

**NOTICE OF A SPECIAL MEETING OF THE BOARD OF DIRECTORS OF
THE PAPIO-MISSOURI RIVER NATURAL RESOURCES DISTRICT**

TO: The Directors of the Papio-Missouri River Natural Resources District (“the District”) and the public

Please take notice that Richard Kolowski, Chairperson of the Board of Directors of the Papio-Missouri River Natural Resources District (“the Board”), being fully advised and on his own motion, has called a special meeting of the Board, to convene at the principal offices of the District at 8901 S. 154th St., Omaha, NE 68138-3621 at 12:00 o’clock, P.M. on Tuesday, December 28, 2010.

The agenda and purpose for the special meeting is for the Board to consider and act upon a resolution (“the Resolution”) proposed by the Nebraska Department of Roads (“NDOR”) in the form as attached hereto as Exhibit 1 and incorporated herein by reference.

In the month of March 2007, NDOR and the District entered into an agreement (“the Agreement”) in the form as attached hereto as Exhibit 2 and incorporated herein by reference, providing for construction of Phase 2 of the District’s 16-mile “Back to the River Trail” between downtown Omaha and the Boyer Chute National Wildlife Refuge, the Agreement providing that Phase 2 of such trail shall commence at the present point of termination of Phase 1 of such project and shall terminate at the Douglas-Washington County line.

The Resolution is intended to assist in implementing the Agreement and would state to the effect that:

1. The Board would affirm that, if for any reason the Federal Highway Administration rescinds, limits its obligations, or defers payment of the Federal share of the cost of the aforesaid project, the District would 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 would concur in the selection of Tab Holding Company, Inc., d/b/a Tab Construction, as the successful bidder for the contract for construction of Phase 2 of the aforesaid project, such contractor having submitted a base bid in the amount of \$3,106,063.27.
3. The Board would authorize the General Manager to execute, for and on behalf of the District, the construction contract with such contractor for such work, for such bid.

4. The Board would state its desire that such construction work not be performed by District forces in lieu of having such work performed by the above-stated contract method.

In such resolution the Board also would state its determination that the project in question provides a general benefit for the District with only an incidental special benefit and that such project's funding as required shall be provided by general funds of the District.

In accordance with Paragraph 4.1 (Board Meetings-Special Meetings) of the Policy Manual of the District, this notice is being given at least three days in advance of the special meeting and is being transmitted by e-mail to each member of the Board and posted to the District's website.

Dated this 21st day of December, 20 10.

JOHN WINKLER
General Manager

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.