



**Wisconsin Department of Transportation**  
Office of the Secretary  
4822 Madison Yards Way, S903  
Madison, WI 53705

**Governor Tony Evers**  
**Secretary Craig Thompson**  
[wisconsindot.gov](http://wisconsindot.gov)  
Telephone: (608) 266-1114  
FAX: (608) 266-9912  
Email: [sec.exec@dot.wi.gov](mailto:sec.exec@dot.wi.gov)

October 8, 2019

Rep. Sanfelippo  
314 North  
State Capitol  
Madison, WI 53707-7882

Sen. David Craig  
104 South  
State Capitol  
Madison, WI 53707-7882

Sen. Chris Kapenga  
15 South  
State Capitol  
Madison, WI 53707-7882

Sen. Steven Nass  
10 South  
State Capitol  
Madison, WI 53707-7882

Sen. Duey Strobel  
18 South  
State Capitol  
Madison, WI 53707-7882

Dear Legislators,

Thank you for your letter dated October 7, 2019 and your expressed interest in developing a full understanding of the County Highway MM project in Racine County. I appreciate the opportunity to lay out the facts surrounding the project to help you understand why WisDOT could only levy liquidated damages that could be justified.

As careful stewards of the state's transportation dollars, the department puts great effort toward delivering projects in a safe, timely and efficient manner. To deliver timely projects, WisDOT holds contractors to the terms of contracts and levies liquidated damages when justified. In the case of County Highway MM, I understand the department's professional staff reviewed factors including utility conflicts, weather, hazardous material removal, winter shutdown, and sanitary sewer adjustments that impacted the project timeline. They determined that a portion of the liquidated could not be assessed due to these factors. Liquidated damages that could be justified were levied.

Your letter poses several specific questions relating to decisions in which I was not directly involved. I have directed department staff to compile the information so that it can be transmitted to you in a timely fashion. Additionally, I have directed the department's custodian of records to contact you on the scope and timing of your records request.

Thank you for your attention to this matter.

Respectfully,

A handwritten signature in black ink, appearing to read "C. Thompson", written in a cursive style.

Craig Thompson  
Secretary-Designee  
Wisconsin Department of Transportation