

**IOWA DEPARTMENT OF TRANSPORTATION
AGREEMENT FOR FISCAL YEAR 2009
Wildlife Mitigation Program**

THIS AGREEMENT is made between the Iowa Department of Transportation called the "Department" and the _____ known as the Airport Sponsor.

1.00 PURPOSE: This agreement sets forth terms, conditions and obligations for participation in the statewide contract between the Iowa DOT's Office of Aviation and USDA Wildlife Services. Mitigation efforts at the _____ Airport will consist of services listed on the included estimate sheet.

2.00 GENERAL PROVISIONS

- 2.01 The Department will contract for the completion of the work, based on specifications developed by the Department, USDA Wildlife Services and the Airport Sponsor.
- 2.02 The Airport Sponsor agrees to reimburse the Department fifteen (15) percent of the cost of the stated work, not to exceed _____. The reimbursement will be requested at the completion of the task.
- 2.03 The Department shall not waive any right of authority by making payments pursuant to this agreement, and such payments shall not constitute approval or acceptance of any part of the Project.
- 2.04 Neither the Department nor the Sponsor shall be liable to third parties by reason of this agreement.
- 2.05 If any provision of this agreement is held invalid, the remainder of this agreement shall not be affected thereby if such remainder would then continue to conform to applicable law.
- 2.06 Notwithstanding any other provisions of this agreement, the Department shall have the right to enforce, and may require the Sponsor to comply with, any and all conditions and assurances agreed to herein.
- 2.07 The Department's obligations hereunder shall cease immediately without penalty of further payment being required at any time where there are not sufficient authorized funds lawfully available to the Department to meet such obligations. The Department shall give the Sponsor notice of such termination of funding as soon as practicable after the Department becomes aware of the failure of funding.

3.00 Special Provisions

3.01 The Sponsor will allow Wildlife Services all access to airport facilities in order to accomplish wildlife mitigation.

3.02 The Sponsor will provide an indoor working space to complete necessary paperwork when available.

4.00 EXECUTION OF THE AGREEMENT. The Sponsor authorized the undersigned to execute this agreement.

Signed this _____ day of _____, _____,

By: _____ Attested: _____

Title: _____ Title: _____

Signed this _____ day of _____, _____, on behalf of the Iowa Department of Transportation.

By: _____
Michelle McEnany
Director
Office of Aviation