ADOPT-A-HIGHWAY (LANDSCAPING) AGREEMENT

North Dakota Department of Transportation, Maintenance Division
SFN 52581 (Rev. 04-2015)

This agreement, between the state of North Dakota, acting by and through its Director of Transportation recognizes the Group as the adopting organization for the indicated highway, reference/mile point, and side. The Group accepts the volunteer responsibility of landscape maintenance for the stated period (minimum of three years).

North Dakota Department of Transportation (NDDOT)
608 East Boulevard Avenue
Bismarck North Dakota 58505-0700

<table>
<tr><td colspan="4">Name of the Group</td></tr>
<tr><td colspan="4">Address of the Group</td></tr>
<tr><td colspan="2">City</td><td>State</td><td>Zip Code</td></tr>
<tr><td>Highway</td><td colspan="2">Reference/Mile Point
From To</td><td>Side of Highway</td></tr>
<tr><td colspan="2">Date Beginning</td><td colspan="2">Date Ending</td></tr>
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By this agreement, the Group agrees to the following terms and conditions:

- The Group shall furnish adequate supervision by adults when participants are 15 years of age or younger.
- Each Group shall conduct at least one safety meeting per year and not more than 30 days before commencing the initial work. Participants must attend such a safety meeting before participating in any work. The attachment to this agreement, “Safety Tips for Adopt-A-Highway Groups” shall be covered at all safety meetings.
- Effective November 24, 2008, the Group shall be required to wear ANSI/ISEA 107-2004 Class II high visibility garments while within the highway right-of-way as per the requirements of 23 CFR 634.
- The adoption period shall be for a minimum of three years.
- The Group shall perform landscape maintenance during the months of April through September of each year and such other times as the Group deems appropriate.
- The Group shall access the highway landscape plantings from the outer limits of the highway right-of-way. For segments of highway which are fenced, access will be through pre-designated gates in the fence line.
- The Group shall designate a gate keeper for purposes of maintaining gate security throughout the period for which the Group is under agreement to provide landscape maintenance to a specific segment of highway. The gate keeper will be provided keys to the gate locking system and the signature of this individual will be required on this agreement. Failure to maintain gate security on a full access control highway will be cause for termination of the agreement by NDDOT.
- Any addition or replacement of plantings will not be initiated without the written approval from the District Engineer. Plan details for major enhancements to the landscape plantings will be submitted in plan layout to the District Engineer for review and approval.
- Use of equipment to maintain the landscape plantings will be limited to equipment that can pass through the access control gates. Equipment will not be left unattended on the right-of-way over night or for a 24 hour period.
- The Group shall be considered an independent contractor and not an employee of NDDOT for any purpose, such as workers compensation, medical insurance, and any job benefits normally provided to full-time classified employees.
- The Group agrees to comply with all applicable laws and rules, including, but not limited to, those relating to nondiscrimination, accessibility, and civil rights.
- The Group and each of the participants agree to release the state of North Dakota, its agencies, officers and employees (State), from any and all claims of any nature, including all costs, expenses and attorneys fees, which may in any manner result from or arise out of this agreement.

NDDOT agrees to:

- Provide replacement plantings as deemed appropriate.
- Provide trash bags upon request.
- Remove the debris and any filled trash bags from the adopted section resulting from the landscape maintenance effort.

If in the judgment of NDDOT, it is determined that the Group has failed to perform its duties, NDDOT may terminate this agreement upon 30 days written notice to the Group and remove the signs.

Attachment: Safety Tips for Adopt-A-Highway (Landscape Maintenance) Groups

Adopt-A-Highway (Landscape Maintenance) Group Point of Contact List:

Contact Name	Address	Daytime Telephone Number	Email Address
Gate Keeper Contact Name			

GROUP:

NAME OF GROUP (TYPE OR PRINT)

NAME OF GROUP'S PRESIDENT, ON BEHALF OF EACH INDIVIDUAL PARTICIPANT OR PARTICIPANTS LEGAL GAURDIAN (MUST BE 21 YEARS OF AGE) (TYPE OR PRINT)

X
SIGNATURE

DATE

NORTH DAKOTA DEPARTMENT OF TRANSPORTATION

Name (Type or Print)

X
SIGNATURE

TITLE

DATE

Attachment: Safety Tips for Adopt-A-Highway (Landscape Maintenance) Groups

North Dakota Department of Transportation
SAFETY TIPS FOR ADOPT-A-HIGHWAY (LANDSCAPING) GROUPS

REMEMBER: You are working in a potentially dangerous environment - a public highway.

- Every crew member should possess the following attributes:
  - Ability to perform tasks and be responsive to changing traffic patterns.
  - A sense of responsibility for safety of public and crew.
- Knives, machetes, axes, etc. should not be carried by crew members. Do not attempt to compact (squeeze) trash bags to gain room for more trash. Injuries from broken or jagged objects often result from this practice. Fill the bag with what goes in easily and then get another bag.
- Park all vehicles well clear of the roadway and at least 10 feet from the shoulders surface.
- Do not walk across interstate highways. Use the bridges.
- Stay off rip-rap and steep slopes.

TO PROTECT YOURSELF AND OTHERS, DO THE FOLLOWING:

- Whenever possible, face oncoming traffic while you work. Be prepared to move out of the way of errant vehicles.
- Discontinue work in inclement weather, especially in times of reduced visibility, wet/icy roads, during electrical storms, and during other than daylight conditions.
- Avoid overexertion. Drink plenty of water, especially on warm, humid days.

WHAT TO WEAR:

- Wear ANSI/ISEA 107-2004 Class II high visibility garments while within the highway right-of-way.
- Wear light-colored clothing at all times when working on the right-of-way.
- Wear heavy gloves.
- Wear substantial leather shoes or boots with ankle support. Watch for footing.
- Wear a hat and long sleeves to avoid sunburn. You may wish to use a sunscreen lotion on sunny days.

SOME THINGS TO STAY AWAY FROM:

- Do not attempt to remove unknown or suspected toxic/hazardous substances. This could include meth byproducts such as containers with hoses duct taped to spouts, empty starter fluid cans, propane tanks with discolored valves, or coffee filters, or bags containing a grayish/white substance. Notify NDDOT or the police of the location of such items immediately.
- Do not enter the roadway or its shoulder areas, paved or unpaved, to pick up trash.
- Do not pick up trash in the median of interstate/multi-lane highways.
- Pick up pop bottles and similar containers only with great care. They may contain **HUMAN WASTE**.
- Do not pick up discarded syringes, hypodermic needles, or broken glass.

IN CASE OF EMERGENCY:

- Every crew should possess an adequate first aid kit. Be prepared for serious injury; select an emergency room/hospital and know the route from the work area to the designated treatment center.
- Every crew should have transportation immediately available.
- If possible, bring a cellular phone or CB radio with a fully-charged battery.