



# Metropolitan Nashville and Davidson County, TN

## Legislation Details (With Text)

**File #:** RS2023-88

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

**File created:** 10/26/2023 **In control:** Planning Commission

**On agenda:** 11/7/2023 **Final action:** 11/7/2023

**Title:** A resolution approving Amendment 2 to an intergovernmental agreement 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 the acceptance of work in connection with the construction of a Complete Street project on Gallatin Pike from Alta Loma Road to Liberty Lane. Fed. Project No. STP-M-NH-6 (120), State Project No. 19LPM-F3-147, PIN 123838.00. Proposal No. 2023M-040AG-001.

**Sponsors:** Jennifer Webb, Delishia Porterfield, Jennifer Gamble, Sean Parker, Ginny Welsch

**Indexes:**

**Code sections:**

**Attachments:** 1. Agreement Amendment 2 Exhibit

Date	Ver.	Action By	Action	Result
11/9/2023	1	Mayor	approved	
11/7/2023	1	Metropolitan Council	adopted	
11/6/2023	1	Planning and Zoning Committee	approved	
11/6/2023	1	Transportation and Infrastructure Committee	approved	
11/6/2023	1	Budget and Finance Committee	approved	
10/31/2023	1	Metropolitan Council	filed	
10/19/2023	1	Planning Commission	approved	

A resolution approving Amendment 2 to an intergovernmental agreement 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 the acceptance of work in connection with the construction of a Complete Street project on Gallatin Pike from Alta Loma Road to Liberty Lane. Fed. Project No. STP-M-NH-6(120), State Project No. 19LPM-F3-147, PIN 123838.00. Proposal No. 2023M-040AG-001.

WHEREAS, RS2017-635 approved an intergovernmental agreement between TDOT and the Metropolitan Government of Nashville and Davidson County, acting by and through the former Metropolitan Nashville Public Works Department (now known as NDOT), for the acceptance of work in connection with the construction of a Complete Street project on Gallatin Pike from Alta Loma Road to Liberty Lane (“the Agreement”); and,

WHEREAS, RS2021-750 approved Amendment 1 to the Agreement, which replaced in its entirety the language of the Agreement with the language of Amendment 1; and,

WHEREAS, the parties wish to amend the Agreement for a second time to provide an understanding among the parties of their respective obligations related to the management of the project and to extend the project completion date, as set forth in Amendment 2, attached hereto and incorporated herein; and,

WHEREAS, Tenn. Code Ann. § 12-9-104(a)(2)(b) authorizes the Metropolitan Government to enter into

intergovernmental agreements the State of Tennessee by resolution.

WHEREAS, pursuant to RS2021-750, any amendments, renewals, or extensions of the terms of the Agreement may be approved by resolution; and,

WHEREAS, it is in the best interest of the Metropolitan Government of Nashville and Davidson County that Amendment 2 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 intergovernmental agreement between TDOT and the Metropolitan Government of Nashville and Davidson County, acting by and through NDOT, for the acceptance of work in connection with the construction of a Complete Street project on Gallatin Pike from Alta Loma Road to Liberty Lane, 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 the second amendment to an intergovernmental agreement between the Tennessee Department of Transportation ("TDOT") and the Nashville Department of Transportation and Multimodal Infrastructure for the acceptance of work in connection with the construction of a Complete Street project on Gallatin Pike from Alta Loma Road to Liberty Lane.

The original agreement was approved by Resolution No. RS2017-635. The first amendment, approved by RS2021-750, replaced the agreement in its entirety to add language referencing applicable law and policy to allow, but not require, Metro to use TDOT's Local Programs procured On-Call Consultants for the provision of engineering and design related service or right-of-way acquisition services. The first amendment also extended the completion date of the original agreement until July 31, 2023. Exhibit A was also being updated to reflect an increase in the total project cost.

The amendment under consideration extends the end date to June 30, 2025. The amendment also updates Exhibit A to reflect a slight increase in the estimated NEPA cost and a reduction of the estimated design cost. Metro is still responsible for 20% of the project costs. No additional funding is required for this amended agreement.

*Fiscal Note: The estimated total project cost increased from \$4,652,800 to \$7,060,000 from Amendment 1 per Resolution No. RS2021-750. This amendment will decrease the estimated design cost and slightly increase the estimated NEPA cost. The estimated total project cost under this amendment is \$6,559,920. Metro is still responsible for 20% of the project costs.*