

**Memorandum of Agreement – Trees and Tree Grates**  
**Between the City of Madison Engineering Division and the Madison Parks Division**

This Memorandum of Agreement between the City of Madison Engineering Division and the City of Madison Parks Division is intended to define each party's responsibilities for sidewalk repair related to trees and tree grates.

The Parks Division Forestry Section is responsible for the maintenance of the urban forest. The Engineering Division is responsible for the installation and repair of sidewalks. Trees and tree grates are an asset of the Parks Division while sidewalks are an asset of the Engineering Division.

Tree grates and sidewalks are damaged due to weather, heavy loads, and trees and tree roots. This Memorandum of Agreement will clarify responsibilities as it relates to the repair of sidewalks impacted by trees and the installation and repair of tree grates.

The City of Madison Engineering Division and the City of Madison Parks Division agrees to the following:

1. Installation of new tree grates - New tree grates shall be installed using Capital Funds through projects budgeted by the City. In most cases, the Engineering Division shall lead the project as specified from the Parks Division on type of grate, location of grates/trees, and tree species. The trees and tree grates shall be an asset of the Parks Division.
2. Tree Grates in Reconstructed Streets – Where tree grates need to be replaced in reconstruction streets, the Engineering Division shall lead the project. The tree grates and trees shall be installed using Capital Funds through projects budgeted by the City. In most cases, the Engineering Division shall lead the project as specified from the Parks Division on type of grate, location of grates/trees, and tree species. Where tree grates need to be placed in the reconstruction of streets, Engineering shall provide a separate bid item in consultation with the Parks Division. The trees and tree grates shall be an asset of the Parks Division.
3. Damaged tree grates where the frame is undamaged – The Parks Division Forestry Section shall be responsible for the replacement of the grates.
4. Damaged tree grates where the frame is damaged – The Engineering Division shall repair the grates. For 2019, the Sidewalk Program or Right of Way Landscaping & Trees Fund shall cover the cost. It is the intent of the Parties of this Agreement that the Parks Division shall establish a fund for the repair of the tree grate and frames in 2020.
5. Sidewalk Damaged from Tree Roots or Trees Falling – The Engineering Division shall repair the damaged sidewalk using Capital Project Funds, typically from the Sidewalk Program. Such damage may be caused by vehicle accidents, storm damage, contractor negligence or any other causes not directly related to work performed by Forestry staff.

6. Parks Division Forestry Section damages sidewalk during tree planting, maintenance or removal – The Engineering Division shall make the repair and Parks Division shall cover the cost of the repair.
7. Abandonment of existing tree site requiring sidewalk and/or terrace repair - The Engineering Division shall make the repair and Parks Division shall cover the cost of the repair. If a specific project such as a private or public building/street project necessitates the need to abandon the tree location, the project sponsor shall fund the necessary costs.

**FOR THE CITY OF MADISON ENGINEERING DIVISION:**



Robert F. Phillips, P.E.  
City Engineer

Date

5/31/19

**THE PARKS DIVISION:**



Eric Knepp  
Parks Superintendent

Date

5/31/19