



METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY

JOHN COOPER
MAYOR

DEPARTMENT OF PUBLIC WORKS
750 S. 5TH STREET
NASHVILLE, TENNESSEE 37206

December 13, 2021

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

RE: Prop. No. 2021M-002AG-001, Resolution approving Intergovernmental Agreement with TDOT and Metro Government accepting Amendment 1 to TDOT Agreement No. 150109, Hart Lane, from East of Whitney Park Drive to Near SR-6, Fed No. TAP-4925(2); State Project No. 19LPM-F3-135; PIN 119913.01.

Ms. Flannery,

This resolution extends the completion date of TDOT Agreement 150109 from September 1, 2015 to April 30, 2022 to complete close-out construction tasks on the subject project.

Should you have questions regarding this amendment, please contact me at 615-862-8730 or 615-961-1105.

Sincerely,

A handwritten signature in blue ink that reads "Darrell K. Moore".

Darrell K. Moore
Technical Specialist 1
NDOT
615-862-8730
Darrell.Moore@nashville.gov

EXHIBIT 1



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

JOSEPH GALBATO, III
INTERIM COMMISSIONER

BILL LEE
GOVERNOR

November 12, 2021

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

Re: Hart Lane, from East of Whitney Park Drive to Near SR-6 in Nashville
The Metropolitan Government of Nashville and Davidson County, Davidson County
PIN: 119913.01
Federal Project Number: TAP-4925(2)
State Project Number: 19LPLM-F3-135
Agreement Number: 150109

Dear Mayor Cooper:

I am attaching an amendment to the original contract. The amendment extends the expiration date and revises 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, obtain the signature of the attorney for your agency, and return it to me. Once the amendment is fully executed, we will send a copy to you for your records.

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: 1

Agreement Number: 150109

Project Identification Number: 119913.01

Federal Project Number: TAP-4925(2)

State Project Number: 19LPLM-F3-135

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 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:

"Hart Lane, From East of Whitney Park Drive to Near SR-6 in Nashville"

1. The language of Agreement # 150109 dated September 1, 2015 Exhibit A is hereby deleted in its entirety and replaced with the attached Exhibit A for Amendment 1 .
2. The language of Agreement # 150109 dated September 1, 2015 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 **April 30, 2022**. 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.

EXHIBIT "A" for AMENDMENT 1

Agreement #: 150109

Project Identification #: 119913.01

Federal Project #: TAP-4925(2)

State Project #: 19LPLM-F3-135

Project Description: Hart Lane, From East of Whitney Park Drive to Near SR-6 in Nashville - Remediation of rock cut slope for the reconstruction of sidewalks along Hart Lane from Jere Baxter Middle School to Ellington Pkwy. Project also includes signage, a crosswalk and utility relocation.

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

Type of Work: Bicycles and Pedestrian Facility

Phase	Funding Source	Fed %	State %	Local %	Estimated Cost
CONSTRUCTION	S - TAP	80	0	20	\$1,791,487.00
CONSTRUCTION	S - TAP	80	0	20	\$308,107.00
CEI	S - TAP	80	0	20	\$144,380.00
TDOT ES	S - TAP	80	0	20	\$9,000.00

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: FAST Act § 1109; 23 U.S.C. 133(h)

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. The anticipated TDOT expenses include but are not necessarily limited to Construction Inspection and Material and Testing Expenses (Quality Assurance Testing).

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.

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:
BY: Faye DiMassimo
4823EE236F8C49C...
Faye DiMassimo, Interim Director
Nashville Department of Transportation

BY: _____
Joseph Galbato, III
Interim Commissioner

**APPROVED AS TO AND
AVAILABILITY OF FUNDS**

DocuSigned by:
BY: Kelly Flannery/mfw
02377A2A6742469...
Kelly Flannery, Director
Department of Finance

**APPROVED AS TO FORM AND
LEGALITY**

BY: _____
John H. Reinbold
General Counsel

**APPROVED AS TO FORM AND
LEGALITY**

DocuSigned by:
BY: Tara Ladd
E955FC878EF2427...
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:
BY: Balogun Cobb
08004BF12FD741C...
Director of Insurance