

PARTICIPATION AGREEMENT

THIS AGREEMENT is entered into by and between Urban Housing Solutions., hereinafter known as "UHS", and The Metropolitan Government of Nashville and Davidson County acting through the Metropolitan Department of Planning, hereinafter known as "**METRO**".

WHEREAS, both UHS and **METRO** desire to provide improved public infrastructure for both its proposed development as well as the existing properties in this area; and

WHEREAS, UHS has received funding that requires the income restriction of units in the property; the location exists within a Highly Vulnerable Area as determined by the Metro Vision Zero Implementation Plan;

WHEREAS, the provision of such infrastructure will directly benefit both parties and the general community of Nashville and Davidson County, Tennessee; and

NOW, THEREFORE, UHS AND METRO AGREE AS FOLLOWS:

I. SCOPE OF WORK:

A project consisting of a HAWK signal at 2940 Dickerson Pike .

II. PAYMENT TERMS AND CONDITIONS:

- A. UHS will contract and oversee construction of this project, and UHS design shall meet all METRO specifications and requirements including telemetry and any required repeater sites.
- B. **METRO** will inspect the construction and will be responsible for ongoing operation and maintenance.
- C. For this specific project, **METRO's** level of participation will not exceed \$85,225.25 as a contribution towards these improvements, payable on a reimbursement basis. This amount is based on the secured competitive bid prices of 3 licensed contractors. The awarded bid amount and unit prices are within range of recently bid public projects of similar scope and size.
- D. This project must be constructed or obligated for this Funding Agreement to become binding on either party.

III. FUTURE AMENDMENTS:

Any future amendments to this agreement shall be approved by resolution of the Metropolitan Council.

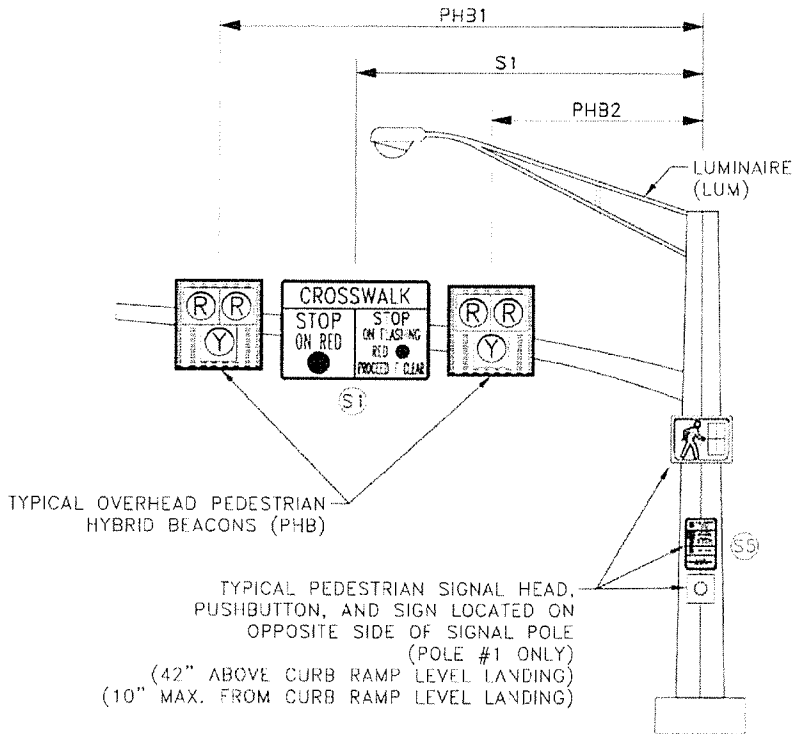
IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed.

PARTICIPATION AGREEMENT EXHIBIT A – SCOPE OF WORK

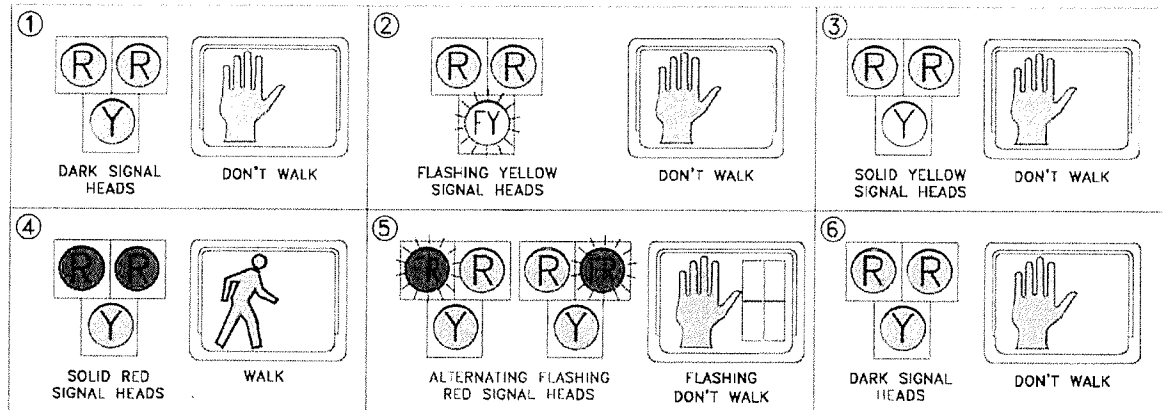
I. SCOPE OF WORK:

Metro Housing Division enters into a Participation Agreement with Urban Housing Solutions for enhanced pedestrian signaling including a HAWK signal at 2940 Dickerson Pike. The scope of work includes:

- Installation of pedestrian ramps on both sides of the street and tying into new west side sidewalk
- Installation of mast arm poles with signals and signage
- New pavement markings at the crosswalk and “signal ahead” signage in both directions
- Reflective flexible “delineator” posts at the center lane



**PEDESTRIAN HYBRID BEACON (PHB)
SIGNAL PROGRESSION**



II. PAYMENT TERMS AND CONDITIONS:

- A. Urban Housing Solutions will contract and oversee construction of this project, and KCI Technologies design shall meet all METRO specifications and requirements.
- B. **METRO** will inspect the construction and will be responsible for ongoing operation and maintenance.
- C. **METRO's** level of participation is based on a determination by METRO that the infrastructure enhancement is above what is required. For this specific project, **METRO's** level of participation will not exceed \$85,225.25 as a contribution towards these improvements.
- D. This project must be constructed or obligated for this Funding Agreement to become binding on either party.

III. AMENDMENTS:

Any amendments to this Agreement shall require all signatures below and the approval of the Metropolitan Council.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed.

RECOMMENDED BY:

Lucy Kempf
 Director of Metropolitan Planning Department

ACCEPTED BY:

[Signature] MANAGING DIRECTOR
 Developer

APPROVED AS TO AVAILABILITY OF FUNDS:

[Signature]
 Director of Finance

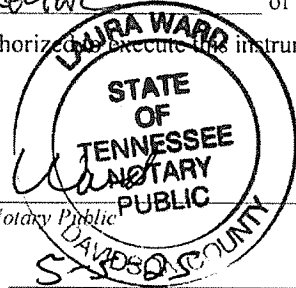
Sworn to and subscribed to before me, a Notary Public,
 16 day of NOVEMBER
 20 22 by

MANAGING DIRECTOR of
 Developer and duly authorized to execute the instrument
 on Developer's behalf.

APPROVED AS TO FORM AND LEGALITY:

[Signature]
 Metropolitan Attorney

[Signature]
 Notary Public



THE METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY:

 Metropolitan Mayor

My Commission Expires: 5/20/2023

ATTEST:

 Metropolitan Clerk

Date: _____