

RESOLUTION 25-126

**A RESOLUTION TO APPROVE AMENDMENT NO. 1 WITH KIMLEY-HORN FOR
THE PETER JENKINS GREENWAY CONNECTOR PROJECT**

WHEREAS, the City of Spring Hill entered into a contract with Kimley-Horn to provide Architectural and Engineering Services for the Peter Jenkins Greenway Connector, by Resolution 24-04; and

WHEREAS, the initial contract covered services for PE-NEPA and PE-Design (tasks 1-5); and

WHEREAS, Kimley-Horn has submitted Amendment No. 1 for tasks 6-12, to include project updates, rights-of-way services, final design services, utility coordination and bid phase services in the amount of \$204,700, as detailed in Exhibit A attached hereto; and

WHEREAS, the amendment expenses be funded from the Capital Projects Fund (313-48020) utilizing FY 25 budgeted funds.

NOW, THEREFORE BE IT RESOLVED, the City of Spring Hill Board of Mayor and Aldermen:

1. Approves Amendment No. 1 to the existing contract with Kimley-Horn for tasks 6-12 for the Peter Jenkins Greenway Connector in a total amount of \$204,700.00, attached hereto.
2. Authorize the Mayor to sign the agreement.

Passed and Adopted by the Board of Mayor and Aldermen of the City of Spring Hill, Tennessee on the 19th day of May, 2025.



Matt Fitterer, Mayor

ATTEST:



April Goad, City Recorder

LEGAL FORM APPROVED:



Patrick Carter, City Attorney



REQUEST: *Approval of Amendment No. 1 from Kimley-Horn for the Peter Jenkins Greenway Connector*

SUBMITTED TO: Board of Mayor and Aldermen

SUBMITTED BY: Missy Stahl, CIP Director
Kayce Williams, Parks and Recreation Director

DATE: May 19, 2025

BACKGROUND:

The Board of Mayor and Aldermen approved Resolution 24-04 to enter into a contract to provide architectural and engineering services for the Peter Jenkins Greenway Connector. The connector will span from Wyngate Estates existing trail to Duplex Road. The initial approval was for tasks 1-5, which included services for PE-NEPA and PE-Design. Those tasks are completed and Kimley-Horn has submitted Amendment No. 1 for tasks 6-12. These tasks will provide services related to project updates, ROW services, final design, utility coordination and bid phase services. The total fee for Amendment No. 1 is \$204,700.00.

FINANCIAL IMPACT:

Amendment No. 1 is in the amount of \$204,700 and will be expenses from FY 25 budgeted funds (313-48020-59123).

STAFF RECOMMENDATION:

Staff recommends approval of Resolution 25-126 to approve Amendment No. 1 from Kimley-Horn for the Peter Jenkins Greenway Connector and to authorize the Mayor to sign the amendment.

AMENDMENT NUMBER 001 TO THE AGREEMENT BETWEEN CLIENT AND KIMLEY-HORN AND ASSOCIATES, INC.

This is Amendment Number 001 dated May 5, 2025, to the agreement between City of Spring Hill ("Client") and Kimley-Horn and Associates, Inc. ("Consultant") dated May 20th, 2024 ("the Agreement") concerning Peter Jenkins Greenway Connector (the "Project").

The Consultant has entered into the Agreement with Client for the furnishing of professional services, and the parties now desire to amend the Agreement.

The Agreement is amended to include services to be performed by the Consultant for compensation as set forth below in accordance with the terms of the Agreement, which are incorporated by reference.

The tasks below shall be performed for the revised alignment of the greenway connector that begins at the intersection of Duplex Road and Hurt Road and extends northward paralleling Hurt Road through private property until turning west through the Allendale School Property to connect to the existing Peter Jenkins Trail to the north. Any deviation from the proposed alignment will be considered additional services and will be performed as per the original agreement dated May 20th 2024, as requested by the Client on either a negotiated lump sum basis or on a labor fee plus expense basis.

Task 6 – Project Updates for the Revised Alignment

This task will consist of updating the PE-NEPA plans and documentation to reflect the revised above referenced alignment. Kimley-Horn will coordinate with the Greater Nashville Regional Council (GNRC) and TDOT to update the Transportation Improvement Plan (TIP) for the new alignment. This task will also consist of the additional field studies and the documentation for the additional Section 4(f) resource as required for the NEPA documentation process.

Task 6 Kimley-Horn Deliverables:

1. Revised Preliminary Plans Package
2. Revised NEPA Documentation Package

Task 7 – Project Coordination and Meetings for PE-DESIGN

This task will consist of the following project management activities:

- Project Coordination – coordination with the City and TDOT to provide updates, coordinate project reviews, and other activities to help the City and TDOT be generally informed of the progress of the project.
- Project Meetings – consists of scheduling, setting the agenda, and producing meeting minutes for up to twelve (12) monthly virtual project meetings.
- Project Administration – Kimley-Horn will conduct regular project management activities to ensure the project stays on schedule and within budget and that major milestones are met. Monthly invoices and progress reports will be provided as part of this task.

Task 7 Kimley-Horn Deliverables:

1. Meeting agendas and minutes outlined above (PDF format) to the City and all meeting attendees.

Task 8 –Right-of-Way Design Services

Task 8.1 – Right-of-Way Plans

Upon receiving notice to proceed for the PE-Design Phase from TDOT, Kimley-Horn will prepare right-of-way design plans in accordance with TDOT's Roadway Design Guidelines and current City of Spring Hill design standards. The plans will consist of the following sheets:

- Title Sheet with Index
- Estimated Quantities
- Typical Sections
- Present Layout
- Right-of-Way Plans
- Proposed Layout
- Grading and Drainage Plan
- Traffic Control Plan
- Erosion Prevention and Sediment Control Plans

Task 8.2 – Preliminary Engineer's Opinion of Probable Construction Cost

Kimley-Horn will prepare a preliminary opinion of the probable construction cost of the proposed improvements and quantities will be those developed from the preliminary design plans. Kimley-Horn will base this opinion of cost on actual bid prices for recent projects which involved similar equipment and construction.

Because Kimley-Horn does not control the cost of labor, materials, equipment, or services furnished by others, methods of determining prices, or competitive bidding or market conditions, any opinions rendered as to costs, including but not limited to opinions as to the costs of construction and materials, shall be made on the basis of its experience and represent its judgment as an experienced and qualified professional, familiar with the industry. Kimley-Horn cannot and does not guarantee that proposals, bids or actual costs will not vary from its opinions of cost. If the City wishes greater assurance as to the amount of any cost, it shall employ an independent cost estimator.

Task 8.3 – Right-of-Way Plans Submittal and Review

Kimley-Horn will submit right-of-way plans to TDOT and the City for review and comment. Kimley-Horn will meet with the City to discuss the City's comments. Following this review meeting, Kimley-Horn will revise the plans based on the City's comments and comments from TDOT.

Task 8 Kimley-Horn Deliverables:

1. Right-of-Way Plans package (PDF format)

Task 9 – Right-of-Way Mapping Services

Kimley-Horn will prepare exhibits for the required right-of-way and easements on the project for the impacted property. Legal Descriptions will be provided for each property anticipated to require easement or right-of-way acquisition. It is estimated that up to six (6) properties will be impacted and therefore, six (6) legal descriptions have been included in this scope.

Task 9 Kimley-Horn Deliverables:

1. Right-of-Way Exhibits and Legal Descriptions (PDF format)

Task 10 – Final Design Services

Task 10.1 – Construction Plans

Upon receiving notice to proceed for the ROW Phase from TDOT, Kimley-Horn will prepare right-of-way design plans in accordance with TDOT's Roadway Design Guidelines and current City of Spring Hill design standards. The plans will consist of the following sheets:

- Title Sheet with Index
- Estimated Quantities
- Typical Sections
- General Notes
- Special Notes
- Detail Sheets
- Present Layout
- Right-of-Way Plans
- Proposed Layout
- Grading and Drainage Plan
- Traffic Control Plans
- Erosion Prevention and Sediment Control Plans

Task 10.2 – Final Engineer's Opinion of Probable Construction Cost

Kimley-Horn will prepare an opinion of the probable construction cost of the proposed improvements defined by the plans and technical specifications. Quantities will be those developed from the Construction plans. Kimley-Horn will base this opinion of cost on actual bid prices for recent projects which involved similar equipment and construction.

Because Kimley-Horn does not control the cost of labor, materials, equipment, or services furnished by others, methods of determining prices, or competitive bidding or market conditions, any opinions rendered as to costs, including but not limited to opinions as to the costs of construction and materials, shall be made on the basis of its experience and represent its judgment as an experienced and qualified professional, familiar with the industry. Kimley-Horn cannot and does not guarantee that proposals, bids or actual costs will not vary from its opinions of cost. If the City wishes greater assurance as to the amount of any cost, it shall employ an independent cost estimator. Kimley-Horn's services required to bring costs within any limitation established by the City will be paid for as Additional Services.

Task 10.3 – Final Design Submittal

Kimley-Horn will prepare a set of final construction plans. Kimley-Horn will submit draft construction plans to the City for review and comment. Kimley-Horn will meet with the City to discuss the City's comments. Following the review meeting, Kimley-Horn will revise the plans based on the comments received. Kimley-Horn will submit the draft construction plans to the TDOT Office of Local Programs for review and approval by the TDOT Design Division. This submittal will consist of the design plans and the TDOT Local Programs forms for design approval. Upon receipt of comments from TDOT, Kimley-Horn will prepare the final Construction Plans. The Final Construction plans will be signed and sealed by a State of Tennessee licensed Professional Engineer.

Task 10 Kimley-Horn Deliverables:

1. Final sealed plans (PDF format)
2. Final engineer's opinion of probable construction cost (PDF format)

Task 11 – Utility Coordination

Task 11.1 – Preliminary Utility Coordination

Upon completion of Task 6 above, Kimley-Horn will provide early notification to the potentially affected utility owners along the project corridor. Kimley-Horn will request utility owner information from the TDOT Regional Utility Coordinator. Each utility owner will be provided the project location, project limits, project description, and federal and state project identifiers and given two (2) sixty-day notices and one (1) ten-day notice to indicate if they own facilities within the project area. Kimley-Horn will submit preliminary plans to utility companies known to have facilities within the project limits. The submittal to each utility owner will consist of an electronic set of plan drawings (PDF format) and a letter requesting that the utility company review the potential impacts of the proposed project to their facilities. The letter will request a written response from each utility.

Kimley-Horn will prepare for and host a virtual utility coordination meeting as part of this task. Known impacted utility companies will be invited to attend a coordination meeting to discuss potential utility relocations within the project limits. Kimley-Horn will document the discussions and decisions made during the meeting and distribute to the meeting attendees. Utility Owners will be responsible for identifying utility conflicts within the project limits and the design and relocation of their utilities.

Task 11.2 – Right-of-Way Phase Utility Coordination

Upon completion of Task 8, Kimley-Horn will submit the approved Right-of-Way plans to utility owners identified in Task 11.1. The submittal to each utility owner will consist of an electronic set of plan drawings (PDF format), information detailing any design changes made during Right-of-Way design, and a letter requesting that the utility company review the potential impacts of the proposed project to their facilities and prepare more detailed utility relocation plans. Kimley-Horn will coordinate with utility owners during this phase to help facilitate the development of the relocation plans.

Kimley-Horn will prepare for and host a second virtual utility coordination meeting as part of this task. Known impacted utility companies will be invited to attend a coordination meeting to discuss utility relocations within the project limits. Kimley-Horn will document the discussions and decisions made during the meeting and distribute to the meeting attendees.

Task 11.3 – Final Utility Coordination

Prior to bidding of the project, Kimley-Horn will coordinate with utility owners to help facilitate both move-prior relocations and the integration of utility relocation plans for any potential move in-contract utilities. Kimley-Horn will prepare and submit all utility coordination documentation to TDOT for Utility Certification.

Kimley-Horn will not perform any utility relocation design services as part of this task. It is assumed that each utility owner will design, provide plans for, and construct their utility relocations.

Task 11 Kimley-Horn Deliverables:

1. Utility Coordination Notification Letter with Project Map (PDF format) to each known Utility Owner within the project corridor
2. Utility Coordination Request Letter with Preliminary Plans (PDF format) to each known Utility Owner within the project corridor
3. Utility Coordination Request Letter with approved Right-of-Way Plans (PDF format) to each known Utility Owner within the project corridor
4. Utility Certification Application to TDOT (PDF format)

Task 12 – Bid Phase Services

Task 12.1 – Proposal Contract Preparation

Kimley-Horn will prepare a proposal contract in accordance with TDOT Office of Local Programs standards. Kimley-Horn will prepare technical specifications for those items that are not covered by the TDOT specifications. The remainder of the technical specifications will be based upon TDOT's Standard Specifications for Road and Bridge Construction or will be documented in the construction plans. The proposal contract will contain the Request for Proposals, the contract documents, bid forms, disadvantaged business enterprise (DBE) requirements, specifications, and required special provisions. The proposal contract will be submitted to the TDOT Office of Local Programs for approval and authorization for the City to proceed with bidding the project.

Task 12.2 – Bid Assistance

Upon receiving authorization from TDOT to receive bids, Kimley-Horn will assist the City with drafting the advertisement for bids and conduct one pre-bid meeting with potential bidders. Kimley-Horn staff will respond to questions that arise during the bidding process and issue statements of clarification or bid addenda as appropriate. Kimley-Horn will be present for the bid opening and meet with City of Spring Hill staff following the bid opening to assist with bid review. In addition, Kimley-Horn will tabulate the bids received and evaluate the compliance of the bids with the bidding documents and in accordance with TDOT Policy No. 355-02, Awards of Construction Contracts. Kimley-Horn will prepare a written summary of this tabulation and evaluation. Kimley-Horn will submit the bid tabulation and other required documentation to TDOT for review and approval to award the contract to the lowest responsive bidder.

Task 12 Kimley-Horn Deliverables:

1. Project DBE Goal Worksheet (electronic copy, PDF format) to City and TDOT
2. Draft Proposal Contract (electronic copy, PDF format) to City and TDOT
3. Final Proposal Contract (electronic copy, PDF format) to City and TDOT
4. Responses to bidder questions (electronic copy, PDF format)
5. Bid tabulation and Request to Award letter for submittal to TDOT (electronic copy, PDF format)

Schedule

Consultant and Client agree to the following general schedule in connection with the services set forth above:

We will provide our services as expeditiously as practicable to meet a mutually agreed upon schedule.

Fee and Billing

For the services set forth above, Client shall pay Consultant the following compensation:

Kimley-Horn's will perform the Scope of Services in Tasks 6 to 12 on a labor fee plus expense basis with a maximum labor fee of \$204,700. Kimley-Horn will not exceed the total maximum labor fee without authorization from the Client.

Labor fee will be billed on an hourly basis according to our then-current hourly rates. As to these tasks direct reimbursable expenses such as express delivery services, fees, air travel, and other direct expenses will be billed at 1.05 times cost.

Fees and expenses will be invoiced monthly based upon the actual services performed and expenses incurred as of the invoice date. Payment will be due within 30 days of your receipt of the invoice

Task 6 – Project Updates for the Revised Alignment	\$57,000
Task 7 – Project Coordination and Meetings for PE-DESIGN	\$24,000
Task 8 – Right-of-Way Design Services	\$58,100
Task 9 – Right-of-Way Mapping Services	\$10,200
Task 10 – Final Design Services	\$39,000
Task 11 – Utility Coordination	\$7,000
Task 12 – Bid Phase Services	\$9,400
Maximum Not to Exceed Fee	\$204,700

Fees and expenses will be invoiced monthly based, as applicable, upon the percentage of services performed or actual services performed, and expenses incurred as of the invoice date. Payment will be due within 30 days of your receipt of the invoice.

CLIENT:

City of Spring Hill

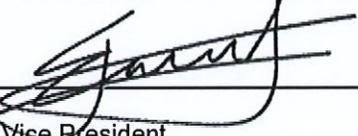
By: 

Title: Mayor

Date: 5-19-2025

CONSULTANT:

KIMLEY-HORN AND ASSOCIATES, INC.

By: 

Title: Vice President

Date: May 5, 2025