

**CITY OF LA VISTA
MAYOR AND CITY COUNCIL REPORT
MARCH 20, 2007 AGENDA**

Subject:	Type:	Submitted By:
N-85 (84 TH ST.) MUNICIPAL RESURFACING AGREEMENT, NEBRASKA DEPARTMENT OF ROADS	◆ RESOLUTION ORDINANCE RECEIVE/FILE	JOE SOUCIE PUBLIC WORKS DIRECTOR

SYNOPSIS

A resolution has been prepared authorizing the execution of an agreement with the Nebraska Department of Roads (NDOR) for the resurfacing of N-85 (84th Street) in La Vista. The maximum monetary amount which the State will provide for their share of actual construction costs is \$250,000.00.

FISCAL IMPACT

The FY 2006/07 Construction Fund provides \$750,000.00 in funding for the proposed improvements. Estimated construction cost is \$675,000.00.

RECOMMENDATION

Approval.

BACKGROUND

This project will be the second time the City of La Vista has worked with the NDOR on resurfacing 84th Street. The project will include: curb repair, concrete panel repair, storm sewer inlet replacement, surface milling, asphalt overlay, adding a right turn bay at Giles Road, extending the left turn bay at Giles Road and new pavement markings.

The State agrees to participate in 100 percent of the actual construction cost only of work approved and accepted as follows: 2" mill and inlay, pavement markings, adjust manholes, valve boxes, traffic detector loops and lengthening turn lanes at Giles Road.

RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH THE NEBRASKA DEPARTMENT OF ROADS (NDOR) FOR THE RESURFACING OF N-85 (84TH STREEET) IN LA VISTA.

WHEREAS, the City Council of the City of La Vista has determined that said pavement improvements to 84th Street are necessary; and

WHEREAS, the FY 2006/07 Construction Fund budget includes funds for resurfacing and improvements to 84th Street; and

WHEREAS, the State agrees to participate in 100 percent of the actual construction cost up to a maximum of \$250,000.00; and

WHEREAS, the City Engineer will prepare necessary plans and specifications for the project.

NOW, THEREFORE BE IT RESOLVED, by the Mayor and City Council of La Vista, Nebraska, authorize the Mayor and City Clerk to enter into a Municipal Resurfacing Agreement with the Nebraska Department of Roads for the resurfacing of N-85 (84th Street) in La Vista.

PASSED AND APPROVED THIS 20TH DAY OF MARCH 2007

CITY OF LA VISTA

Douglas Kindig, Mayor

ATTEST:

Pamela A. Buethe, CMC
City Clerk

AGREEMENT

PROJECT NO. RD-85-2(1030), STATE CONTROL NO. 22159
CITY OF LA VISTA
STATE OF NEBRASKA, DEPARTMENT OF ROADS
FISCAL YEAR 2008 RESURFACING PROJECT
SELECTED HIGHWAYS

THIS AGREEMENT, made and entered into by and between the City of La Vista, hereinafter referred to as the "City", and the State of Nebraska, Department of Roads, hereinafter referred to as the "State",

WITNESSETH:

WHEREAS, it is the desire of the City and the State to maintain the urban extensions of State Highways in a favorable condition for the general public. Because of increased traffic and general deterioration of the roadway, some of the streets require resurfacing work. It is hereby agreed that the City and State join in resurfacing work on Selected Highways, and

WHEREAS, the State for its Fiscal Year 2008 construction program has programmed \$250,000.00 for the resurfacing of various State highways in La Vista, and

WHEREAS, this resurfacing shall consist of: Milling Existing Surface and Asphalt Surface Course.

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

SECTION 1. The City agrees to prepare specifications, take bids, award contracts, provide the necessary inspection to insure the performance is within specification requirements and maintain sufficient records to fully document locations and actual costs of work performed.

The City further agrees that final inspection of the work shall be by the State and only that work which is deemed satisfactory shall be eligible for payment by the State.

The City also agrees that the State's share of the cost of the work shall be limited only to the actual construction cost of accepted work based on the lane responsibilities of the City and the State at the locations described in Section 3 herein.

SECTION 2. The State agrees to participate in 100 percent of the actual construction cost only of work approved and accepted. Construction engineering and preliminary engineering are not included in the above construction cost and there will be no State participation on the parking areas. The maximum monetary amount which the State will provide for their share of the actual construction costs is \$250,000.00.

SECTION 3. The specific location of highways for which resurfacing is authorized, within the \$250,000.00 limit are as follows:

In La Vista beginning at R.P. 2.50 and extending to R.P. 3.50
2" mill and inlay, pavement markings, adjust manholes, valve boxes,
and traffic detector loops
Lengthening turn lanes at Giles Road

SECTION 4. Upon completion of the work described herein, the City shall provide to the State certification that the work has been performed according to specifications and shall furnish a summary and supporting pay estimates of actual costs of work performed in the specific areas. These items shall be submitted to the Department of Roads through the District 2 Office in Omaha. The City agrees to bill the State no earlier than November 1, 2007.

The State agrees to make payment to the City for 95 percent of the State's share of the actual eligible construction costs within thirty (30) days after inspection and approval of the work by the State's District Engineer and the subsequent receipt of the City's billing. The final payment of the State's share will be made after the State's cost audit of City records have been made to verify actual costs.

SECTION 5. The City agrees to abide by the provisions of the Nebraska Fair Employment Practices Act as provided by Neb.Rev.Stat. §48-1101 through 48-1126.

SECTION 6. The City shall maintain all books, documents, papers, accounting records and other evidence pertaining to costs incurred and shall make such material available at its office at all reasonable times during the contract period and for three (3) years from the date of final payment under this agreement; such records to be available for inspection by the State, and copies thereof shall be furnished by the City if requested.

SECTION 7. Nothing said or implied to the contrary, the State's maximum share of the actual costs under this agreement shall not exceed \$250,000.00.

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 City this _____ day of _____, 2007.

ATTEST:

CITY OF LA VISTA

City Clerk

Mayor

EXECUTED by the State this 27TH day of FEBRUARY, 2007.

STATE OF NEBRASKA
DEPARTMENT OF ROADS



District Engineer

AGRC2-HK