



METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY

**JOHN COOPER
MAYOR**

**NASHVILLE DEPARTMENT OF TRANSPORTATION
AND MULTIMODAL INFRASTRUCTURE**

June 6, 2023

Ms. Kelly Flannery
Director of Finance
Metro Nashville and Davidson County

RE: Prop. No. 2023M-026AG-001, Resolution approving Intergovernmental Agreement with TDOT and Metro Government accepting Amendment 5 to TDOT Agreement No. 080019, Jefferson Street Intersection Improvements, 21st and 28th Avenues North; Federal Project No. STP-M-1900(28) State Project No. 19LPLM-F3-011; PIN 103490.00.

Mr. Flannery,

This resolution will approve Amendment 5 to Agreement No. 080019 between TDOT and the Metro Government to extend the project completion schedule to 12/31/25 due to NDOT's decision to design and build a fully functioning roundabout at 28th and Jefferson Street. This decision was rendered after several traffic analysis justified that a roundabout design would provide the best level of service at that location. This amendment also reflects an increase in design cost from the previous Amendment 4 (RS2020-649) amount of \$325,563.00 to \$526,975, an increase of \$201,412 (\$27,028 from BU 42404016; \$178,630 from BU 42408021).

Extending the project completion schedule will allow time to complete all designs, appraise, acquire, and possibly relocate certain properties, and build out the roundabout along with the improvements at 21st and Jefferson to fully complete the project.

Should you have questions regarding this resolution, please feel free to contact me at 615-862-8730 or at darrell.moore@nashville.gov.

Sincerely,

Darrell K. Moore

Darrell K. Moore
NDOT Project Administrator



STATE OF TENNESSEE
DEPARTMENT OF TRANSPORTATION
PROGRAM DEVELOPMENT & ADMINISTRATION DIVISION
LOCAL PROGRAMS DEVELOPMENT OFFICE
SUITE 600, JAMES K. POLK BUILDING
505 DEADERICK STREET
NASHVILLE, TENNESSEE 37243-1402
(615) 741-5314

BUTCHELEY
DEPUTY GOVERNOR &
COMMISSIONER OF TRANSPORTATION

BILL LEE
GOVERNOR

May 4, 2023

The Honorable John Cooper
Mayor, Metropolitan Government of Nashville and Davidson County
1 Public Square
Nashville, TN 37201

Re: Jefferson Street, From 28th Avenue North/Ed Temple Boulevard to 21st Avenue North
Metropolitan Government of Nashville and Davidson County, Davidson County
PIN: 103490.00
Federal Project Number: STP-M-1900(28)
State Project Number: 19LPLM-F3-011
Agreement Number: 080019

Dear Mayor Cooper:

I am attaching an amendment to the original contract to this letter. The amendment extends the expiration date and updates the Exhibit A. Please review the amendment and advise me if it requires further explanation. If you find the amendment satisfactory, please execute it in accordance with all rules, regulations, and laws. Adobe Sign will then forward the document for the signature of the attorney for your agency. Once the amendment is fully executed Adobe Sign will email you a link to the fully executed amendment.

If you have any questions or need any additional information, please contact Simchah Edwards at 615-741-0805 or Simchah.Edwards@tn.gov.

Sincerely,

A handwritten signature in cursive script that reads "Kimery Grant".

Kimery Grant
Transportation Manager 2

Attachment

Amendment to Replace Exhibit A and Change Completion Date

Amendment Number: 5

Agreement Number: 080019

Project Identification Number: 103490.00

Federal Project Number: STP-M-1900(28)

State Project Number: 19LPLM-F3-011

THIS AGREEMENT AMENDMENT is made and entered into this _____ day of _____, 20____ by and between the STATE OF TENNESSEE DEPARTMENT OF TRANSPORTATION, an agency of the State of Tennessee (hereinafter called the "Department") and the METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY (hereinafter called the "Agency"), for the purpose of providing an understanding among the parties of their respective obligations related to the management of the project described as:

"Jefferson Street, From 28th Avenue North/Ed Temple Boulevard to 21st Avenue North"

1. The language of Agreement #080019 dated April 6, 2021 Exhibit A is hereby deleted in its entirety and replaced with the attached Exhibit A for Amendment 5.
2. The language of Agreement #080019 dated April 6, 2021 Section B.2 a) is hereby deleted in its entirety.
3. The following is added as B.2 a).

B.2 a) The Agency agrees to complete the herein assigned phases of the Project on or before **December 31, 2025**. If the Agency does not complete the herein described phases of the Project within this time period, this Agreement will expire on the last day of scheduled completion as provided in this paragraph unless an extension of the time period is requested by the Agency and granted in writing by the Department prior to the expiration of the Agreement. An extension of the term of this Agreement will be effected through an amendment to the Agreement. Expiration of this Agreement will be considered termination of the Project. The cost of any work performed after the expiration date of the Agreement will not be reimbursed by the Department.

All provisions of the original contract not expressly amended hereby shall remain in full force and effect.

IN WITNESS WHEREOF, the parties have caused this instrument to be executed by their respective authorized officials on the date first above written.

RECOMMENDED BY:

**STATE OF TENNESSEE
DEPARTMENT OF TRANSPORTATION**

DocuSigned by:
Diana Wallarcon
BY: _____
Diana Alarcon, Director
Nashville Department of Transportation

BY: _____
Howard H. Eley
Commissioner

**APPROVED AS TO AND
AVAILABILITY OF FUNDS**

**APPROVED AS TO FORM AND
LEGALITY**

DocuSigned by:
Kelly Flannery
BY: _____
Kelly Flannery, Director
Department of Finance

BY: _____
John H. Reinbold
General Counsel

**APPROVED AS TO FORM AND
LEGALITY**

BY: _____
Daniel Pallme
Interim Director

DocuSigned by:
Erica Haber
BY: _____
Metropolitan Attorney

**THE METROPOLITAN GOVERNMENT OF
NASHVILLE AND DAVIDSON COUNTY**

BY: _____
John Cooper
Metropolitan County Mayor

ATTEST, this the _____ day of _____,
_____, 20____.

BY: _____
Metropolitan Clerk

**APPROVED AS TO RISK AND
INSURANCE**

DocuSigned by:
Balogun Cobb
BY: _____
Director of Insurance

EXHIBIT "A" for AMENDMENT 5

Agreement #: 080019

Project Identification #: 103490.00

Federal Project #: STP-M-1900(28)

State Project #: 19LPLM-F3-011

Project Description: Jefferson Street, From 28th Avenue North/Ed Temple Boulevard to 21st Avenue North - Construction of intersection improvements along Jefferson Street, from 28th Avenue North/Ed Temple Boulevard to 21st Avenue North to include crosswalks, ADA ramps, a roundabout at 28th Avenue North with turn lanes, and decorative traffic & pedestrian signals at 21st Avenue North.

Change in Cost: Cost hereunder is controlled by the figures shown in the TIP and any amendments, adjustments or changes thereto.

Type of Work: Intersection Improvements

Phase	Funding Source	Fed %	State %	Local %	Estimated Cost
PE-DESIGN	LOCAL	0	0	100	\$526,975.00
RIGHT-OF-WAY	U-STBG	80	0	20	\$2,100,000.00
CONSTRUCTION	U-STBG	80	0	20	\$1,335,000.00
CEI	U-STBG	80	0	20	\$150,000.00
TDOT ES	U-STBG	80	0	20	\$15,000.00

Ineligible Cost: One hundred percent (100%) of the actual cost will be paid from Agency funds if the use of said state or federal funds is ruled ineligible at any time by the Federal Highway Administration.

Legislative Authority: STBG: 23 U.S.C.A., Section 133, Surface Transportation Block Grant Program funds allocated or subject to allocation to the Agency

TDOT Engineering Services (TDOT ES): In order to comply with all federal and state laws, rules, and regulations, the TDOT Engineering Services line item in Exhibit A is placed there to ensure that TDOT's expenses associated with the project during construction are covered.

For federal funds included in this contract, the CFDA Number is 20.205, Highway Planning and Construction funding provided through an allocation from the US Department of Transportation.