



Minnesota Department of Transportation

Office of Traffic Engineering

Mail Stop 725
1500 West County Road B2, Suite 250
Roseville, MN 55113

96-79-86 MN/DOT AGMT.
77240

Office Tel: 651/582-1070

Fax: 651/582-1033

November 3, 1998

Mr. Jon Olson
Anoka County Engineer
Anoka County Highway Dept.
1440 Bunker Lake Blvd. N.W.
Andover, Minnesota 55304

Traffic Control Signal
Agreement No. 77240
Anoka County and City of East Bethel
T.H. 65 at Co. Rd. 86 (Sims Rd. N.E.) - Sims Rd. N.E.
T.H. 65 at C.S.A.H. 24 (237th Ave. N.E.)
S.P. 0208-98
S.P. 02-624-22, 203-010-02 and 203-020-01
F.P. STPF 0297 (096)
C.P. 96-79-86

RECEIVED

NOV 12 1998

ANOKA COUNTY
HIGHWAY DEPT



Jane
Randy
Alonso

Dear Mr. Olson:

Enclosed is a fully executed copy of the referenced agreement between the State of Minnesota, Department of Transportation and Anoka County and the City of East Bethel, covering the cost, maintenance and operation of the new traffic control signals with street lights, EVP Systems, advance warning flashers and signing.

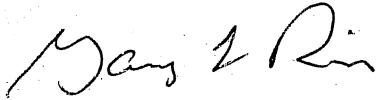
A construction contract was awarded to Valley Paving Inc. for the work provided for in the referenced agreement. Computed as set forth in Paragraph No. 3 of the agreement, the County's share is as follows:

1. T.H. 65 at Co. Rd. 86 (Sims Rd. N.E.) - Sims Rd. N.E. System "A". Traffic Control Signal. The County's share is 2.5% of \$183,100.00 (bid price) plus \$20,900.00 (estimated State furnished materials) for \$5,100.00 plus \$408.00 (8% E&I) for an amount of \$5,508.00.
2. T.H. 65 at C.S.A.H. 24 (237th Ave. N.E.). System "B". Traffic Control Signal. The County's share is 5% of \$143,900.00 (bid price) plus \$20,900.00 (estimated State furnished materials) for \$8,240.00 plus \$659.20 (8% E&I) for an amount of \$8,899.20.

Mr. Jon Olson
November 3, 1998
Page 2

The County will receive an invoice in a few days in the amount of \$14,407.20 and payment is requested accordingly.

Sincerely,

A handwritten signature in cursive script, appearing to read "Gary Ries".

Gary Ries
Signal Engineer

Enclosure:
Agreement (1)

MINNESOTA TRANSPORTATION DEPARTMENT
TRAFFIC CONTROL SIGNAL
AGREEMENT NO. 77240
BETWEEN
THE STATE OF MINNESOTA, DEPARTMENT OF TRANSPORTATION
AND
THE COUNTY OF ANOKA
AND
THE CITY OF EAST BETHEL
TO

Install new Traffic Control Signals with Street Lights, Emergency Vehicle Pre-emption, Advance Warning Flashers and Signing on Trunk Highway No. 65 at County Road 86 (Sims Road Northeast) - Sims Road Northeast, and at County State Aid Highway No. 24 (237th Avenue Northeast) in East Bethel, Anoka County, Minnesota.

S.P. 0208-98
S.P. 02-624-22, 203-010-02 and 203-020-01
F.P. STPF 0297 (096)
C.P. 96-79-86

Prepared by Traffic Engineering

ESTIMATED AMOUNT RECEIVABLE

County of Anoka \$13,842.90
City of East Bethel \$23,071.50

AMOUNT ENCUMBERED

None
Otherwise Covered

THIS AGREEMENT made and entered into by and between the State of Minnesota, Department of Transportation, hereinafter referred to as the "State", and the County of Anoka, hereinafter referred to as the "County", and the City of East Bethel, hereinafter referred to as the "City", WITNESSETH:

WHEREAS, Minnesota Statutes Section 161.20 (1994) authorizes the Commissioner of Transportation to make arrangements with and cooperate with any governmental authority for the purposes of constructing, maintaining and improving the Trunk Highway system; and

WHEREAS, the State has determined that there is justification and it is in the public's best interest to install new traffic control signals with street lights, emergency vehicle pre-emption, advance warning flashers and signing on Trunk Highway No. 65 at County Road 86 (Sims Road Northeast) - Sims Road Northeast, and at County State Aid Highway No. 24 (237th Avenue Northeast); and

WHEREAS, the City requests and the State agrees to the installation of Emergency Vehicle Pre-emption Systems, hereinafter referred to as the "EVP Systems", as a part of the new traffic control signal installations on Trunk Highway No. 65 at County Road 86 (Sims Road Northeast) - Sims Road Northeast, and at County State Aid Highway No. 24 (237th Avenue Northeast)

and in accordance with the terms and conditions hereinafter set forth; and

WHEREAS, it is anticipated that the traffic control signals with street lights, EVP Systems, advance warning flashers and signing work is eligible for 80 percent Federal-aid Surface Transportation Program Flexible Funds; and

WHEREAS, it is considered in the public's best interest for the State to provide twelve (12) pedestal shafts and bases, eight (8) slipfitter collars, sixteen (16) flashing beacons with background shields and two (2) new cabinets and control equipment to operate said traffic control signals; and

WHEREAS, the County, City and the State will participate in the cost, maintenance and operation of the new traffic control signals with street lights, EVP Systems, advance warning flashers and signing as hereinafter set forth;

NOW, THEREFORE, IT IS AGREED AS FOLLOWS:

1. The State shall prepare the necessary plan, specifications and proposal which shall constitute "Preliminary Engineering". The State shall also perform the construction inspection required to complete the items of work hereinafter set forth, which shall constitute "Engineering and Inspection" and shall be so referred to hereinafter.

2. The contract cost of the work or, if the work is not contracted, the cost of all labor, materials, and equipment rental required to complete the work, except the cost of providing the power supply to the service poles or pads, shall constitute the actual "Construction Cost" and shall be so referred to hereinafter.

3. The State with its own forces and equipment or by contract shall perform the traffic control signal work provided for under State Project No. 0208-98, State Project No.'s 02-624-22, 203-010-02 and 203-020-01, County Project No. 96-79-86 and Federal-aid Project No. STPF 0297 (096) with the Construction Costs shared as follows:

a) Trunk Highway No. 65 at County Road 86 (Sims Road Northeast) - Sims Road Northeast.
System "A".

1. Install a new traffic control signal with street lights, advance warning flashers and signing. Estimated Construction Cost is \$150,900.00 which includes State furnished materials. Anticipated Federal-aid share is 80 percent. Anticipated State's share is 10 percent. County's share is

2.5 percent. City's share is
7.5 percent.

2. Install EVP System. Estimated
Construction Cost is \$5,000.00.
Anticipated Federal-aid share is
80 percent. Anticipated State's share
is 10 percent. City's share is
10 percent.

b) Trunk Highway No. 65 at County State Aid
Highway No. 24 (237th Avenue Northeast).
System "B".

1. Install a new traffic control signal
with street lights, advance warning
flashers and signing. Estimated
Construction Cost is \$180,900.00 which
includes State furnished materials.
Anticipated Federal-aid share is
80 percent. Anticipated State's share
is 10 percent. County's share is
5 percent. City's share is 5 percent.
2. Install EVP System. Estimated
Construction Cost is \$5,000.00.
Anticipated Federal-aid share is

80 percent. Anticipated State's share is 10 percent. City's share is 10 percent.

4. Upon execution and approval of this agreement and a request in writing by the State, the County and City shall each advance to the State an amount equal to their portion of the project costs. The County's and City's total portion shall consist of the sum of the following:

- a) The County's and City's share (as specified in Paragraph 3) based on the actual bid prices and the estimated State furnished material costs.
- b) Eight (8) percent of their share [Item (a) above] for the cost of Engineering and Inspection.

5. Upon completion and final acceptance of the project, the County's and City's final share shall consist of the sum of the following:

- a) The County's and City's share (as specified in Paragraph 3), based on the final payment to the Contractor and the actual State furnished materials costs.

- b) Eight (8) percent of their final share
[Item (a) above] for the cost of Engineering
and Inspection.

The amount of the funds advanced by the County and City in excess of the County's and City's share will be returned to the County and City without interest and the County and City agrees to pay to the State that amount of their final share which is in excess of the amount of the funds advanced by the County and City.

6. The City shall provide an adequate electrical power supply to the service pads or poles, and upon completion of said new traffic control signals with street lights and advance warning flashers installations shall provide necessary electrical power for their operation at the cost and expense of the City.

7. Upon completion of the work contemplated in Paragraph 3 hereof, the responsibility for the new traffic control signals is as follows: a) It shall be the County's responsibility, at its cost and expense, to: (1) relamp the new traffic control signals and advance warning flashers; and (2) clean and paint the new traffic control signals, advance warning flashers and cabinets; b) It shall be the City's responsibility, at its cost and expense, to: (1) clean and paint the luminaire mast arm extensions; (2) maintain the luminaires

and all its components, including replacement of the luminaire if necessary; and (3) relamp the street lights; and c) It shall be the State's responsibility, at its cost and expense, to maintain the signing and perform all other traffic control signal, advance warning flasher and street light maintenance.

8. The EVP Systems provided for in Paragraph 3 hereof shall be installed, operated, maintained, or removed in accordance with the following conditions and requirements:

- a) All maintenance of the EVP Systems shall be done by State forces.
- b) Emitter units may be installed and used only on vehicles responding to an emergency as defined in Minnesota Statutes Chapter 169.01, Subdivision 5 and 169.03. The City will provide the State's Assistant Division Engineer or his duly appointed representative a list of all such vehicles with emitter units.
- c) Malfunction of the EVP Systems shall be reported to the State immediately.
- d) In the event said EVP Systems or components are, in the opinion of the State, being misused or the conditions set forth in

Paragraph b above are violated, and such misuse or violation continues after receipt by the City of written notice thereof from the State, the State shall remove the EVP Systems. Upon removal of the EVP Systems pursuant to this Paragraph, the field wiring, cabinet wiring, detector receivers, infrared detector heads and indicator lamps and all other components shall become the property of the State.

- e) All timing of said EVP Systems shall be determined by the State through its Commissioner of Transportation.

9. Any and all persons engaged in the aforesaid work to be performed by the State shall not be considered employees of the County or City and any and all claims that may or might arise under the Workers' Compensation Act of this State on behalf of said employees while so engaged, and any and all claims made by any fourth party as a consequence of any act or omission on the part of said employees while so engaged on any of the work contemplated herein shall not be the obligation and responsibility of the County or City. The State shall not be

responsible under the Worker's Compensation Act for any employees of the County or City.

10. All timing of the new traffic control signals provided for herein shall be determined by the State, through its Commissioner of Transportation, and no changes shall be made therein except with the approval of the State.

COUNTY OF ANOKA

APPROVED AS TO FORM:

Dan Vlist
Asst. County Attorney

By [Signature]
Chairman of the Board
Dan Erhart

Date 5-12-98

RECOMMENDED FOR APPROVAL:

[Signature]
County Highway Engineer

By John Jay McLinden
John "Jay" McLinden

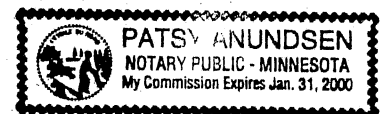
Title County Administrator

Date 5-12-98

State of Minnesota
County of Anoka

This Agreement was acknowledged before me this 12th day of May, 1998, by Dan Erhart and John "Jay" McLinden, the Chairman of the Board and County Administrator of the County of Anoka.
(Name) (Name)
(Title)

Notary Public [Signature]
My Commission Expires 1-31-2000



CITY OF EAST BETHEL

APPROVED AS TO FORM:

James W. Randall
City Attorney

By *Jeff Hintz*
Mayor Jeff Hintz

Date March 4, 1998

By *Sherri Anderson*

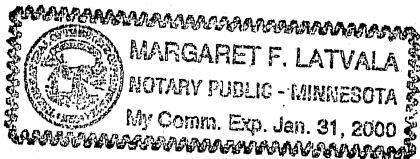
Title City Clerk/Treasurer

Date March 4, 1998

State of Minnesota
County of Anoka

This Agreement was acknowledged before me this 4th day of
March, 1998, by Jeff Hintz and
Sherri Anderson, the Mayor and City Clerk/Treasurer
(Name) (Name) (Title)
of the City of East Bethel.

Notary Public *Margaret F. Latvala*
My Commission Expires 1-31-00



STATE OF MINNESOTA

DEPARTMENT OF TRANSPORTATION

RECOMMENDED FOR APPROVAL:

Richard Hathaway
Assistant Division Engineer

DEPARTMENT OF TRANSPORTATION

By Patrick C. Hughes
Assistant Commissioner

Dated 4/27/98

APPROVED AS TO FORM AND EXECUTION:

Original signed by:

Lynn A. Klessig

Legal Assistant

5/27/98

Assistant Attorney General
State of Minnesota

DEPARTMENT OF ADMINISTRATION

ORIGINAL SIGNED BY

By _____
JUN 01 1998

Dated _____
HEATHER C. PICKETT

DEPARTMENT OF FINANCE

Original Signed By

By _____
JOHN KELLERMAN

Dated _____
6-2-98

RESOLUTION 10

BE IT RESOLVED that the City of East Bethel enter into an agreement with the State of Minnesota, Department of Transportation for the following purposes, to wit:

To install new traffic control signals with street lights, emergency vehicle pre-emption, advance warning flashers and signing on Trunk Highway No. 65 at County Road 86 (Sims Road Northeast) - Sims Road Northeast, and at County State Aid Highway No. 24 (237th Avenue Northeast) in accordance with the terms and conditions set forth and contained in Agreement No. 77240, a copy of which was before the Council.

IT IS FURTHER RESOLVED that the Mayor and the City Clerk/Treasurer are authorized to execute the Agreement. (Title)

CERTIFICATION

State of Minnesota
County of Anoka
City of East Bethel

I hereby certify that the foregoing Resolution is a true and correct copy of a resolution presented to and adopted by the Council of the City of East Bethel at a duly authorized meeting thereof held on the 4th day of March, 1998, as shown by the minutes of said meeting in my possession.

Notary Public

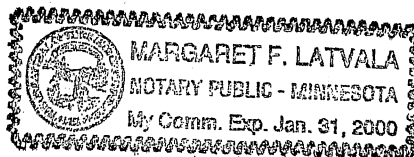
Margaret F. Latvala

My Commission Expires 1-31-00

(Signature)

Sherr Anderson
City Clerk/Treasurer

(Title)



BOARD OF COUNTY COMMISSIONERS
Anoka County, Minnesota

DATE: March 10, 1998

RESOLUTION #98-26

OFFERED BY COMMISSIONERS: Lang and Berg

**RESOLUTION TO ENTER INTO AN AGREEMENT WITH THE STATE OF
MINNESOTA DEPARTMENT OF TRANSPORTATION FOR THE
CONSTRUCTION AND MAINTENANCE OF TWO TRAFFIC SIGNALS
IN THE CITY OF EAST BETHEL**

BE IT RESOLVED that the County of Anoka enter into an agreement with the State of Minnesota, Department of Transportation, for the following purposes, to wit:

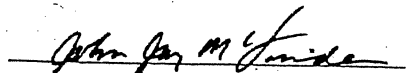
To install new traffic control signals with street lights, emergency vehicle pre-emption, advance warning flashers and signing on Trunk Highway No. 65 at County Road 86 (Sims Road Northeast) - Sims Road Northeast, and at County State Aid Highway No. 24 (237th Avenue Northeast) in accordance with the terms and conditions set forth and contained in Agreement No. 77240.

IT IS FURTHER RESOLVED that the Chairman of the County Board and the County Administrator are authorized to execute the Agreement.

STATE OF MINNESOTA)
COUNTY OF ANOKA) SS

I, John "Jay" McLinden, County Administrator, Anoka County, Minnesota, hereby certify that I have compared the foregoing copy of the resolution of the County Board of said County with the original record thereof on file in the Administration Office, Anoka County, Minnesota, as stated in the minutes of the proceedings of said Board at a meeting duly held on March 10, 1998, and that the same is a true and correct copy of said original record and of the whole thereof, and that said resolution was duly passed by said Board at said meeting.

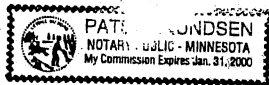
Witness my hand and seal this 10th day of March 1998.


JOHN "JAY" McLINDEN
COUNTY ADMINISTRATOR

	<u>YES</u>	<u>NO</u>
DISTRICT #1 - BERG	X	
DISTRICT #2 - LANG	X	
DISTRICT #3 - LANGFELD	X	
DISTRICT #4 - KORDIAK	X	
DISTRICT #5 - MCCAULEY	X	
DISTRICT #6 - MCCARRON	X	
DISTRICT #7 - ERHART	X	

STATE OF MINNESOTA)
COUNTY OF ANOKA) ss.

This certified resolution was acknowledged before me this day 10th day of March, 1998, by John "Jay" McLinden, County Administrator, of the County of Anoka, a political subdivision of the State of Minnesota, on behalf of the County.



Notary Public