

AGREEMENT



PROJECT NO. STP-79-3(108)
CONTROL NO. 22752
COUNTY OF DODGE
STATE OF NEBRASKA, DEPARTMENT OF TRANSPORTATION
NORTH BEND – US-30
TEMPORARY ROAD CLOSURE AND DETOUR

THIS AGREEMENT is between the County of Dodge ("County") and the State of Nebraska, Department of Transportation ("State") collectively referred to as the "Parties".

WITNESSETH:

WHEREAS, the State intends to improve a portion of State Highway US-79 (US-79) from just north of the intersection with US-30 (R.P. 43.12) north to R.P. 44+56 at the location shown on Exhibit "A"; and

WHEREAS, State intends that the improvement be developed and constructed under the designation of Project No. STP-79-3(108); and

WHEREAS, access to US-79 north of the intersection with US-30 to the North Corporate Limits of the City of North Bend (approximately 300 ft. north of the intersection with W. 14th Street) will be closed for approximately 70 working days during the replacement of the pavement, and

WHEREAS, State intends to utilize County Road 4 as a state highway detour route from existing US-30 to new US-30 during this time-period as shown on Exhibit "B", and

WHEREAS, County Board has authorized the Chairperson to sign this agreement, as evidenced by the Resolution of the County Board, attached as Exhibit "C".

NOW THEREFORE, in consideration of these facts and the mutual promises of the Parties hereto, the Parties agree as follows:

SECTION 1. Improvements associated with this project includes the replacement of pavement on State Highway US-79 from just north of the intersection with US-30 (R.P. 43.12) north to R.P. 44+56 at the location shown on Exhibit "A", attached and incorporated herein by this reference.

SECTION 2. US-79 north of the intersection with US-30 to the North Corporate Limits of the

City of North Bend (approximately 300 ft. north of the intersection with W. 14th Street) will be closed for approximately 70 working days during the replacement of the pavement.

SECTION 3. DETOUR

- 3.1 State and County have identified a highway traffic detour route along County Road 4 (west of closure) and the new US-30 four-lane divided highway as shown on Exhibit "B", attached and incorporated herein by this reference.
- 3.2 State has statutory authority under Neb. Rev. Stat 39-1346 to designate County Road 4 shown on Exhibit "B" as a detour for the State Highway System.
- 3.3 The State Project Manager and County will inspect and document the conditions of County Road 4 to be designated as a state highway detour prior to its use as a detour route. In conformance with Neb. Rev. Stat. § 39-1346 and § 39-1347, the State agrees to maintain County Road 4 during its use as a detour and to return said county road to the County at the conclusion of its use as a detour in as good condition as existed prior to when it was designated as a state highway detour, except for ordinary wear and tear.
- 3.4 State will notify the County in writing when the State assumes jurisdictional responsibility of County Road 4 and to notify the County in writing when the county road is returned to the jurisdictional responsibility of the County.
- 3.5 State will bear the cost of changes required to the county road to prepare it for use as a detour for state highway traffic and that these changes will be made without cost to the County.
- 3.16 State will bear the cost of the operation and maintenance of the county road as a detour for highway traffic while the county road is designated as a detour for state highway traffic.

SECTION 4. State is paving approximately 800 ft. of County Road 4, located between existing US-30 and the new 4-lane expansion of US-30, with 10-inch concrete pavement for the purpose of being used as part of this detour route. This portion of County Road 4 is being paved as part of the State project Rogers – North Bend; Project No. S-30-6(1045); Control No. 21558 (new 4-lane expansion of US-30).

SECTION 5. State agrees to erect and maintain detour signing for the detours, at their discretion. All signing shall be in conformance with the Manual of Uniform Traffic Control Devices (MUTCD), current version."

SECTION 5. The County Board has authorized the Chairperson of the Board to execute this Agreement, as evidenced by the Resolution of the County Board, attached as Exhibit "C", and incorporated herein by this reference.

SECTION 6. This Agreement, including all exhibits and documents incorporated or included herein, constitutes the entire agreement of the Parties. This Agreement supersedes all communications, representations, understandings, either oral or written hereto, leading up to this Agreement. Any existing written agreements between the Parties remain in effect, except the language of this Agreement governs over conflicting language on the same subject in an existing written agreement.

[Remainder of this Page Intentionally Left Blank]

IN WITNESS WHEREOF, the County and the State have caused these presents to be executed by their proper officials thereunto duly authorized as of the dates below indicated.

EXECUTED by the County this _____ day of _____, 2021.

WITNESS:

COUNTY OF DODGE

County Clerk

Chairperson, County Board

EXECUTED by the State this _____ day of _____, 2021.

STATE OF NEBRASKA
DEPARTMENT OF TRANSPORTATION
Michael H. Owen, P.E.

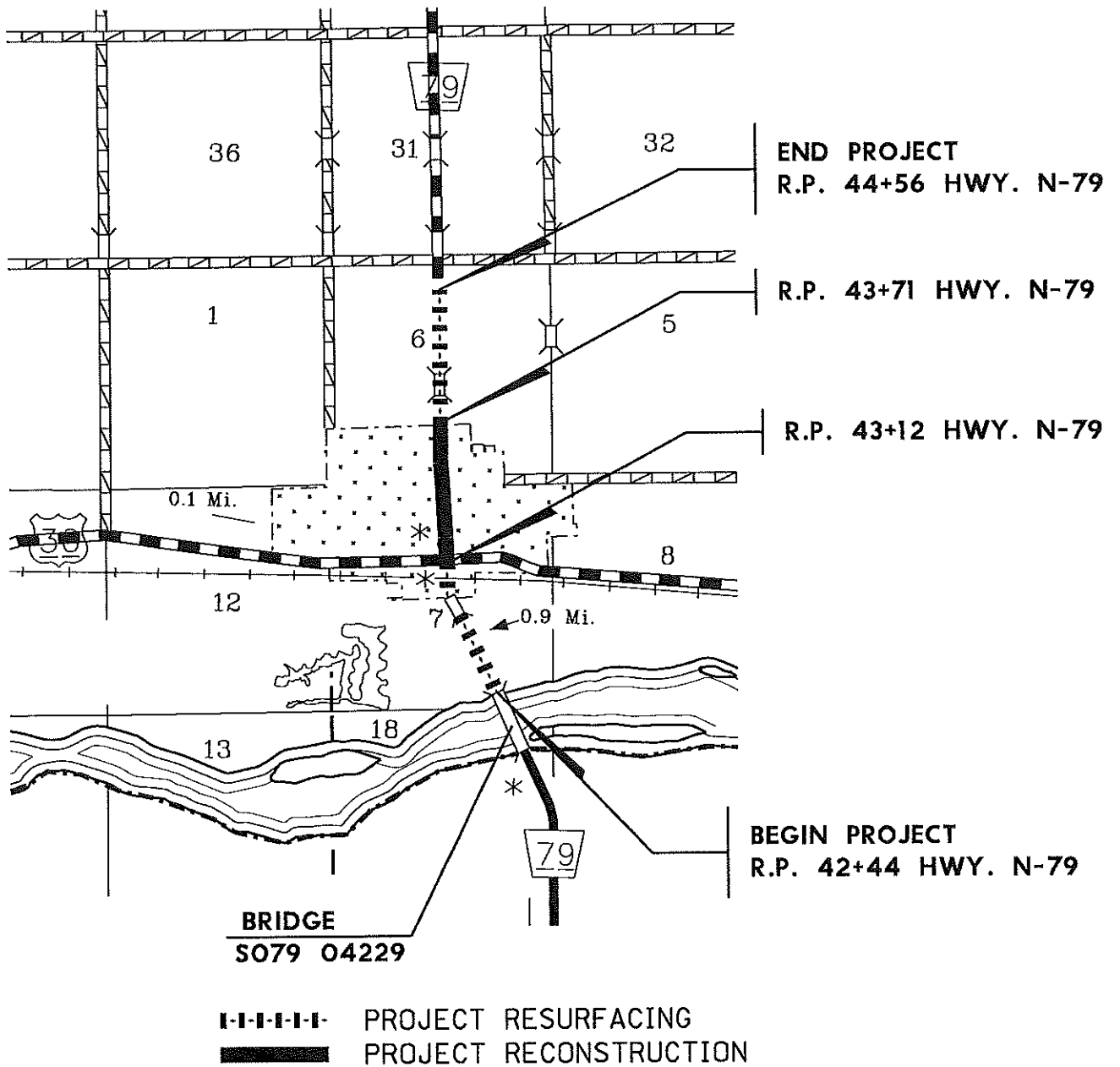
Roadway Design Engineer

RECOMMENDED:
Timothy W. Weander, P.E.

District 2 Engineer Date

NORTH BEND

DODGE COUNTY
NEBRASKA



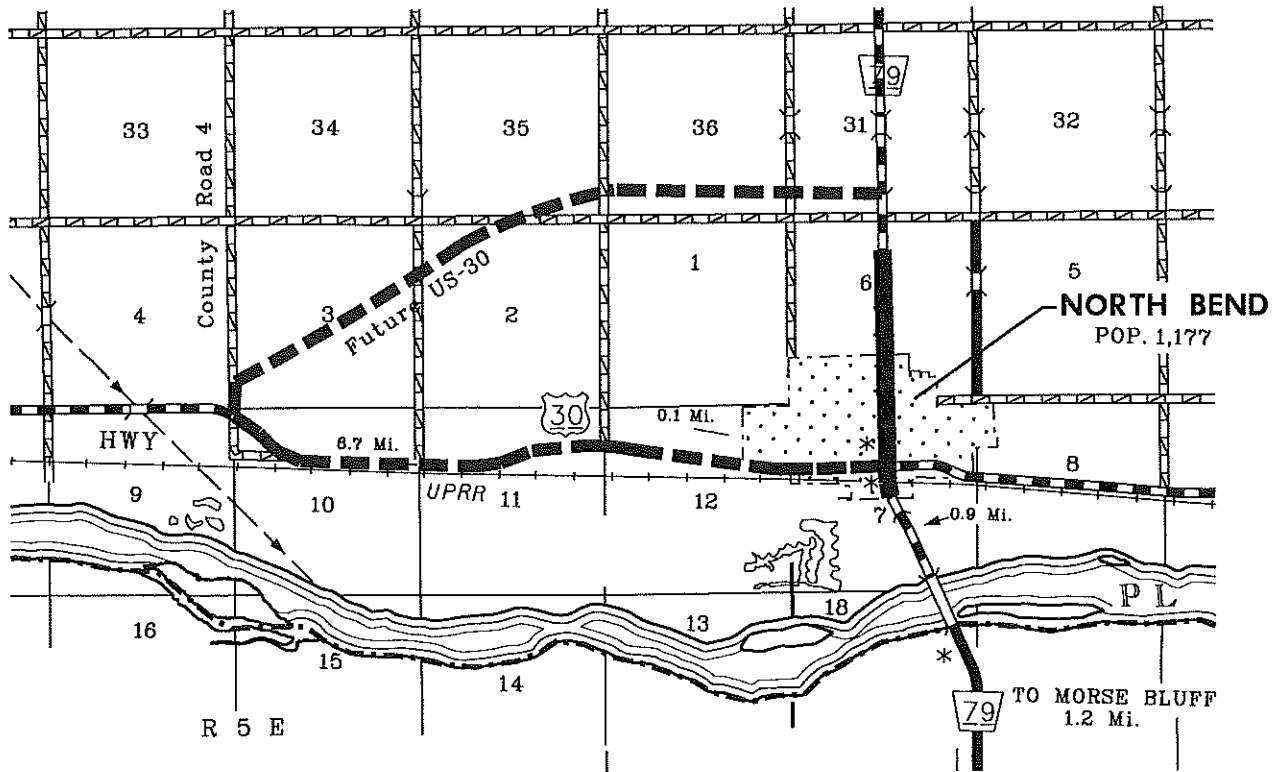
79-3(108)

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EXHIBIT "A"

NORTH BEND

DODGE COUNTY
NEBRASKA



--- DETOUR ROUTE
— PROJECT LOCATION

79-3(108)

C.N. 22752

EXHIBIT "B"