



# Metropolitan Nashville and Davidson County, TN

## Legislation Details (With Text)

<b>File #:</b>	RS2021-792	<b>Name:</b>	
<b>Type:</b>	Resolution	<b>Status:</b>	Passed
<b>File created:</b>	2/18/2021	<b>In control:</b>	Metropolitan Council
<b>On agenda:</b>	3/2/2021	<b>Final action:</b>	3/2/2021
<b>Title:</b>	A resolution approving a Construction Agreement by and between CSX TRANSPORTATION, INC., a Virginia corporation with its principal place of business in Jacksonville, Florida (CSXT), and the Metropolitan Government of Nashville and Davidson County, acting by and through its Department of Public Works, for the reimbursement of CSXT performed railroad crossing safety improvements at Post Road (0D016), Railroad Crossing #348028F, State Project No: 19960-2552-94, Federal Project No: HSIP-R00S-(315), PIN 123221.00. (Proposal No. 2021M-007AG-001).		
<b>Sponsors:</b>	Kyonzte Toombs, Kathleen Murphy, Bob Nash, Thom Druffel		
<b>Indexes:</b>			
<b>Code sections:</b>			
<b>Attachments:</b>	1. RS2021-792 Agreement		

Date	Ver.	Action By	Action	Result
3/3/2021	1	Mayor	approved	
3/2/2021	1	Metropolitan Council	adopted	
3/2/2021	1	Public Works Committee	approved	
3/1/2021	1	Planning and Zoning Committee	approved	
3/1/2021	1	Budget and Finance Committee	approved	
2/11/2021	1	Planning Commission	approved	

A resolution approving a Construction Agreement by and between CSX TRANSPORTATION, INC., a Virginia corporation with its principal place of business in Jacksonville, Florida (CSXT), and the Metropolitan Government of Nashville and Davidson County, acting by and through its Department of Public Works, for the reimbursement of CSXT performed railroad crossing safety improvements at Post Road (0D016), Railroad Crossing #348028F, State Project No: 19960-2552-94, Federal Project No: HSIP-R00S-(315), PIN 123221.00. (Proposal No. 2021M-007AG-001).

WHEREAS, the State of Tennessee, department of Transportation ("TDOT") has programmed safety funds for the improvement of various railroad crossings throughout Davidson County; and,

WHEREAS, TDOT has directed The Metropolitan Government of Nashville and Davidson County ("Metro"), acting by and through its Department of Public Works, to construct the Railroad Crossing Approaches Project at Post Road (0D016), Railroad Crossing #348028F, State Project No: 19960-2552-94, Federal Project No: HSIP-R00S-(315), PIN 123221.00; and,

WHEREAS, CSXT has sole authority to determine the need for flagging required to protect its operations and property and shall be reimbursed directly for all costs of flagging; and,

WHEREAS, CSXT shall bore under their tracks and install conduit and cable to support signal pre-emption; and,

WHEREAS, the CSXT construction estimate is \$82,376.00 in which the total cost is to be split 10% Metro, or \$8,237.60, and 90% for TDOT, or \$74,138.40; and,

WHEREAS, BL2005-787 authorized approval of agreements between the Department of Public Works and CSX by resolution; and,

WHEREAS, it is in the interest of The Metropolitan Government of Nashville and Davidson County that this construction be carried out.

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

Section 1. That the Agreement with CSXT, attached hereto as Exhibit A, 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 a construction agreement between CSX and Metro Public Works for the reimbursement of Post Road railroad crossing safety improvements. The construction estimate prepared by CSX is \$82,376, which will be divided between Metro and the Tennessee Department of Transportation (TDOT) as follows: 10% from Metro (\$8,237.60) and 90% from TDOT (\$74,138.40). The project will require CSX to install conduit cable plus 20 days of flagging services.

Ordinance No. BL2005-787 authorizes approval of agreements between the Department of Public Works and CSX by resolution.