

Right of Way Certification for Emergency Relief Projects

Report Date: 10/8/2019

Site Information

DDIR Site Number	L27-08	Control Number: N/A
ROW Status from DDIR:	Not Required for Site	
Facility Name:	CR F from 14 to 16 and Lone Tree Rd from F to E	
Federal Aid Route Number:	3490, 3515	County: Dodge

Financial Summary

Total Emergency Repair:	\$400,039.99
Total Permanent Repair:	\$262,242.05
Total DDIR Estimated:	\$662,282.04

Damage and Work Information

Description and Cause of Damage:	<p>Dodge County Road (CR) F from CR 14 to CR 16 and Lone Tree Rd from CR F to CR E sustained scour damage from fast moving water due to the March 2019 flooding event. Scour caused earth shoulder and roadway embankment loss, the removal and loss of a 42' CMP, loss of embankment and gravel surfacing on Lone Tree Rd., and debris and silt covering the roadway and right-of-way. Damage begins east of the east approach of structure M219001215 (carries CR F over the Elkhorn River) and ends 0.7 miles west of the intersection of CR F and CR 16. There is no damage to structure C0027 01220 that carries CR F over Cuming Creek.</p> <p>CR F experienced shoulder loss on both sides of the roadway for the length of the project (1.4 miles). CR F had embankment loss at the shoulders of approximately 750 CY. Lone Tree Rd. lost intermittent full width embankment and surfacing for about 0.5 miles. Both roads are covered in large debris and silt. CR F was cleared of debris to allow for the roadway to be reopened. The action of clearing the sand and debris on the pavement of CR F led to the degradation of the pavement striping.</p> <p>Four culverts on Lone Tree Rd. will be replaced when the roadway is rebuilt. Four additional culverts on CR F will be need cleanout. Ditches on both roadways will need to be reestablished due to sedimentation, degradation, and debris for the entire project area.</p>
Scope of Work:	<p>NDOT and FHWA performed a DDIR site inspection on April 2, 2019. Prior to the DDIR site inspection, a county hired contractor performed earthwork along CR F. Lost shoulder material and lost drives were filled. CR F is under a force account, Lone Tree Rd. will be contracted.</p> <p>This DDIR site inspection determined a scope including the replacement of 0.5 miles of Lone Tree Rd., earth shoulders, a 42' CMP culvert, driveways, and intersections as detailed below.</p> <ul style="list-style-type: none"> - 2250 ft. of full width (24 ft.) embankment placement, gravel embedment, and gravel surface course. (Lone Tree Rd.) - 148 Sta. of earth shoulder construction and shoulder embankment placement. (Both shoulders of CR F) - Seeding and mulch for earth shoulders (Both roadways) - Replacement of 42' x 50' CMP Culvert Pipe lost during flooding. - Cleanout of one box culvert and three round culverts on CR F. - Reconstruction of driveways and field entrances, as needed. - Replacement of four culverts on Lone Tree Rd. - Traffic control - Erosion control

Concurrence Statements

1. The site was/is free and clear of all encroachments? Yes No
 - a. If the site was not or is not currently clear of encroachments, please attach a completed Encroachment Review Form.
2. The status of the ROW indicated above is correct? Yes No
 - a. If the status for ROW is incorrect above, please explain below and attach maps of ROW acquisitions/encroachments/right of entry locations if ROW has been added to site.
 - b. If ROW was required, please attach right of entry and all acquisition files.

I certify that the information above is accurate.


Signature

February 18, 2020
Date

Scott Huppert Dodge County Hwy Superintendent
Print Name and Title

Right of Way Certificate For County or City Federal-Aid Highway Projects

(This certificate must be furnished to the Department of Roads before a project can be advertised for letting.)

TO:	THE NEBRASKA DEPARTMENT OF ROADS
Federal Aid Project No.:	3490 , 3515
Name of Project:	CR F from 14 to 16 and Lone Tree Rd from F to E
Right of Way Tract Nos. on this Project:	N/A

Acquisition Statement

- This is to certify that the necessary right of way, including control of access rights when pertinent, for this project has all been acquired in compliance with the provisions of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, including legal and physical possession.

Encroachment Statement for Existing Public Right of Way for this Project *(place check in appropriate box)*

- There were not any encroachments on the existing right of way for this project.
- All encroachments have been removed from the right of way.
- All encroachments have **not** been removed from the right of way, but provisions have been made for their removal by _____.
- Encroachments are permitted under the Agency's permitting process, the permit is on file for review.

Utility Statement *(place check in appropriate box)*

- There are not any utility conflicts with this project.
- All necessary arrangements have been made for utility modification to be undertaken and completed concurrently with the project construction or provisions have been made for such work to be completed by _____.

Improvement Clearance on New Right of Way *(place check in appropriate box)*

- There are not any improvements in the new right of way.
- All improvements have been cleared from the new right of way.
- All necessary arrangements have been made for improvement clearance from the new right of way to be undertaken and completed concurrently with the project construction or provisions have been made for such work to be completed by _____.

Railroad Statement *(place check in appropriate box)*

- There are not any railroad conflicts with this project.
- All necessary agreements and modifications to railroad conflicts have been completed or provisions made for such work to be completed by _____.
- All necessary agreements and arrangements have been made for railroad modification to be undertaken and completed concurrently with the project construction.

Relocation Statement (place check in appropriate box)

Situation

Statement

No relocation assistance of any type.

No individual or families were required to be relocated.

Steps relative to relocation advisory assistance and payments for business and moving personal property as required by the current Federal Highway Administration directives covering the administration of the Highway Relocation Assistance Program are not required.

Only Residential Relocation and it is complete.

All individuals and families have been relocated to decent, safe, and sanitary housing or adequate replacement housing in accordance with Federal Highway Administration directives have made available to those displaced.

Steps relative to relocation advisory assistance and payments as required by the current Federal highway Administration directives covering the administration of the Highway Relocation Assistance Program have been taken.

Steps relative to relocation advisory assistance and payments for business and moving personal property as required by the current Federal Highway Administration directives covering the administration of the Highway Relocation Assistance Program are not required.

Only Business or Personal Property Relocation and it is complete.

No individual or families were required to be relocated.

Steps relative to relocation advisory assistance and payments for business and moving personal property as required by the current Federal highway Administration directives covering the administration of the Highway Relocation Assistance Program have been taken.

Both Residential and Business or Personal Property and it is complete

All individuals and families have been relocated to decent, safe, and sanitary housing or adequate replacement housing in accordance with Federal Highway Administration directives have made available to those displaced.

Steps relative to relocation advisory assistance and payments as required by the current Federal highway Administration directives covering the administration of the Highway Relocation Assistance Program have been taken.

The right of way for this project is now available for immediate construction and it is recommended that this project be advanced to letting stage.

Dated this 18 day of February, 2020.

CITY or COUNTY of Dodge

Certified By:


Signature

Scott Huppert

Typed or Printed Name

Dodge County Hwy Superintendent

Typed or Printed Title

If there are any exceptions, list and explain fully on additional page.

Right of Way Certificate for County or City Federal-Aid Highway Project

(This certificate must be furnished to the Department of Roads before a project can be advertised for letting.)

TO:	THE NEBRASKA DEPARTMENT OF TRANSPORTATION
Federal Aid Project No.:	3490 , 3515
Name of Project:	CR F from 14 to 16 and Lone Tree Rd from F to E
Control No.:	22784
Description of Project:	Flood damaged roads and roadway embankment

This is to certify that **NO new right-of-way** was required on the above captioned project.

- There were not any encroachments on the existing right of way for this project.
- All encroachments have been removed from the right of way.
- All encroachments have **not** been removed from the right of way, but provisions have been made for their removal by _____.
- Encroachments are permitted under the Agency's permitting process, the permit is on file for review.

Dated this 18 day of February, 2020.

CITY or COUNTY of Dodge

Certified By:

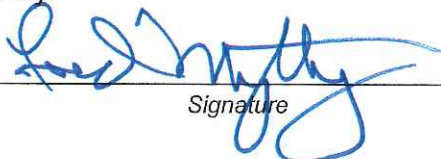


Signature

Scott Huppert

Typed or Printed Name

Attested By:



Signature

Fred Mytty County Clerk

(City or County Clerk)

If there are encroachments, list on additional page.

THIS CERTIFICATE TO BE USED ONLY WHEN NO ADDITIONAL RIGHT OF WAY IS NEEDED TO COMPLETE THE PROJECT.

February 16, 2020

Jodi Gibson
NDOT Local Assistance Division
1400 Hwy. 2
P.O. Box 94759
Lincoln, Nebraska 68509-4759

RE: March 2019 ER Resolution/Completion & Compliance
Project No. ER-27(70) Control No. 22784
DDIR Site: L27-08

At this time Dodge County is requesting reimbursement for all cost incurred to the above referenced site. Enclosed please find the final documentation for reimbursement for the referenced ER site.

- 1) County Resolution – Completion & Compliance
- 2) Cost Break Down Form

These documents have been approved by Dodge County and we look forward to receiving reimbursement for this site.

Sincerely,

Dodge County
XXXXXXXXXXXXXX

Reimbursement for 2019 March ER

County:	Dodge County		
Control No.:	22784	Project No.:	ER-27(70)
DDIR Site:	L27-08		
Agreement No.:	N/A	Expire Date:	December 31, 2020
Reimbursement	Final	Invoice Date:	February 16, 2020

ER Repairs	Summary			
	DDIR Estimate	Actual	Reimbursement	Final Reimb
Emergency Repairs (100%)	\$400,039.99	\$226,239.41	\$226,239.41	\$226,239.41
Permanent Repairs (80%)	\$262,242.05	\$149,491.25	\$119,593.00	\$119,593.00
				\$345,832.41
Total Amount Due				\$345,832.41

By submitting this form electronically to State, County certifies submitted costs are actual and allowed by contract		
Signature (typed or signed name required):	Title:	Date:
	Dodge County Hwy Superintendent	2/18/2020

County's email contact for invoice-related questions: dodgecoroads@hotmail.com

Resolution
For Emergency Relief Program-Emergency/Permanent Repairs

Dodge County
Resolution No. _____
Project No. ER-27(70)
Control No. 22784
DDIR Site: L27-08

Whereas: Certain transportation facilities have been designated as being eligible for Federal assistance from the Department of Transportation through the Emergency Relief Program (ER) of the Federal Highway Administration (FHWA); and

Whereas: Major highways and bridges in Nebraska that are part of the Federal-Aid highway system suffered widespread serious damage as a result of flooding beginning on March 12, 2019 (Disaster # NE19) and were in need of emergency or temporary repair, or restoration; and

Whereas: The Nebraska Department of Transportation, as a recipient of the previously described Federal assistance, is charged with oversight of the expenditures of said funds; and

Whereas: The County has completed all repair work on an eligible Federal-Aid route to restore essential traffic.

Whereas: The project has met all contract provisions as required by 23 CFR Part 633A; met the Davis-Bacon wage requirements; and abided by the Disadvantaged Business Enterprises (DBE) requirements, American with Disability Act (ADA) requirements, "Buy America" Provisions, FHWA 1273 and prohibitions against the use of convict labor (23 U.S.C. 114); and

Whereas: The State has completed the required NEPA document, along with resource agency concurrences, and no new right of way (ROW) was needed for completing permanent repairs; and

Whereas: All emergency repairs were completed within 180 days and are eligible for 100% federal reimbursement; and

Whereas: The total emergency repairs reimbursement is \$226,239.41 and no further costs relating to this project will be incurred or submitted to the State.

Whereas: The total permanent repairs reimbursement is \$119,593.00 and no further costs relating to this project will be incurred or submitted to the State.

Be It Resolved: That the Nebraska Department of Transportation is hereby requested to act on behalf of Dodge County to administer Federal funds.

Be It Further Resolved: That the Chairman of the County Board is authorized to sign this Resolution on behalf of said Board.

Adopted this _____ day of _____, 2020, at _____

By Board of Supervisors of Dodge County, Nebraska.

Chairman

Attest:

County Clerk

Board Member _____
Moved the adoption of said Resolution
Roll Call: _____ Yes _____ Nay
Resolution adopted, signed and billed as adopted