INTERMUNICIPAL AGREEMENT
City of Menasha and Town of Menasha
Concrete Sidewalk and/or Trail Construction
Midway Road

This Agreement is being entered into between the City of Menasha, a Wisconsin Municipal Corporation located in Winnebago County and Calumet County, State of Wisconsin, hereinafter referred to as "City", and the Town of Menasha, a Wisconsin Municipal Corporation located in Winnebago County, State of Wisconsin, hereinafter referred to as "Town".

1. The City and Town agree to pursue the construction of concrete sidewalk and/or trail along Midway Road from Racine Street (CTH P) to Oneida Street (USH 10) in locations determined by the City and Town where sidewalks do not currently exist.

2. The City and Town agree the sidewalk and/or trail will directly benefit the City and Town and any pedestrians wishing to walk along Midway Road.

3. A portion of Midway Road abuts the City and a portion abuts the Town.

4. The City and Town agree the Town shall be the lead agency in performing the necessary title work and right-of-way plat preparation. The title work cost shall be distributed on a per parcel basis and the right-of-way plat cost shall be distributed on a lineal foot basis.

5. When the title work and right-of-way plat preparation is completed, the Town shall be the paying party for the work completed. The Town shall provide a tabulation of all costs for the title work and right-of-way plat preparation for this project. The City shall reimburse the Town within thirty days of billing for work completed in the City as established in paragraph 4.

6. The City and Town agree the City shall be the lead agency in the design, preparation of plans and specifications, the bid letting process and construction staking to accomplish the selected portions of the construction project.

7. The City and Town shall each be responsible for its respective necessary easement or right-of-way acquisition.

8. The City shall be responsible to pay 100% of the construction costs (including design costs) for all project work in the City. The Town shall be responsible to pay 100% of the construction costs (including design costs) for all project work in the Town. All costs shall be prorated on the basis of the lineal feet of new walk and/or trail in each municipality.

9. The bid and contract documents shall include a provision allowing the Town and City a maximum period of time to mutually agree to the City's acceptance of the lowest responsible bidder. The actual contract shall be let by the City only when there has been mutual agreement of the Town and City to undertake the project.

10. When the construction contract is awarded, the City shall be the paying party for all contract work. The City shall provide a tabulation of all costs, including engineering design services and construction staking costs for the project. The Town shall reimburse the City within thirty days of billing for work completed in the Town.

11. The City and Town agree each municipality will be responsible for performing project inspection work within its own municipal boundaries.

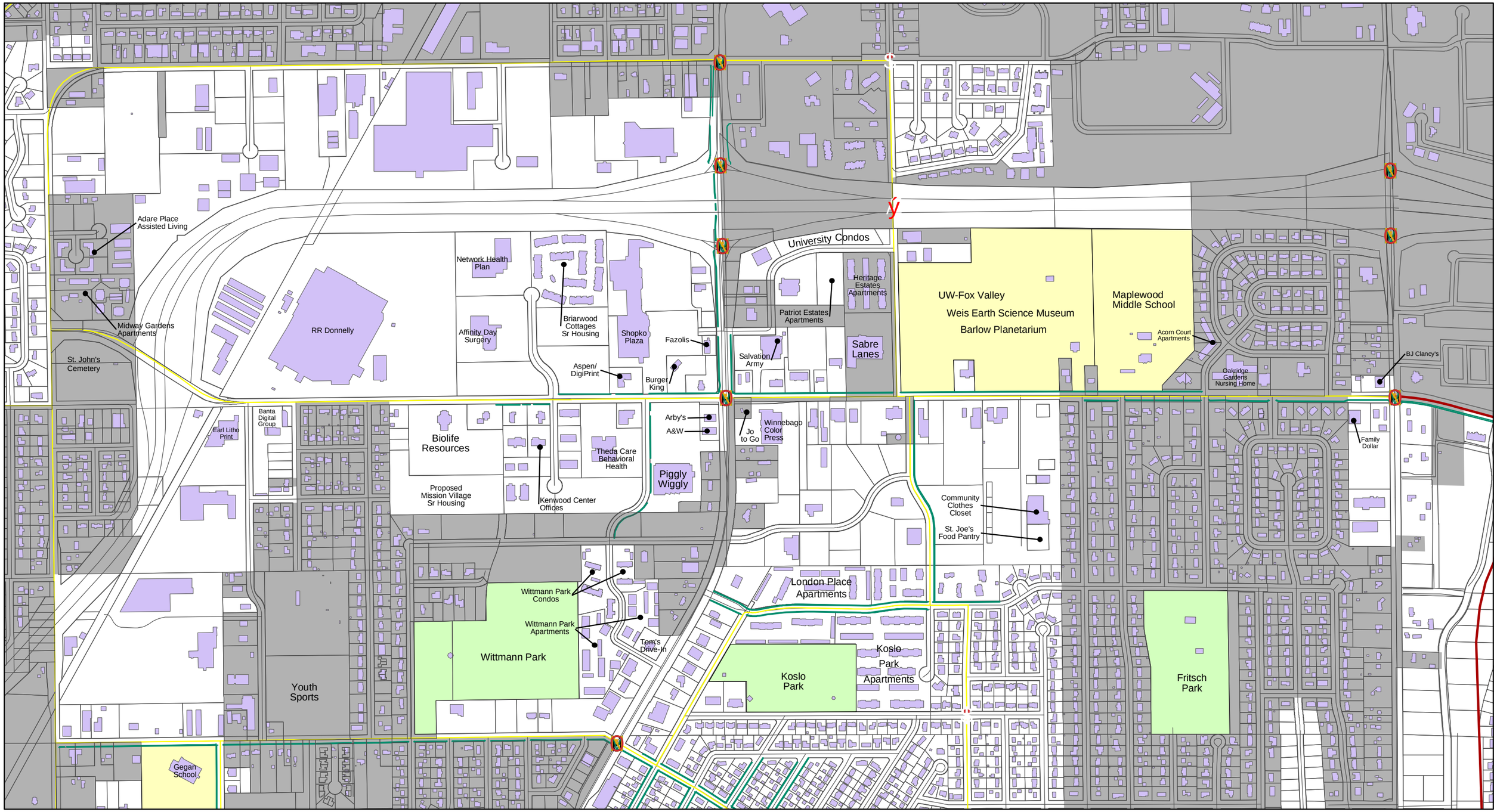
12. If the construction contract is awarded, the project shall commence in 2010.

13. Any grants or funds applied from other sources shall be applied based upon the percentages established in paragraph 8.

14. This agreement shall remain in effect unless the parties mutually agree to terminate the agreement. Project costs at the time of any termination shall be based on the percentages in paragraph 8.

Dated this _____ of _____, 2009.	Dated this _____ of _____, 2009.
TOWN OF MENASHA	**CITY OF MENASHA**
By: _____ Arden Tews, Town Chairman	By: _____ Donald Merkes, Mayor
_____ Karen Backman, Town Clerk	_____ Deborah A. Galeazzi, City Clerk
	_____ Thomas R. Stoffel, Director of Finance
APPROVED AS TO FORM:	APPROVED AS TO FORM:
_____ Herrling & Clark Law Firm Town of Menasha Attorney	_____ City of Menasha Attorney

DRAFT



Legend

- Signalized Intersections
- 4-Way Stops
- Proposed Pedestrian Overpass
- Parks and Public Lands
- Public Schools
- City Limits
- Building Footprints

Trails

- On-Street Route
- Future On-Street Route
- Sidewalks

0 0.125 0.25 0.5 Miles

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