

# LEGISLATIVE TRACKING FORM

Filing for Council Meeting Date: 05/19/26

Resolution  Ordinance

Contact/Prepared By: Casey Hopkins

Date Prepared: 05/04/26

Title (Caption): A resolution approving Amendment 1 to the participation agreement between the Nashville Department of Transportation and Multimodal Infrastructure (NDOT)

and GS Gallatin Pike Apartments Owner, LLC, a Delaware Limited Liability Company, for the construction of a sidewalk in front of 1401 Gallatin Pike.

Submitted to Planning Commission?  N/A  Yes-Date: \_\_\_\_\_ Proposal No: 2024M-045AG-002

Proposing Department: NDOT Requested By: NDOT

Affected Department(s): NDOT Affected Council District(s): 7

**Legislative Category (check one):**

- |   |  |   |
|---|--|---|
| <input type="checkbox"/> Bonds                | <input type="checkbox"/> Contract Approval           | <input type="checkbox"/> Intergovernmental Agreement                      |
| <input type="checkbox"/> Budget - Pay Plan    | <input type="checkbox"/> Donation                    | <input type="checkbox"/> Lease  |
| <input type="checkbox"/> Budget - 4%          | <input type="checkbox"/> Easement Abandonment        | <input type="checkbox"/> Maps   |
| <input type="checkbox"/> Capital Improvements | <input type="checkbox"/> Easement Accept/Acquisition | <input type="checkbox"/> Master List A&E                                  |
| <input type="checkbox"/> Capital Outlay Notes | <input type="checkbox"/> Grant                       | <input type="checkbox"/> Settlement of Claims/Lawsuits                    |
| <input type="checkbox"/> Code Amendment       | <input type="checkbox"/> Grant Application           | <input type="checkbox"/> Street/Highway Improvements                      |
| <input type="checkbox"/> Condemnation         | <input type="checkbox"/> Improvement Acc.            | <input checked="" type="checkbox"/> Other: <u>Participation Agreement</u> |

<b>FINANCE</b> Amount +/-: \$ <u>\$ 200,000.00</u> <b>Funding Source:</b> Capital Improvement Budget Capital Outlay Notes Departmental/Agency Budget Fund: 40024 Funds to Metro BU: 42402024 General Obligation Bonds Grant <input checked="" type="checkbox"/> Increased Revenue Sources Approved by OMB: <u><i>GLM</i></u> Approved by Finance/Accounts: _____ Approved by Div Grants Coordination: _____	<b>Match: \$</b> <u>\$ 0.00</u> Judgments and Losses Local Government Investment Project Revenue Bonds Self-Insured Liability Solid Waste Reserve Unappropriated Fund Balance 4% Fund Other: _____ Date to Finance Director's Office: <u>5/4/2026</u> <b>APPROVED BY</b> <u><i>AP</i></u> <b>FINANCE DIRECTOR'S OFFICE:</b> _____
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**ADMINISTRATION**

Council District Member Sponsors: \_\_\_\_\_

Council Committee Chair Sponsors: \_\_\_\_\_

Approved by Administration: \_\_\_\_\_ Date: \_\_\_\_\_

**DEPARTMENT OF LAW** Date to Dept. of Law: \_\_\_\_\_ Approved by Department of Law: \_\_\_\_\_

**Settlement Resolution/Memorandum Approved by:** \_\_\_\_\_

Date to Council: \_\_\_\_\_ For Council Meeting: \_\_\_\_\_  E-mailed Clerk

All Dept. Signatures  Copies  Backing  Legislative Summary  Settlement Memo  Clerk Letter  Ready to File

RESOLUTION NO. \_\_\_\_\_

A resolution approving Amendment 1 to the participation agreement between the Nashville Department of Transportation and Multimodal Infrastructure (NDOT) and GS Gallatin Pike Apartments Owner, LLC, a Delaware Limited Liability Company, for the construction of a sidewalk in front of 1401 Gallatin Pike.

WHEREAS, the Parties entered into a participation agreement for construction of a sidewalk in front of 1401 Gallatin Pike (Proposal No. 2024M-045AG-002) (“the Agreement”); and,

WHEREAS, the Metropolitan Council approved the Agreement through RS2024-947; and,

WHEREAS, the construction costs of the project exceed the value of the Agreement; and,

WHEREAS, as set forth in Amendment 1 to the Agreement, attached hereto and incorporated herein, the parties now desire to increase the value of the Agreement by \$200,000, to cover the costs of the project; and,

WHEREAS, Section 13.21.020 of the Metropolitan Code of Laws authorizes the Metropolitan Council to approve participation agreements between NDOT and developers by resolution; and,

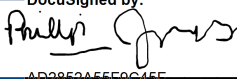
WHEREAS, it is in the best interest of the Metropolitan Government and the citizens of Davidson County that Amendment 1 to the Agreement be approved.

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

Section 1. That Amendment 1 to the participation agreement between the Nashville Department of Transportation and Multimodal Infrastructure and GS Gallatin Pike Apartments Owner, LLC, a Delaware Limited Liability Company, for the construction of a sidewalk in front of 1401 Gallatin Pike, attached hereto and incorporated herein, is hereby approved and the Metropolitan Mayor is authorized to execute same.

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


RECOMMENDED BY:

DocuSigned by:  
  
AD2852A55F9C45F...  
Phillip Jones, Interim Director,  
Nashville Department of  
Transportation and Multimodal  
Infrastructure


INTRODUCED BY:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
Council Member(s)

APPROVED AS TO AVAILABILITY  
OF FUNDS:

Signed by:  
  
62377A2A8720469...  
Jenneen Reed, Director  
Department of Finance

APPROVED AS TO FORM AND  
LEGALITY:

DocuSigned by:  
  
D4F54A5615BD454...  
Assistant Metropolitan Attorney

**AMENDMENT NUMBER 1 TO PARTICIPATION AGREEMENT BETWEEN  
GS GALLATIN PIKE APARTMENTS OWNER, LLC  
AND  
THE METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY,  
BY AND THROUGH  
THE NASHVILLE DEPARTMENT OF TRANSPORTATION AND MULTIMODAL  
INFRASTRUCTURE**

This Amendment 1 is entered into on the day this document is filed with the Metropolitan Clerk's Office, by and between GS Gallatin Pike Apartments Owner, LLC ("Greystar"), a Delaware limited liability company, and the Metropolitan Government Nashville and Davidson County, by and through the Nashville Department of Transportation and Multimodal Infrastructure ("Metro") (collectively, the Parties).

WHEREAS, the Parties entered into a participation agreement for construction of a sidewalk in front of 1401 Gallatin Pike ("the Agreement"); and,

WHEREAS, the Metropolitan Council approved the Agreement through RS2024-947; and,

WHEREAS, the construction costs of the project exceed the value of the Agreement; and,

WHEREAS, the parties now desire to increase the value of the Agreement by \$200,000, to cover the costs of the project.

NOW THEREFORE, the Parties hereby agree as follows:

1. Section II.C. of the Agreement is hereby deleted and replaced with the following language:
  - C. METRO's level of participation, is based on i) a determination by METRO utilizing a benefit/cost analysis to the Project area's existing customer base, ii) the overall systemic operational needs, and iii) the additional scope of work to construct METRO's Project in excess of GREYSTAR's permitted and approved public right-of-way work per GREYSTAR's Grading Permit SWGR 2022079616 (the "Original Scope of Work"). For this specific project, the Project Cost has been calculated as the difference between total cost to construct the METRO Design Plans less the cost for Original Scope of Work, not to exceed \$700,000 as a contribution towards these improvements. This amount is based on the secured competitive bid prices of GS Construction GA/TN, LLC licensed contractors. The awarded bid amount and unit prices are within range of recently bid public projects of similar scope and size.
2. Within 30 days of the Metropolitan Council's approval of this Amendment 1, Metro shall pay to Greystar \$61,907.00 as reimbursement for the excess costs expended on the project by Greystar for the construction of the additional project scope associated with the widening of Gallatin Pike, including the widening of sidewalks.

3. METRO will use good faith efforts to cause Madison Suburban Utility District ("MSUD") to reimburse Greystar \$108,078.94 as reimbursement for the excess costs expended on the project by Greystar to install a new 8" water main. If METRO is unable to cause MSUD to reimburse Greystar within 90 days of Metropolitan Council's approval of this Amendment 1, then METRO shall reimburse Greystar the additional amount of \$108,078.94.
4. This Amendment 1 shall not be binding on the Parties until it has been signed by authorized representatives of Greystar and Metro, approved by the Metropolitan Council, and filed in the office of the Metropolitan Clerk.
5. Any future amendments to the Agreement shall be approved by resolution of the Metropolitan Council.

THE METROPOLITAN GOVERNMENT OF  
 NASHVILLE AND DAVIDSON COUNTY,  
 by and through  
 NASHVILLE DEPARTMENT OF TRANSPORTATION  
 AND MULTIMODAL INFRASTRUCTURE

GS GALLATIN PIKE APARTMENTS  
 OWNER, LLC

RECOMMENDED BY:

*Phillip Jones*  
 \_\_\_\_\_  
 Phillip Jones, Interim Director  
 Nashville Department of Transportation  
 and Multimodal Infrastructure

By: \_\_\_\_\_  
 Title: \_\_\_\_\_

APPROVED AS TO FUNDS AVAILABILITY:

*Jenneen Reed/mjw*  
 \_\_\_\_\_  
 Jenneen Reed, Director  
 Department of Finance

APPROVED AS TO FORM AND LEGALITY:

*Erica Haber*  
 \_\_\_\_\_  
 Assistant Metropolitan Attorney

THE METROPOLITAN GOVERNMENT OF  
 NASHVILLE AND DAVIDSON COUNTY:

\_\_\_\_\_  
 Mayor

ATTEST:

\_\_\_\_\_  
 Metropolitan Clerk

\_\_\_\_\_  
 Date