RESOLUTION APPROVING PROGRAM AGREEMENT FOR CONSULTANT UNDERWATER INSPECTIONS ON COUNTY BRIDGES

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, pursuant to Neb. Rev. Stat. § 39-810, the County may erect and repair all bridges and the approaches thereto; and,

WHEREAS, the Nebraska Department of Transportation (NDOT) oversees the inspection cycles of bridges existing within the County; and,

WHEREAS, NDOT has identified underwater bridge number C007704705, located north of La Platte Road on Harlan Lewis Road, as being in need of inspection; and,

WHEREAS, Federal Funding is available as Surface Transportation Program (STP) Funds to cover eighty percent of the cost of said inspection; and,

WHEREAS, the County desires to enter into an agreement with NDOT to facilitate such inspection; and,

WHEREAS, it is in the best interests of the citizens of Sarpy County to enter into such an agreement.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF SARPY COUNTY, NEBRASKA, the Program Agreement for Consultant Underwater Inspections on County Bridges, a copy of which is attached hereto, is hereby approved.

The above resolution was approved by a vote of the Sarpy County Board of Commissioners at a public meeting duly held in accordance with the applicable law on the ______ day of ______, 2018.

Attest:

_________________________  _____________________________
Sarpy County Board Chairman         County Clerk

Seal:

David R. Kellogg
Sarpy County Board Chairman

Guadalupe
County Clerk
May 22, 2018

Sarpy County
Sarpy County Clerk
Deb Houghtaling
1210 Golden Gate Drive #1250
Papillion, Nebraska 68046

Dear Deb:

RE: Project No. STP-NBIS(113), Control No. 00988 Underwater Bridge Inspection

Your county has an underwater bridge(s) scheduled for inspection. The State of Nebraska, Department of Transportation (NDOT) has arranged for the inspection of all underwater bridges due for inspection in 2018. To ensure uniformity of inspection procedures, NDOT has, on the behalf of your county, hired consultants to conduct these bridge inspections. Your county's structure(s) have been assigned to Collins.

Enclosed are two copies of an agreement between your county and the NDOT for the 2018 Underwater Bridge Inspections in your county. Please sign and execute both agreements, including a signing resolution and return to the Local Projects Section at the NDOT.

The cost for the bridge inspections in your county is estimated to be $1,815.27. Soft match credit will be used for counties that have available and eligible soft match balances for the 20% local share. For those counties not utilizing soft match credit, your county will be billed 20% of the cost ($363.05) of the inspections. If for any reason, you do not want your soft match credit used to pay the county share for the inspection, you must notify the Local Project Section in writing prior to signing of the agreement.

A list of the bridges to be inspected in your county are included with the agreement. Please note that it is the county's responsibility to clean these bridges of debris as appropriate for these inspections.

If you have any questions regarding the bridge inspections, please call Jodi Gibson in the Local Projects Section at 402-479-4337 or Babrak Niazi in the Bridge Division at 402-479-3646.

Sincerely,

Jodi Gibson
Local Programs Manager
PROGRAM AGREEMENT FOR CONSULTANT
UNDERWATER INSPECTIONS ON COUNTY BRIDGES

PROJECT NO. STP-NBIS(113)
CONTROL NO. 00988
SARPY COUNTY
STATE OF NEBRASKA DEPARTMENT OF TRANSPORTATION
STATEWIDE UNDERWATER BRIDGE INSPECTIONS

THIS AGREEMENT, entered into by and between Sarpy County, hereinafter referred to as the "County", and the State of Nebraska, Department of Transportation, hereinafter referred to as the "State".

WITNESSETH

WHEREAS, certain bridges in said County have been designated as being eligible for Surface Transportation Program (STP) Funds by the Department of Transportation, Federal Highway Administration, hereinafter call FHWA, in compliance with Federal laws pertaining thereto, and

WHEREAS, STP Funds have been made available by Title 23 of the United States code, providing for the underwater inspection of certain bridges, and

WHEREAS, the Federal share payable on any project provided for by the above mentioned code shall not exceed eighty (80) percent of the eligible engineering for bridge inventory, inspection and classification costs thereof, and

WHEREAS, regulations for carrying into effect the provisions of the above mentioned code provide that the Federal share of the cost of such project shall be paid only to the State, and

WHEREAS, the County's share of the proposed project shall be twenty (20) percent of the project costs and this share shall be from County funds, and

WHEREAS, the State is willing to obtain Federal approval of the proposed work and Federal funds for the proposed project, with the understanding that no State funds are to be expended on this project, and

WHEREAS, the County has earmarked and will place in its fiscal budget sufficient funds to pay all project costs not paid for by Federal funds; such costs based on twenty (20) percent County participation are currently estimated to be $363.05, but such costs may increase or decrease due to variations between the estimated and actual project costs, and

WHEREAS, the County desires the underwater inspection of bridges on public roads, as evidenced by the Resolution of the County Board, identified as Exhibit "A", and hereby made a part of this agreement, and
WHEREAS, the County desires the underwater inspections of the bridges in the County, identified in the document attached hereto as Exhibit "B" and made a part of this agreement, and

NOW THEREFORE, in consideration of these facts, the parties hereto agree as follows:

SECTION 1. The State and the County agree that the Federal share payable on this project shall not exceed eighty (80) percent of the eligible engineering for bridge inventory, inspection and classification costs thereof.

SECTION 2. The State hereby agrees to present this project to the FHWA for its approval, if necessary, and the County understands that no State funds will be expended for this project.

SECTION 3. The State will be responsible for arranging for the inspection by consultants, for the County, on their designated bridges. It is the intent of the parties that this agreement does not shift to the County any jurisdictional responsibility for bridges on the State highway system, and does not shift any duty to the State for jurisdictional responsibility of any bridges off of the State highway system.

SECTION 4. The proposed work shall be performed in accordance with the following publications:

1. National Highway Institute (NHI) inspection procedures
2. Current NDOR's Bridge Inspection Program Manual
3. AASHTO Manual for Bridge Evaluation (MBE)
4. Programmatic Agreement(s) between the Federal Highway Administration-Nebraska Division and the Nebraska Department of Transportation for Statewide Bridge Inspection

SECTION 5. The total cost of this work is currently estimated to be $1,815.27, with the County's twenty (20) percent share being $363.05. Both parties recognize this is a preliminary estimate and the final costs may well be higher or lower. Costs incurred by the State with respect to the entire project shall be considered as a part of the total cost of the project to be paid out of County and Federal funds. It is also understood that the costs incurred by the State attributable to this project, will not include any administrative cost or expenses of administrative officials. Upon full execution of this agreement, the State will invoice the County $363.05. The County agrees to pay the State within thirty days after receipt of the billing from the State. The final settlement between the State and County will be made following final audits and when final costs have been determined by the State.

SECTION 6. It is further understood that the County's share of the total project costs shall be all costs not paid for by Federal funds. Therefore, where the Federal government refuses to
participate in the project or any portion thereof, the County is responsible for full project payment with no cost or expense to the State.

IN WITNESS WHEREOF, the parties hereto have caused these presents to be executed by their proper officials thereunto duly authorized as of the dates below indicated.

EXECUTED by the Sarpy County this 25th day of June, 2018.

WITNESS:

SARPY COUNTY

Chairperson, County Board

EXECUTED by the State this 18th day of June, 2018.

STATE OF NEBRASKA

DEPARTMENT OF TRANSPORTATION

Jodi Gibson

Local Program Manager
RESOLUTION
SIGNING OF THE PROJECT PROGRAM AGREEMENT
2018 UNDER WATER BRIDGE INSPECTION

Whereas: the Nebraska Department of Transportation (NDOT) is developing a transportation project, on the behalf of the county, for which it intends to obtain Federal funds;

Whereas: Sarpy County as a sub-recipient of Federal-Aid funding is charged with the responsibility of expending said funds in accordance with Federal, State and local laws, rules, regulations, policies and guidelines applicable to the funding of the Federal-aid projects;

Whereas: Sarpy County and the NDOT wish to enter into a Program Agreement to provide for Under Water Bridge Inspection services for the Federal-aid project.

Be It Resolved: by the Board of Commissioners of Sarpy County that:

The Board of Commissioners of Sarpy County

Chair of the Sarpy County Board of Commissioners is hereby authorized to sign the attached Project Program Agreement between the Sarpy County and the NDOT.

Sarpy County is committed to providing local funds for the project as required by the Project Program Agreement.

NDOR Project Number: STP-NBIS(113)
NDOR Control Number: 00988
NDOR Project Name: 2018 Under Water Bridge Inspection

Adopted this 12th day of June, 2018 at Papillion, Nebraska.

The Board of Commissioners of Sarpy County

[Signatures]

Board/Council Member: Jim Warren
Moved the adoption of said resolution
Member: Brian Zuger Seconded the Motion
Roll Call: 5 Yes, 0 No, 0 Abstained, 0 Absent
Resolution adopted, signed and billed as adopted
<table>
<thead>
<tr>
<th>Firm</th>
<th>Structure No.</th>
<th>County</th>
<th>Original Inspection Cost</th>
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<tbody>
<tr>
<td>Collins</td>
<td>C007704705</td>
<td>Sarpy</td>
<td>$1,815.27</td>
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