

Agenda Item: 13.

Memo to the Programs, Projects and Operations Subcommittee:

Subject: Platte River Trail (Hwy 50 to Lied Bridge) – Construction Bids

Date: November 1, 2012 **Revised: November 7, 2012**

From: Gerry Bowen

The District has finally satisfied the NDOR/FHWA requirements for the plan set and right-of-way acquisition procedures and forms to allow bidding of the project. Since the project is funded under the “transportation enhancement” program, the project has full federal (FHWA) oversight. To ensure that all the proper procedures are followed, NDOR is bidding the project, will prepare the contracts, pay all bills, plus general administration of the project. The current cost estimate for the project is approximately \$3 million. The project will receive a full 80% commitment for federal funding (approximately \$2.4 million), leaving the remaining 20% the responsibility of the District (approximately \$600,000).

NDOR has selected the bidding date as Thursday, November 8, 2012 at 1:30 p.m., the day of the next Board meeting. We were not consulted on this date.

The procedural steps necessary to “approve” the bid and award a contract are as follows:

1. Bid opening (11-8-12).
2. NDOR review of bids and prepare recommendation of award (this usually takes approximately 7 days to accomplish).
3. Submit to LPA the bid tabulation with a recommendation as to contract award
4. NRD approval of the bid and contractor.
5. NDOR seeks approval of award from FHWA.
6. FHWA approves the contractor for the project.

The preceding steps must, according to FHWA regulations, be accomplished within 30 days of the bid opening, or by December 7, 2012. The next Subcommittee and Board meetings are scheduled for December 11th and 13th, accordingly.

However, NDOR will attempt to have a resolution prepared for the Board meeting in consideration for our particular situation. The resolution will be similar in form to the resolution approved by the Board for the Missouri River Trail, Phase 2. The writer plans to attend the bid opening on the 8th and will have a bid tabulation for your reference at that time. The only problem that may develop is if the lowest and best bid is different (see #2 above). Should this occur, a special Board meeting may be necessary to meet the NDOR/FHWA schedule.

RESOLUTION

WHEREAS, there has been signed by Papio-Missouri River NRD on the 15th day of March, 2007, and the State on the 28th day of March, 2007, an agreement providing for the construction of a Federal Aid Project at described as follows: Construction of a 10-foot-wide concrete trail along 1.5 miles of North River Road. This section will complete the 16-mile "Back to the River" Trail between downtown Omaha and the Boyer Chute National Wildlife Refuge in Washington County. The trail will begin at the end point of the Missouri River Trail Phase 1 and end at the Washington County line along North River Road.

, and

WHEREAS, in the above agreement, the NRD has pledged sufficient funds to finance its share of the cost of the construction of this project identified as ENH-28(89), and

WHEREAS, the above mentioned agreement provided that the NRD would pay all costs not paid for with Federal or State funds, and

WHEREAS, the State received bids for the construction of this project on December 9, 2010 at which time three bids were received for the construction of this proposed work, and

WHEREAS, the following contractor(s) for the items of work listed has been selected as the low bidder(s) to whom the contract(s) should be awarded:

Tab Holding Company, Inc., DBA Tab Construction; Omaha, NE

Grading, Wall, Concrete Pavement, Culverts, Landscaping, Bridge, Fence and General Items: \$3,106,063.27

NOW THEREFORE, in consideration of the above facts, the Board of Directors of Papio-Missouri River NRD by this resolution, takes the following official action:

1. If for any reason the Federal Highway Administration rescinds, limits its obligations, or defers payment of the Federal share of the cost of this project, the NRD hereby agrees to provide the necessary funds to pay for all costs incurred until and in the event such Federal funds are allowed and paid.
2. The Board hereby concurs in the selection of the above mentioned contractor(s) for the items of work listed, to whom the contract(s) should be awarded.
3. The Board hereby authorizes the General Manager to sign the contract(s) with the above mentioned contractor(s) for the above mentioned work.
4. The Board does not desire to perform any of the work with its own forces in lieu of performing the work by the contract method.

DATED THIS 28th DAY OF DECEMBER, A.D. 2010

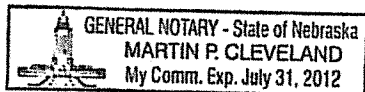
BOARD OF DIRECTORS OF THE
PAPIO-MISSOURI RIVER NRD

Richard L. Kolowski
(Chairman)

ATTEST:

[Signature]

Board Member Fred Conley
moved the adoption of said resolution.



Roll Call: 10 yea, 0 nay.

Resolution adopted, signed and billed as adopted.

December 28, 2010