

**RESOLUTION 20-65**

**A RESOLUTION AUTHORIZING ACCEPTANCE OF THE HARVEY PARK GREENWAY PROJECT CONSTRUCTION GRANT, AND CONFIRMING THAT MATCHING FUNDS HAVE BEEN INCLUDED IN THE CAPITAL IMPROVEMENT PLAN FOR THE CITY OF SPRING HILL**

**WHEREAS**, the City of Spring Hill Board of Mayor and Aldermen approved the acceptance of the award of a grant for the Harvey Park Greenway Project by Resolution 18-152; and

**WHEREAS**, the grant award was for the amount of \$598,008.00 with a local match of \$149,502.00 to be used for planning, preliminary engineering and environmental studies and right of way acquisition; and

**WHEREAS**, the City submitted the Harvey Park Greenway Phase 1 Project Construction and Construction Engineering Inspection ("CEI") services grant application to the Nashville Metropolitan Planning Organization (MPO) and the Tennessee Department of Transportation through the Active Transportation Program (ATP); and

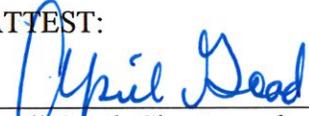
**WHEREAS**, the Nashville Metropolitan Planning Organization (MPO) recommends an award of grant funds in the amount of \$1,195,998.00 with a local match of \$298,999.50 to be used for construction and CEI services with construction to be completed by September 30, 2025; and

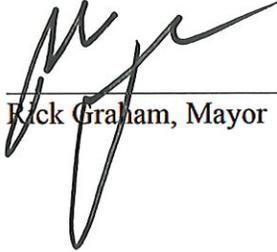
**WHEREAS**, the Board of Mayor and Aldermen will provide for matching funds in the Capital Improvement Plan for this project as an expenditure from the General Fund revenues.

**NOW, THEREFORE BE IT RESOLVED**, that the City of Spring Hill Board of Mayor and Aldermen hereby accepts the Harvey Park Greenway Project Construction Grant of \$1,195,998.00 with a local match of \$298,999.50 and confirms that matching funds have been included in the Capital Improvement Plan as an expense from the General Fund.

**Passed and adopted by the Board of Mayor and Aldermen of the City of Spring Hill, Tennessee on the 15<sup>th</sup> day of June, 2020.**

ATTEST:

  
\_\_\_\_\_  
April Goad, City Recorder

  
\_\_\_\_\_  
Rick Graham, Mayor

LEGAL FORM APPROVED:

  
\_\_\_\_\_  
Patrick Carter, City Attorney

**SUBJECT:** Resolution for Harvey Park  
Greenway Phase 1 Construction Grant

**DATE:** June 1, 2020

**ATTENTION:** Board of Mayor and Aldermen

**STAFF:** Missy Stahl, Senior Project Manager



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## **STAFF MEMORANDUM**

The City previously applied for and was awarded a grant through the Nashville MPO and TDOT in the amount of \$598,008.00 with a local match of \$149,502.00 to be used for planning, preliminary engineering and environmental studies and right of way acquisition for the Harvey Park Greenway Phase 1 (accepted by BOMA Resolution 18-152). This grant was awarded as part of their Active Transportation Program (ATP).

The City subsequently applied for a grant through the same program for construction and CEI services for the greenway. TDOT has notified City staff that we have been awarded grant funding to cover these items in the amount of \$1,195,998.00 with a local match of \$298,999.50. The construction is included in the current Capital Improvement Plan, with funding from the General Fund revenues.

The City needs to be in construction of the greenway no later than September 30, 2023 and must be completed by September 30, 2025, as terms of the grant funding. Construction is scheduled for FY 2021/2022 so the additional expenses and corresponding reimbursement revenue will be budgeted in accordance. The balance of the grant received for planning, preliminary engineering and environmental studies and right of way acquisition will be budgeted in FY 2020/2021.

Staff recommends approval of this resolution to accept the grant funds for construction and CEI services and to confirm that the City will include the matching funds in the CIP.

STBG TIP

**EXHIBIT "A"****AGREEMENT #:** 190380**PROJECT IDENTIFICATION #:** 125180.02**FEDERAL PROJECT #:** STP-M-9323(4)**STATE PROJECT #:** 94LPLM-F0-119; 94LPLM-F1-120; 94LPLM-F2-121

**PROJECT DESCRIPTION:** Harvey Park Greenway - Phase 1 connecting Miles Johnson Pkwy to Wilkes Lane in Spring Hill: Design and construction of a greenway along McCutcheon Creek. Project also includes signage, landscaping, crosswalk, median islands, ADA Compliance, pedestrian bridges and pedestrian amenities.

**CHANGE IN COST:** Cost hereunder is controlled by the figures shown in the TIP and any amendments, adjustments or changes thereto

**TYPE OF WORK:** Bicycle and Pedestrian Facilities

PHASE	FUNDING SOURCE	FED %	STATE %	LOCAL %	ESTIMATED COST
PE-NEPA	M-STBG	80	0	20	\$210,000.00
PE-DESIGN	M-STBG	80	0	20	\$299,000.00
RIGHT-OF-WAY	M-STBG	80	0	20	\$238,510.00

**INELIGIBLE COST:** One hundred percent (100%) of the actual cost will be paid from Agency funds following expenditure of the most recently approved TIP cost or if the use of said federal funds is ruled ineligible at any time by the Federal Highway Administration.

**TDOT ENGINEERING SERVICES (TDOT ES):** In order to comply with all federal and state laws, rules, and regulations, the TDOT Engineering Services line item in Exhibit A is placed there to ensure that TDOT's expenses associated with the project during construction are covered. The anticipated TDOT expenses include but are not necessarily limited to Construction Inspection and Material and Testing Expenses (Quality Assurance Testing).

**LEGISLATIVE AUTHORITY:** STBG: 23 U.S.C.A, Section 133, Surface Transportation Block Grant Program funds allocated or subject to allocation to the Agency.

For federal funds included in this contract, the CFDA Number is 20.205, Highway Planning and Construction funding provided through an allocation from the US Department of Transportation.



**FOR IMMEDIATE RELEASE**  
Thursday, May 7, 2020

**CONTACT:** BJ Doughty  
**OFFICE:** 615-714-8556

## **Governor Lee Announces Transportation Alternatives Grants Statewide**

**Nashville, Tenn.** - Tennessee Governor Bill Lee and Tennessee Department of Transportation Commissioner Clay Bright announced today the award of \$10,328,312 Transportation Alternatives Grants statewide in Tennessee.

"Increasing safety, promoting healthy lifestyles and providing improved access to our cities and towns make our communities better places to live and work," said Gov. Lee. "I'm pleased the state can provide the support necessary to move these projects forward."

The transportation alternatives grant is made possible through a federally funded program and is administered by the Tennessee Department of Transportation.

"Through these grants, TDOT has funded \$397 million in non-traditional transportation projects," said TDOT Commissioner Clay Bright. "This program has assisted communities all over the state in their efforts to revitalize downtowns, highlight historic areas, provide alternative means of transportation, and increase opportunities for economic development."

A list of this year's grantees can be found on the following page.

A variety of activities, such as the restoration of historic facilities, bike and pedestrian trails, landscaping and other non-traditional transportation projects, are eligible for grant funds under the federal program. For more information on TDOT's Transportation Alternatives Program, please visit TDOT's website at <https://www.tn.gov/content/tn/tdot/program-development-and-administration-home/local-programs/tap.html>

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<b>APPLICANT</b>	<b>APPLICATION DESCRIPTION</b>	<b>FUNDING</b>
Ducktown, TN	<u>Pedestrian Enhancement – Phase 3</u> : Construction of sidewalks along Main Street. Project also includes a retaining wall, curb and gutter, signage, pavement markings, landscaping and ADA upgrades.	\$719,453
Charlotte, TN	<u>Downtown Revitalization - Phase 1 (2nd Priority)</u> : Construction of sidewalks in the downtown area. Project also includes drainage improvements, striping, ADA upgrades and pedestrian amenities.	\$406,314
Charlotte, TN	<u>SR-48 Sidewalks (1st Priority)</u> : Construction of sidewalks along the east side of SR-48. Project also includes drainage improvements, curb and gutter, pavement markings and ADA upgrades.	\$1,096,596
Livingston, TN	<u>Courthouse Plaza Improvements</u> : Construction of sidewalks around the courthouse plaza. Project also includes relocation of the Veterans Memorial, curb and gutter, drainage improvements and ADA upgrades.	\$450,000
Ashland City, TN	<u>Bicentennial Trail Extension</u> : Conversion of a rail bed to a greenway adjacent to Main Street from Chapmansboro Road to Tennessee Waltz Parkway. Project also includes a pedestrian bridge, landscaping, a retaining wall and pedestrian amenities.	\$650,560
LaFollette, TN	<u>Pedestrian Improvements - Phase 4</u> : Construction of sidewalks along both sides of W. Beech Street and S. Tennessee Avenue. Project also includes ADA upgrades, crosswalks, curb and gutter, a retaining wall and drainage improvements.	\$1,482,516
Milan, TN	<u>Downtown Revitalization - Phase 4</u> : Construction of sidewalks along Main Street and Cedar Street. Project also includes curb and gutter, drainage improvements, landscaping, pavement markings, signage, pedestrian lighting, ADA upgrades and pedestrian amenities.	\$548,150
Martin, TN	<u>Elm Street Pedestrian Improvements - Phase 7</u> : Construction of sidewalks along Elm Street. Project also includes curb and gutter, drainage improvements, ADA upgrades, pavement markings, landscaping and pedestrian lighting.	\$1,255,000
Portland, TN	<u>Richland Park Sidewalk Connector</u> : Construction of sidewalks along Wheeler Street, N. Russell Street, High Street and Portland Boulevard. Project also includes curb and gutter, ADA upgrades and pavement markings	\$697,447
Elizabethton, TN	<u>Historic Covered Bridge Structural Rehabilitation</u> : Rehabilitation of a historic transportation bridge for pedestrian use.	\$797,424

Springhill, TN	<u>Harvey Park Greenway - Phase 1</u> : Construction of a greenway along McCutcheon Creek. Project also includes signage, landscaping, crosswalk, median islands, ADA Compliance, pedestrian bridges and pedestrian amenities.	\$1,195,998
Clinton, TN	<u>Pedestrian Improvements - Phase 2</u> : Construction of sidewalks along SR-9, Cullom and Market Streets. Project also includes curb and gutter, drainage improvements, a comfort station and ADA upgrades.	\$1,028,854

Amendment to Add a Specific Paragraph

**Amendment Number: 1**

**Agreement Number: 190380**

**Project Identification Number: 128150.02**

**Federal Project Number: STP-M-9323(4)**

**State Project Number: 94LPLM-F3-122**

THIS AGREEMENT AMENDMENT is 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 SPRING HILL (hereinafter called the "Agency"), for the purpose of making the changes described below:

1. To delete the following original project description on Page 1:

Harvey Park Greenway - Phase 1 connecting Miles Johnson Pkwy to Wilkes Lane in Spring Hill: Design and construction of a greenway along McCutcheon Creek. Project also includes signage, landscaping, crosswalk, median islands, ADA Compliance, pedestrian bridges and pedestrian amenities.

And replace it with the following new project description:

Harvey Park Greenway - Phase 1: Design and construction of a greenway along McCutcheon Creek. Project also includes signage, landscaping, crosswalk, median islands, ADA Compliance, pedestrian bridges and pedestrian amenities.

2. The language of AGREEMENT #**190380** dated January 6, 2020 Exhibit A is hereby deleted in its entirety and replaced with the attached Exhibit A for Amendment **1**.
3. Federal Project Number STP-M-9323(4) is hereby deleted in its entirety and replaced with the following:

**STP-M/TAP-9323(4)**

4. The language of AGREEMENT # 190380 dated January 6, 2020 Section B.2a is hereby deleted in its entirety.
5. The following is added as B.2a .

**B.2 Completion Date:**

a) This Agreement shall be effective from the period beginning **January 6, 2020** and ending on **September 30, 2025**. The Agency shall provide the Department with the documents, certifications and clearances necessary to obtain the Department's Notice to Proceed to the Construction Phase by **September 30, 2023**. If the Agency does not provide the Department with the documents, certifications and clearances necessary to obtain the Department's Notice to Proceed to the Construction Phase by the aforesaid date, then the Department may terminate this Agreement. If the Agency does not complete the herein described phases of the Project within the time period, this Agreement will expire on the last day of scheduled completion as provided in this paragraph unless an extension of the time period is requested by the Agency and granted in writing by the Department prior to the expiration of the Agreement. An extension of the term of this Agreement will be effected through an amendment to the Agreement. The Agency hereby acknowledges and affirms that the Department shall have no obligation for Agency services or expenditures that were not completed within this specified contract period.

6. The language of Agreement # 190380 dated January 6, 2020, Section B is amended to add the following:

Section # B, Paragraph # 10

**B.10 Department Costs:**

a) The Department shall provide various activities necessary for Project development. The estimated costs for these activities are the funds shown as "TDES" in Exhibit A. TDES costs are not funds available to the Agency for expenditure or reimbursement.

7. The language of Agreement # 190380 dated January 6, 2020, Section C is amended to add the following:

Section # C, Paragraph # 9

**C.9 Agency Deposit:**

a) In the event the Agency elects to utilize a TDOT Local Programs On-Call Consultant for any phase of project delivery, the Agency shall be required to deposit its share of the estimated cost per phase as noted in Exhibit A. This deposit may be made either by check delivered to the

Amendment to Add a Specific Paragraph

Local Programs Development Office or via deposit into the Agency's Local Government Investment Pool account established under Tenn. Code Ann. 9-4-701 et seq.

8. The language of Agreement # 190380 dated January 6, 2020, Section D is amended to add the following:

Section # D, Paragraph # 38

**D.38 Completion of Project and Repayment of Funds:**

- a) If the Agency elects not to complete the Project, then the Agency shall notify the Department in writing within thirty (30) days after having made such determination and, at the discretion of the Department, the Agency may be required upon written notice to repay to the Department some or all of the funds paid to the Agency pursuant to this Agreement and to reimburse the Department for TDES costs incurred as a result of this Agreement. The Department shall have the sole determination over the amount of funds owed by the Agency. If the Department determines that any funds are owed by the Agency, the Agency shall pay said funds within one hundred eighty (180) days of receipt of written notice from the Department.

All provisions of the original contract not expressly amended hereby shall remain in full force and effect.

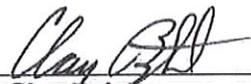
Amendment to Add a Specific Paragraph

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

CITY OF SPRING HILL

STATE OF TENNESSEE  
DEPARTMENT OF TRANSPORTATION

By:   
Rick Graham  
Mayor

By:   
Clay Bright  
Commissioner

7/23/20  
Date

Date

Date

APPROVED AS TO  
FORM AND LEGALITY

APPROVED AS TO  
FORM AND LEGALITY

By:   
Patrick Carter  
Attorney

By:   
John Reinbold  
General Counsel

7/21/2020  
Date

Date

Date

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## EXHIBIT "A" for Amendment 1

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**AGREEMENT NUMBER: 190380**  
**PROJECT IDENTIFICATION NUMBER: 128150.02**  
**FEDERAL PROJECT NUMBER: STP-M/TAP-9323(4)**  
**STATE PROJECT NUMBER: 94LPLM-F3-122**

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**PROJECT DESCRIPTION: Harvey Park Greenway – Phase 1: Design and construction of a greenway along McCutcheon Creek. Project also includes signage, landscaping, crosswalk, median islands, ADA Compliance, pedestrian bridges and pedestrian amenities.** The purpose of the project is not location dependent. The purpose of the project shall be accomplished in accordance with the project application, budget, and/or scope of work on which approval of the project was based and AASHTO standards. The application, budget, and /or scope of work may be amended from time to time and when amended will serve as the revised project standard.

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**PROJECT TERMINI: Harvey Park Greenway - Phase 1**

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**CHANGE IN COST:** In event this project is within a Metropolitan Planning Organization, costs hereunder are controlled by the figures shown in the TIP and any amendments, adjustments or changes thereto.

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**TYPE OF WORK: Facilities for Bicycles and Pedestrians**

PHASE	FUNDING SOURCE	FEDERAL %	STATE %	LOCAL %	ESTIMATED COST
NEPA	M-STBG	80	0	20	\$210,000.00
DESIGN	M-STBG	80	0	20	\$299,000.00
ROW	M-STBG	80	0	20	\$238,510.00
UTILITIES	LOCAL	0	0	100	\$0.00
CONSTRUCTION	TAP	80	0	20	\$1,231,164.50
CEI	TAP	80	0	20	\$251,833.00
TDES(NOT REIMBURSABLE)	TAP	80	0	20	\$12,000.00

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**LIABILITY:** The Agency understands the estimated cost of the project is **\$2,242,507.50**, and the maximum liability of the Department being **\$1,794,006.00**. The maximum liability of the Department does not include the TDES estimated cost as noted above.

Amendment to Add a Specific Paragraph

Any additional costs incurred above the maximum liability shall be the responsibility of the Agency.

**INELIGIBLE COST:** One hundred percent (100%) of the actual cost will be paid from Agency funds if the use of said state or federal funds is ruled ineligible at any time by the Federal Highway Administration.

**LEGISLATIVE AUTHORITY:** **STBG: 23 U.S.C.A, Section 133**, Surface Transportation Block Grant Program funds allocated or subject to allocation to the Agency. FAST Act § 1109; 23 U.S.C. 133(h)

**NOTE:** Where the Agency is managing any phase of the project, the Department shall provide various activities necessary for Project development. The estimated costs for these activities are included in the funds shown in "TDES" above. These funds are not available to the Agency for expenditure and reimbursement.

For federal funds included in this contract, the CFDA Number is 20.205, Highway Planning and Construction funding provided through an allocation from the US Department of Transportation.



STATE OF TENNESSEE  
DEPARTMENT OF TRANSPORTATION  
PROGRAM DEVELOPMENT & ADMINISTRATION DIVISION  
LOCAL PROGRAMS DEVELOPMENT OFFICE  
SUITE 600, JAMES K. POLK BUILDING  
505 DEADERICK STREET  
NASHVILLE, TENNESSEE 37243-1402  
(615) 741-5314

CLAY BRIGHT  
COMMISSIONER

BILL LEE  
GOVERNOR

January 10, 2020

The Honorable Rick Graham  
Mayor, City of Spring Hill  
199 Town Center Parkway  
P.O. Box 789  
Spring Hill, TN 37174

RE: PIN: 128150.02; Federal Project No: STP-M-9323(4)  
Harvey Park Greenway - Phase 1  
Spring Hill, Williamson County

Dear Mayor Graham:

Please find attached a fully executed contract for the above referenced project. This copy is for your files, and we will keep the original here in our office.

**Do not begin work on any construction aspect of this project until you have received a Notice to Proceed to Construction from this Office.** *Any work you do ahead of this authorization will not be reimbursable.*

Please note, you must receive TDOT's Notice to Proceed with Construction by July 1, 2021 or the Department reserves the right to cancel the award.

All of the procedures required throughout the implementation of this process can be found at [https://www.tn.gov/content/dam/tn/tdot/programdevelopment/localprograms/documents-and-forms/LGG\\_Manual.pdf](https://www.tn.gov/content/dam/tn/tdot/programdevelopment/localprograms/documents-and-forms/LGG_Manual.pdf) under the Local Government Guidelines Manual. In addition, all reimbursement procedures and forms can be accessed at <https://www.tn.gov/tdot/program-development-and-administration-home/local-programs/reimbursement.html>

If you have any questions, or need any additional information, please let me know.

Sincerely,

Neil Hansen  
Manager  
Transportation Alternatives Program

Attachment

NH/lad

bl/cc: Mr. David Layhew, Assistant Chief of Engineering, TDOT Region 3  
Mr. Shane Hester, Director of Regional Project Delivery, TDOT Region 3  
Mr. John Kahle, w/attachment (6<sup>th</sup> flr.)  
File w/attachment

**Certification of Compliance Regarding Third Party Contracts**

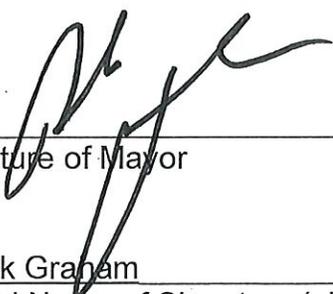
FOR PROJECT PIN: 128150.00

DESCRIBED AS: Harvey Park Greenway

I, Rick Graham, Mayor of Spring Hill,  
(hereinafter referred to as "Agency") hereby certify by my signature hereunder that:

1. The Agency has no understanding or contract with a third party that will conflict with or negate the Project for which the Agency is requesting funding from the Department; and
2. The Agency has disclosed and provided to the Department a copy of any and all contracts with any third party that relate to this Project or to any work related to this Project for which the Agency is requesting funding from the Department; and
3. The Agency will not enter into any contract with a third party that relates to this Project or to any work for which the Agency is requesting funding from the Department without prior disclosure of such proposed contract to the Department; and
4. The Agency acknowledges and agrees that failure to provide this certification may subject the Agency to the denial of funding for this Project.

Signed, this, the \_\_\_\_\_ day of October, 2019.

  
\_\_\_\_\_  
Signature of Mayor

Rick Graham  
\_\_\_\_\_  
Printed Name of Signatory (above)