

RESOLUTION NO. RS2019 - 75

A resolution approving an intergovernmental 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 a Signal Maintenance Agreement for State Route 1 (Murfreesboro Road) from Division Street to near Vultee Boulevard, Federal Project No. HSIP-1(414), State Project No. 19021-3253-94, PIN 125526.08 (Prop. No. 2019M-033AG-001)

WHEREAS, certain routes in the Metropolitan Government of Nashville and Davidson County ("Metro") have been designated as eligible for Federal and State Aid Funds; and,

WHEREAS, the Tennessee Department of Transportation desires to assist Metro by installing pedestrian overhead signals and upgrading existing pedestrian signal equipment on State Route 1 (Murfreesboro Road) from Division Street to near Vultee Boulevard under Federal Project No. HSIP-1(414); State Project No. 19021-3253-94; and,

WHEREAS, in exchange for the installation and upgrade of these signal devices, Metro will cooperate with TDOT during the installation and upon completion of the installation, accept and maintain said devices; and,

WHEREAS, it is to the benefit of the citizens of The Metropolitan Government of Nashville and 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 the intergovernmental 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 a Signal Maintenance Agreement for the installation of pedestrian overhead signal devices and the upgrade of existing pedestrian signal equipment, Agreement No. 190248, 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. 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 adoption, the welfare of The Metropolitan Government of Nashville and Davidson County requiring it.

Electronic Signature Page

(Attach to Legislation Pursuant to Rule 8 of the Council Rules of Procedure)

Kathleen D Murphy

Kathleen Murphy
Councilmember, District 24

Electronic Signature Page

(Attach to Legislation Pursuant to Rule 8 of the Council Rules of Procedure)

Angie E. Henderson

Angie Henderson
Councilmember, District 34

Electronic Signature Page

(Attach to Legislation Pursuant to Rule 8 of the Council Rules of Procedure)

A handwritten signature in black ink, appearing to read "Jeff Syracuse".

Jeff Syracuse
Councilman, District 15

Electronic Signature Page

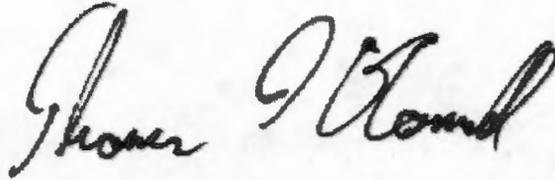
(Attach to Legislation Pursuant to Rule 8 of the Council Rules of Procedure)

A handwritten signature in black ink, appearing to read "Colby Sledge". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Colby Sledge
Councilman, District 17

Electronic Signature Page

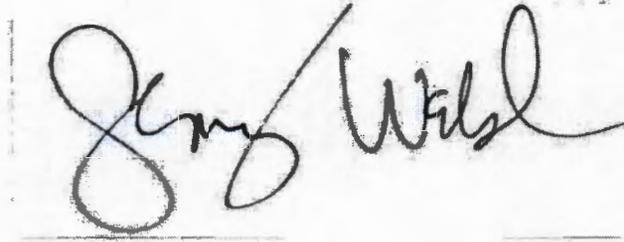
(Attach to Legislation Pursuant to Rule 8 of the Council Rules of Procedure)

A handwritten signature in black ink, appearing to read "Freddie O'Connell". The signature is written in a cursive style with a large initial 'F' and 'O'.

Freddie O'Connell
Councilmember, District 19

Electronic Signature Page

(Attach to Legislation Pursuant to Rule 8 of the Council Rules of Procedure)

A handwritten signature in black ink, appearing to read "Ginny Welsch". The signature is written in a cursive style with a large initial "G" and a long horizontal stroke extending to the right. The signature is positioned above a thin horizontal line.

Ginny Welsch
Council Member, District 16

RECOMMENDED BY:

Mark A. Sturtevant

Mark Sturtevant, Director
Department of Public Works

INTRODUCED BY:

APPROVED AS TO AVAILABILITY
OF FUNDS:

Kevin Cronin
Director
Department of Finance *K*

Member(s) of Council

APPROVED AS TO FORM AND
LEGALITY:

C. J. Cadd
Assistant Metropolitan Attorney

AGREEMENT No: 190248
PROJECT IDENTIFICATION No: 125526.08
FEDERAL PROJECT No: HSIP-1(414)
STATE PROJECT No: 19021-3253-94
State of Tennessee Department of Transportation

LOCAL AGENCY PROGRAM AGREEMENT

THIS AGREEMENT, made and entered into this _____ day of _____, 20 _____ by and between the STATE OF TENNESSEE DEPARTMENT OF TRANSPORTATION, an agency of the State of Tennessee (hereinafter called the "Department") and the City of Nashville (hereinafter called the "Agency").

W I T N E S S E T H:

WHEREAS, the Department desires to install pedestrian overhead signals and upgrade existing pedestrian signal equipment within the jurisdictional limits of the Agency and

WHEREAS, the Agency, in recognition of the benefits to be received from the installation of said traffic signals desires to cooperate with the Department such that the traffic signals may be installed, operated and maintained.

NOW THEREFORE, in consideration of these premises, the Department and the Agency hereby enter into agreement to provide performance of the project.

SECTION I: The Project to be performed is described as follows:

"SR-1 (US-41, Murfreesboro Rd) from Division St to near Vultee Blvd"

SECTION II: The Agency shall be solely responsible for and pay all costs associated with maintenance and operation of all electrically operated devices together with the related equipment, wiring and other necessary appurtenances, and the Agency shall furnish electrical current to all such devices which may be installed as part of the project. Additionally, the Agency shall be solely responsible for and pay all costs associated with the maintenance and operation of solar-powered devices, including, but not limited to, replacement of solar panels, batteries, lights and lenses.

SECTION III: The Agency agrees to comply with all applicable federal and state laws and regulations in the performance of its duties under this contract. The parties hereby agree that failure of the Agency to comply with this provision shall constitute a material breach of this agreement and subject the Agency to the repayment of all state funds expended, or expenses incurred, under this agreement.

IN WITNESS WHEREOF, the parties have caused this instrument to be executed by their respective authorized officials on the date first above written.

RECOMMENDED BY:

STATE OF TENNESSEE
DEPARTMENT OF TRANSPORTATION

BY: Mark A. Sturtevant
Mark Sturtevant, Director
Department of Public Works

BY: _____
Clay Bright
Commissioner

APPROVED AS TO AND
AVAILABILITY OF FUNDS

APPROVED AS TO FORM AND
LEGALITY

BY: Kevin Crumbo
Director
Department of Finance

BY: _____
John H. Reinbold
General Counsel

APPROVED AS TO FORM AND
LEGALITY

BY: C. J. Cadd
Metropolitan Attorney

THE METROPOLITAN GOVERNMENT OF
NASHVILLE AND DAVIDSON COUNTY

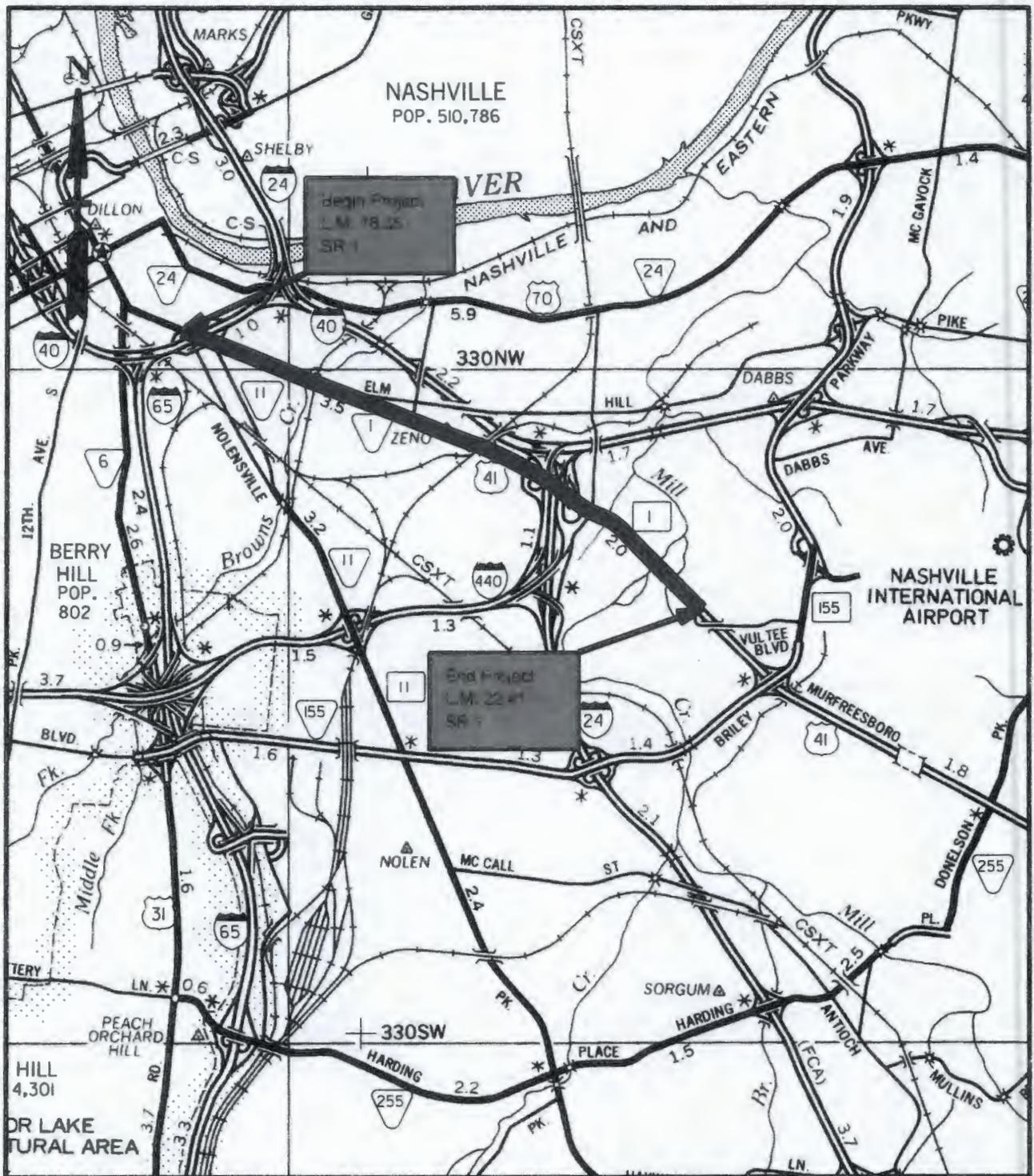
BY: _____
John Cooper
Metropolitan County Mayor

ATTEST, this the _____ day of
_____, 20 _____.

BY: _____
Metropolitan Clerk

APPROVED AS TO RISK AND
INSURANCE

BY: B. C. W.
Director of Insurance



SR 1
L.M. 78.25

End Project
L.M. 22.41
SR 1

TN **TDOT**
Department of
Transportation

LOCATION MAP

SR 1 From Division St. to Vultee Blvd.
Davidson County

PIN: 125526.08

Scale: 1" = 1 MILE

Date: 7/5/19