

Dane County Contract Cover Sheet

Revised 01/2023

Res 148
significant

Dept./Division	Land & Water Resources / Watersheds & Ecosystem Services		
Vendor Name	USDA NRCS	MUNIS #	12375
Brief Contract Title/Description	USDA - Natural Resources Conservation Services has funding available to assist with phosphorus removal equipment upgrades at the two community digesters located in Dane County.		
Contract Term	Signing thru 5/31/2030		
Contract Amount	\$1,397,000		

Contract # Admin will assign	15951
Type of Contract	
☐	Dane County Contract
☒	Intergovernmental
☐	County Lessee
☐	County Lessor
☐	Purchase of Property
☐	Property Sale
☐	Grant
☐	Other

Department Contact Information		Vendor Contact Information	
Name	Kyle Minks	Name	Ryan Gerlich
Phone #	(608) 669-1864	Phone #	(608) 662-4422
Email	Minks.Kyle@danecounty.gov	Email	ryan.gerlich@usda.gov
Purchasing Officer			

Purchasing Authority	☐ \$12,000 or under – Best Judgment (1 quote required)		
	☐ Between \$12,000 – \$43,000 (\$0 – \$25,000 Public Works) (3 quotes required)		
	☐ Over \$43,000 (\$25,000 Public Works) (Formal RFB/RFP required)	RFB/RFP #	
	☐ Bid Waiver – \$43,000 or under (\$25,000 or under Public Works)		
	☐ Bid Waiver – Over \$43,000 (N/A to Public Works)		
	☒ N/A – Grants, Leases, Intergovernmental, Property Purchase/Sale, Other		

MUNIS Req.	Req #	Org:	Obj:	Proj:	
	Year	Org:	Obj:	Proj:	
		Org:	Obj:	Proj:	

Budget Amendment	
☐	A Budget Amendment has been requested via a Funds Transfer or Resolution. Upon addendum approval and budget amendment completion, the department shall update the requisition in MUNIS accordingly.

Resolution Required if contract exceeds \$100,000 (\$40,000 PW)	☐ Contract does not exceed \$100,000 (\$40,000 Public Works)		
	☒ Contract exceeds \$100,000 (\$40,000 Public Works) – resolution required.	Res #	148
	☒ A copy of the Resolution is attached to the contract cover sheet.	Year	2025

CONTRACT MODIFICATIONS – Standard Terms and Conditions		
☐ No modifications.	☐ Modifications and reviewed by:	☒ Non-standard Contract

APPROVAL	
Dept. Head / Authorized Designee	
Hicklin, Laura	Digitally signed by Hicklin, Laura Date: 2025.09.23 09:08:28 -05'00'

APPROVAL – Contracts Exceeding \$100,000	
Director of Administration	Corporation Counsel
	

APPROVAL – Internal Contract Review – Routed Electronically – Approvals Will Be Attached			
DOA:	Date In: 9/23/25	Date Out:	☒ Controller, Purchasing, Corp Counsel, Risk Management

Goldade, Michelle

From: Goldade, Michelle
Sent: Tuesday, September 23, 2025 4:28 PM
To: Hicklin, Charles; Rogan, Megan; Gault, David; Cotillier, Joshua
Cc: Stavn, Stephanie; Oby, Joe
Subject: Contract #15953
Attachments: 15953.pdf

Tracking:	Recipient	Read	Response
	Hicklin, Charles	Read: 9/24/2025 9:06 AM	Approve: 9/24/2025 9:06 AM
	Rogan, Megan	Read: 9/23/2025 4:32 PM	Approve: 9/23/2025 4:32 PM
	Gault, David	Read: 9/24/2025 8:43 AM	Approve: 9/24/2025 8:43 AM
	Cotillier, Joshua	Read: 9/24/2025 8:29 AM	Approve: 9/24/2025 8:31 AM
	Stavn, Stephanie		
	Oby, Joe		

Please review the contract and indicate using the vote button above if you approve or disapprove of this contract.

Contract #15953
Department: Land & Water Resources
Vendor: City of Madison
Contract Description: Declaration of Stormwater Management Measures (off site)
Contract Term: perpetual
Contract Amount: \$0

Michelle Goldade

Administrative Manager
Dane County Department of Administration
Room 425, City-County Building
210 Martin Luther King, Jr. Boulevard
Madison, WI 53703
PH: 608/266-4941
Fax: 608/266-4425
TDD: Call WI Relay 711

Please Note: I currently have a modified work schedule...I am in the office Mondays and Wednesdays and working remotely Tuesdays, Thursdays and Fridays.

**ACCEPTANCE OF AN AGREEMENT WITH THE U.S. DEPARTMENT OF AGRICULTURE –
NATURAL RESOURCES CONSERVATION SERVICE FOR PHOSPHORUS REMOVAL**

The U.S. Department of Agriculture – Natural Resources Conservation Service (NRCS) has made funding available to Dane County to assist in upgrading the phosphorus removal systems at the Dane County Community Manure Digester Facilities located in Waunakee and Middleton, Wisconsin. These facilities were commissioned in 2010 and 2013, respectively, and are a collaborative community effort between state and local governments, private businesses, and agricultural producers.

Dane County Land & Water Resources Department (LWRD) recommends acceptance of these funds. The facilities process over 128 million gallons of manure annually from nine different participating farms. This equates to roughly 25% of all the livestock manure generated in the Yahara Watershed maximizing the opportunity for phosphorus removal and redistribution throughout the region.

LWRD will work with the facility owners to identify feasible and operationally viable phosphorus removing systems that can be deployed at both the Waunakee and Middleton Community Manure Digester facilities capable of removing 60% of the phosphorus from incoming manure sources. Systems shall be proposed and evaluated by facility owners/operators, technical consultants, and Dane County LWRD. Construction and installation of each facility's preferred option for removing phosphorus will be the responsibility of the facility owners and Dane County will pass through the NRCS funding via cost-share contracts.

THEREFORE, BE IT RESOLVED that the Dane County Board of Supervisors and the Dane County Executive hereby accept \$1,397,000 from NRCS;

BE IT FURTHER RESOLVED, that Dane County Land & Water Resources Department is authorized to accept the funds and that account LWLEGACY NEW "NRCS Digester Phosphorus Grant Expense" be created in the amount of \$1,397,000 and that account LWLEGACY NEW "NRCS Digester Phosphorus Grant Revenue" in the amount of \$1,397,000 be created and that these funds shall carry forward until expended;

BE IT FINALLY RESOLVED that the Dane County Executive is authorized to sign an agreement with NRCS, and that the Dane County Land & Water Resources Director, or their designee, is authorized to submit all required reports and reimbursement requests to NRCS.



NOTICE OF GRANT AND AGREEMENT AWARD

1. Award Identifying Number NR255F48XXXXC012	2. Amendment Number	3. Award /Project Period Date of Final Signature - 05/31/2030	4. Type of award instrument: Cooperative Agreement
5. Agency (Name and Address) Natural Resources Conservation Service 8030 Excelsior Drive, Suite 200 Madison, WI 53717		6. Recipient Organization (Name and Address) County of Dane 210 Martin Luther King Jr Blvd Madison, WI 53703-3345 UEI Number / DUNS Number: M7DYJMKQ9MH7 / 076148766	
7. NRCS Program Contact Name: Ryan Gerlich Phone: (608) 662-4422 Email: ryan.gerlich@usda.gov	8. NRCS Administrative Contact Name: Kimberly Johnson Phone: (202) 772-6028 Email: Kimberly.Johnson2@usda.gov	9. Recipient Program Contact Name: Kyle Minks Phone: 608-669-1864 Email: Minks.Kyle@danecounty.gov	10. Recipient Administrative Contact Name: Ian Herfel Phone: 608-224-3757 Email: herfel.ian@countyofdane.com
11. CFDA 10.902	12. Authority 16 U.S.C. 2001-2009 16 U.S.C. 2004 16 U.S.C. 3801 et seq 16 U.S.C. 590a-590f, 590q 7 CFR 12 7 U.S.C. 1010a	13. Type of Action New Agreement	14. Program Director Name: Kyle Minks Phone: 608-669-1864 Email: Minks.Kyle@danecounty.gov
15. Project Title/ Description: Upgrade Phosphorus Removal System			
16. Entity Type: B = County Government			
17. Select Funding Type			
Select funding type:	☒ Federal		☒ Non-Federal
Original funds total	\$1,397,000.00		\$13,000.00
Additional funds total	\$0.00		\$0.00
Grand total	\$1,397,000.00		\$13,000.00
18. Approved Budget			

Personnel	\$0.00	Fringe Benefits	\$0.00
Travel	\$0.00	Equipment	\$0.00
Supplies	\$0.00	Contractual	\$0.00
Construction	\$0.00	Other	\$1,397,000.00
Total Direct Cost	\$1,397,000.00	Total Indirect Cost	\$0.00
		Total Non-Federal Funds	\$13,000.00
		Total Federal Funds Awarded	\$1,397,000.00
		Total Approved Budget	\$1,410,000.00

This agreement is subject to applicable USDA NRCS statutory provisions and Financial Assistance Regulations. In accepting this award or amendment and any payments made pursuant thereto, the undersigned represents that he or she is duly authorized to act on behalf of the awardee organization, agrees that the award is subject to the applicable provisions of this agreement (and all attachments), and agrees that acceptance of any payments constitutes an agreement by the payee that the amounts, if any, found by NRCS to have been overpaid, will be refunded or credited in full to NRCS.

Name and Title of Authorized Government Representative NATHAN FIKKERT State Conservationist	Signature	Date
Name and Title of Authorized Recipient Representative LAURA HICKLIN Director	Signature	Date

NONDISCRIMINATION STATEMENT

The USDA's Non-Discrimination Statement is incorporated by reference and can be accessed at the following location: <https://www.usda.gov/non-discrimination-statement>.

PRIVACY ACT STATEMENT

The above statements are made in accordance with the Privacy Act of 1974 (5 U.S.C. Section 522a).

Statement of Work

Purpose

A. This agreement is made by and between the U.S. Department of Agriculture, Natural Resources Conservation Service (NRCS) and Dane County Land & Water Resources Department, hereafter referred to as "Dane County LWRD". The collective name of both entities is hereafter referred to as the "Parties".

B. The purpose of this agreement is to provide funding to upgrade the phosphorus removal system at the Dane County Community Manure Digester Facilities located in Waunakee and Middleton, Wisconsin. These facilities were commissioned in 2010 and 2013 and are a community and collaborative effort between State and local governments, environmental organizations, private businesses and agricultural producers.

C. Dane County is home to the Yahara River Watershed containing five major lakes (Mendota, Monona, Wingra, Waubesa, and Kegonsa) and ten major tributaries all of which are Federally listed (Clean Water Act) 303d impaired water bodies with the major water quality resource concern (pollutant) being phosphorus runoff. Additionally, the economic importance of both the Yahara Lakes and agriculture within the community is calculated to be \$220 million and \$3.1 billion annually. This emphasizes the importance in finding solutions, like the Community Manure Digesters, that provides benefits to our agricultural community while protecting our water resources.

D. Dane County LWRD is implementing a number of initiatives focused on improving water quality including the Yahara Capital Lakes Environmental Assessment and Needs (Yahara CLEAN). This initiative sets a goal of reducing phosphorus loading to the Yahara Lakes by 50%. It also, identified specific actions including reducing the net phosphorus availability in the watershed by transporting manure and phosphorus from manure outside the watershed. The report also recommends recycling and redistributing it within the watershed where needed.

E. Upgrading the phosphorus removal system at the existing community digesters is a critical first step to achieving this goal. The facilities process over 128 million gallons of manure annually from nine different participating farms. This equates to roughly 25% of all the livestock manure generated in the Yahara Watershed maximizing the opportunity for phosphorus removal and redistribution throughout the region.

Objectives

A. Identify feasible and operationally viable phosphorus removing systems that can be deployed at both the Waunakee and Middleton Community Manure Digester facilities capable of removing 60% of the phosphorus from incoming manure sources. System shall be proposed and evaluated by facility owners/operators, technical consultants, and Dane County LWRD.

B. Construction and installation of each facility's preferred option for removing phosphorus. Each facility owner will be responsible for construction oversight.

C. Monitoring of system performance and phosphorus removal.

Budget Narrative

A. The official budget described in this Budget Narrative will be considered the total budget as last approved by the Federal awarding agency for this award. Amounts included in this budget narrative are estimates. Reimbursement will be based on actual expenditures, not to exceed the amount obligated.

	Federal	Non-Federal	Total
Personnel:	\$0.00	\$13,000.00	\$13,000.00
Contractual:	\$1,397,000.00	\$0.00	\$1,397,000.00
Total Direct Costs:	\$1,397,000.00	\$13,000.00	\$1,410,000.00
Indirect Costs:	\$0.00	\$0.00	\$0.00
Grand Total:	\$1,397,000.00	\$13,000.00	\$1,410,000.00

B. Federal Costs: NRCS will provide a maximum financial reimbursement of \$1,397,000.00 to Dane County LWRD based on the budget categories and amounts listed below. This financial contribution reflects the estimated cost to implement phosphorus removing equipment at both the Waunakee and Middleton Community Digester facilities.

1. Contractual: NRCS will reimburse Dane County LWRD based on actual Dane County Cost Share Agreements executed and reimbursed between Dane County LWRD and owners of each digester facility. NRCS reimbursement will not exceed the maximum financial reimbursement allowed under this agreement. Dane County LWRD will provide NRCS with proof of Cost Share payments prior to NRCS reimbursement.

EnTech Solutions (Middleton): \$698,500.00

Brightmark (Waunakee): \$698,500.00

Total: \$1,397,000.00

2. Indirect Costs: Dane County LWRD has elected to voluntarily waive indirect costs.

C. Non-Federal Contribution: Dane County LWRD will provide a financial reimbursement of \$13,000.00 based on the budget categories and amounts listed below. This financial contribution reflects the estimated cost to employ staff to oversee the project for an estimated 5 staff years in duration.

1. Personnel: Dane County LWRD will provide staff oversight of the project for the purpose of meeting the deliverables, completing reports, and submitting payments.

County Staff needed: 40 hours per year for 5 years at approximately \$65 per hour = \$13,000.00

D. Adjustments between the NRCS financial contributions identified for the object class categories may be accommodated in accordance with the Prior Approval Requirements of the General Terms and Conditions.

E. The NRCS financial code associated with this agreement is: NR.CE.COTA.55.YWIP.2425T

Responsibilities of the Parties:

If inconsistencies arise between the language in this Statement of Work (SOW) and the General Terms and Conditions attached to the agreement, the language in this SOW takes precedence.

NRCS RESPONSIBILITIES:

A. Provide consultative assistance to Dane County LWRD and collaborating partners in completing all work items covered by this agreement.

B. Provide timely responses to administrative questions related to this grant/agreement award.

Dane County LWRD will:

A. Coordinate completion of the tasks and deliverable items as identified in the Expected Accomplishments and Deliverables section.

B. Comply with the applicable version of the General Terms and Conditions.

C. Coordinate and administer all Dane County LWRD Cost Share agreements and associated reimbursements.

D. Acknowledge NRCS support on any publications written or published as a result of the project.

Submit reports and payment requests to the ezFedGrants system or the Farm Production and Conservation (FPAC) Grants and Agreements Division via email to FPAC.BC.GAD@usda.gov as outlined in the applicable version of the General Terms and Conditions. Reporting frequency is as follows:

Performance reports: Annual

SF425 Financial Reports: Annual

Expected Accomplishments and Deliverables

A. Task #1: Phosphorus Removal Proposal

In year 1 Dane County LWRD will coordinate with owners and operators of each digester facility to develop a proposal identifying how each site intends to meet the goal of removing 60% of the phosphorus from received manure. Each proposal will include, at a minimum, the following components.

1. A technical description identifying all equipment and processes including but not limited to; make and model descriptions, energy needs, operational specifications, design flows, max/min capacities, piping, etc.

2. A description on how the system will be integrated within the existing facility and operations.

3. An analysis of anticipated phosphorus removal performance utilizing both minimum and maximum operating ranges.

4. An analysis of the expected life expectancy of the system under current facility capacity as well as a 25% increase in manure intake.

5. An analysis of annual system maintenance, costs, and anticipated downtime.

6. A cost analysis containing both capital costs and annual operational costs
7. A construction plan containing information on how the phosphorus removal system will be implemented including: a description of any subcontractors and their qualifications; information on what and how the system will be constructed and implemented; a timeline containing milestones and a final commissioning date; and information on any necessary permits needed.
8. A detailed payment schedule identifying proposed reimbursements associated with the project.

Deliverable for Task #1 will be the Phosphorus Removal Proposal document

B. Task #2: Dane County LWRD Cost Share Agreement

In year 2 Dane County LWRD will coordinate and execute a county cost share agreement with the owners of each digester facility for the implementation of the proposed phosphorus removal system.

Deliverable for Task #2 will be the fully executed cost share agreement.

C. Task #3: Construction and System Commissioning

In years 3 through 5 Dane County LWRD will monitor construction progress and document final commissioning certifying that the phosphorus removal system was constructed and functioning as designed.

Deliverable for Task #3 will be final as-built construction plans and contractor certification.

D. Task #4: LWRD Cost Share Administration

In years 2 through 5 Dane County LWRD will administer all aspects of the cost share agreement. Invoices will be received prior to any cost share reimbursements being processed. Approved cost share reimbursements will be used in submitting reimbursements to NRCS.

Deliverable for Task #4 includes Dane County LWRD cost share reimbursement documentation and NRCS payment request forms.

E. Task #5: Post Construction Performance Monitoring

In year 5 Dane County LWRD will conduct a six-month, post commissioning, phosphorus removal analysis to determine what percentage of phosphorus is being removed from each of the facilities.

Deliverable for Task #5 will be a summary report.

Resources Required

See Accomplishments and Deliverables Section for Resources Required.

Milestones

See Accomplishments and Deliverables Section for Milestone timeline.

GENERAL TERMS AND CONDITIONS

Please reference the below link(s) for the General Terms and Conditions pertaining to this award:
<https://www.fpacbc.usda.gov/about/grants-and-agreements/award-terms-and-conditions/index.html>

USDA will not tolerate harassment or assault within the agency or at awardee organizations, field sites, or anywhere USDA programs are conducted. Individuals can notify USDA of concerns about harassment affecting an FPAC-funded project. The person who reports the concern will receive an automated response acknowledging receipt. Notification may be done anonymously.

If threatened or assaulted, individuals need to immediately try to remove themselves from the assault/threat and contact 911 once you are able to. Once the situation is safe, notify the USDA-FPAC Homeland Security Division at FPAC-PhysicalSecurity@usda.gov and either your supervisor (USDA employees) or the appropriate USDA program contact (contractors and cooperators).

The USDA established the Anti-Harassment Program to prevent workplace harassment, any form of unwelcome, persistent, and unsolicited verbal, non-verbal, written, or physical conduct that is offensive and could alter the affected individual's terms and conditions of employment and mitigate harm to any employee subjected to conduct that is or could develop into harassment or bullying. FPAC employees, contractors, volunteers, and those under formal partnership agreements performing work on behalf of USDA with FPAC, may report harassment matters to sm.fpac.anti-harassmentcomplaints@usda.gov."