

RESOLUTION NO. RS2018-1151

A resolution authorizing amendment 1 to an intergovernmental 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 Public Works, for the acceptance of all phases of work in connection with the construction of the Interchange Modification on I-24 East at Hickory Hollow Parkway, Federal Project No. NH-I-24-9(79), State Project No. 19002-3191-44, PIN 123055.00 (Prop No. 2017M-008AG-002).

WHEREAS, The State of Tennessee, Department of Transportation (TDOT) plans to construct Federal Project No. NH-1-24-9(79), State Project No. 19002-3191-44, PIN 123055.00, an Interchange Modification on I-24 East of Hickory Hollow; and,

WHEREAS, Resolution RS2017-776 approved an intergovernmental agreement with TDOT where Metro agreed to cover 100 percent of the cost of the Preliminary Engineering phases of NEPA and Design, at \$65,000 and \$1,940,000, respectively, and Right-of-Way cost at \$1000, and TDOT agreed to cover 100 percent of the estimated construction cost of \$20,880,000; and,

WHEREAS, Ordinance BL2017-746, approved a participation agreement between the Metropolitan Government and Century Farms, LLC, for the shared cost of design and construction of local roads that will connect to the interchange project at \$24,000,000 where Century Farms, LLC will pay \$12,000,000 and Metro will pay \$12,000,000; and,

WHEREAS, TDOT has identified construction items that represent landscaping features to the interchange in the form of pedestrian walkway lighting and various types of trees and shrubbery that they will not cover in their construction cost, hereinafter referred as “non-participating items;” and,

WHEREAS, the Metropolitan Government of Nashville and Davidson County in agreement with TDOT, will pay approximately \$161,000 for the non-participating items through deposit to TDOT prior to construction; and,

WHEREAS, Century Farms, LLC has agreed to share the cost of the non-participating items with Metro Government of Nashville and Davidson County and will reimburse Metro for the cost of those items, namely, trees and shrubbery, and the agreement will be amended to reflect these changes; and,

WHEREAS, Tennessee Code Annotated, Section 12-9-104(a)(2)(b), authorizes The Metropolitan Government of Nashville & Davidson County to approve an agreement with TDOT by resolution; and,

WHEREAS, it is in the interest of The Metropolitan Government of Nashville & Davidson County that the construction be carried out in Federal Project No. NH-I-24-9(79), State Project Nos. 19002-3191-44, PIN 123055.

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

Section 1. That the Amendment 1 to the Agreement with TDOT, 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. That the Director of Public Works, or his designee, is authorized to make a payment of approximately \$161,000 for the non-participating items in the form of a deposit to TDOT prior to construction.

Section 3. That any amendment to this legislation shall be approved by resolution.

Section 4. That this resolution shall take effect from and after its final passage, the welfare of The Metropolitan Government of Nashville & Davidson County requiring it.

RECOMMENDED BY:

INTRODUCED BY:

Mark Sturtevant, Director
Department of Public Works

APPROVED AS TO AVAILABILITY OF FUNDS:

Member(s) of Council

Talia Lomax O'dneal, Director
Department of Finance

APPROVED AS TO FORM AND LEGALITY:

Assistant Metropolitan Attorney