

ORDINANCE NO. BL2020 - 513

An ordinance authorizing the Metropolitan Government of Nashville and Davidson County, acting by and through the Metropolitan Department of Water and Sewerage Services, to provide public water service improvements for Alta Foundry, LP proposed development, as well as other existing properties in the area (MWS Project No. 20-WL-68 and Proposal No. 2020M-024AG-001).

WHEREAS, pursuant to the terms of the participation agreement, attached hereto as Exhibit 1, Alta Foundry, LP (“ALTA”) in compliance with all Metropolitan Government of Nashville and Davidson County (“METRO”) requirements and specifications, will contract and oversee the construction/installation of approximately 1,324 linear feet of eight inch diameter water main and two fire hydrant assemblies at or near 640 21st Avenue North to serve the 21st and Spruce Development and surrounding area, as shown in Exhibit 2 hereto attached, Project No. 20-WL-68; and,

WHEREAS, METRO will inspect the construction and will be responsible for ongoing operation and maintenance upon formal acceptance; and,

WHEREAS, METRO agrees to pay the lesser of fifty percent (50%) of the actual project costs not to exceed Two Hundred Seventy-Three Thousand Five Hundred Sixty-Two Dollars (\$273,562.00); and,

WHEREAS, the Project is deemed to benefit both parties and the general community.

NOW, THEREFORE, BE IT ENACTED BY THE COUNCIL OF THE METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY.

Section 1. The participation agreement (Exhibit 1) between the Metropolitan Government of Nashville and Davidson County, acting by and through the Department of Water and Sewerage Services, and Alta Foundry, LP to improve public water services in Davidson County, Tennessee, attached hereto and incorporated herein, is hereby approved, and the Metropolitan Mayor is authorized to execute the same.

Section 2. Two Hundred Seventy-Three Thousand Five Hundred Sixty-Two Dollars (\$273,562.00) from METRO is available in Fund No. 47410 to pay the lesser of fifty percent (50%) of the actual project costs not to exceed Two Hundred Seventy-Three Thousand Five Hundred Sixty-Two Dollars (\$273,562.00) as a contribution toward the Project.

Section 3. Amendments to this legislation shall be approved by resolution.

Section 4. This ordinance shall take effect from and after its final passage, the welfare of The Metropolitan Government of Nashville and Davidson County requiring it.

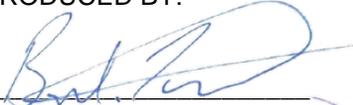
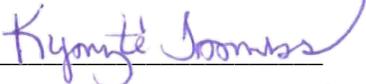
RECOMMENDED BY:

DocuSigned by:

Scott Potter

Scott A. Potter, Director
Water and Sewerage Services

INTRODUCED BY:

Council Member(s)


APPROVED AS TO THE AVAILABILITY
OF FUNDS:

FUND#: PIF 21-021

DocuSigned by:

Kevin Crumbo

Kevin Crumbo, Director
Department of Finance

APPROVED AS TO FORM AND
LEGALITY:

DocuSigned by:

Tara Ladd

Assistant Metropolitan Attorney

21st and Spruce PARTICIPATION AGREEMENT

THIS AGREEMENT is entered into by and between **Alta Foundry, LP**, hereinafter known as "ALTA", 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 **ALTA** and **METRO** desire to provide improved public water service for both its proposed development as well as the existing properties in this area; and

WHEREAS, **ALTA** has been approved to serve its development 21st and Spruce; known as Project No. 20WL0068, and

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

NOW, THEREFORE, ALTA AND METRO AGREE AS FOLLOWS:

I. SCOPE OF WORK:

A project consisting of the construction of approximately 1,324 linear feet of 8-inch diameter water main and two fire hydrant assemblies at or near 640 21st Avenue North to serve the 21st and Spruce Development and surrounding area, Project No: 20WL0068. All existing service lines and existing fire hydrants will be tied into the new water main, and pavement repair will be provided per plans at Spruce and Pearl Street.

II. PAYMENT TERMS AND CONDITIONS:

- A. **ALTA** will contract and oversee construction of this project, and **ALTA's** 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 \$273,562.00 as a contribution towards these improvements. 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 agreement is subject to the approval through Ordinance (three readings) of The Metropolitan Council of Nashville and Davidson County and will be null and void if the improvements are not operational by July 16, 2021.
- 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

Director Metropolitan Department of Water and Sewerage Services

APPROVED AS TO AVAILABILITY OF FUNDS:

DocuSigned by:

Kevin Crumboltz

Director of Finance

APPROVED AS TO FORM AND LEGALITY:

DocuSigned by:

Tara Ladd

Metropolitan Attorney

THE METROPOLITAN GOVERNMENT OF
NASHVILLE AND DAVIDSON COUNTY:

Metropolitan Mayor

ACCEPTED BY:

[Handwritten Signature]

Developer

Sworn to and subscribed to before me, a Notary Public,
on the 2 day of September 2020
by Andrew Steffens of
Developer and duly authorized to execute this instrument
on Developer's behalf.

[Handwritten Signature]

Notary Public

My Commission Expires: July 9, 2024

ATTEST:

Metropolitan Clerk

Date: _____





**METROPOLITAN GOVERNMENT
OF NASHVILLE AND DAVIDSON COUNTY**

Planning Department
Metro Office Building
800 Second Avenue South
Nashville, Tennessee 37201

October 14, 2020

To: Peggy Deaner, Metro Water Services

Re: 21st and Spruce Participation Agreement
Planning Commission Mandatory Referral #2020M-024AG-001
Council District #21 – Brandon Taylor, 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 an ordinance authorizing the Metropolitan Government of Nashville and Davidson County, acting by and through the Metropolitan Department of Water and Sewerage Services, to provide public water service improvements for Alta Foundry, LP proposed development, as well as other existing properties in the area (MWS Project No. 20-WL-68 and Proposal No. 2020M-024AG-001).

The relevant Metro agencies (Metro Parks, Metro Public Works, Metro Water Services, Metro Emergency Communications, the Nashville Electric Service, Metro Finance – 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.

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 Sharon O’Conner at Sharon.oconner@nashville.gov or [615-862-7208](tel:615-862-7208).

Sincerely,

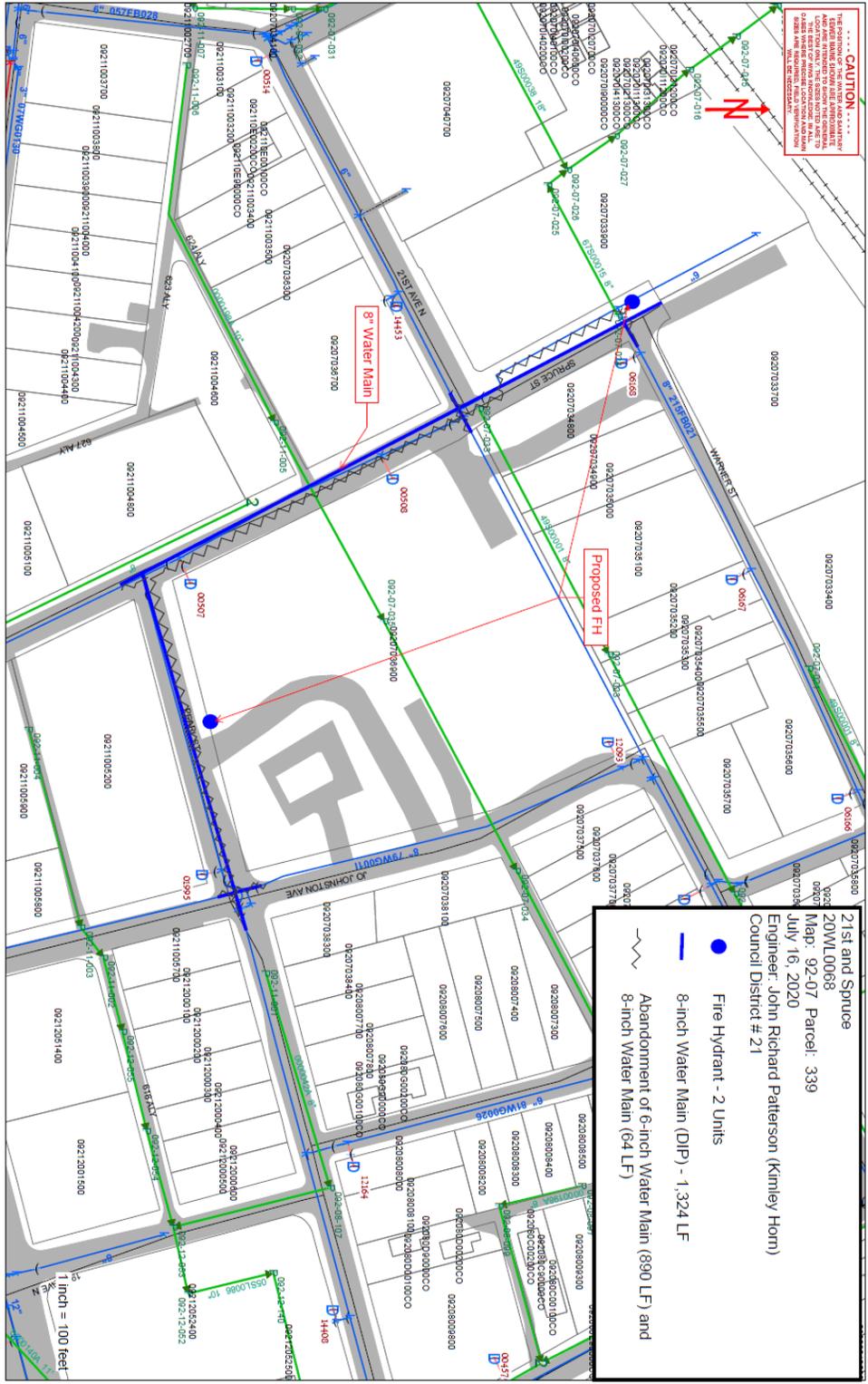
A handwritten signature in black ink that reads "Robert Leeman".

Robert Leeman, AICP
Deputy Director
Metro Planning Department

cc: Metro Clerk, Elizabeth Waites

**Re: 21st and Spruce Participation Agreement
Planning Commission Mandatory Referral #2020M-024AG-001
Council District #21 – Brandon Taylor, Council Member**

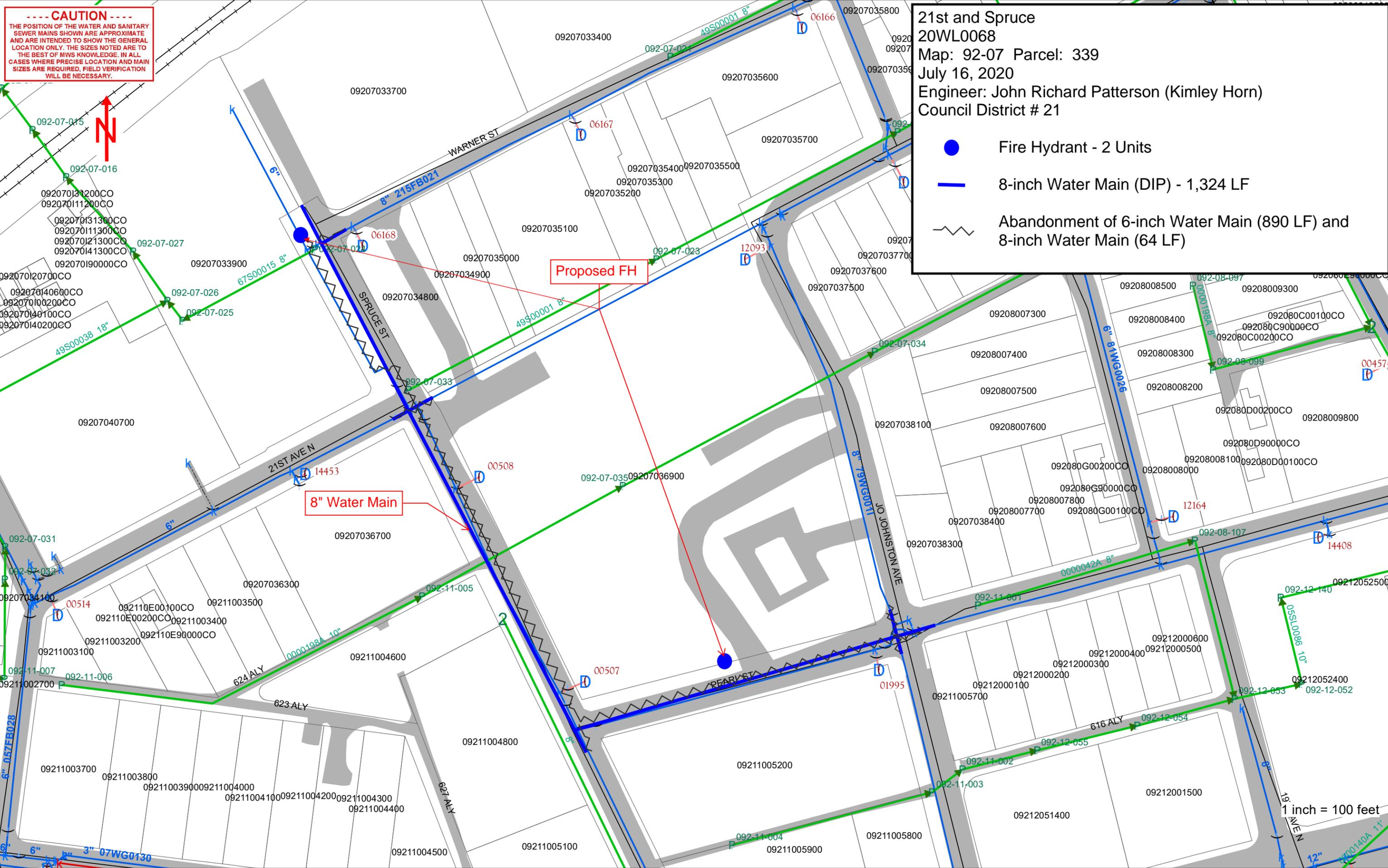
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----- CAUTION -----
THE POSITION OF THE WATER AND SANITARY SEWER MAINS SHOWN ARE APPROXIMATE AND ARE INTENDED TO SHOW THE GENERAL LOCATION ONLY. THE SIZES NOTED ARE TO THE BEST OF MWS KNOWLEDGE. IN ALL CASES WHERE PRECISE LOCATION AND MAIN SIZES ARE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

21st and Spruce
20WL0068
 Map: 92-07 Parcel: 339
 July 16, 2020
 Engineer: John Richard Patterson (Kimley Horn)
 Council District # 21

- Fire Hydrant - 2 Units
- 8-inch Water Main (DIP) - 1,324 LF
- ~ Abandonment of 6-inch Water Main (890 LF) and 8-inch Water Main (64 LF)



ORIGINAL

METROPOLITAN COUNTY COUNCIL

Bill No. _____

An ordinance authorizing the Metropolitan Government of Nashville and Davidson County, acting by and through the Metropolitan Department of Water and Sewerage Services, to provide public water service improvements for Alta Foundry, LP proposed development, as well as other existing properties in the area (MWS Project No. 20-WL-68 and Proposal No. 2020M-024AG-001).

Introduced _____

Passed First Reading _____

Amended _____

Passed Second Reading _____

Passed Third Reading _____

Approved _____

By _____

Metropolitan Mayor

Advertised _____

Effective Date _____
