

**LYON COUNTY
DEPARTMENT OF PUBLIC WORKS**

**COST PARTICIPATION POLICIES
APPLICABLE
TO
COOPERATIVE HIGHWAY PROJECTS
BETWEEN
LYON COUNTY AND OTHER AGENCIES**

Adopted by the Lyon County Board of Commissioners on January 7, 2003

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LYON COUNTY

DEPARTMENT OF PUBLIC WORKS

COST PARTICIPATION POLICIES APPLICABLE TO COOPERATIVE HIGHWAY PROJECTS BETWEEN LYON COUNTY AND OTHER AGENCIES

I. PURPOSE

To establish policies for determining appropriate division of cost participation to be used by Lyon County in funding cooperative roadway, traffic signal and bridge construction projects with the Minnesota Department of Transportation, municipalities and other agencies.

II. SCOPE

The establishment of cost policy is consistent with Minnesota Statutes, Sections 162.17, 373.01, 471.59 and Amendments.

III. GENERAL POLICIES

- A. The basic premise is that the County pays for costs peculiar to County needs and municipalities pay for costs peculiar to municipal or local needs.
- B. The County may limit its participation to items eligible for reimbursement with County State Aid Highway (CSAH) funds, notwithstanding the specific policies contained in this document. However, the County will not request CSAH funds for project costs assigned to the municipality as a result of the approved cooperative construction agreement, in order not to preclude the municipality from using its Municipal State Aid funds for those project costs.
- C. A greater degree of County participation is afforded municipalities having a population of less than 5,000 because of the function of the County roadways in these areas. It is generally true that these roadways are of greater benefit to County-wide users and of less benefit to local users than is the case for roadways in more urbanized areas. In addition, this would be a form of compensation for the absence of direct State Aid allocations to these municipalities.
- D. It is recognized that there may be occasional differences between these policies and written participation policies of the Minnesota Department of Transportation. In those cases, participation will be negotiated by the County Engineer.

IV. DEFINITIONS

Bikeway: A bicycle route, bicycle path, or bicycle lane.

1. Bicycle Route: A roadway or shoulder signed to encourage bicycle use.
2. Bicycle Path: A bicycle facility designed for exclusive or preferential use by persons using bicycles and constructed or developed separately from the roadway or shoulder.
3. Bicycle Lane: A portion of a roadway or shoulder designed for exclusive or preferential use by persons using bicycles. Bicycle lanes are to be distinguished from the portion of the roadway or shoulder used for motor vehicle traffic by physical barrier, striping, marking, or other similar device.

Contributing Flow: A storm sewer procedure that considers that each agency participates in proportion to its share of the design discharge for each section of sewer between inflow points. This method is used by the Minnesota Office of State Aid on all projects except where federal participation is anticipated.

County: Lyon County.

County Engineer: The County Engineer of Lyon County or a designated representative.

Municipality: Any municipality or township within Lyon County.

Over 5,000: A municipality of 5,000 population or more.

Peak Discharge: A storm sewer method that considers that each agency's share is the ratio of its peak discharge through each section of sewer between inflow points to the summation of peak discharge for all agencies participating in the section of sewer between inflow points.

Permanent Traffic Signal: A traffic control signal system normally consisting of metal signal poles with mast arms and underground electrical systems with conduit, cable and handhole installations.

Storm Sewer: A drainage system usually consisting of one or more pipes connecting two or more drop inlets. The purpose is to convey surface runoff water from the inlets to an acceptable outlet.

Street Lighting: All components normally installed by a municipality for the purpose of street illumination.

Standard Specifications: Minnesota Department of Transportation Standard Specification for Construction, latest edition and/or supplement thereto.

State Aid Manual: Manual published by the Minnesota Department of Transportation outlining State Aid policies and procedures.

State Highway: A highway under jurisdiction of the State of Minnesota.

Temporary Traffic Signal: A traffic control signal system normally consisting of wood poles with signal indications suspended on span wires and overhead electrical systems.

Trunk Line: Main conveyor of storm sewer system.

Under 5,000: A municipality under 5,000 population.

Utilities: Water, heating, electric, storm sewer, gas, sanitary, telephone, cable TV, telegraph, street lighting, fiber optics, etc.

V. ROADWAYS

The County's participation in roadway projects will be as follows:

- | | | |
|----------------------------|--|--------------------------------|
| A. RIGHT-OF-WAY - | | |
| 1. | Right-of-way, permanent roadway easement, slope easement, drainage easement and temporary construction easement for existing County highway. | |
| | Under 5,000 | Negotiation by County Engineer |
| | Over 5,000 | Negotiation by County Engineer |
| 2. | Right-of-way, permanent roadway easement, slope easement, drainage easement and temporary construction easement for any newly established or dedicated County highway. | |
| | Under 5,000 | Negotiation by County Engineer |
| | Over 5,000 | Negotiation by County Engineer |
| 3. | The County's percentage of participation in retaining walls constructed in lieu of right-of-way will be the same as for right-of-way. | |
| 4. | Right-of-way required for wetland mitigation and for surface water retention basins will be at the same participation ratio as the remainder of the project even if the locations of these facilities are not contiguous to the project. | |
| B. CLEARING AND GRUBBING - | | |
| | Under/Over 5,000 | 100% |
| C. GRADING - | | |
| | Under/Over 5,000 | 100% |
| D. BASE AND SURFACING - | | |
| 1. | County participation for a 2-lane street. | |
| | Under/Over 5,000 | 100% |
| 2. | Parking lanes | |
| | Under/Over 5,000 | 0% |
| E. TURN LANES | | |
| 1. | County Participation for Turn lane Construction | |
| | New - Under/Over 5,000 | 0% |
| | Replacement - Under/Over 5,000 | 100% |

F. STORM SEWER -

The County's participation is based on the State Aid formula as defined in State Aid Manual No. 5-892.600-605 which uses the ratio of contributing flows except on federally funded projects where the peak discharge formula is used to arrive at the percentage of allowable state Aid funds. The construction of retention basins for surface water and storm sewer runoff will be considered part of the trunk storm sewer system and will be at the same participation ratio as the trunk storm sewer lines. Participation on County Roads will be determined by using the State Aid formula using the ratio of contributing flows.

1. Trunk lines.

Under 5,000	100% of County's Contributing Flow
Over 5,000	100% of County's Contributing Flow

2. Catch basins and leads within the County highways and at the curb returns of side roadway entrances that drain onto the County highways.

Under 5,000	100% of County's Contributing Flow
Over 5,000	100% of County's Contributing Flow

No credit is allowed to a municipality for an in-place storm sewer system.

G. CONCRETE SIDEWALK CONCURRENT WITH COUNTY CONSTRUCTION PROJECT

New -	Under/Over 5,000		0%
Replacement -	Under/Over 5,000	*	100%

* Except when County Engineer determines existing to be worn out. Worn out sidewalk to be treated as new sidewalk.

H. CONCRETE CURB AND GUTTER (NEW OR RECONSTRUCTED) AND CONCRETE PEDESTRIAN RAMPS (NEW OR RECONSTRUCTED) CONCURRENT WITH COUNTY CONSTRUCTION PROJECT -

New -	Under 5,000		100%
New -	Over 5,000		0%
Replacement -	Under/Over 5,000	*	100%

* Except when County Engineer determines existing to be worn out. Worn out concrete curb and gutter to be treated as new concrete curb and gutter.

I. CONCRETE CURB AND GUTTER AND SIDEWALK FOR MEDIANS (NEW OR RECONSTRUCTED) CONCURRENT WITH COUNTY CONSTRUCTION PROJECT -

Under 5,000		100%
Over 5,000		100%

J. PAVED DRIVEWAY ENTRANCES (NEW OR RECONSTRUCTED) CONCURRENT WITH COUNTY CONSTRUCTION PROJECT -

Under 5,000		100%
Over 5,000		100%

K. MUNICIPAL UTILITY RELOCATION OR RECONSTRUCTION -

- | | | |
|----|--|------|
| 1. | Initial installation performed without a permit or not in compliance with a County permit. | |
| | Under/Over 5,000 | 0% |
| 2. | Relocation, reconstruction, improvement, or replacement of unserviceable existing facilities (County Engineer shall determine if existing facility is serviceable or unserviceable). | |
| | Under/Over 5,000 | 0% |
| 3. | Relocation necessitated because of addition of parking lane requested by the municipality. | |
| | Under/Over 5,000 | 0% |
| 4. | In-kind relocation required solely because of County construction procedures. | |
| | Under/Over 5,000 | 100% |
| 5. | Adjustment of existing utility structures to accommodate elevation changes at the street surface. This includes items such as adjusting manhole castings and valve boxes. Lateral extension of utility appurtenances such as hydrants, water service valves, etc. required by the road construction are not included in this category unless they are required solely due to the addition of a parking lane requested by a municipality. | |
| | Under/Over 5,000 | 0% |

L. PRIVATE UTILITY RELOCATION OR RECONSTRUCTION -

- | | | |
|----|--|----|
| 1. | Initial installation was within County right-of-way. | |
| | Under/Over 5,000 | 0% |

VI. TRAFFIC SIGNAL SYSTEM

The County's participation in traffic signal system projects will be as follows:

A. PERMANENT TRAFFIC SIGNAL SYSTEM INSTALLATIONS -

Intersection of County Highway with City Street and/or Township Road (City or Township Location).

1. County cost participation in the installation of a traffic signal to be proportional to the number of legs that are County highways (i.e. 2 of 4 entering legs are County highways, participation equals 50%).
2. County cost participation in the furnishing of electrical power to a traffic signal to be 0%. Electrical power to be furnished by the City or Township.
3. County cost participation in the maintenance of a traffic signal to be 100%, unless otherwise stipulated by special agreement with the Minnesota Department of Transportation or other agency.
4. County cost participation in any subsequent revisions, modifications, or updatings of a traffic signal originally installed in accordance with the provisions of this cost participation policy, even to the extent of complete reconstruction, to be borne in the same manner as the initial installation.

Intersection of County Highway with State Highway (City or Township Location)

1. County cost participation in the installation of a traffic signal to be proportional to the number of legs that are County highways and in accordance with Minnesota Department of Transportation policies.
2. County cost participation in the furnishing of electrical power to a traffic signal to be 0%. Electrical power to be furnished by the Minnesota Department of Transportation, the City and/or the Township.
3. County cost participation in the maintenance of a traffic signal to be 0%. Maintenance to be furnished by the Minnesota Department of Transportation.
4. County cost participation in any subsequent revisions, modifications, or updatings of a traffic signal originally installed in accordance with the provisions of this cost participation policy, even to the extent of complete reconstruction, to be borne in the same manner as the initial installation.

B. TEMPORARY TRAFFIC SIGNAL INSTALLATION -

Intersection of County Highway with City Street and/or Township Road (City or Township Location)

1. County cost participation in the installation of a temporary traffic signal to be proportional to the number of legs that are County highways (i.e. 2 or 4 entering legs are County highways, participation equals 50%) if, by cooperative agreement, it is the plan of the County, the City and/or the Township to install a permanent traffic signal at the same location in the future. Full credit for the City's and/or Township's investment in the installation of a temporary traffic signal will be applied toward the City's and/or Township's participation in a permanent traffic signal at the same location if it is installed within the time limits set forth in the cooperative agreement. This credit may be extended should circumstances beyond the control of the City and/or Township delay the installation of the permanent signal beyond the time limits set forth in the cooperative agreement.
2. County cost participation in the furnishing of electrical power to a temporary traffic signal to be 0%. Electrical power to be furnished by the City or Township.
3. County cost participation in the maintenance of a temporary traffic signal to be 100%, unless otherwise stipulated by special agreement with the Minnesota Department of Transportation or other agency.

Intersection of County Highway with State Highway (City or Township Location)

1. County cost participation in the installation of a temporary traffic signal to be proportional to the number of legs that are County highways if, by cooperative agreement, it is the plan of the Minnesota Department of Transportation to install a permanent traffic signal at the same location in the future. Said cooperative agreement is to include a provision whereby full credit for the County's investment in the installation of a temporary traffic signal will be applied toward the County's participation in a permanent traffic signal at the same location.
2. County cost participation in the furnishing of electrical power to a temporary traffic signal to be 0%. Electrical power to be furnished by the Minnesota Department of Transportation, the City and/or the Township.
3. County cost participation in the maintenance of a traffic signal to be 0%. Maintenance to be furnished by the Minnesota Department of Transportation.

VII. BRIDGES

The County's participation in bridge projects will be as follows:

Under/Over 5,000 Negotiation by County Engineer

VIII. STREET LIGHTING

The County will not participate in the installation of new street lighting with the exception of those street lights attached to traffic signals on County highways. Those lights will be financed on the same basis as the installation of traffic signals. Participation in the relocation or reconstruction of existing street lighting will be on the same basis as for municipal utility relocation or reconstruction (see Paragraph J of Section No. V).

IX. BIKEWAYS

Lyon County recognizes the increasing use of bicycles as a means of transportation. Lyon County will consider incorporating bicycle lanes or routes within the roadway design concurrent with roadway construction when the route is part of an overall community bicycle system plan, when economically feasible to construct, and when judged to be in the best interest of the public. Bicycle paths separate from the roadway itself will normally not be constructed unless it is part of an overall community plan for a bicycle trail system. The County's participation in bicycle routes, paths, and lanes will be as follows:

New -	Under 5,000	100%
New -	Over 5,000	0%
Replacement -	Under/Over 5,000	* 100%

* Except when County Engineer determines existing to be worn out. Worn out bikeways to be treated as new bikeways.

X. LANDSCAPING

The County will participate in State Aid eligible landscaping items with total participation not to exceed 25% of the maximum permitted by State Aid rules.

XI. ENGINEERING

The County's participation in engineering includes design costs which are cost incurred prior to the award of the contract and contract administration costs which are costs incurred subsequent to the award of contract.

A. The municipality will reimburse the County an agreed (negotiated) percentage of the municipality's share of the contract construction cost for the Design and/or Contract Administration performed by the County.

Under/Over 5,000 Negotiation by County Engineer

XII. LUMP SUM, PRO-RATA ITEMS

Proposal forms carry lump sum bidding requirements for the items of Mobilization (2021), Maintenance and Restoration of Haul Roads (2051) and Traffic Control (0563). Field Office and Field Laboratory (2031) are not, strictly speaking, lump sum pay items. However, their general characteristics are such as to require that they be handled the same as Mobilization. A municipality shall be charged a pro-rata share of the above items. Proration shall be based on a percentage factor applied to the cost amounts chargeable to the County and the municipality for other construction items. Mobilization, Maintenance and Restoration of Haul Roads, Field Office and Field Laboratory, and Traffic Control are construction items and shall be subject to the negotiated percentage charge for engineering.

XIII. INVOICE AMOUNT COMPUTATION

After bids have been received and a contract awarded, and also upon completion of construction, the unit prices shall be substituted for the estimated unit prices/quantities and the percentage ratio established originally shall be recomputed.

XIV. MAINTENANCE

The County is responsible for maintaining the County highway between curbs or between outside edge of shoulders. It may enter into agreement with the municipality to perform this work on a reimbursable basis.

The County is responsible for maintenance of bridges and culverts on the County route.

The municipality is responsible for maintenance of its utilities including any storm sewer within the County highway right-of-way.

The municipality is responsible for maintaining bicycle paths and walking trails within the County highway right-of-way.

The municipality is responsible for maintaining boulevard or ditch areas, landscaped median areas, irrigation systems, sidewalk, retaining walls, steps and other related items within the right-of-way on an urban design section.