

DODGE COUNTY UTILITY INSTALLATION AGREEMENT

Agenda Item # 23 a
Date 4/19/23

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 1600ft of 1/0 underground primary cable, 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 payment of \$1.00 and other valuable consideration, the County does hereby permit Applicant to lay, install and construct said Utility in the Public Right-of-Way between 1848 Co Rd 14 Blvd (Description of Property or Sections) in Sec32 T18N R07E 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. Removal of utility will occur within a reasonable amount of time after the applicant's receipt of said notice.
5. THAT, the Applicant shall notify the Highway Superintendent and local Township for the purpose of removing the gravel windrow to the opposite side of road so as not to lose and 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.
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 re-graveled or re-rocked 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 sufficient height so as not to impede the traveling and agricultural operations of the area.
12. THAT, the future maintenance of said Utility and reinstallation or reconstruction of same for any purpose whatsoever shall be borne by the 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 a certified check in the amount of 10% of the total Utility installation made payable to the Dodge County Highway Department and shall become the property of said department if any of the above mentioned agreements are violated by the Applicant.~~
15. THAT, the Applicant shall submit an insurance certificate verifying General Liability of \$1,000,000.00; Personal Injury of \$5,000,000.00; Product and 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.

2023 APR 12 PM 3:13

Dot of County Dept

 COPY

IN WITNESS WHEREOF, the parties aforesaid have hereto set their hand this 12 day of April, 2023


Signature of Applicant


Dodge County Highway Superintendent

OMAHA PUBLIC POWER DISTRICT
ATTN: S. A FANSLAU, 2E/EP2
444 S 16TH ST MALL
OMAHA, NE 68102-2247
Address of Applicant

April 19, 2023
Date Filed with Dodge County Board of Supervisors

