



Metropolitan Nashville and Davidson County, TN

Legislation Details (With Text)

File #: RS2023-2381 **Name:**

Type: Resolution **Status:** Passed

File created: 8/3/2023 **In control:** Metropolitan Council

On agenda: 8/15/2023 **Final action:** 8/15/2023

Title: A resolution approving a Construction Agreement between CSX TRANSPORTATION, INC., a Virginia corporation with its principal place of business in Jacksonville, Florida (CSXT), and the Metropolitan Government of Nashville and Davidson County, acting by and through the Nashville Department of Transportation and Multimodal Infrastructure (NDOT), for the reimbursement of CSXT-performed railroad crossing safety improvements at Davidson Road near Harding Pike, CSX Project Number TN2019655. (Proposal No. 2023M-025AG-001.)

Sponsors: Thom Druffel, Kevin Rhoten, Brett Withers, Russ Pulley

Indexes:

Code sections:

Attachments: 1. Exhibit, 2. Amendment No. 1 to RS2023-2381

Date	Ver.	Action By	Action	Result
8/28/2023	1	Mayor	approved	
8/15/2023	1	Metropolitan Council	adopted	
8/15/2023	1	Metropolitan Council	amended	
8/15/2023	1	Transportation and Infrastructure Committee	approved with an amendment	
8/14/2023	1	Budget and Finance Committee	approved with an amendment	
8/14/2023	1	Planning and Zoning Committee	approved with an amendment	
8/8/2023	1	Metropolitan Council	filed	
6/7/2023	1	Planning Commission	approved	

A resolution approving a Construction Agreement between CSX TRANSPORTATION, INC., a Virginia corporation with its principal place of business in Jacksonville, Florida (CSXT), and the Metropolitan Government of Nashville and Davidson County, acting by and through the Nashville Department of Transportation and Multimodal Infrastructure (NDOT), for the reimbursement of CSXT-performed railroad crossing safety improvements at Davidson Road near Harding Pike, CSX Project Number TN2019655. (Proposal No. 2023M-025AG-001.)

WHEREAS, the Metropolitan Government of Nashville and Davidson County, by and through NDOT, has programmed a sidewalk project along Davidson Road to facilitate pedestrian travel between transit stops at Harding Pike and Davidson Road to H.G. Hill Middle School, which crosses through CSXT right-of-way; and,

WHEREAS, CSXT has sole authority to determine the need for flagging required to protect its operations and property and shall be reimbursed directly for all costs of flagging; and,

WHEREAS, CSXT shall perform preliminary engineering services and installation of pedestrian signal equipment, and construction engineering and inspection; and,

WHEREAS, the CSXT construction estimate is \$633,595.00, of which the total cost is to be funded by the

Metropolitan Government of Nashville and Davidson County; and,

WHEREAS, BL2005-787 authorized approval of agreements between the Department of Public Works, now known as NDOT, and CSX Transportation, Inc., by Resolution of the Metropolitan Council; and,

WHEREAS, it is in the interest of the Metropolitan Government of Nashville and Davidson County that this construction be carried out.

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

Section 1. That the Construction Agreement between CSX Transportation, Inc. and the Metropolitan Government of Nashville and Davidson County, by and through NDOT, for the reimbursement of CSXT-performed railroad crossing safety improvements at Davidson Road, near Harding Pike, which is attached hereto and incorporated herein, is hereby approved, and the Metropolitan Mayor is authorized to execute the same.

Section 2. That this resolution shall take effect from and after its final passage, the welfare of The Metropolitan Government of Nashville and Davidson County requiring it.

Analysis

This resolution approves a construction agreement between CSX Transportation (“CSXT”) and the Nashville Department of Transportation and Multimodal Infrastructure (“NDOT”). This agreement is for the reimbursement of CSXT-performed railroad crossing safety improvements at Davidson Road near Harding Pike.

NDOT has programmed a sidewalk project along Davidson Road to facilitate pedestrian travel between transit stops at Harding Pike and Davidson Road to H.G. Hill Middle School, which crosses through the CSXT right-of-way. This consists of a 10-foot sidewalk/multiuse pathway, signals, and a pedestrian gate. NDOT will be responsible for all future maintenance, repair, and improvement costs for the project, including the signals and pedestrian gate. CSXT has sole authority to determine the need for flagging required to protect its operations and NDOT will reimburse CSXT directly for all costs of flagging. CSXT will also perform preliminary engineering services and installation of pedestrian signal equipment and construction engineering and inspection. Signal and communications comprise the bulk of the cost for the CSXT work.

Ordinance No. BL2005-787 authorized approval of agreements between Metro and CSXT by resolution.

Fiscal Note: Nashville Department of Transportation and Multimodal Infrastructure (NDOT) would reimburse CSX Transportation, Inc. in the amount of \$687,316 for the railroad crossing safety improvements at Davidson Road and Harding Place.