AMENDMENT NO. ___

TO

ORDINANCE NO. BL2026-1216

Madam President –

I hereby move to amend Ordinance No. BL2026-1216 as follows:

I. By deleting Section 2 of the ordinance in its entirety and replacing it with new Sections 2 and 3 as follows:

Section 2. That a written semiannual report, prepared by the Purchasing Agent, shall be delivered to the Metropolitan Council not later than June 30 and December 31 of each year. The semiannual report shall contain the following information:

A. Total number and dollar amount of projects awarded under the contract;
B. Detailed expenditures by project awarded under the contract, including amount actually billed by award, amount expected to be billed but not yet billed before completion for any award, amount of payments made under each award by Payment Classification; and
C. Brief description of the scope of each project awarded under the contract.

Section 3. This ordinance shall take effect from and after its passage, the welfare of The Metropolitan Government of Nashville and Davidson County requiring it.

II. By amending Section 2.6 of the contract between Borra, Himakara Gupta dba Borra Consulting and the Metropolitan Government of Nashville and Davidson County, attached to the Ordinance as follows:

Professional Standards

If applicable per Exhibit B, CONSULTANT shall be responsible for the professional quality, technical accuracy, and the coordination of all designs, drawings, specifications, and other services furnished under this Contract. CONSULTANT's services shall be performed with the same skill and care that would be exercised by a qualified professional design consultant performing similar services. All aspects of professional services shall be performed or supervised by a licensed architect and/or engineer who is registered in the State of Tennessee. The seal of that architect and/or engineer shall be affixed to all related documentation that includes, but is not limited to, the following: construction plans, engineering studies, and reports.

Applicable Specifications

In general, designs, as they apply to an individual project, shall conform to the current edition requirements of:

- AASHTO Policy on Geometric Design of Highways and Streets,
- METRO's Subdivision Specifications for Streets and Roads,
- Tennessee Department of Transportation Standard Specifications for Road and Bridge Construction,

- Manual on Uniform Traffic Control Devices,

- METRO Fire Code,

- Tennessee Department of Health and Environment Design Criteria for Water Works,

- Tennessee Department of Health and Environment Design Criteria for Sewerage Work,

- METRO Stormwater Management Regulations,

- International Building Code (IBC), - METRO Building Codes: Electrical, Mechanical, and Plumbing, - Americans with Disabilities Act (ADA),

- Occupational Safety and Health Administration (OSHA),

- National Fire Protection Association,

- METRO Department of Water and Sewerage Services Standards,

- Architectural and Transportation Barriers Compliance Board: 36 CFR, Part 119,

- National Association of City Transportation Officials' Urban Street Design Guide and Urban Bikeway Design Guide,

- Normally accepted construction practices, and

- Any other applicable codes and design standards.

III. By amending Section 3.1 of the contract between Borra, Himakara Gupta dba Borra Consulting and the Metropolitan Government of Nashville and Davidson County, attached to the Ordinance as follows:

The Contract Term will begin on the date (the "Effective Date") or the date this Contract is approved by all required parties and filed in the Metropolitan Clerk's Office. This Contract Term will end (36) months from the Effective Date.

~~This Contract may be extended for five (5) one year term by letter to be signed by both parties. The option to extend may be exercised by and at the discretion of the Purchasing Agent. However, in no event shall the term of this Contract exceed ninety-six (96) months from the Effective Date.~~

IV. By amending Section 4.3 of the contract between Borra, Himakara Gupta dba Borra Consulting and the Metropolitan Government of Nashville and Davidson County, attached to the Ordinance as follows:

This Contract is eligible for annual escalation/de-escalation adjustments. The request for adjustment must be in accordance with Exhibit A and submitted by CONTRACTOR to the Purchasing Agent no less than sixty (60) days prior to the annual anniversary of the filing of this Contract with the METRO Clerk's Office. Any such adjustment, if approved by the Purchasing Agent, shall become effective either following the written notice by the Purchasing Agent to the members of the METRO Council of such escalation or de-escalation or on the anniversary of the filing of this Contract with the METRO Clerk's Office, whichever is later.

SPONSORED BY:

Quin Evans Segall
Member of Council