



HISTORIC
FRANKLIN
TENNESSEE

ITEM #14

CIC

08-27-14

MEMORANDUM

August 27, 2014

TO: Board of Mayor and Aldermen

FROM: Eric Stuckey, City Administrator
David Parker, City Engineer/CIP Executive
Paul Holzen, Director of Engineering
William Banks, Staff Engineer

SUBJECT: Consideration of Amendment No. 2 (COF Contract No. 2012-0190) to the TDOT Local Program Agency Agreement, PIN 109424.00, for the 3rd Avenue North Trail/Greenway Project (Bicentennial Park Phase I)

Purpose

The purpose of this memo is to recommend approval of Amendment No. 2 (COF Contract No. 2012-0190) to the TDOT Local Program Agency Agreement, PIN 109424.00, for the 3rd Avenue North Trail/Greenway Project (Bicentennial Park Phase I).

Background

The 3rd Avenue North Trail/Greenway Project (Bicentennial Park Phase I) is currently out to bid. Construction could start in October. This Local Program Agency Agreement, State Contract 070118, was originally signed on August 13, 2007. Amendment No. 1 was approved by the State on January 30, 2013, and increased the allocated funds of \$750,000.00 by \$37,500.00, making the new approved TDOT funding source of \$787,500.00 (80/20 Federal/Local Match).

This Amendment No. 2 extends the TDOT approved completion date from December 19, 2014, to December 31, 2015. See the attached Exhibit A for the updated contract.

Financial Impact

None

Recommendation

Contingent upon document review by the City Engineer and City Attorney, staff recommends approval of Amendment No. 2 (COF Contract No. 2012-0190) to the TDOT Local Program Agency Agreement, PIN 109424.00/Contract 070118, for the 3rd Avenue North Trail/Greenway Project.

Amendment Number: 2

Agreement Number: 070118

Project Identification Number: 109424.00

Federal Project Number: STP-M-9305(28)

State Project Number: 94LPLM-F3-018

**FOR IMPLEMENTATION OF SURFACE TRANSPORTATION
PROGRAM ACTIVITY**

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 FRANKLIN (hereinafter called the "Agency") for the purpose of providing an understanding between the parties of their respective obligations related to the management of the project described as:

Bicentennial Park - Phase I: Construction of a greenway to connect into the existing system that will provide connection to downtown Franklin.

1. Federal Project Number STP-EN-9305(28) is deleted in its entirety and replaced with the following:
Federal Project Number: STP-M-9305(28)
2. The language of Agreement # 070118 dated January 30, 2013, Section B.2a) is hereby deleted in its entirety.
3. The following is added as B.2a).

The Agency agrees to complete the herein assigned phases of the Project on or before **December 31, 2015**. If the Agency does not complete the herein described phases of the Project within this 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. Expiration of this Agreement will be considered termination of the Project. The cost of any work performed after the expiration date of the Agreement will not be reimbursed by the Department.

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

Amendment Changing a Specific Paragraph(s)

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 FRANKLIN

**STATE OF TENNESSEE
DEPARTMENT OF TRANSPORTATION**

By: _____ Date _____ By: _____ Date _____
Mayor Commissioner

**John C. Schroer
Commissioner**

**APPROVED AS TO
FORM AND LEGALITY**

**APPROVED AS TO
FORM AND LEGALITY**

By: _____ Date _____ By: _____ Date _____
City Attorney General Counsel

**John Reinbold
General Counsel**