

RESOLUTION NO. RS2020 - 202

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 signal maintenance for I-440 Traffic Operational Deployment of Blue Toad Spectra Power over Ethernet (PoE) Data Collection Devices, State No. 99111-4604-04; PIN 125652.00 (Prop. No. 2020M-004AG-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 traffic data collection devices under I-440 Traffic Operational Deployment of Blue Toad Spectra Power over Ethernet (PoE) Data Collection Devices, State No. 99111-4604-04; PIN 125652.00; and

WHEREAS, in exchange for the installation of these data collection 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 amendment 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 the signal maintenance of traffic data collection devices, Agreement No. 190050, 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.

RECOMMENDED BY:

Mark A. Sturtevant

Mark Sturtevant, Director
Department of Public Works

INTRODUCED BY:

Member(s) of Council

APPROVED AS TO AVAILABILITY
OF FUNDS:

✓

Kevin Crumbo

Kevin Crumbo, Director
Department of Finance

K

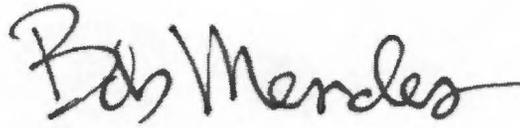
APPROVED AS TO FORM AND
LEGALITY:

J. J. Radd

Assistant Metropolitan Attorney

Electronic Signature Page

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

A handwritten signature in black ink that reads "Bob Mendes". The signature is written in a cursive, flowing style.

Bob Mendes

Councilmember At-Large

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

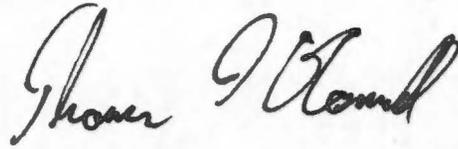
(Attach to Legislation Pursuant to Rule 8 of the Council Rules of Procedure)

Angie E. Henderson

Angie Henderson
Councilmember, District 34

Electronic Signature Page

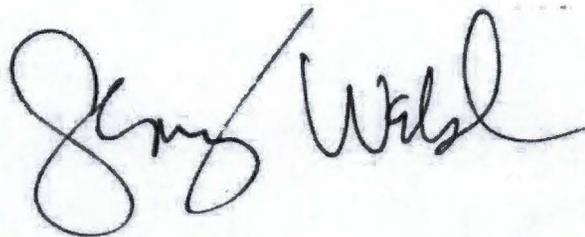
(Attach to Legislation Pursuant to Rule 8 of the Council Rules of Procedure)

A handwritten signature in black ink, appearing to read "Freddie O'Connell". The signature is written in a cursive style with a large, stylized '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, reading "Ginny Welsch". The signature is written in a cursive style with a large, looped "G" and "W". It is positioned above a horizontal line.

Ginny Welsch
Council Member, District 16

Electronic Signature Page

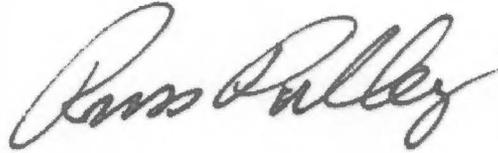
(Attach to Legislation Pursuant to Rule 8 of the Council Rules of Procedure)

A handwritten signature in black ink, appearing to read "Colby Sledge". The signature is fluid and cursive, with the first name "Colby" and last name "Sledge" clearly distinguishable.

Colby Sledge
Councilman, District 17

Electronic Signature Page

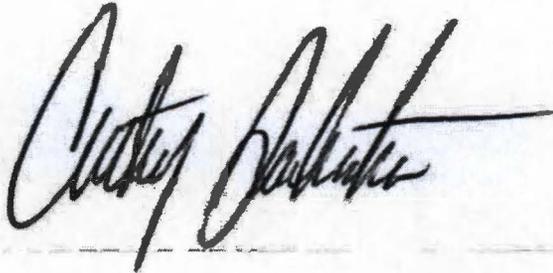
(Attach to Legislation Pursuant to Rule 8 of the Council Rules of Procedure)

A handwritten signature in black ink, appearing to read "Russ Pulley". The signature is written in a cursive style with a large initial "R".

Russ Pulley
Councilmember, District 25

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 "Courtney Johnston", written over a horizontal dashed line.

Courtney Johnston
Council Member, District 26

AGREEMENT No: 190050
PROJECT IDENTIFICATION No: 125652.00
FEDERAL PROJECT No: N/A
STATE PROJECT No: 99111-4604-04
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 I H:

WHEREAS, the Department desires to install traffic data collection 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 data collection equipment desires to cooperate with the Department such that the traffic data collection equipment 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:

"I-440 Traffic Operational Deployment of Blue Toad Spectra Power over Ethernet (PoE) Data Collection Devices, See Exhibit A Attached for Locations"

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: Data collection devices accepted and maintained by the Agency as part of this Agreement shall not be modified in such a way as to allow the identification or tracking of any individual road user. This includes applicable modifications to the hardware, software, cloud storage, data delivery process, or any other method by which data anonymity and security protocols are changed. In the event that these protocols are modified by the equipment manufacturer, the

Agency, after providing the Department with written notice and a reasonable opportunity to cure, may terminate this Agreement.

SECTION IV: 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
Kevin Crumbo, Director
Department of Finance 14

BY: _____
John H. Reinbold
General Counsel

APPROVED AS TO FORM AND LEGALITY

BY: C. D. Radcliff
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

BlueTOAD - Phase 1 Deployment (I-440)

1
CHARLOTTE

2
HARDING

16
MURPHY

3
WOODMONT
HILLSBORO

WEST END

8
BLAKEMORE

12
GRANNY WHITE
BATTERY

10

4

11

FRANKLIN

13

WEDGEWOOD

5

BRANSFORD

18

14

MELROSE

20

6

THOMPSON

21

NOLENVILLE

15

MURFREESBORO

BRILEY

12A

7

Id	STREET	X_STREET
1	White Bridge	Charlotte
2	White Bridge	Harding
3	Woodmont	Hillsboro
4	Woodmont	Granny White
5	Thompson	Bransford
6	Thompson	Nolensville
7	Thompson	EB I-24 Ramps
8	Blakemore	West End
9	Blakemore	21st
10	Wedgewood	12th
11	Wedgewood	8th
12	Battery	Granny White
13	Harding	Franklin
14	Harding	NB I-65 Ramps
15	Harding	Nolensville
16	Murphy	EB I-440 Ramp
17	Murphy	West End
18	21st	EB I-440 Ramps
19	Franklin	Berry
20	Bransford	Melrose
21	Nolensville	Melrose

