



# Metropolitan Nashville and Davidson County, TN

## Legislation Details (With Text)

<b>File #:</b>	RS2022-1508	<b>Name:</b>	
<b>Type:</b>	Resolution	<b>Status:</b>	Passed
<b>File created:</b>	4/20/2022	<b>In control:</b>	Metropolitan Council
<b>On agenda:</b>	5/5/2022	<b>Final action:</b>	5/5/2022
<b>Title:</b>	A resolution approving Amendment 2 to an Agreement by and between the State of Tennessee, Department of Transportation, and the Metropolitan Government of Nashville & Davidson County, acting by and between the Department of Transportation and Multimodal Infrastructure, for the acceptance of work in connection with the construction of a sidewalk on State Route 11(US-31W, Dickerson Pike) from Douglas Avenue to Trinity Lane, Federal No. STP-M-11(84); State No. 19LPLM-F3-132, PIN 121730.00, Proposal No. 2022M-020AG-001.		
<b>Sponsors:</b>	Sean Parker, Burkley Allen, Brett Withers, Zach Young		
<b>Indexes:</b>			
<b>Code sections:</b>			
<b>Attachments:</b>	1. Agreement Amendment 2		

Date	Ver.	Action By	Action	Result
5/10/2022	1	Mayor	approved	
5/5/2022	1	Metropolitan Council	adopted	
5/5/2022	1	Transportation and Infrastructure Committee	approved	
5/2/2022	1	Planning and Zoning Committee	approved	
5/2/2022	1	Budget and Finance Committee	approved	
4/26/2022	1	Metropolitan Council	filed	
4/21/2022	1	Planning Commission	approved	

A resolution approving Amendment 2 to an Agreement by and between the State of Tennessee, Department of Transportation, and the Metropolitan Government of Nashville & Davidson County, acting by and between the Department of Transportation and Multimodal Infrastructure, for the acceptance of work in connection with the construction of a sidewalk on State Route 11(US-31W, Dickerson Pike) from Douglas Avenue to Trinity Lane, Federal No. STP-M-11(84); State No. 19LPLM-F3-132, PIN 121730.00, Proposal No. 2022M-020AG-001.

WHEREAS, the Metropolitan Council previously approved Agreement No. 150067, by and between the Tennessee Department of Transportation ("TDOT") and the Metropolitan Government of Nashville and Davidson County, acting by and through the Metropolitan Nashville Public Works Department (now the Nashville Department of Transportation and Multimodal Infrastructure, "NDOT") through resolution, RS2015-1536; and,

WHEREAS, Amendment 1 to Agreement No. 150067, approved by RS2020-538, replaced in its entirety, the language of the Agreement dated August 14, 2015, with the language of the Amendment 1; and,

WHEREAS, pursuant to Amendment 2, attached hereto, TDOT has agreed to extend the completion date from May 31, 2022 to May 31, 2025 to complete the acquisition of right-of-way easement within an estimated 18 months and another estimated 18 months to complete construction; and,

WHEREAS, Tennessee Code Annotated, Section 12-9-104(a)(2)(b), authorizes The Metropolitan Government

of Nashville & Davidson County to enter into intergovernmental agreements with the State of Tennessee by resolution; and,

WHEREAS, it is in the interest of The Metropolitan Government of Nashville & Davidson County that this intergovernmental agreement 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 Agreement between the State of Tennessee, Tennessee Department of Transportation, and the Metropolitan Government of Nashville and Davidson County, through the Nashville Department of Transportation and Multimodal Infrastructure, attached hereto as Exhibit A, and incorporated herein by reference, is hereby approved, and that the Metropolitan Mayor is authorized to execute the same.

Section 2. Any amendments, renewals, or extension of the terms of the agreement may be approved by resolution of the Metropolitan Council.

Section 3. That this resolution shall take effect from and after its final passage, the welfare of The Metropolitan Government of Nashville & Davidson County requiring it.

#### Analysis

This resolution approves Amendment 2 to an agreement between the Tennessee Department of Transportation (TDOT) and the Nashville Department of Transportation and Multimodal Infrastructure (NDOT) for the acceptance of work in connection with the construction of a sidewalk along Dickerson Pike from Douglas Avenue to Trinity Lane.

This agreement, originally approved by Resolution RS2015-1536, is for the acceptance of work in connection with the construction of sidewalks along Dickerson Road from Douglas Avenue to Trinity Lane. Amendment 1 replaced the agreement in its entirety and added language referencing applicable state law and policy to allow NDOT 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. Amendment 1 also extended the completion date of the original agreement from May 30, 2020 to May 31, 2022.

Amendment 2 would extend the completion date of the agreement from May 31, 2022 to May 31, 2025 to complete the acquisition of right-of-way easement within an estimated 18 months and another estimated 18 months to complete construction. No other changes would be made to this agreement.

The total project cost would remain \$6,150,000, of which Metro pays 20%.

*Fiscal Note: The Nashville Department of Transportation and Multimodal Infrastructure would pay \$1,230,000, which is 20% of the estimated total project costs.*