



City of Grand Island

Tuesday, May 11, 2010

Council Session

Item G10

**#2010-129 - Approving Supplemental Agreement Number 2 with
NDOR for Repairs to a Portion of US Highway 34/US Highway 281**

Staff Contact: Steven P. Riehle, Public Works Director

Council Agenda Memo

From: Steven P. Riehle, Public Works Director

Meeting: May 11, 2010

Subject: Approving Supplemental Agreement Number 2 with NDOR for Repairs to a Portion of US Highway 34/US Highway 281

Item #'s: G-10

Presenter(s): Steven P. Riehle, Public Works Director

Background

All agreements must be approved by the City Council.

The City and the Nebraska Department of Roads (NDOR) entered into an agreement (XL0919), which was executed by the City on February 24, 2009 and by the State on March 4, 2009. This agreement allows for repair work on US Highway 34 and US Highway 281, which consists of:

- Hot mix asphalt resurfacing of the northbound lanes of US Highway 34/281 from north of Interstate 80 to the US Highway 34/281 intersection
- Hot mix asphalt resurfacing of the northbound lanes of US Highway 281 from the US Highway 34/281 intersection to the viaduct over the Union Pacific Railroad & Old Highway 30
- Concrete pavement removal and replacement on the northbound lanes of US Highway 281 from Old Potash Hwy to Capital Avenue
- Concrete pavement repair
- Culvert extensions
- Grading
- Guardrail
- Adding north bound right-turn lanes at Faidley Ave, 13th Street & State Street
- Lengthening northbound left-turn lanes at Old Potash Hwy, Faidley Avenue, 13th Street & State Street
- Relocating roadway lighting units
- And crack sealing

Supplemental Agreement No. 1 was approved by the City Council on September 8, 2009 and allows American Recovery and Reinvestment Act Funds (ARRA Funds) to be used for the project and to modify the estimated project cost.

The City's share of the sections of the project within the corporate limits is 20%. ARRA Funds will pay for the City's share of the construction contract within the corporate limits. The City is responsible for 20% of preliminary engineering, right-of-way, utilities and construction engineering costs for the portions of the project within corporate limits. The City's share is currently estimated at \$91,696.00.

Discussion

Supplemental Agreement No. 2 will permit the City to relinquish Federal STP funds to the State to be applied for the City's 20% share of the preliminary engineering, right of way, utilities and construction engineering costs of the project. The City's share of these costs is currently estimated at \$91,696.00. After using these Federal STP funds for the project the City's STP fund account balance will be over \$896,000.00

Alternatives

It appears that the Council has the following alternatives concerning the issue at hand. The Council may:

1. Move to approve
2. Refer the issue to a Committee
3. Postpone the issue to future date
4. Take no action on the issue

Recommendation

Public Works Administration recommends that the Council approve a resolution authorizing the Mayor to sign Supplemental Agreement No. 2.

Sample Motion

Move to approve authorization for the Mayor to sign the agreement.

SUPPLEMENTAL AGREEMENT NO. 2

PROJECT NO. NH-34-4(131)
STATE CONTROL NO. 42433
CITY OF GRAND ISLAND
STATE OF NEBRASKA, DEPARTMENT OF ROADS
IMPROVE HIGHWAY US-34/US-281 IN GRAND ISLAND

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

WITNESSETH:

WHEREAS, the City and State entered into an Agreement (XL0919) executed by the City on February 24, 2009, and by the State on March 4, 2009, hereinafter referred to as the "Original Agreement", and Supplemental Agreement No. 1 executed by the City on September 8, 2009 and by the State on October 15, 2009 that provided for the improvement of a portion of Highway US-30/US-281, and

WHEREAS, it now becomes necessary that the Original Agreement be supplemented to provide for the relinquishment of the City's unobligated STP funds to the State to be used for the City's share of the preliminary engineering, right of way, utilities, and construction engineering costs of the project, and

NOW THEREFORE, in consideration of these facts, the City and State agree as follows:

SECTION 1. The City and State understand the City will relinquish Federal STP funds to the State to be applied for the City's 20 percent share of the preliminary engineering, right of way, utilities, and construction engineering costs of the project. The City's share of these costs is currently estimated to be \$91,696. The City further understands that if sufficient Federal STP funds are not available, the State shall invoice the City for the difference and the City will pay the invoice within 30 days of receipt.

SECTION 2. Except as specifically amended by this Supplemental Agreement, all terms and conditions of the Original Agreement and Supplemental Agreement No. 1 shall remain in full force and effect.

IN WITNESS WHEREOF, the State and City 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 _____, 2010.

WITNESSES:

CITY OF GRAND ISLAND

City Clerk

Mayor

EXECUTED by the State this ____ day of _____, 2010.

STATE OF NEBRASKA
DEPARTMENT OF ROADS
James J. Knott, P.E.

Roadway Design Engineer

RECOMMENDED:
Wesley Wahlgren, P.E.

District 4 Engineer

AGRC4-HY

R E S O L U T I O N 2010-129

WHEREAS, on February 24, 2009 the City Council of the City of Grand Island approved entering into an agreement with the Nebraska Department of Roads for repairs and resurfacing of US Highways 34 and 281 due to increased traffic and general deterioration of the roadway; and

WHEREAS, such resurfacing shall consist of hot mix asphalt resurfacing on the northbound lanes of US Highway 34/281 from north of Interstate 80 to the US Highway 34/281 intersection, hot mix asphalt resurfacing on US Highway 281 from the US Highway 34/281 intersection to the viaduct over the Union Pacific Railroad & Old Highway 30; concrete removal and replacement on the northbound lanes of US Highway 281 from Old Potash Highway to Capital Avenue; concrete pavement repair; culvert extensions; grading; guardrail; adding north bound right-turn lanes at Faidley Ave, 13th Street & State Street; lengthening northbound left-turn lanes at Old Potash Hwy, Faidley Avenue, 13th Street & State Street; relocating roadway lighting units; and crack sealing; and

WHEREAS, on September 8, 2010, by Resolution 2009-212, the City of Grand Island approved Supplemental Agreement No. 1 to allow American Recovery and Reinvestment Act Funds (ARRA Funds) to be used for the City's share of the construction contract for the project and to modify the estimated project cost; and

WHEREAS, preliminary engineering, right-of-way, utilities and construction engineering costs on this project are not eligible for reimbursement with ARRA Funds; and

WHEREAS, the City's share for preliminary engineering, right-of-way, utilities and construction engineering costs for this project are estimated to be \$91,696; and

WHEREAS, Supplemental Agreement Number 2 will allow the City to relinquish Federal STP funds to the State to be applied for the City's 20% share of the preliminary engineering, right of way, utilities, and construction engineering costs of the project; and

WHEREAS, Supplemental Agreement Number 2 to the original agreement with the Nebraska Department of Roads is required to proceed with this project.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that Supplemental Agreement Number 2 with the Nebraska Department of Roads for the repair and resurfacing improvements of US Highway 34 and US Highway 281 is hereby approved.

BE IT FURTHER RESOLVED, that the Mayor is hereby authorized and directed to execute such agreement on behalf of the City of Grand Island.

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Approved as to Form <input type="checkbox"/> _____ May 6, 2010 <input type="checkbox"/> City Attorney
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Adopted by the City Council of the City of Grand Island, Nebraska, May 11, 2010.

Margaret Hornady, Mayor

Attest:

RaNae Edwards, City Clerk