

CITY OF LA VISTA
MAYOR AND CITY COUNCIL REPORT
DECEMBER 2, 2025 AGENDA

Subject:	Type:	Submitted By:
NDOT PROJECT PROGRAM SUPPLEMENTAL AGREEMENT 84 TH STREET TRAIL, GILES TO HARRISON	◆ RESOLUTION ORDINANCE RECEIVE/FILE	PAT DOWSE CITY ENGINEER

SYNOPSIS

A resolution has been prepared authorizing the Mayor to execute a Project Program Supplemental Agreement with Nebraska Department of Transportation (NDOT) for cost share for the construction of a trail system on both sides of 84th Street from Giles Road to Harrison Street. This amendment is to memorialize the timing of expected reimbursements to the NDOT.

FISCAL IMPACT

The FY25/FY26 Biennial Budget provides funding for this project.

RECOMMENDATION

Approval.

BACKGROUND

The City previously executed a Project Program Agreement with NDOT for the 84th Street Trail Project, to which \$5,000,000 was secured in Congressional Discretionary Funds on August 16, 2022. Upon approval of the bid for construction, the NDOT invoiced the City for \$5,067,701.50, which is the estimated costs associated with Construction and Construction Engineering. In discussions with the NDOT, as to better align with cash flowing the City's cost share of the project, NDOT has invoiced the City for \$1,275,000.00, or 25% of the City's share and the remaining 75% is to be invoiced on or after February 1, 2026. This allows the City time to secure bond funding for the remainder of the project.

A copy of the Project Program Supplemental Agreement is attached for your review.

RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA APPROVING A PROJECT PROGRAM SUPPLEMENTAL AGREEMENT WITH NEBRASKA DEPARTMENT OF TRANSPORTATION (NDOT) FOR THE CONSTRUCTION OF A TRAIL SYSTEM ON BOTH SIDES OF 84TH STREET FROM GILES ROAD TO HARRISON STREET IN AN AMOUNT NOT TO EXCEED \$5,067,701.50.

WHEREAS, City of La Vista is developing a transportation project for which it would like to obtain Federal funds; and

WHEREAS, City of La Vista understands that it must strictly follow all Federal, State, and local laws, rules, regulations, policies, and guidelines applicable to the funding of the Federal-aid project; and

WHEREAS, City of La Vista and Nebraska Department of Transportation (NDOT) wish to enter into a new Project Program Supplemental Agreement setting out the various duties and funding responsibilities for the Federal-aid project.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of La Vista, Nebraska that Douglas Kindig, Mayor of the City of La Vista, is hereby authorized to sign the Project Program Supplemental Agreement between the City of La Vista and the NDOT.

NDOT Project Number: DPS-77(67)
NDOT Control Number: 22885
NDOT Project Name: 84th St Trail, Giles to Harrison, La Vista

PASSED AND APPROVED THIS 2ND DAY OF DECEMBER 2025.

CITY OF LA VISTA

Douglas Kindig, Mayor

ATTEST:

Rachel D. Carl, CMC
City Clerk

SUPPLEMENTAL AGREEMENT – BL2248- 001
PROJECT PROGRAM

STATE OF NEBRASKA DEPARTMENT OF TRANSPORTATION
CITY OF LA VISTA
PROJECT NO. DPS-77(67)
CONTROL NO. 22885
84TH ST TRAIL, GILES TO HARRISON, LA VISTA

THIS SUPPLEMENTAL AGREEMENT, made and entered into by and between the City of La Vista, Nebraska, hereinafter referred to as the Local Public Agency or "LPA", and the State of Nebraska, Department of Transportation, hereinafter referred to as the "State",

WITNESSETH:

WHEREAS, the LPA and the State have previously entered into Program Agreement BM1947, executed by the LPA on August 16, 2022, and executed by the State on September 2, 2022, hereinafter referred to as the "Original Agreement", and

WHEREAS, the LPA has requested, and the State has agreed to, a payment plan for LPA's local share of the construction and construction engineering costs, currently estimated at \$5,067,701.50, and

WHEREAS, the parties agree that the LPA will remit an initial payment of \$1,275,000.00 upon receipt of the State's invoice for its share, with the remaining balance to be paid following a subsequent invoice issue by the State on or before February 1, 2026, and immediately following the State invoicing them for their share and will paid the remaining share after the State invoice them on February 1, 2026, and

WHEREAS, final project reconciliation will occur at the completion of the project, at which time any additional costs incurred beyond the LPA's current local share will be invoiced to the LPA, and

WHEREAS, it is the desire of the LPA that this project be constructed under the designation of Project No. DPS-77(67), as evidenced by the Resolution of the LPA dated the _____ day of _____, 2025, attached and identified as Exhibit "A" and made a part of this agreement, and

NOW THEREFORE, in consideration of these facts, the LPA and State hereto agree as follows:

SECTION 1. The parties agree that the total estimated local share of the construction and construction engineering costs for the Project is \$5,067,701.50. The State has approved the LPA's request to remit payment through a two-part payment plan. The LPA shall make an initial payment of \$1,275,000.00 upon receipt of the State's first invoice for its share of project costs.

The remaining balance shall be paid following a second invoice issued by the State on or after **February 1, 2026**. Final project reconciliation will be completed at the conclusion of the Project, at which time any additional costs incurred beyond the LPA's local share will be invoiced to the LPA. All payments shall be made in accordance with applicable State and Federal requirements and within the timeframes specified by the State to ensure proper financial management and closeout of the Project.

SECTION 2. Except for the provisions specifically modified herein, all terms and provisions of the Original Agreement and all supplements between the State and the LPA remain in full force and effect.

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

EXECUTED by the LPA this _____ day of _____, 2025.

WITNESS:

CITY OF LA VISTA
Doug Kindig

LPA Clerk

Mayor

EXECUTED by the State this _____ day of _____, 2025.

STATE OF NEBRASKA
DEPARTMENT OF TRANSPORTATION
Jodi Gibson

Local Assistance Division Manager

RESOLUTION

SIGNING OF PROJECT PROGRAM SUPPLEMENTAL AGREEMENT – BL2248-001

City of La Vista

Resolution No. _____

Whereas: City of La Vista is developing a transportation project for which it intends to obtain Federal funds; and

Whereas: City of La Vista understands that it must strictly follow all Federal, State, and local laws, rules, regulations, policies, and guidelines applicable to the funding of the Federal-aid project; and

Whereas: City of La Vista and Nebraska Department of Transportation (NDOT) wish to enter into a Project Program Supplemental Agreement setting out the various duties and funding responsibilities for the Federal-aid project.

Be It Resolved: by the City Council of City of La Vista that:

Doug Kindig, Mayor of City of La Vista, is hereby authorized to sign the attached Project Program Supplemental Agreement between the City of La Vista and NDOT.

NDOT Project Number: DPS-77(67)

NDOT Control Number: 22885

NDOT Project Description: 84th St Trail, Giles to Harison, LaVista

Adopted this _____ day of _____, 20____ at _____ Nebraska.
(Month)

The City Council of City of La Vista, Nebraska

Board/Council Member _____

Moved the adoption of said resolution

Member _____ Seconded the Motion

Roll Call: _____ Yes _____ No _____ Abstained _____ Absent

Resolution adopted, signed and filed as adopted

Attest:

Signature City Clerk