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Agenda Item # 22a  
Date 4/22/20

#2191

DODGE COUNTY UTILITY INSTALLATION AGREEMENT  
Public Utilities

2020 APR -8 AM 11:41

RECEIVED  
Dodge Co Hwyway Dept

WITNESS, that this shall be an agreement between Dodge County, hereafter referred to as the County and  
Omaha Public Power District \_\_\_\_\_, hereafter referred to as the Applicant. Whereas, the County and Applicant do  
hereby agree,

1. THAT, The Applicant shall be permitted to install a (3x1.25") HDPE conduit w/ fiber optic  
\_\_\_\_\_ under, through, or aerial, the Public Right-of-Way of Dodge County.
2. THAT, the County and Townships are the owners and responsible for the Public Right-of-Way In the County and Applicant  
desires to install a Utility on Public Right-of-Way.
3. THAT, In consideration of this agreement, the County does hereby permit Applicant to lay, install, and construct said Utility in the  
Public Right-of-Way between  
Co Rd 28 and Dutch Hill Rd to Co Rd 28 and U Blvd (Description of Property or Sections) in Sections 34, 27, 28, Range 9E, Township 17N  
Township, Dodge County, Nebraska.
4. THAT, the permit on the part of Dodge County is revocable at the will of the County, and Applicant agrees that upon written  
notice from the County Board of Supervisors, he will immediately and forthwith remove said Utility and any and all pipes or other  
material contained or used in connection with said Utility and return the roadway occupied by said Utility to substantially its original  
condition as before installation of said Utility.
5. THAT, the Applicant shall notify the Highway Superintendent or local Township for the purpose of removing the gravel windrow  
to the opposite side of road so as not to lose any gravel in the open trench.
6. THAT, all backfill in the Public Right-of-Way proper shall be made with material excavated from the crossing or with material  
equivalent thereto in texture. Material shall be placed in six inch lifts for the full depth of the trench and compacted by tamping to the  
original cross section. All utilities placed in areas susceptible to erosion shall place adequate protection against erosion. This  
protection may include bale checks, silt fence and erosion blankets. All vegetation destroyed shall be replaced. Disturbed areas  
will be reseeded with native grasses and a starter fertilizer. The minimum depth of earth cover over the utility line shall be 3 feet.  
Installation of underground utility lines under the traveled portion of an existing county road way must be encased in a plastic or  
steel conduit. The casing shall be bored from the toe of the shoulder slope to the toe of the opposite shoulder slope. The utility  
shall be placed at a minimum depth of 3 feet below the bottom elevation of the parallel road ditch. Applicant and his contractor or  
subcontractors are responsible for temporary traffic control on Dodge County Right-of-Way based on the standards and guidelines  
found in Part 6 of the 2009 Edition of the Manual on Uniform Traffic Control Devices (MUTCD) to insure a safe work zone for the  
workers and the public. Applicant will provide all necessary signs, barricades, cones, flaggers and message boards.
7. THAT, the Applicant shall obtain approval of all County road restoration from the County Highway Superintendent or Township  
Official prior to leaving the site(s).
8. THAT, all backfilled area(s) disturbed by excavation and backfill operations shall be graded, hand dressed as required to  
restore the terrain to its original shape, grade, and cross section, and regraded or reworked at a rate of 150 tons per mile as  
directed by the County Highway Superintendent or Township Official.
9. THAT, the Applicant shall as directed by the County Highway Superintendent or Township Official remove at the Applicant's  
expense from the Public Right-of-Way all temporary structures, and waste materials resulting from their operations.
10. THAT, the Applicant shall file a scaled set of plans, showing the Utility route, depth, and distance from the section line with the  
Dodge County Highway Superintendent.
11. THAT, the Applicant shall when installing an aerial Utility, shall install such Utility one foot inside the Public Right-of-Way and at  
a minimum height of 18 feet above the traveled way.
12. THAT, the future maintenance of said Utility and reinstallation or reconstruction of same for any purpose whatsoever shall be  
borne by Applicant.
13. THAT, Applicant does hereby agree to hold the County or any of its Officers, Agents, or Employees forever harmless of all  
liabilities due to improper installation, construction, and maintenance of said Utility.
14. THAT, the Applicant shall submit an Insurance Certificate verifying General Liability of \$1,000,000.00; Personal Injury of  
\$500,000.00; Product & Completed Operations Aggregate of \$1,000,000.00; Medical Expense (Any One Person) of \$5,000.00;  
Each Occurrence of \$500,000.00. Certificate to be filed with this application.

IN WITNESS WHEREOF the parties aforesaid have hereunto set their hand this 8 day of April, 2020  
 \_\_\_\_\_  
 Signature of Applicant Mark Pohl  
 \_\_\_\_\_  
 Dodge County Highway Superintendent  
 \_\_\_\_\_  
 Date Filed with Dodge County Board of Supervisors  
 444 S 16th St Mall, Omaha, NE 68102  
 Address of Applicant