



# Metropolitan Nashville and Davidson County, TN

## Legislation Text

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**File #:** RS2022-1412, **Version:** 1

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A resolution to approve a Memorandum of Understanding by and between the Metropolitan Planning Department and the Metropolitan Development and Housing Agency to advance the planning and reconstruction of certain areas of downtown Nashville damaged by the December 2020 bombing.

WHEREAS, on December 25, 2020, a bomb exploded on Second Avenue causing significant damage to buildings and infrastructure over a broad area in downtown; and

WHEREAS, the most damaged areas include First and Second Avenues from Broadway to Union (“the Project Area”); and

WHEREAS, the Mayor’s office, Planning, MDHA, Metro Historical, Nashville Department of Transportation, and the Citizens of Nashville collaborated to plan for the recovery of the Project Area; and

WHEREAS; RS2021-1201 approved the issuance of \$20,000,000.00 in general obligation bonds for Planning to finance the design, engineering, planning, and reconstruction of the Project Area (“the Project”); and

WHEREAS, Planning has completed the preliminary planning work and desires to advance the Project plans to implementation; and

WHEREAS, MDHA has been a major participant in the Project planning process from its original conception and has the knowledge and skills to advance these plans and oversee the management of the Project; and

WHEREAS, Planning and MDHA have entered into a Memorandum of Understanding to procure such services for the Metropolitan Government, a copy of which is attached hereto and incorporated herein as Exhibit A; and

WHEREAS, MDHA will accept a management fee for this project not to exceed \$250,000.00; and

WHEREAS, Planning is authorized under Metro Charter Section 11.504 to enter into contracts for such services as it may require; and

WHEREAS, MDHA is authorized under TCA § 13-20-104 to carry out the Project at the request of Planning; and

WHEREAS, approval of internal agreements between Metropolitan Government departments and agencies valued in excess of five hundred thousand dollars must be approved by resolution adopted by the Metropolitan Council by twenty-one affirmative votes.

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

Section 1. That the Memorandum of Understanding by and between the Metropolitan Planning Department and the Metropolitan Development and Housing Agency attached as Exhibit A is hereby approved, and the Metropolitan Mayor is authorized to execute the same.

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

Analysis

This resolution approves a Memorandum of Understanding (MOU) between the Metropolitan Planning Department (Planning) and the Metropolitan Development and Housing Agency (MDHA) to advance the planning and reconstruction of certain areas of downtown Nashville damaged by the December 2020 bombing.

Pursuant to this MOU, Planning will furnish and assign to MDHA all engineering and design work completed for this project, participate in meetings, provide expedited review of plans, permits, and inspections, assist in coordination with other Metro departments, and reimburse MDHA for all eligible expenses.

MDHA will agree to solicit and contract for all design and construction services necessary to carry out this project manage contracts, submit invoices to Planning for reimbursement, obtain necessary permits, and do all things necessary to carry out its obligations in the MOU or as reasonably related to the project.

Planning will reimburse MDHA for all direct expenses, such as consultant costs, architect engineering and other professional service fees, construction contracts, testing fees, legal expenses, and insurance costs. Planning will pay to MDHA a fee not to exceed \$250,000 for routine administrative costs. In addition, Planning will advance funds sufficient to meet all project costs projected by MDHA.

The MOU is effective upon passage of the Council.

*Fiscal Note: Metro Planning Department will pay Metropolitan Development and Housing Agency a management fee not to exceed \$250,000 for expenses incurred in connection with the scope of services for the project.*