



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, pursuant to Amendment Four, attached hereto and incorporated herein, the schedule to deliver this project to completion has been adjusted to procure right-of-way and construction inspection on-call services from TDOT, moving the scheduled completion of final construction plans to Spring 2022; and,

WHEREAS, pursuant to Amendment Four, 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, subject to the availability of funding from Metro, to cover the design and construction of a proposed roundabout at 28<sup>th</sup> Avenue, as shown on Exhibit A to Amendment 4; and,

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

Now, therefore be it resolved by the Council of The Metropolitan Government of Nashville and Davidson County:

Section 1. That Amendment Four 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 Department of Public Works, for improvements on Jefferson Street, 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. That the Metropolitan Government of Nashville and Davidson County's participation is subject to the availability of funds as determined by the Department of Finance.

Section 3. Any amendments, renewals, or extension of the terms of the agreement may be approved by resolution of the Metropolitan Council.

Section 4. 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 the fourth amendment to an agreement between the Tennessee Department of Transportation (TDOT) and Metro Public Works 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.

This fourth amendment under consideration replaces the prior contract with a new contract extending the term until December 31, 2022 (though completion is expected in 2022). The revised contract adds language allowing, but not requiring, the use of TDOT on-call consultants for future services. It also adds the right-of-way acquisition for, and construction of, a roundabout at the intersection of 28<sup>th</sup> Ave. N. and Jefferson Street. The additional right-of-way acquisition and construction of the roundabout have led to the extension of the project completion until 2022, and have increased the project cost by \$2,524,552, of which Metro will pay \$565,360 and TDOT (using federal funds) will pay \$1,959,192.

*Fiscal Note: The total cost of the project will be \$2,880,000 and Metro's total share of the cost will be \$1,045,563 under this agreement.*