



Metropolitan Nashville and Davidson County, TN

Legislation Details (With Text)

File #: RS2023-2028 **Name:**

Type: Resolution **Status:** Passed

File created: 2/8/2023 **In control:** Planning Commission

On agenda: 2/21/2023 **Final action:** 2/21/2023

Title: A resolution approving Amendment 2 to an Agreement by and between the State of Tennessee, Department of Transportation, and the Metropolitan Government of Nashville & Davidson County, acting by and through the Department of Transportation and Multimodal Infrastructure, for the acceptance of work in connection with the construction of Hart Lane, from East of Whitney Park Drive to Near SR-6 in Davidson County, Fed. No. TAP-4925(2); State No. 19LPLM-F3-136; PIN119913.01 (Prop No. 2023M-007AG-001).

Sponsors: Kevin Rhoten, Brett Withers, Russ Pulley

Indexes:

Code sections:

Attachments: 1. Agreement Amendment 2 Exhibit

Date	Ver.	Action By	Action	Result
2/23/2023	1	Mayor	approved	
2/21/2023	1	Metropolitan Council	adopted	
2/21/2023	1	Transportation and Infrastructure Committee	approved	
2/21/2023	1	Planning and Zoning Committee	approved	
2/21/2023	1	Budget and Finance Committee	approved	
2/16/2023	1	Planning Commission	approved	
2/14/2023	1	Metropolitan Council	filed	

A resolution approving Amendment 2 to an Agreement by and between the State of Tennessee, Department of Transportation, and the Metropolitan Government of Nashville & Davidson County, acting by and through the Department of Transportation and Multimodal Infrastructure, for the acceptance of work in connection with the construction of Hart Lane, from East of Whitney Park Drive to Near SR-6 in Davidson County, Fed. No. TAP-4925(2); State No. 19LPLM-F3-136; PIN119913.01 (Prop No. 2023M-007AG-001).

WHEREAS, the Metropolitan Council previously approved Agreement No. 150109, by and between the Tennessee Department of Transportation (“TDOT”) and the Metropolitan Government of Nashville and Davidson County, acting by and the through the Metropolitan Nashville Public Works Department (now the Nashville Department of Transportation and Multimodal Infrastructure, “NDOT”) through resolution, RS2015-1594; and,

WHEREAS, RS2022-1320 approved Amendment 1 of TDOT Agreement 150109 extending the completion date to April 29, 2022; and,

WHEREAS, pursuant to the Amendment 2, attached hereto, the language of Agreement No. 150109 dated January 10, 2022, Section B.2.a is hereby deleted in its entirety; and

WHEREAS, Amendment 2 extends the completion date to February 28, 2023, to continue the final completion

of all close-out work remaining for PIN 119913.01; and,

WHEREAS, Tennessee Code Annotated, Section 12-9-104(a)(2)(b), authorizes The Metropolitan Government of Nashville & Davidson County to enter into intergovernmental agreements with the State of Tennessee by resolution; and,

WHEREAS, it is in the interest of The Metropolitan Government of Nashville & Davidson County that this intergovernmental agreement be approved.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY:

Section 1. That Amendment 2 to the Agreement between the State of Tennessee, Tennessee Department of Transportation and the Metropolitan Government of Nashville and Davidson County, through the Nashville Department of Transportation and Multimodal Infrastructure, attached hereto as Exhibit A, and incorporated herein by reference, is hereby approved, and that the Metropolitan Mayor is authorized to execute the same.

Section 2. Any amendments, renewals, or extension of the terms of the agreement may be approved by resolution of the Metropolitan Council.

Section 3. That this resolution shall take effect from and after its final passage, the welfare of The Metropolitan Government of Nashville & Davidson County requiring it.

Analysis

This resolution approves the second amendment to an agreement between the Tennessee Department of Transportation (“TDOT”) and the Nashville Department of Transportation and Multimodal Infrastructure (“NDOT”). Resolution No. RS2015-1594 approved Agreement No. 150109 for the remediation of a rock cut slope for the reconstruction of sidewalks along Hart Lane from Jere Baxter Middle School to Ellington Parkway. The project also includes signage, a crosswalk, and the relocation of utilities. The project was required to be completed by November 1, 2020. The completion date was extended to April 30, 2022 by the first amendment, approved by Resolution No. RS2022-1320.

This amendment extends the completion date to February 28, 2023, to allow for the completion of all final close-out construction tasks on the subject property. No other changes would be made to the agreement.