

RESOLUTION 22-219

**A RESOLUTION TO APPROVE AMENDMENT NO. 1 TO THE CONTRACT FOR U.S.
31 WIDENING WITH TENNESSEE DEPARTMENT OF TRANSPORTATION**

WHEREAS, the City of Spring Hill entered in to a revised contract (No. 210163) with the Tennessee Department of Transportation ("TDOT") in September 2021 by Resolution 21-163 for the widening of U.S. 31 from Duplex Road to north of Thompsons Ridge Road/Buckner Road; and

WHEREAS, the City has requested additional Surface Transportation Block Grant ("STBG") funds the City is eligible to receive be added to this project for Right-of-Way services for which the City would be responsible for 20% of expenses and the STBG funds would cover 80% of expenses; and

WHEREAS, TDOT has submitted Amendment No. 1 to reflect the addition of STBG funds in the amount of \$759,587 added to the Right-of-Way services, shown in Exhibit A of Amendment No. 1, attached hereto; and

WHEREAS, Amendment No. 1 requests payment for the City's obligated 20% of Preliminary Engineering Design Services in the amount of \$227,760; and

WHEREAS, the funding requested will be expensed through the 18-75 Fund.

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

1. Approve Amendment No. 1 to the existing contract for US 31 Widening with TDOT to add additional City STBG funds to the Preliminary Engineering for Design services, attached hereto.
2. Approve payment in the amount of \$227,760 for 20% of Preliminary Engineering Design Services, as requested in Amendment No. 1.
3. Authorize the Mayor to sign Amendment No. 1, attached hereto.

Passed and Adopted by the Board of Mayor and Aldermen of the City of Spring Hill, Tennessee on the 19th day of September, 2022.



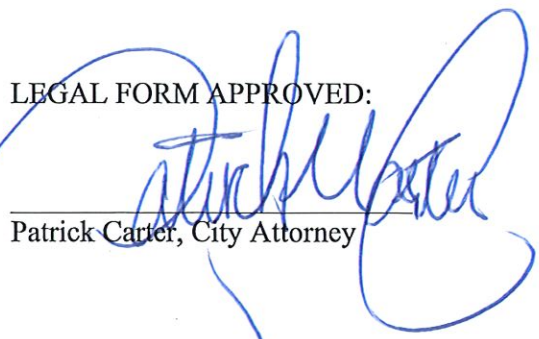
Jim Hagaman, Mayor

ATTEST:



April Goad, City Recorder

LEGAL FORM APPROVED:



Patrick Carter, City Attorney



REQUEST: *Approval of Resolution 22-219*
SUBMITTED BY: Missy Stahl, CIP Manager
DATE: September 19, 2022
RE: To authorize the Mayor to sign Amendment No. 1 to the TDOT contract for the widening of SR-6 (US-31)
ATTACHMENTS: Existing contract; Amendment No. 1

PURPOSE:

The purpose of this resolution is to authorize the Mayor to sign Amendment No. 1 to the TDOT contract for the widening of SR-6 (US-31).

BACKGROUND:

The City currently has a signed contract with TDOT, dated September 22, 2021, in which we obligated STBG funds towards the preliminary design services and right-of-way services. The City has received an additional \$759,587 in STBG funds for 2022 that can only be applied to projects with an established PIN number. Currently the only project that is eligible is the US-31 widening project. Therefore, City staff requested an amendment to the existing contract be issued to reflect these additional funds.

TDOT has submitted Amendment No. 1, with the following adjustments:

1. The STBG funds have been added to the amount for right-of-way services, as shown on Exhibit A of the Amendment No. 1.
2. TDOT is requesting payment for preliminary engineering design services in the amount of \$227,760 which will be expensed from the 18-75 Fund. This is the City's 20% portion of the full cost of \$1,138,800 shown under PE-Design.

FINANCIAL IMPACT:

The expense from the 18-75 Fund (311-48004-972) and funded with an operational transfer from Impact Fees fund.

STAFF RECOMMENDATION:

Staff recommends approval of Resolution 22-219 to authorize the Mayor to sign Amendment No. 1 with TDOT for the widening of SR-6 (US-31).

C O N T R A C T

THIS AGREEMENT, made and entered into this _____ day of _____, 20____, by and between THE TREASURY DEPARTMENT OF THE STATE OF TENNESSEE, hereinafter referred to as the "Treasury", and _____, Tennessee, hereinafter referred to as the "Local Agency".

W I T N E S S E T H:

WHEREAS, the State of Tennessee, acting through the Department of Transportation, entered into a contract with the _____, hereinafter called "Local Agency", on the _____ day of _____, 20____ relative to providing for implementation of _____.

WHEREAS, said agreement provides that the Local Agency may deposit its pro rata share of the estimated cost of the project with the Treasury for temporary investment as an alternative to furnishing the Department with said share, and the Local Agency has elected to use said alternate; and

WHEREAS, the Local Agency has made application to participate in the Local Government Investment Pool which has been accepted by the Treasury and has deposited its pro rata share of the estimated cost of the project by immediate credit transfer and advised the Treasury thereof and identified the account to which said deposit should be credited.

NOW THEREFORE, in consideration of the premises, the Treasury and the Local Agency agree as follows:

The Local Agency hereby authorizes Treasury to transfer from its Local Government Investment Pool Account (LGIP Account) relative to the above- identified project, to the account of the Department of Transportation, such amounts as said Department may request from time to time by written instructions from its Finance Director, without liability.

The Local Agency understands that no funds in its LGIP account shall be subject to withdrawal until the project is completed and the actual pro rata share of cost is determined. On completion, any surplus will be returned to the Local Agency pursuant to written instructions of said Department with an accounting of transfers made.

The Treasury will credit interest to the account which will be added to the principal and will become part of the surplus, if any, for disposition by said Department at the completion of the project. LGIP account statements will be sent to the Local Agency and said Department monthly. There will be an administrative fee charged to the Local Agency for the LGIP account at the same rate as other LGIP accounts are charged.

It is understood by the parties that the Treasury shall be responsible for the investment of aforesaid sum in accordance with the terms and conditions of the administration of the pool.

IN WITNESS WHEREOF, the parties have caused this instrument to be executed by their duly authorized officials as of the date above written.

**STATE OF TENNESSEE
TREASURY DEPARTMENT**

By: _____

NAME OF OFFICIAL WHOSE
SIGNATURE APPEARS BELOW

(Type or Print)

TITLE: _____

ADDRESS: _____

TELEPHONE NO: _____

COUNTY OF: _____

SIGNATURE
OF OFFICIAL: _____

INSTRUCTIONS FOR DEPOSITING FUNDS
FOR INVESTMENT IN LOCAL GOVERNMENT INVESTMENT POOL

Enclosed herewith you will find one (1) copy of a contract relative to investing in the Local Government Investment Pool (LGIP) administered by the State Treasury Department. These are for your use in providing evidence that the Local Agency's pro-rata share of funds for the amount set forth in the project agreement relative to the project identified in the contract have been deposited for the use of the Department of Transportation. After completing the information necessary in the body of the contract you will need to have a total of four (4) original copies signed by an authorized official. Due to the sophistication of today's copiers, signatures in ink of a color other than black will clearly mark them as original signatures and prevent possible delays. Mail two (2) copies to, Assistant Director of Investment Department, P. O. Box 198785, Nashville, TN., 37219-8785, and one (1) copy to Jennifer Herstek, Finance Administrator, Tennessee Department of Transportation, 800 James K. Polk Building, Nashville, TN 37243-0329. The remaining copy is to be retained for your file until a fully executed copy is returned by the Treasury Department. Any questions you have should be directed to **Assistant Cash Manager for LGIP Administration at (615) 532-1163.**

Please note that due to the volume of deposits, the Treasury Department will not confirm to TDOT that your deposit has been made more than once a month. To prevent delays in project development, once you have made the deposit, call the person who signed the letter transmitting this document. Give that person the account number to which you have made your deposit, the amount of your deposit and the date on which you submitted it.



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

BUTCH ELEY
DEPUTY GOVERNOR &
COMMISSIONER OF TRANSPORTATION

BILL LEE
GOVERNOR

September 12, 2022

The Honorable Jim Hagaman
Mayor, City of Spring Hill
199 Town Center Parkway
Spring Hill, TN 37174

Re: SR-6 (Columbia Pike), From near SR-247 (Duplex Road) to just north of Thompson's Ridge Road/Buckner Road
Spring Hill, Maury/Williamson Counties
PIN: 124786.01
Federal Project Number: NH/STP-M-6(134)
State Project Number: 94S006-F3-002
Agreement Number: 210163, Amendment 1

Dear Mayor Hagaman:

I am attaching an amendment to the original contract for the development of the referenced project. The amendment adds funding to the project in the ROW phase. Please review the amendment and advise me if it requires any additional explanation. The estimated cost for your agency's share of the preliminary engineering phase is \$227,760.00. We will be able to begin development upon receiving the deposit for the preliminary engineering phase.

If you find the amendment fully satisfactory, please execute it in accordance with all rules, regulations and laws. Adobe Sign will then forward the document for the signature of the attorney for your agency. Upon execution by your Agency, please return your preliminary engineering deposit of \$227,760.00 to me. Once the amendment is fully executed Adobe Sign will email you a link to download the amendment for your records.

The deposit may be made either by check delivered to Matt Burcham in the Local Programs Development Office at the address listed above, or via deposit into the Local Government Investment Pool (LGIP) account. To deposit funds into your LGIP account, please follow the attached instructions.

If you have any questions or need any additional information, please contact Ms. Maria Hunter at 615-532-3632 or maria.hunter@tn.gov.

Sincerely,

Kimery Grant
Transportation Manager 2

Attachment

Amendment Number: 1

Agreement Number: 210163

Project Identification Number: 124786.01

Federal Project Number: NH/STP-M-6(134)

State Project Number: 94S006-F3-002

THIS AGREEMENT AMENDMENT is made and entered into this 6th day of Oct., 2022 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 providing an understanding among the parties of their respective obligations related to the management of the project described as:

"SR-6 (Columbia Pike), From near SR-247 (Duplex Road) to just north of Thompson's Ridge Road/Buckner Road"

1. The language of Agreement # 210163 dated September 22, 2021 Exhibit A is hereby deleted in its entirety and replaced with the attached Exhibit A for Amendment 1 .

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

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**

Signature: 
Mayor Jim Hagaman (Sep 22, 2022 10:59 CDT)
Email: jhagaman@springhilltn.org

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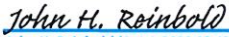
Signature: 
Howard H. Eley (Oct 6, 2022 09:09 CDT)
Email: TDOT.COMMISSIONER'S.Office@tn.gov

**APPROVED AS TO
FORM AND LEGALITY**

**APPROVED AS TO
FORM AND LEGALITY**

Signature: 
Patrick Carter (Sep 29, 2022 13:09 CDT)
Email: pcarter@tgwlawfirm.com

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Signature: 
John H. Reinbold (Oct 4, 2022 09:42 CDT)
Email: TDOT.Legal.Attorneys@tn.gov

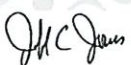
Signature: 
Email: jeff.c.jones@tn.gov

EXHIBIT "A" for AMENDMENT 1

Agreement #: 210163

Project Identification #: 124786.01

Federal Project #: NH/STP-M-6(134)

State Project #: 94S006-F3-002

Project Description: Widening of SR-6 (Columbia Pike), From near SR-247 (Duplex Road) to just north of Thompson's Ridge Road/Buckner Road in Spring Hill; Designing and constructing a multimodal facility generally with widening from two travel lanes with a TWLTL to four travel lanes with a TWLTL. Some additional widening will be included at intersections for left and/or right turn lanes.

Change in Cost: Cost hereunder is controlled by the figures shown in the TIP and any amendments, adjustments or changes thereto.

Type of Work: Widening

Phase	Funding Source	Fed %	State %	Local %	Estimated Cost
PE-DESIGN	L-STBG	80%	0%	20%	\$1,138,800.00
RIGHT-OF-WAY	L-STBG	80%	0%	20%	\$2,146,546.75
RIGHT-OF-WAY	NHPP	80%	20%	0%	\$18,314,936.25
CONSTRUCTION	NHPP	80%	20%	0%	\$50,000,000.00

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 & L-STBG: STBG: 23 U.S.C.A., Section 133, Surface Transportation Block Grant Program funds allocated or subject to allocation to the Agency; NHPP: 23 U.S.C.A., Section 119; Section 104 (b)(1) National Highway Performance Program funds as allocated to the Tennessee Department of Transportation

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).

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.