

**BOARD OF COUNTY COMMISSIONERS
SARPY COUNTY, NEBRASKA**

**RESOLUTION APPROVING PROPOSAL FOR RIGHT OF WAY SERVICES WITH MIDWEST
RIGHT OF WAY SERVICES, INC FOR 192ND STREET CONSTRUCTION PROJECT.**

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, County of Sarpy is engaged in road improvement work for 192nd Street, north of Highway 370 as part of Sarpy County Project number 0112055.11-055 and will need to acquire certain right-of-way 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 and the traveling public.

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 right-of-way services for Sarpy County Project number 0112055.11-055 on 192nd Street in Sarpy County Nebraska.

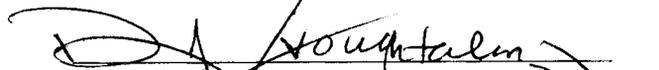
BE IT FURTHER RESOLVED that the Chairman of this Board, together with the County Clerk, is hereby authorized to sign the Proposal for Right of Way Services with Midwest Right of Way Services, Inc, on behalf of this Board a copy of which is attached, and any other related documents, the same being approved 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 10th day of June, 2014.

ATTEST:




Sarpy County Board Chairman


Sarpy County Clerk

MIDWEST

Right of Way Services, Inc.

www.midwestrow.com

June 3, 2014

Mr. Lou Whisonant
Deputy County Surveyor
15100 South 84th Street
Papillion, Nebraska 68046

RE: Proposal for Right of Way Services
192nd Street Improvement Project, North of Highway 370
Sarpy County Project No. 0112055.11-055

Dear Mr. Whisonant:

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 permanent and temporary easements from three parcels of land located along 192nd Street North of Highway 370 in Sarpy County, Nebraska. The acquisitions are required for the construction of a road improvement project for 192nd Street.

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, appraisals and reviews, and the acquisition and closing process will be the responsibility of the project manager.

TITLE SEARCHES

Title searches 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.

COMPENSATION ESTIMATES

This task involves preparation of compensation estimates which will provide values for the easements to be acquired. Midwest will prepare the compensation estimates based on recent comparable sales in the area.

ACQUISITION

Midwest Right of Way Services' acquisition agents will make every effort to understand the project's objective before meeting with the property owner. They 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 tenant information from property owners and proceed to obtain signed a leasehold contract, if applicable.

Midwest Right of Way Services will perform the services in accordance with the Nebraska Department of Roads Right of Way Manual. Our goal is to acquire the necessary right of way through amicable negotiations. If condemnation is required, Midwest Right of Way Services will deliver the parcel files 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.

If the Consultant is an individual or sole proprietorship, the following applies:

1. The Consultant must complete the United States Citizenship Attestation Form, available on the Department of Administrative Services website at www.das.state.ne.us.

2. If the Consultant indicates on such attestation form that he or she is a qualified alien, the Consultant agrees to provide the US Citizenship and Immigration Services documentation required to verify the Consultant's lawful presence in the United States using the Systematic Alien Verification for Entitlements (SAVE) Program.
3. The Consultant understands and agrees that lawful presence in the United States is required and the Consultant may be disqualified or the contract terminated if such lawful presence cannot be verified as required by Neb. Rev. Stat. Sect.4-108.

Residency Verification Clause: The Parties agree to comply with the residency verification requirements of Neb. Rev. Stat. §4-108 through §4-114. The Parties are required and hereby agree 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. Borgmeyer is qualified to complete all aspects of the right of way process. His experience includes right of way title searches, land and easement acquisition, relocation, condemnation testimony, and project management. Borgmeyer has over 35 years of experience relating to real estate and right of way.

Stacey A. Kroeger, R/W-RAC, Right of Way Agent, has worked for Midwest Right of Way Services for over 12 years. She has performed acquisition negotiations and relocation assistance for the past seven years. Her experience includes right of way title searches, acquisition negotiations and relocation assistance for state and local, federally funded projects in Iowa, Nebraska and Kansas.

Dave Minino, Right of Way Agent, has worked for Midwest Right of Way Services since March of 2012. He has performed title searches and reviews and acquisition negotiations for roadway, drainage and utility projects and brings over six years of real estate experience to our team.

Denny Bliss, Right of Way Agent, has worked for Midwest Right of Way Services since July of 2011. He has performed acquisition negotiations for airport, roadway, and drainage projects. His experience also 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 is also an experienced CADD technician.

Lynda Steigerwalt provides office support and document preparation for Midwest Right of Way's acquisition and relocation agents. She has over seven years of experience in the title insurance and real estate industries.

Mr. Lou Whisonant
June 3, 2014
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PAYMENT FOR SERVICES

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

	<u>Hourly Salary Rates</u>
Project Manager	\$ 95.00
Right of Way Agent/Relocation Agent	\$ 85.00
Mileage at Standard IRS Rate	\$ 0.565 per mile

The maximum fees for each task will be as follows:

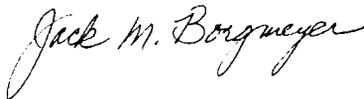
<u>Task</u>	<u>Maximum Fee</u>
Project Management 3 parcels @ \$285.00 each	\$ 855.00
Compensation Estimates 3 C.E.'s @ \$200.00 each	\$ 600.00
Acquisition 3 parcels @ \$2,380.00 each	\$ 7,140.00
Title Services 3 parcels @ \$200.00 each	\$ 600.00
TOTAL MAXIMUM FEES	\$ 9,195.00

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.

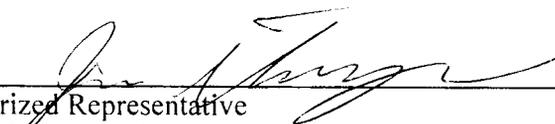
Sincerely,

MIDWEST RIGHT OF WAY SERVICES, INC.



Jack Borgmeyer
President

ACCEPTANCE OF PROPOSAL AND AUTHORIZATION TO PROCEED



Authorized Representative
Sarpy County, Nebraska

Date: 6/10/14