



Metropolitan Nashville and Davidson County, TN

Legislation Text

File #: RS2024-485, **Version:** 1

A resolution authorizing the Metropolitan Department of Law to compromise and settle the Metropolitan Government of Nashville and Davidson County's property damage claim against Design Blasting Services, LLC in the amount of \$295,000.00.

WHEREAS, the Metropolitan Government filed a lawsuit against Design Blasting Services, LLC alleging that the District Energy System's Broadway Tunnel was damaged by Design Blasting's operations in connection with the Fifth & Broadway development project, which included blasting operations from approximately September 2017 to April 2018.

WHEREAS, after investigation, the Metropolitan Department of Law believes that the settlement listed in Section 1 is fair and reasonable and in the best interests of the Metropolitan Government and recommends that any and all claims or causes of action brought or that could have been brought by the Metropolitan Government related to the events referenced above, be compromised and settled for \$295,000.00, to be paid to the Metropolitan Government.

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

Section 1: The Metropolitan Department of Law is authorized to compromise and settle the Metropolitan Government's above-referenced property damage claim for the sum of \$295,000.00.

Section 2: This resolution shall take effect from and after its adoption, the welfare of the Metropolitan Government of Nashville and Davidson County requiring it.

Analysis

Between September 2017 and April 2018, Design Blasting Services, LLC, was hired by a project contractor to conduct blasting at the site of the old Nashville Convention Center. During the process, the blasting caused damage to the Broadway Tunnel, which houses various pipes thirty to forty feet below Broadway in downtown Nashville which are used by the District Energy System. Various repairs to the Broadway Tunnel were made in the fall of 2017 and in 2018 related to this blasting. Design Blasting has agreed to pay \$295,000 to the Metropolitan Government towards the costs of these repairs.

The Department of Law recommends settlement of the Metropolitan Government's property damage claim for \$295,000.

Fiscal Note: Metro would receive a settlement in the amount of \$295,000 for property damage claim against Design Blasting Services, Inc.