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DEBORAH L PEYTON, RECORDER/REGISTRAR
DELAWARE COUNTY IOWA

THIS DOCUMENT WAS PREPARED BY ANTHONY BARDGETT, DELAWARE COUNTY ENGINEER'S OFFICE, 2139 HIGHWAY 38., MANCHESTER, IA 52057, 563-927-3505
Return to: Delaware County Auditor, 301 E. Main Street, Manchester, IA 52057

28E AGREEMENT
INSPECTION OF CITY SIGNS BY DELAWARE COUNTY

This agreement entered into this 13th day of February, 2012, by and between Delaware County, Iowa, and the City of Colesburg, Iowa.

WHEREAS, both Delaware County and the City of Colesburg are a public agency as is defined by Section 28E.2 of the Code of Iowa, and

WHEREAS, Section 28E.3 of the Code of Iowa provides that any power or powers, privileges or authority exercised or capable of exercise by a public agency of the State of Iowa may be exercised and enjoyed jointly by a public agency of the State of Iowa having such power or powers, and

WHEREAS, it is proposed, that Delaware County will perform a retro-reflectivity inspection on the City of Colesburg's sign inventory as required by the FHWA's minimum reflectivity requirements, and

WHEREAS, Delaware County will perform this inspection once every four years based on the terms of Delaware County's sign reflectivity inspection policy, and

WHEREAS, Delaware County will invoice the City of Colesburg for the time spent on said inspection, based on an hourly rate of inspection staff plus any applicable equipment maintenance fees, and

WHEREAS, the Delaware County Board of Supervisors and the City of Colesburg have informed themselves as to the proposed inspection.

IT IS NOW AGREED that Delaware County and the City of Colesburg enter into an agreement pursuant to Chapter 28E of the Code of Iowa providing for cooperative action pursuant to the proposed roadway construction project and, said cooperative actions include the following:

1) SCOPE OF WORK – Delaware County will perform retro-reflectivity inspection by the Retroreflectometer Method on the City of Colesburg's sign inventory as required by the FHWA. Delaware County will store the inspection information on the county's GIS system and submit a report back to the city indicating which signs need to be replaced.

2) DURATION - This Agreement shall commence on the date that both parties sign this agreement and shall continue thereafter until either party wishes to terminate said agreement by written letter.

3) PURPOSE - The purpose of this Agreement is to accomplish the proposed inspection as described herein in accordance with the aforesaid scope of work and in agreement with conditions specified in this Agreement.

4) ADMINISTRATION – Delaware County shall be responsible for the administration of this project.

5) Delaware County and the City of Colesburg agree to save and indemnify and keep harmless, each other against all liabilities, judgments, costs, and expenses which may in any way come against either party or which in any way result from carelessness or neglect of either party or its agents, employees, or workmen in any respect whatsoever.

6) The parties agree to indemnify and hold each other, their employees and agents, wholly harmless from any damages, claims, demands, or suits by any person or persons arising out of any acts or omissions by either party, its agents, servants or employees in the course of any work done in connection with any of the matters set forth in this agreement.

7) FINANCING – Delaware County will initially bear all costs of inspection of the City of Colesburg's sign inventory. Once said inspection is completed, Delaware County will invoice the City of Colesburg for inspection staff costs and any applicable equipment maintenance fees.

This Agreement is subject to termination by written notice from any party.

Signed on this 21st day of February A.D. 2012

DELAWARE COUNTY OFFICIAL SEAL IOWA

Board of Supervisors
Delaware County, Iowa

Shirley E. Helmrichs
Shirley E. Helmrichs, Chairperson

absent
Jeff Madlom

Jerry Ries
Jerry Ries

ATTEST:

Carla Becker
Carla Becker
Delaware County Auditor

Signed on this 13th day of February A.D. 2012

City of Colesburg
Colesburg, Iowa

Richard Sampson
Richard Sampson, Mayor

Mitch Every, Council Member

Loras Matt, Council Member

Rex Meyer, Council Member

Leo Roling, Council Member

Roger Waterman, Council Member

ATTEST:

Tara Holub

Tara Holub
City of Colesburg Clerk