

Agenda Item 7

MEMORANDUM

To: Board of Directors

Re: Missouri River Trail – Phase 2 Resolution

Date: 20 December, 2010

From: Jim Becic

The NRD received correspondence (dated 13 December, 2010) from the NDOR following our regularly scheduled 9 December, 2010 Board meeting indicating that the Board needs to take action on the attached resolution and "...to have the completed resolution (back to the NDOR's office) by Wednesday, December 29, 2010, so we can comply with the laws concerning award or rejection of this project."

It should be noted that there were three bidders on the project and all three were below the estimated cost.

- **It is management's recommendation that the Board of Directors adopt the RESOLUTION – an agreement providing for the construction of a Federal Aid Project - the Missouri River Trail Phase 2.**

R E S O L U T I O N

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 _____ DAY OF _____, A.D. _____

BOARD OF DIRECTORS OF THE
PAPIO-MISSOURI RIVER NRD

ATTEST:

(Chairman)

Board Member _____
moved the adoption of said resolution.

Roll Call: _____ yea, _____ nay.

Resolution adopted, signed and billed as adopted.