

BOARD OF COUNTY COMMISSIONERS
SARPY COUNTY, NEBRASKA

13/09/291

**RESOLUTION APPROVING AND AUTHORIZING CHAIRMAN TO SIGN AGREEMENT WITH
THE STATE OF NEBRASKA FOR UNDERWATER BRIDGE INSPECTION**

WHEREAS, pursuant to Neb. Rev. Stat. §23-104(6) (Reissue 2012), 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 (Reissue 2012), the powers of the County as a body are exercised by the County Board; and,

WHEREAS, an Agreement has been proposed by which the State of Nebraska Department of Roads would facilitate underwater bridge inspection due for inspection in Sarpy County in 2013, Project No. NBIS(101), Control No. 00895 Statewide Underwater Bridge Inspection as further described in said Agreement, a copy of which is attached hereto; and

WHEREAS, approving said Agreement will promote the general welfare of the citizens of Sarpy County, Nebraska and the traveling public.

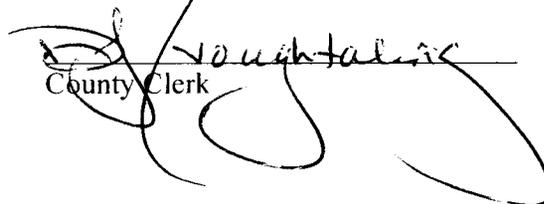
NOW, THEREFORE, BE IT RESOLVED BY THE SARPY COUNTY BOARD OF COMMISSIONERS THAT the Agreement between Sarpy County and the Nebraska Department of Roads to facilitate underwater bridge inspection due for inspection in Sarpy County in 2013, Project No. NBIS(101), Control No. 00895 Statewide Underwater Bridge Inspection as further described in said Agreement, a copy of which is attached hereto, is hereby approved.

BE IT FURTHER RESOLVED that the Chairman of this Board, together with the County Clerk are hereby authorized to execute said Agreement with the Nebraska Department of Roads and other related documents the same being approved by the Board.

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 10th day of September, 2013.


Sarpy County Board Chairman



Attest
SEAL

County Clerk

**PROGRAM AGREEMENT FOR CONSULTANT
UNDERWATER INSPECTIONS ON COUNTY BRIDGES**

PROJECT NO. NBIS(101)
CONTROL NO. 00895
SARPY COUNTY
STATE OF NEBRASKA DEPARTMENT OF ROADS
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 Roads, 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 \$455.60, 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 Roads for Statewide Bridge Inspection

SECTION 5. The total cost of this work is currently estimated to be \$2,278.00, with the County's twenty (20) percent share being \$455.60. 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 \$455.60. 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 County this 10th day of September, 2013.

WITNESS:



SARPY COUNTY

Debra L. Houghtaling
County Clerk

Jim Wane
Chairperson, County Board

EXECUTED by the State this 10th day of September, 2013.

STATE OF NEBRASKA
DEPARTMENT OF ROADS
Mick Syslo

Mick Syslo
Materials and Research Engineer

coding

Structure No.	County No.	County Name	No. per County	District	Location	Feature Carried	Feature Crossed
C007704705	77	Sarpy	1	2	3.5 S Bellevue	Harlan Lewis Rd.	Big Papillion Creek

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Sarpy County Board Chairman

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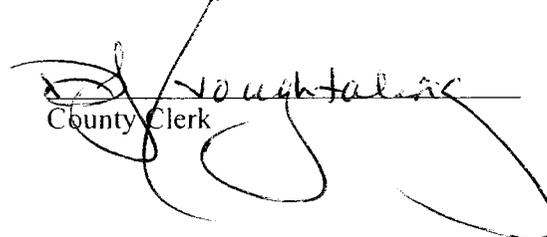
SEAL

County Clerk

Exhibit "A"