

MEMORANDUM

TO: Programs, Projects, and Operations Subcommittee
FROM: Eric Williams, Natural Resources Planner
DATE: August 6, 2020
SUBJECT: NEAT Connectors Project, MOU with MAPA

The District has been awarded funding from MAPA (Metropolitan Area Planning Agency) through the Heartland 2050 program in order to study a set of short trail projects known as the NEAT Connectors (Neighborhood Expanded Access to Trails). This study will determine if the projects (connectors) are viable to move forward with full design and eventual construction.

The funding is provided from a federal source, and MAPA will oversee the contract on behalf of the NRD to complete this work. The specific scope of the work for the contract on the conceptual studies is being developed by District staff with assistance from MAPA. MAPA will release an RFP in order to select a consultant to carry out the work.

Federally funded projects typically have a 20% local match contribution. During the original planning of the scope and expected cost of this work, the District application listed a 25% local contribution in the amount of \$40,000 and that amount is included in the current FY 2021 budget. The attached MOU from MAPA reflects a lower amount of local cost share (\$30,000), but correctly lists the federal aid funding of \$120,000 which would be provided by MAPA for this project. An updated version of the MOU will be provided by MAPA, reflecting the correct District contribution, and total amount (\$160,000) for the project.

After the RFP is complete, District staff will work with MAPA to make a selection of the consultant for the work, and refine the detailed scope and fee of the contract. The exact amount is not currently known, but will not exceed \$120,000 from MAPA, and \$40,000 from the District. This program will involve coordination with other local agencies within the District. Outreach will also be conducted with residents who would potentially have increased recreation, active transportation, and access to natural resources from the projects being studied.

- **Management recommends that the Subcommittee recommend to the Board of Directors that the General Manager be authorized to execute the proposed Memorandum of Understanding with the Metropolitan Area Planning Agency for the Neighborhood Expanded Access to Trails Project, with the District's contribution not to exceed \$40,000, subject to changes deemed necessary by the General Manager and approval as to form by District Legal Counsel.**

**MEMORANDUM OF UNDERSTANDING
BETWEEN THE OMAHA-COUNCIL BLUFFS METROPOLITAN AREA PLANNING AGENCY
AND the PAPIO-MISSOURI RIVER NATURAL RESOURCES DISTRICT
FOR THE NEIGHBORHOOD EXPANDED ACCESS TO TRAILS**

1. **Parties** This Memorandum of Understanding (hereinafter referred to as "MOU") is made and entered into by and between the Omaha-Council Bluffs Metropolitan Area Planning Agency (hereinafter referred to as "MAPA"), and PAPIO-MISSOURI RIVER NATURAL RESOURCES DISTRICT (hereinafter referred to as "the Awardee").
2. **Purpose** The purpose of this MOU is to establish the terms and conditions under which MAPA and the Awardee will administer and fund the NEIGHBORHOOD EXPANDED ACCESS TO TRAILS project (hereinafter referred to as "the Project").
3. **Background** The Awardee applied for funding through the Heartland 2050 mini grant program for the Project. The intent of the Project is to support the initial study of multiple, short trail connections. This study will determine if the projects are viable to move forward with full design and eventual construction.
4. **Term of MOU** This MOU is effective upon the day and date signed and executed by the duly authorized representatives of the parties to this MOU and shall remain in full force and effect for at least three years from the date of the final cost settlement under MAPA's agreement with NDOT.
5. **Conditions of MOU** MAPA shall be considered the recipient of federal funds passed through NDOT. MAPA will be responsible for the administration of the federal funds including the oversight of the consultant, reporting to NDOT for reimbursement, payment to the consultant and securing an audit in accordance with 2 CFR 200. The Awardee shall pay to MAPA local match of thirty thousand dollars (\$30,000) due upon submission of an invoice to the Awardee. A Steering Committee shall be established comprised of members from the Awardee and MAPA that shall direct the Project. A Stakeholder Committee shall be established as an advisory body to the Project. A Consultant shall be engaged to conduct the Project. Project costs are as follows:

MAPA secured Federal Funding	\$120,000
Awardee Local Match	\$30,000
Total Consultant Fees	\$150,000

As a federal-aid project, the Project must comply with all applicable federal and state requirements and policies. MAPA and its staff are responsible for ensuring that administrative procedures of the Project comply with these requirements and policies. Should the project fail to meet any eligibility requirements, through the fault of any other party than MAPA, the Awardee understands that it could potentially result in the partial or total repayment of federal funds expended on the project and that in such case the Awardee agrees to repay MAPA all previously paid federal funds, as determined by the NDOT, and any costs or expenses the NDOT has incurred for the project, including but not limited to, any costs reimbursed for the time and expenses of MAPA.

6. Signatures In witness whereof, the parties to this MOU, through their duly authorized representatives have executed this MOU on the days and dates set out below, and certify that they have read, understood, and agreed to the terms and conditions of this MOU as set forth herein.

The effective date of this MOU is the date of the signature last affixed to this page.

OMAHA-COUNCIL BLUFFS
METROPOLITAN AREA PLANNING AGENCY

ATTEST:

BY: _____

Board Chairperson

Date

Douglas Kindig July 23, 2020

BY: _____

Date

Michael J. Keys 7/23/20

PRINT NAME

Douglas Kindig

PRINT NAME

MICHAEL J. KEYS

PAPIO-MISSOURI RIVER NRD

ATTEST:

BY: _____

Authorized Official

Date

BY: _____

Date

PRINT NAME

PRINT NAME

PRINT TITLE
