F14

CITY ADMINISTRATOR'S OFFICE MEMO
cityadmin@hiawatha-iowa.com
319-393-1515 ext.523

To: Mayor and City Council

From: City Administrator, Kim Downs

Date: April 29, 2016

RE: IDOT-I380 5-Year Road Maintenance Agreement

Every five years the Iowa Department of Transportation requires cities to enter into a 28E agreement for maintenance and repair of primary roads in municipalities. The attached agreement outlines the responsibilities of each jurisdiction for maintenance and repair of the primary roads within the corporate limits of the city during the period of July 1, 2016 through June 30, 2021.

The primary road they are referring to is I-380. The agreement is the same agreement we have signed for the past several years. It requires us to maintain the urban cross section beyond the state pavement for things such as traffic control, curbs used to contain drainage, repairs due to utility construction, painting stop lines and crosswalks.

This agreement will be recorded with the Department of Sectary of State upon council approval.

Iowa Department of Transportation

Agreement for Maintenance and Repair of Primary Roads in Municipalities

This Agreement made and entered into by and between the Municipality of Hiawatha, Linn County, Iowa, hereinafter referred to as the Municipality, and the Iowa Department of Transportation, Ames, Iowa, hereinafter referred to as the Department.

AGREEMENT:

In accord with Provisions of Chapter 28E, Sections 306.3, 306.4, 313.3-5, 313.21-.23, 313.27, 313.36, 314.5, 321.348 and 384.76 of the Code of Iowa and the Iowa Administrative Rules 761 – Chapter 150 (IAC) the Municipality and Department enter into the following agreement regarding maintenance, repair and minor reconstruction of the primary roads within the boundaries of the Municipality.

I. The Department shall maintain and repair:

A. Freeways (functionally classified and constructed)

1. Maintain highway features including ramps and repairs to bridges.
2. Provide bridge inspection.
3. Highway lighting.

B. Primary Highways – Urban Cross-Section (curbed) (See Sec. II.A)

1. Pavement: Maintain and repair pavement and subgrade from face of curb to face of curb (excluding parking lanes, drainage structures, intakes, manholes, public or private utilities, sanitary sewers and storm sewers).
2. Traffic Services: Provide primary road signing for moving traffic, pavement marking for traffic lanes, guardrail, and stop signs at intersecting streets.
3. Drainage: Maintain surface drainage within the limits of pavement maintenance described in I.B.1 above.
4. Snow and Ice Removal: Plow traffic lanes of pavement and bridges and treat pursuant to the Department's policy.
5. Vehicular Bridges: Structural maintenance and painting as necessary.
6. Provide bridge inspection.

C. Primary Highways – Rural Cross-Section (uncurbed) (See II.B)

1. Maintain, to Department standards for rural roads, excluding tree removal, sidewalks, and repairs due to utility construction and maintenance.

D. City Streets Crossing Freeway Rights of Way (See II.C)

1. Roadsides within the limits of the freeway fence.
2. Surface drainage of right of way.
3. Traffic signs and pavement markings required for freeway operation.
4. Guardrail at piers and bridge approaches.
5. Bridges including deck repair, structural repair, berm slope protection and painting.
6. Pavement expansion relief joints and leveling of bridge approach panels.

II. The Municipality shall maintain and repair:

A. Primary Highways – Urban Cross-Section (curbed) (See Sec. I.B)

1. Pavement: Maintain and repair pavement in parking lanes, intersections beyond the limits of state pavement maintenance; curbs used to contain drainage; and repairs to all pavement due to utility construction, maintenance and repair.
2. Traffic Services: Paint parking stalls, stop lines and crosswalks. Maintain, repair and provide energy to traffic signals and street lighting.
3. Drainage: Maintain storm sewers, manholes, intakes, catch basins and culverts used for collection and disposal of surface drainage.

4. Snow and ice removal: Remove snow windrowed by state plowing operations, remove snow and ice from all areas outside the traffic lanes and load or haul snow which the Municipality considers necessary. Remove snow and ice from sidewalks on bridges used for pedestrian traffic.

5. Maintain sidewalks, retaining walls and all areas between curb and right-of-way line. This includes the removal of trees as necessary and the trimming of tree branches as necessary.

6. Clean, sweep and wash streets when considered necessary by the Municipality.

7. Maintain and repair pedestrian overpasses and underpasses including snow removal, painting and structural repairs.

B. Primary Highways – Rural Cross-Section (uncurbed) (See Sec. I.C)

1. Maintain and repair highway facilities due to utility construction and maintenance.

2. Removal of trees as necessary and the trimming of tree branches as necessary.

3. Maintain sidewalks.

C. City Streets Crossing Freeway Rights of Way (See I.D)

1. All pavement, subgrade and shoulder maintenance on cross streets except expansion relief joints and bridge approach panel leveling.

2. Mark traffic lanes on the cross street.

3. Remove snow on the cross street, including bridges over the freeway.

4. Clean and sweep bridge decks on streets crossing over freeway.

5. Maintain all roadside areas outside the freeway fence.

6. Maintain pedestrian overpasses and underpasses including snow removal, painting, lighting and structural repair.

III. The Municipality further agrees:

A. That all traffic control devices placed by the Municipality on primary roads within the Municipal boundaries shall conform to the "Manual on Uniform Traffic Control Devices for Streets and Highways."

B. To prevent encroachment or obstruction within the right of way, the erection of any private signs on the right of way, or on private property which may overhang the right of way and which could obstruct the view of any portion of the road or the traffic signs or traffic control devices contrary to Section 318.11 of the Code of Iowa.

C. To comply with all current statutes and regulations pertaining to overlength and overweight vehicles using the primary roads, and to issue special permits for overlength and overweight vehicles only with approval of the Department.

D. To comply with the current Utility Accommodation Policy of the Department.

E. To comply with the access control policy of the Department by obtaining prior approval of the Department for any changes to existing entrances or for the construction of new entrances.

IV. Drainage district assessments levied against the primary road within the Municipality shall be shared equally by the Department and the Municipality.

V. Major construction initiated by the Department and all construction initiated by the Municipality shall be covered by separate agreements.

VI. The Department and the Municipality may by a separate annual Supplemental Agreement, reallocate any of the responsibilities covered in Section I of this agreement.

VII. This Agreement shall be in effect for a five year period from July 1, **2016** to June 30, **2021**

IN WITNESS WHEREOF, The Parties hereto have set their hands, for the purposes herein expressed, on the dates indicated below.

City of Hiawatha
MUNICIPALITY

By _____

Date _____

IOWA DEPARTMENT OF TRANSPORTATION

BY _____
District Engineer

Date _____

IOWA DOT

SMARTER I SIMPLER I CUSTOMER DRIVEN

www.iowadot.gov

District 6 Office / Highway Division
5455 Kirkwood Blvd SW I Cedar Rapids, IA 52404
Phone: (319) 364-0235 | Fax: (319) 730-1564 | Email: Jeffrey.Tjaden@dot.iowa.gov

April 6, 2016

Ref: 832
City of Hiawatha

City Clerk
City of Hiawatha
101 Emmons St
Hiawatha, IA 52233-1697

Dear City Clerk:

Please find enclosed the five-year Agreement for Maintenance and Repair of Primary Roads in Municipalities between the City of Hiawatha and the Iowa Department of Transportation. This agreement outlines the responsibilities for maintenance and repair of the primary roads within the corporate limits of the city during the period of July 1, 2016 through June 30, 2021.

Please review the document and if in agreement, please have the appropriate authority sign their approval. It will then need to be returned to our office for approval by our district office. A final copy will be returned to you for your files.

If you have any further questions, please contact me at this office.

Sincerely,

Jeff Tjaden

Jeff Tjaden
District Maintenance Manager

JT/dh
Enclosure

Dawn 364-0235

DRAFT

RESOLUTION NO. 16-
City Council

RESOLUTION APPROVING A 28E AGREEMENT FOR MAINTENANCE AND REPAIR OF PRIMARY ROADS (I-380) IN MUNICIPALITIES WITH THE IOWA DEPARTMENT OF TRANSPORTATION

BE IT RESOLVED by the City Council of the City of Hiawatha, Iowa, to approve a five-year 28E Agreement for Maintenance and Repair of Primary Roads in Municipalities between the City of Hiawatha and the Iowa Department of Transportation to provide maintenance of the urban cross section beyond the state pavement for traffic control, curbs used to contain drainage, repairs due to utility construction, and painting stop lines and crosswalks for I-380 in Hiawatha during the period of July 1, 2016 through June 30, 2021.

BE IT FURTHER RESOLVED that the Mayor is hereby directed to sign said agreement.

AYES:
NAYS:
ABSENT:

PASSED AND APPROVED this 4th day of May, 2016.

_____
Bill Bennett, Mayor

ATTEST:

_____
Kelly Kornegor, City Clerk