Cooperative Agreement
for a Competitive Highway Bridge Program (CHBP) Project

This is an agreement between the City of Council Bluffs, Iowa and Montgomery County, Iowa. Iowa Code Section 28E provides for the ability for state and local agencies to enter into cooperative agreements with each other for the purpose of efficient use of their powers.

The Competitive Highway Bridge Program (CHBP) funding was made available by Division L of the Consolidated Appropriations Act, 2018, which appropriated $225 million to be awarded by the United States Department of Transportation for a competitive highway bridge program. Federal funds are available for replacement or rehabilitation of specific bridges, which were included in the grant application and made a part of Iowa's $33,442,000 Grant Award. Federal-aid Swap Highway Bridge Program (HBP) funds are also available, under 761 Iowa Administrative Code (IAC) Chapter 161.

Each party has entered into a Federal-aid Agreement with the Iowa Department of Transportation (DOT) for the below projects. The parties further agree as follows:

1. The Contracting Authority for the below listed projects will be the City of Council Bluffs. The Contracting Authority shall be responsible for contract administration between the Contracting Authority and the Prime Contractor.

2. Each bridge owner shall be responsible for the project development, construction inspection, and completion of final paperwork for their bridge project:

   A. City of Council Bluffs, Iowa

   B. FHWA Structure Number: 043960

   C. Project number: BRM-CHBP-1642(683)--NB-78

   D. Location: North Broadway over Indian Creek

   E. Preliminary Estimated Total Cost: $2,300,000

3. Each bridge owner shall be responsible for the project development, construction inspection, and completion of final paperwork for their bridge project:

   A. Montgomery County, Iowa

   B. FHWA Structure Number: 254360

   C. Project number: BROSCHBP-C069(72)--GA-69

   D. Location: N18 (T Avenue) over Tributary to West Nodaway River

   E. Preliminary Estimated Total Cost: $325,000

   And

   F. Montgomery County, Iowa

   G. FHWA Structure Number: 255820

   H. Project number: BRS-CHBP-C069(73)--GB-69

   I. Location: M63 (Boxelder Avenue) over Crabapple Creek

   J. Preliminary Estimated Total Cost: $600,000

4. Each bridge owner shall pay for all projects costs initially. After payment is made to the Prime Contractor, the bridge owner shall make a request for reimbursement. Upon review and approval by the City of Council Bluffs, the Contracting Authority, a request for reimbursement shall be made to the Iowa DOT. Upon approval by the Iowa DOT, reimbursement shall be made to the bridge owner. All costs not reimbursed with CHBP funds or Federal-aid Swap HBP funds shall be paid for by each respective bridge owner. Any change orders during construction shall be approved by the bridge owner and the Contracting Authority.

5. The above listed projects shall be “bundled” or “tied” via the Iowa DOT’s Contracts and Specifications Bureau’s letting process. The project(s) shall be let to contract by September 30, 2021. If not, this agreement shall become null and void. The project shall be paid in full by September 30, 2026, or the amount not paid will be de-obligated.

6. After the bid letting, all parties agree to discuss the bids and take action to either award a contract to the low bidder or reject all bids within 30 days of the letting date. The Contracting Authority shall then follow the Iowa DOT process to accept the low bid or reject all bids.

IN WITNESS WHEREOF, each of the parties hereto has executed this agreement as of the date shown opposite its signature below.

City Signature Block

By_____ Date _____, 20_____

_____
Title of city official

I,_____, certify that I am the City Clerk of Council Bluffs, and that_____, who signed said Agreement for and on behalf of the city was duly authorized to execute the same by virtue of a formal resolution duly passed and adopted by the city on the _____ day of _____, 20_____.

Signed_____ Date _____, 20_____

City Clerk of Council Bluffs, Iowa

County Signature Block

This agreement was approved by official action of the Montgomery County Board of Supervisors in official session on the _____day of _____, 20_____.

_____ _____
County Auditor Chair, County Board of Supervisors