

10th and Fatherland Sewer Main Participation Agreement

THIS AGREEMENT is entered into by and between **Richland Building Partners**, hereinafter known as "**DEVELOPER**", and The Metropolitan Government of Nashville and Davidson County acting through the Metropolitan Department of Water and Sewerage Services, hereinafter known as "**METRO**".

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

WHEREAS, **DEVELOPER** has been approved to serve its development 10th and Fatherland Sewer Main, known as Project No. 23SL0228, and

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

NOW, THEREFORE, DEVELOPER AND METRO AGREE AS FOLLOWS:

I. SCOPE OF WORK:

A project consisting of the **DEVELOPER** designing and installing approximately 101 linear feet of new eight-inch sanitary sewer main and 1 manhole at the 210 S. 10th Street property and the abandonment of approximately 208 linear feet of existing eight inch (VCP) sanitary sewer main and one sanitary sewer manhole.

II. PAYMENT TERMS AND CONDITIONS:

- A. **DEVELOPER** will contract and oversee construction of this project, and sewer 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. **METRO's** level of participation is based on a determination by METRO utilizing a benefit/cost analysis to the project area's existing customer base and overall systemic operational needs. For this specific project, **METRO's** level of participation will be the lesser of 50% of the actual project costs not to exceed \$51,500.00 as a contribution towards these improvements. This amount is based on the secured competitive bid prices of three licensed contractors. The awarded bid amount and unit prices are within range of recently bid public projects of similar scope and size.
- D. This agreement is subject to the approval through Resolution (one reading) of The Metropolitan Council of Nashville and Davidson County and will be null and void if the improvements are not operational by December 31, 2025.
- E. 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.

RECOMMENDED BY:

DocuSigned by:

Scott Potter

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Director Metropolitan Department of Water and Sewerage Services

APPROVED AS TO AVAILABILITY OF FUNDS:

Signed by:

Jennene Reed/mjw

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Director of Finance

APPROVED AS TO FORM AND LEGALITY:

Signed by:

Tara Ladd

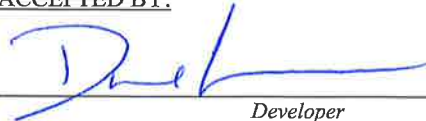
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Metropolitan Attorney

THE METROPOLITAN GOVERNMENT OF
NASHVILLE AND DAVIDSON COUNTY:

Metropolitan Mayor

ACCEPTED BY:



Developer

Sworn to and subscribed to before me, a Notary Public,

3rd day of March 20215

by Duane Cathbertson of

Developer and duly authorized to execute this instrument
on Developer's behalf.



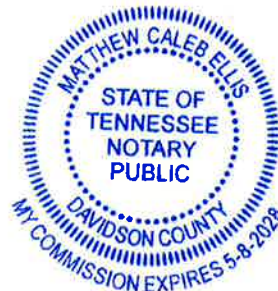
Notary Public

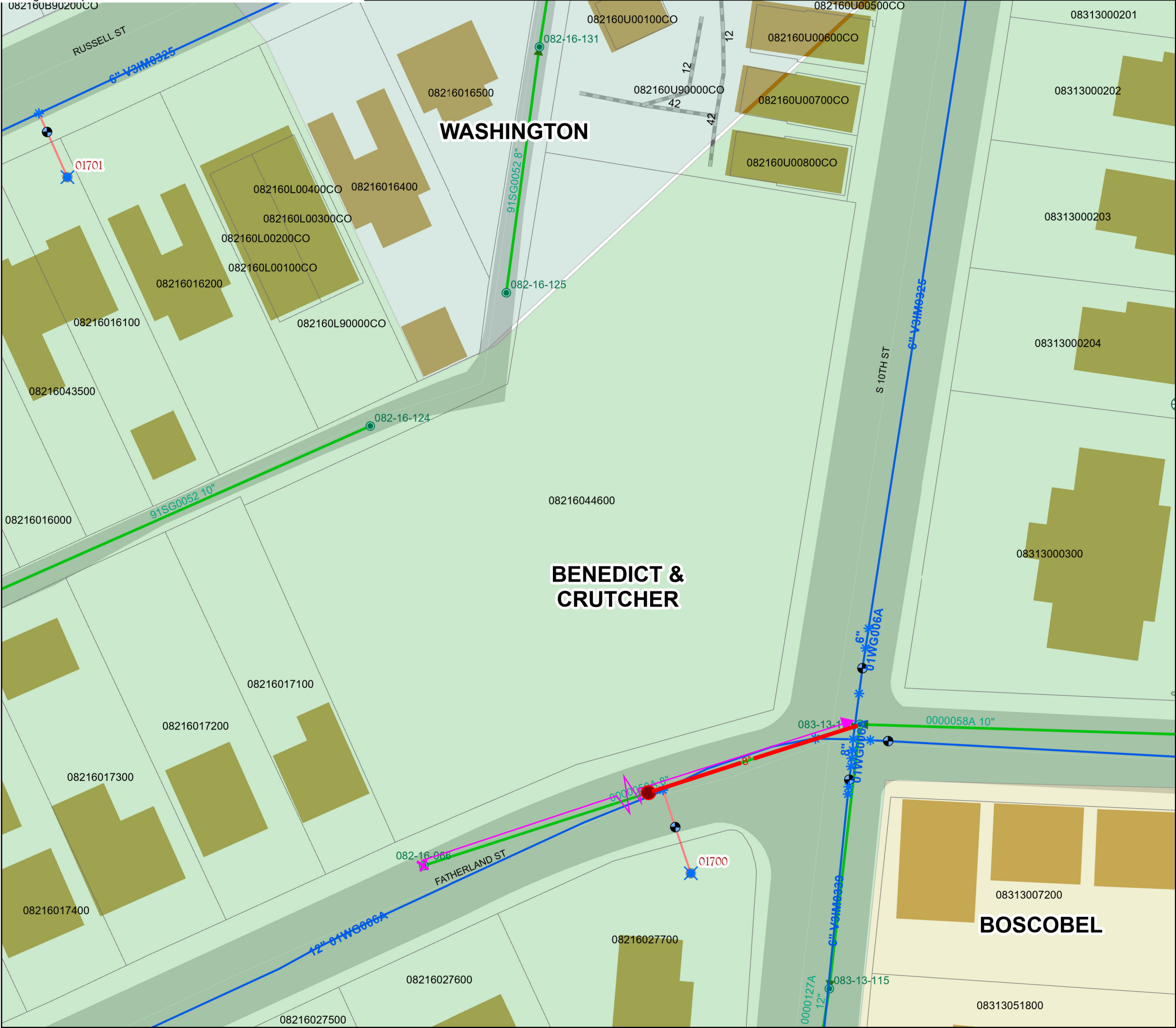
My Commission Expires: 05-08-2028

ATTEST:

Metropolitan Clerk

Date: _____





South 10th and Fatherland
Project No: 23SL0228

LEGEND

- Proposed Manhole (1 unit)
- Proposed 8" PVC Sewer (100 LF)
- Ex 8" Clay Sewer Abandonment (208 LF)
- Ex Manhole Abandonment (1 Unit)

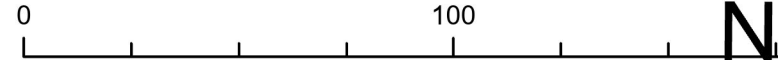
DATE:12/09/2024

ENGINEERING FIRM: Dale and Associates, PLLC
ENGINEER: Hunter Dale, P.E.

COUNCIL DISTRICT: 6 - Clay Capp
PARCEL NUMBERS: 082162B90000CO

----- CAUTION -----

THE POSITION OF THE WATER AND SANITARY SEWER MAINS SHOWN ARE APPROXIMATE AND ARE INTENDED TO SHOW THE GENERAL LOCATION ONLY. THE SIZES NOTED ARE TO THE BEST OF MWS KNOWLEDGE. IN ALL CASES WHERE PRECISE LOCATION AND MAIN SIZES ARE REQUIRED, FIELD VERIFICATION WILL BE NECESSARY.





February 28, 2025

To: Peggy Deaner Metro Water Services

Re: **10th and Fatherland Sewer Line Participation Agreement**
Planning Commission Mandatory Referral 2025M-004AG-001
Council District # 06 Clay Capp, Council Member

On behalf of the Metropolitan Planning Commission, the following item, referred to the Commission as required by the Metro Charter, has been recommended for *approval* to the Metropolitan Council:

A request for approval authorizing a participation agreement between Richland Building Partners, and The Metropolitan Government of Nashville and Davidson County acting through the Metropolitan Department of Water and Sewerage Services, for MWS Project No. 23-SL-0228.

The relevant Metro agencies (Metro Parks, Nashville Department of Transportation, Metro Water Services, Metro Emergency Communications, the Nashville Electric Service, General Services – Public Property and the Metro Historical Commission) have reviewed the proposal and concur in the recommendation for approval. This request must be approved by the Metro Council to become effective. A sketch showing the location of the request is attached to this letter.

Conditions that apply to this approval: none

This recommendation for approval is given as set forth in the Metropolitan Planning Commission Rules and Procedures. If you have any questions about this matter, please contact Delilah Rhodes at Delilah.Rhodes@nashville.gov or 615-862-7208

Sincerely,

A handwritten signature in blue ink that reads "Lisa Milligan".

Lisa Milligan
Assistant Director Land Development
Metro Planning Department
cc: *Metro Clerk*

**Re: 10th and Fatherland Sewer Line Participation Agreement
Planning Commission Mandatory Referral 2025M-004AG-001
Council District # 06 Clay Capp, Council Member**

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