</p> <p>Crack sealing</p> <p>Seal coating</p> <p>Rut filling</p>

Shoulder

The table below defines maintenance activities by category for shoulders.

Routine Maintenance	Corrective Maintenance	Preventative & Restorative Maintenance
<p>Shoulder related work to include:</p> <p>Maintaining gravel shoulders by regrading the existing shoulder material to correct grade and cross slope</p> <p>Adding material as needed to correct gravel shoulder grade and/or cross slope</p> <p>Repair washouts to gravel shoulders</p> <p>Patching potholes and high severity cracks in asphalt shoulders</p> <p>Filling cracks in asphalt shoulders</p> <p>Seal coating asphaltic and shoulders</p> <p>Spot repair removal and repaving of asphalt shoulders limited to 500' in length</p> <p>Spot repair of concrete shoulder joints limited to less than 10 locations per mile</p> <p>Minor milling</p>	<p>Shoulder related work to include:</p> <p>Maintaining gravel shoulders by regrading the existing shoulder material to correct grade and cross slope</p> <p>Adding material as needed to correct gravel shoulder grade and/or cross slope</p> <p>Repaving of asphalt shoulders to serve adequately until permanent improvement made</p> <p>Milling and repaving of asphalt shoulders</p> <p>Patching asphalt shoulders</p> <p>Slab replacement</p> <p>Grinding and asphalt overlay of concrete shoulders</p> <p>Spot repair of concrete shoulder joints</p> <p>Concrete patching - partial and full depth</p>	<p>Shoulder related work to include:</p> <p>Resurfacing of asphalt shoulders</p> <p>Removal and replacement of concrete shoulders</p> <p>Milling and repaving of asphalt shoulders</p> <p>Grinding and asphalt overlay of concrete shoulders</p> <p>Concrete patching – partial and full depth</p> <p>Slab replacement</p> <p>Patching asphalt shoulders Crack sealing</p> <p>Seal coating</p> <p>Rut filling</p>

Roadside and Roadside Facilities

The table below defines roadside and roadside facilities maintenance activities by category.

Routine Maintenance	Corrective Maintenance	Preventative & Restorative Maintenance
<p>Roadside and Roadside Facilities related work to include:</p> <p>Maintenance and operation of rest areas, picnic areas, historical markers, and scenic views</p> <p>Painting and cleaning of buildings Cleaning restrooms Litter removal</p> <p>Mowing and control of unwanted vegetation</p> <p>Repair of guard rails and end terminals</p> <p>Removal and treatment of roadside hazards</p> <p>Crack sealing ramps and parking Areas</p> <p>Patching ramps and parking areas</p> <p>Patching potholes</p> <p>Minor milling</p>	<p>Roadside and Roadside Facilities related work to include:</p> <p>Overlays of ramps and parking areas not to exceed an average depth of 2" to extend service life to the next improvement project</p> <p>Patching ramps and parking areas</p> <p>Concrete Joint Repair of ramps and parking areas</p> <p>Milling and repaving of ramps and parking areas</p> <p>Grinding and asphalt overlay of ramps and parking areas</p>	<p>Roadside and Roadside Facilities related work to include:</p> <p>Milling and repaving</p> <p>Resurfacing</p> <p>Concrete joint repair of ramps and parking areas</p> <p>Concrete slab replacement of parking areas</p> <p>Patching ramps and parking areas</p> <p>Crack sealing</p> <p>Seal coating</p> <p>Rut filling</p>

Drainage

The table below defines maintenance activities by category for drainage.

Routine Maintenance	Corrective Maintenance	Preventative & Restorative Maintenance
<p>Drainage related work to include:</p> <p>Spot replacement and repair of curb, gutter limited to 500' in length</p> <p>Riprap</p> <p>Cleaning, lining, repairing, of culverts</p> <p>Urgent repair or replacement of culverts/drainage structures</p> <p>Clean and minor repair to storm sewers</p> <p>Erosion Repair or establishment of erosion controls</p> <p>Reshaping drainage ditches and channels</p> <p>Clean or repair of catch basins or inlets</p> <p>Debris removal</p> <p>Repair of washouts</p> <p>Repair and restoration of slope and embankment failure</p> <p>Small culvert repair or replacement (under 5 ft diameter)</p>	<p>Drainage related work to include:</p> <p>Constructing new drainage channels or modification of drainage structures to increase drainage capacity</p> <p>Concrete Box Culvert replacement</p> <p>Concrete Box Culvert extensions</p> <p>Culvert lining</p> <p>Emergency culvert repair and/or replacement</p>	<p>Drainage related work to include:</p> <p>Large culvert pipe replacement (5 ft. diameter or larger)</p>

Structures

The table below defines maintenance activity by category for structures.

Routine Maintenance	Corrective Maintenance	Preventative & Restorative Maintenance
<p><i>Bridge deck work to include:</i></p> <p>Repair of epoxy overlays</p> <p>Spot deck repair</p> <p>Approach slab foam jacking or mud jacking</p> <p>Crack sealing</p> <p>Concrete deck sealing</p> <p>Minor joint repair or replacement</p> <p>Approach slabs repair</p> <p>Railing repair</p> <p>Deck sweeping and power washing of decks</p> <p><i>Superstructure and substructure work to include:</i></p> <p>Minor repair of substructures and superstructures, including spot painting</p> <p>Power washing of superstructure and substructure units</p> <p>Bearing repair or replacement</p> <p><i>Channel, waterway, and other structure related work to include :</i></p> <p>Operation and maintenance of movable bridges</p> <p>Ferry operations and maintenance including approaches</p> <p>Traffic control for structure/bridge inspection</p> <p>Clearing brush and unwanted vegetation around structures</p> <p>Debris removal from waterway</p> <p>Placing rip-rap (small quantity or shallow channel)</p> <p>Slope paving repair</p>	<p><i>Bridge deck work to include:</i></p> <p>Approach slab replacement</p> <p>Thin deck overlays and membrane installation</p> <p>Asphalt overlays without membrane installation</p> <p>Major joint replacement</p> <p>Epoxy overlays</p> <p><i>Superstructure and substructure work to include :</i></p> <p>Wing wall replacement</p> <p>Emergency bridge repair</p> <p>Bearing repair or replacement</p> <p><i>Channel, waterway and other structure related work to include :</i></p> <p>Slope protection installation and repair</p> <p>Slope paving repair</p>	<p><i>Bridge deck work to include:</i></p> <p>Concrete deck repair, patching and concrete overlays</p> <p>Asphalt overlays with membrane installation</p> <p>Epoxy and polymer overlays</p> <p>Expansion joint replacement when done in conjunction with an overlay or expansion joint elimination</p> <p>Chloride extraction</p> <p>Installation of a cathodic protection system</p> <p><i>Superstructure and substructure work to include:</i></p> <p>Steel structure cleaning and repainting, including complete repainting, zone painting, and spot painting with overcoat</p> <p>Structural repairs (except vehicle damage)</p> <p>Bearing repair or replacement</p> <p><i>Channel, waterway, and other structure related work to include:</i></p> <p>Rip placement (large quantity or deep channel)</p> <p>Concrete deck sealing</p>

Winter

The table below defines maintenance activities by category for winter.

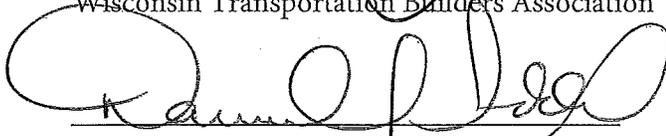
Routine Maintenance	Corrective Maintenance	Preventative & Restorative Maintenance
Winter related work to include: All activities, equipment and materials related to snow and ice control Plowing Applying deicers Cleaning up after storms and benching Erecting snow fences Equipment preparation and calibration Thawing culverts and inlets Loading, cleaning, maintenance, and inspection of salt sheds Clearing drainage ways Clearing snow covered signs Emergency assistance Training personnel		

This Memorandum of Understanding takes effect on September 13, 2015



 Patrick O. Goss, Executive Director
 Wisconsin Transportation Builders Association

Date: 9-8-15



 Daniel J. Fedderly, Executive Director
 Wisconsin County Highway Association

Date: 09/21/15



 Mark Gottlieb, Secretary
 Wisconsin Department Of Transportation

Date: 9-1-2015