



# Metropolitan Nashville and Davidson County, TN

## Legislation Details (With Text)

**File #:** RS2023-2271      **Name:**

**Type:** Resolution      **Status:** Passed

**File created:** 6/7/2023      **In control:** Metropolitan Council

**On agenda:** 6/20/2023      **Final action:** 6/20/2023

**Title:** A resolution approving Amendment Five to an Agreement by and between the State of Tennessee, Department of Transportation (“TDOT”), and the Metropolitan Government of Nashville and Davidson County, acting by and through the Nashville Department of Transportation and Multimodal Infrastructure (“NDOT”), for improvements on Jefferson Street, Federal No. STP-M-1900(28), State No. 19LPLM-F3-011, PIN 103490.00, Prop No. 2023M-026AG-001.

**Sponsors:** Brandon Taylor, Kevin Rhoten, Brett Withers, Russ Pulley, Ginny Welsch

**Indexes:**

**Code sections:**

**Attachments:** 1. Agreement Amendment Exhibits

Date	Ver.	Action By	Action	Result
6/23/2023	1	Mayor	approved	
6/20/2023	1	Metropolitan Council	adopted	
6/20/2023	1	Transportation and Infrastructure Committee	given no recommendation	
6/20/2023	1	Planning and Zoning Committee	approved	
6/20/2023	1	Budget and Finance Committee	approved	
6/13/2023	1	Metropolitan Council	filed	
6/7/2023	1	Planning Commission	approved	

A resolution approving Amendment Five to an Agreement by and between the State of Tennessee, Department of Transportation (“TDOT”), and the Metropolitan Government of Nashville and Davidson County, acting by and through the Nashville Department of Transportation and Multimodal Infrastructure (“NDOT”), for improvements on Jefferson Street, Federal No. STP-M-1900(28), State No. 19LPLM-F3-011, PIN 103490.00, Prop No. 2023M-026AG-001.

WHEREAS, the Metropolitan Council previously adopted and approved Agreement No. 080019 via Resolution, RS2008-245, (“Agreement”) by and between TDOT and the Metropolitan Government of Nashville and Davidson County, acting by and through the Metropolitan Nashville Public Works Department, now known as NDOT, (“Metro”), for improvements on Jefferson Street; and,

WHEREAS, based upon the Agreement, TDOT awarded to Metro a grant in the amount not to exceed \$920,808.00, with a required match of \$480,203.00 by the Metropolitan Government, for intersection improvements on Jefferson Street; and,

WHEREAS, Amendment One to the Agreement approved by Resolution RS2013-745 on June 19, 2013, extended the original Agreement to June 1, 2017, and specifically identified the two intersections on Jefferson Street which are to be improved, 28<sup>th</sup> Avenue/Ed Temple and 21<sup>st</sup> Avenue North, to better reflect TDOT’s current fund descriptions; and,

WHEREAS, Amendment Two to the Agreement approved by Resolution RS2017-708 on May 17, 2017,

extended the completion date from June 1, 2017, to June 1, 2019, due to a traffic study completed August 25, 2017, which placed additional recommendations to be considered on the two intersections and prevented full completion of all phases of work in accordance to the terms of the Agreement by June 1, 2017; and,

WHEREAS, Amendment Three to the Agreement approved by Resolution RS2019-1624 on March 5, 2019, extended the completion date from June 1, 2019, to December 31, 2020, due to a renewed schedule to deliver the completion of final construction plans for late spring 2020; and,

WHEREAS, Amendment Four to the Agreement approved by Resolution RS2020-649, extended the completion date from December 31, 2020 to December 31, 2022, to procure right-of-way and construction inspection on-call services from TDOT, and approved the TDOT awarded grant to Metro increased to an amount not to exceed \$2,880,000, with an increased required match of \$1,045,563 from Metro, to cover the design, right-of-way, and construction of a proposed roundabout at 28<sup>th</sup> Avenue; and,

WHEREAS, pursuant to Amendment Five, attached hereto and incorporated herein, the schedule to deliver this project to completion has been adjusted to negotiate adjusted design costs, acquire right-of-way, and build out the proposed roundabout at 28<sup>th</sup> Avenue North and Jefferson Street, along with improvements at 21<sup>st</sup> Avenue North and Jefferson Street, moving the scheduled completion date to December 31, 2025; and,

WHEREAS, it is in the best interest of Metro that Amendment Five be approved.

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

Section 1. That Amendment Five to the agreement by and between the State of Tennessee, Department of Transportation, and the Metropolitan Government of Nashville and Davidson County, acting by and through the Metropolitan Nashville Public Works Department, now known as NDOT, for improvements on Jefferson Street (Agreement No. 080019), a copy of which is attached hereto and incorporated herein, is hereby approved, and 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 adoption, the welfare of The Metropolitan Government of Nashville and Davidson County requiring it.

### Analysis

This resolution approves amendment five to an agreement between the Tennessee Department of Transportation ("TDOT") and the Nashville Department of Transportation and Multimodal Infrastructure ("NDOT") for improvements on Jefferson Street. The agreement was initially approved pursuant to Resolution No. RS2008-245 and included a grant of \$920,808 with a required match of \$480,203 for intersection improvements on Jefferson Street. Resolution No. RS2013-745 approved the first amendment to this agreement, which extended the agreement to June 1, 2017, specifically identified the intersections on Jefferson Street at 28th Avenue/Ed Temple and 21st Avenue North to be improved, and better reflected TDOT's current fund descriptions. Resolution No. RS2017-708 approved the second amendment to the agreement, which extended the date for completion to June 1, 2019, based upon additional recommendations from a 2017 traffic study. Resolution No. RS2019-1624 approved a third amendment to extend the completion date of all phases of work to December 31, 2020. Resolution No. RS2020-649 replaced the prior contract with a new contract and extended the term until December 31, 2022, added language related to the use of TDOT on-call consultants, and added right-of-way acquisition for, and the construction of, a roundabout at the intersection of 28<sup>th</sup> Avenue N and Jefferson Street.

This fifth amendment extends the completion date to December 31, 2025 to allow for the negotiation of adjusted design costs, acquisition of right-of-way, and build out the proposed roundabout and improvements to 21<sup>st</sup> Avenue North and Jefferson Street. The amended further increases the design cost by \$201,412, from 325,563 to \$526,975.

*Fiscal Note: The design cost would be increased by \$201,412, to be paid from Business Unit 42404016 and Business Unit 42408021.*