RESOLUTION APPROVING PROPOSAL FOR SERVICES WITH MIDWEST RIGHT OF WAY SERVICES, INC FOR LAND ACQUISITION FOR A PUBLIC SAFETY FACILITY AND UTILITY INFRASTRUCTURE.

WHEREAS, pursuant to Neb. Rev. Stat. §23-104(6) the County has the power to do all acts in relation to the concerns of the County necessary to the exercise of its corporate powers; and,

WHEREAS, pursuant to Neb. Rev. Stat. §23-103 the powers of the County as a body are exercised by the County Board; and,

WHEREAS, County of Sarpy is preparing for future public safety and utility needs and will need to acquire land within the county for this project; and

WHEREAS, a proposal has been made by Midwest Right of Way Services, Inc. for professional services to assist with the acquisition of the necessary land for said project, a copy of which is attached; and

WHEREAS, said attached agreement is in the best interests of the citizens of Sarpy County Nebraska.

NOW, THEREFORE, BE IT RESOLVED by the Sarpy County Board of Commissioners that this Board hereby approves the attached proposal by Midwest Right of Way Services, Inc. regarding land acquisition services for proposed Sarpy County public improvement projects.

BE IT FURTHER RESOLVED that the Chairman of this Board, together with the County Clerk, is hereby authorized to sign the proposal for services with Midwest Right of Way Services, Inc., on behalf of this Board, a copy of which is attached, and any other related documents, the same being approved by the Board.

The above and foregoing Resolution was duly approved by a vote of the Sarpy County Board of Commissioners at a public meeting duly held in accordance with applicable law on this __1st__ day of May, 2018.

ATTEST:

[Signature]
Sarpy County Board Chairman

[Signature]
Sarpy County Clerk
MEMO

TO: Sarpy County Board
FROM: Dan Hoins
RE: Land Acquisition Services

One of the County Board's 2018 goals is to acquire property for a new correctional facility and assist the Sarpy County Sewer Agency in acquiring property for a new treatment plant. County staff has been working with DLR Architects and HDR Engineering to evaluate potential sites where it would be feasible to locate both a correctional facility and treatment plant. The team has relied on the following general site acquisition guidelines:

Correctional Facility

- Provides the least impact possible to neighboring properties
- Does not inhibit future economic development opportunities
- Is centrally located so it can be easily accessed by all law enforcement agencies in Sarpy County
- Is large enough that it can be appropriately buffered
- Contains enough property for other future County facilities

Treatment Facility

- Provides the least impact possible to neighboring properties
- Is located in a drainage basin that is poised for residential or commercial growth
- Allows for future plant expansion on the site

Once a final site has been identified, the acquisition process will begin. This Resolution authorizes Administration to engage Midwest Right-of-Way Services to assist the County with site identification and the process of land acquisition as we move forward with identifying a final site.

Please feel free to contact me if you have any questions. Thank you.

Dan Hoins, County Administrator

cc: Deb Houghtaling
    Scott Bovick
    Brian Hanson
April 20, 2018

Mr. Dan Hoins
Sarpy County Administrator
1210 Golden Gate Drive
Papillion, NE 68046-2894

RE: Proposal for Right of Way Services
    Multiple-Acre Land Acquisition

Dear Mr. Hoins:

Midwest Right of Way Services, Inc. is pleased to provide this proposal for right of way services
for the above-referenced project in Sarpy County, Nebraska.

CONSULTANT AND KEY PERSONNEL

Consultant- Midwest Right of Way Services
            13425 “A” Street
            Omaha, Nebraska  68144
            (402) 955-2900
            (402) 955-2903 FAX

Key Personnel- Jack Borgmeyer, President

PROJECT UNDERSTANDING

This project involves the acquisition of multiple acres of land in Sarpy County, Nebraska, required
for the construction of a new public safety facility and other utility infrastructure improvements.

PROJECT MANAGEMENT

This task will involve coordination of all project elements so that work is initiated as it should be,
appropriate progress is made, and schedules are met. Coordination and scheduling of the title work,
appraisal, and the acquisition and closing process will be the responsibility of the project manager.
**TITLE SEARCH**

A title insurance commitment will be ordered for the property to be acquired in order to determine fee ownership and any liens and encumbrances which will affect the title. Midwest Right of Way Services will contract with Nebraska Title Company in Omaha to provide these services and pass the cost through to Sarpy County.

**APPRAISAL**

This task involves preparation of a narrative appraisal report for the property to determine its current market value. Marty Giff of Giff Property Services will prepare and provide the report. He is approved by the State of Nebraska Department of Transportation to provide appraisal reports for Federal Aid Projects.

**ACQUISITION**

Midwest Right of Way Services’ acquisition agent will make every effort to understand the project’s objective before meeting with the property owner. He will prepare all documents, present and explain the offer, answer all acquisition-related questions, and secure signatures from all interested parties. Our acquisition agent will obtain any tenant information from the property owner and proceed to obtain a signed leasehold contract, if applicable. He will negotiate in good faith and keep records of all calls made.

If condemnation is required, Midwest Right of Way Services will deliver the parcel file to Sarpy County and be available for consultation or condemnation testimony.

**RESIDENCY VERIFICATION CLAUSE**

The Consultant agrees to comply with the residency verification requirements of Neb. Rev. Stat. §4-108 through §4-114. The Consultant is required and hereby agrees to use a federal immigration verification system to determine the work eligibility status of new employees physically performing services within the State of Nebraska. A federal immigration verification system means the electronic verification of the work authorization program authorized by the Illegal Immigration Reform and Immigrant Responsibility Act of 1996, 8 U.S.C. 1324a, known as the E-Verify Program, or an equivalent federal program designated by the United States Department of Homeland Security or other federal agency authorized to verify the work eligibility status of a newly hired employee.
TEAM MEMBERS

Jack Borgmeyer, SR/WA, R/W-RAC, is President of Midwest Right of Way Services, Inc. He is qualified to complete all aspects of the right of way process. He has over 35 years of experience relating to real estate and right of way. His experience includes right of way title searches, land and easement acquisition, relocation, condemnation testimony, and project management.

Gene Gilmore, R/W-RAC, Relocation Agent, will provide relocation and advisory assistance, as needed. He has worked for Midwest Right of Way Services since July, 2000. He has over 35 years of experience handling all types of relocation cases. His experience includes several large, complicated relocations such as two foundries, several salvage yards, and two lumber yards.

Stacey A. Kroeger, R/W-RAC, Right of Way Agent, has worked for Midwest Right of Way Services since February, 2001. She has performed acquisition negotiations and relocation assistance since May, 2005. Her experience includes right of way title searches, acquisition negotiations, and relocation assistance for state, local, and federally funded projects.

Denny Bliss, Right of Way Agent, has worked for Midwest Right of Way Services since July, 2011. He has performed acquisition negotiations for state, local and federally funded projects. His experience includes preparation and review of legal descriptions, review of land title reports, as well as the ability to read, interpret, and draw engineering plans. He has experience with airport, roadway, drainage, sewer, and utility projects. He is also an experienced CADD technician.

Jim Abbott, Right of Way Agent, has worked for Midwest Right of Way Services since January of this year. He has performed acquisition negotiations for sewer and roadway projects in Omaha, Lincoln, Sarpy County and Douglas County in Nebraska and roadway projects in Iowa. His experience includes twenty years of real estate management of commercial and investment properties in the Midwest working for a management company throughout Nebraska, Iowa, and South Dakota.

Dave Minino, Right of Way Agent, has worked for Midwest Right of Way Services since May, 2012. He has performed acquisition negotiations for state, local and federally funded projects. His experience includes right of way title searches and airport, roadway, drainage, sewer, and utility projects.

Maria Rodriguez, Right of Way Agent, has worked for Midwest Right of Way Services since October, 2013. She performed several years of acquisition negotiations and relocation assistance in Phoenix, Arizona. Her experience includes right of way title searches, acquisition negotiations, and relocation assistance for state, local, and federally funded projects. Maria speaks and writes the Spanish language fluently.

John Borgmeyer, Right of Way Agent, joined the company in June, 2014. He has performed acquisition negotiations for state, local and federally funded projects in Nebraska, Iowa and Kansas, and relocation assistance for local and federally funded projects in Nebraska. His experience includes roadway, airport, drainage and sewer projects.
PAYMENT FOR SERVICES

Midwest Right of Way Services proposes the right of way services detailed above for the following hourly fees:

<table>
<thead>
<tr>
<th>Hourly Salary Rates</th>
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<tbody>
<tr>
<td>Project Manager</td>
</tr>
<tr>
<td>Right of Way Agent/Relocation Agent</td>
</tr>
<tr>
<td>Mileage at Standard IRS Rate</td>
</tr>
</tbody>
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The maximum fees for each task will be as follows:

<table>
<thead>
<tr>
<th>Task</th>
<th>Maximum Fee</th>
</tr>
</thead>
<tbody>
<tr>
<td>Project Management</td>
<td>$ 950.00</td>
</tr>
<tr>
<td>Title Report</td>
<td>$ 200.00</td>
</tr>
<tr>
<td>Appraisal</td>
<td>$ 2,500.00</td>
</tr>
<tr>
<td>Acquisition</td>
<td>$ 3,000.00</td>
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</tbody>
</table>

TOTAL MAXIMUM FEES $ 6,650.00

If additional work or meetings are requested beyond the scope indicated in this proposal, we will contact you to discuss revising the contract amount before the additional work is started.

Condemnation court testimony and consultation will be billed at our standard hourly rate plus expenses, if needed. Invoices will be sent on an approximate monthly basis for services rendered. If the above described items are satisfactory to you, please sign and date the original and duplicate original of this letter in the space provided. Keep one executed copy of this letter for your files and return the duplicate copy to us for our files. Receipt of this letter contract will be considered our formal notice to proceed with the work.

Sincerely,

MIDWEST RIGHT OF WAY SERVICES, INC.

Jack Borgmeyer
President

Approved as to form:

Deputy County Attorney

ACCEPTANCE OF PROPOSAL AND AUTHORIZATION TO PROCEED

Authorized Representative

Date: 5/1/18