



HISTORIC
FRANKLIN
TENNESSEE

09-09-14

ITEM #32
BOMA

MEMORANDUM

August 11, 2014

TO: Board of Mayor and Aldermen

FROM: Eric Stuckey, City Administrator
David Parker, City Engineer/CIP Executive
Paul Holzen, Director of Engineering
Patricia Proctor, Utilities Engineer II

SUBJECT: Consideration of Revised Supplement No. 1 to the Tennessee Department of Transportation (TDOT) Contract No. 7913 (COF Contract #2012-0161) for Water Relocation for the I65 Widening/Goose Creek Interchange Project

Purpose

The purpose of this memorandum is to provide information to the Board of Mayor and Aldermen (BOMA) for the consideration of a revision to Supplement #1 to the existing contract with TDOT (TDOT Contract No. 7913 / COF Contract No. 2012-0161) for the relocation of the water lines as required for the I65 Widening/Goose Creek Interchange Project.

Background

The original contract was approved by BOMA at the October 23, 2012 meeting. The original Supplement #1 was approved at the April 4, 2014 BOMA meeting. Since that approval TDOT has made some revisions to their typical Supplement document and would like for the City to sign a revised supplement.

Financial Impact

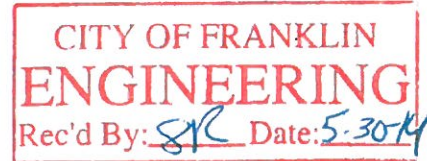
No Financial Impact. The revised contract supplement will not affect the reimbursement amount the City will be eligible for associated with water line relocation for the I-65 and Goose Creek Interchange Project.

Recommendation

Contingent upon document review by the City Engineer and City Attorney, staff recommends approval of the amendment referenced above.



STATE OF TENNESSEE
DEPARTMENT OF TRANSPORTATION
600 J.K. Polk Bldg.
NASHVILLE, TN 37243-0337



JOHN C. SCHROER
COMMISSIONER

BILL HASLAM
GOVERNOR

Contract transmitted Date: ~~2/6/2014~~ 5/27/14

PATRICIA PROCTOR
CITY OF FRANKLIN
109 3RD AVE. SOUTH
FRANKLIN, TN 37064

Water Sewer

PROJECT#/S: 94002-2181-44 COUNTY/S: WILLIAMSON
FEDERAL#: IM/HPP-65-2(89) PIN #: 106269.01.00
DESCRIPTION: I-65, FROM N. OF SR-840 TO N. OF SR-248 (INCLUDES SR-248 - GOOSE CREEK INTERCHANGE), 106269.01 AND 106269.02.

Please refer to the above captioned project number on all correspondence concerning utility relocation.

Dear Mr. PATRICIA PROCTOR,

Enclosed are two (2) originals of the contract between the State and your utility prepared to cover the adjustment of facilities belonging to your company on the above referenced project.

The Contracts must have all boxes checked and blank lines completed

The Contracts must be signed by **either**

- 1) **an officer of the company (President, Vice-President, or General Manager**
or
- 2) **an individual that is specifically authorized by the board of directors to execute agreements and bind the company to those agreements. The individual must provide a letter of empowerment, signed by an officer of the company.**

This project is currently scheduled for letting. 8/30/2013

After all copies of the contract have been executed on behalf of the utility, please return TWO (2) ORIGINALS to me for further handling. A signed copy will be sent to you with the authorization to begin work once the contract is executed by TDOT.

Sincerely,

Handwritten signature of Michael Horlacher in black ink.

Michael Horlacher
600 J.K. Polk Bldg.
Nashville, TN 37243-0337
Right-of-Way Office
Phone: (615) 741-6802
Fax: (615) 532-1548
Email:

Enclosure

cc: WENDELL MITCHELL
Ronnie Porter, TDOT Programming Office
File



Supplemental Rev 11-01-2011
IM/HPP-65-2(89) / 94002-2181-44

Contract No. 7913

SUPPLEMENT TO UTILITY RELOCATION CONTRACT

THIS SUPPLEMENT #1 to Contract No. 7913 made and entered into by and between the **State of Tennessee** acting through its Department of Transportation, hereinafter called "TDOT", and **City of Franklin (Water)**, hereinafter called the "Utility".

WITNESSETH:

WHEREAS, TDOT and the Utility entered into Contract No. 7913, dated the **10th day of December, 2012**, in which the parties agreed to certain matters concerning the relocation of utilities on PIN No. **106269.01, From North of SR-840 to North of SR-248 (Includes SR-248 – Goose Creek Interchange)** located in **Williamson** County, Tennessee.; and

WHEREAS, it is desired by the parties that the hereinafter mentioned changes be made in said original contract;

NOW, THEREFORE, for a valuable consideration it is agreed by and between the parties as follows:

To change paragraph,

WHEREAS, the Utility has furnished TDOT with an estimate, plans, and specifications showing the cost and manner of relocating these facilities, which estimate is in the amount of **\$657,412.77**, including the amount of **\$38,842.77** for the cost of engineering; including the amount of **\$0.00** for the cost of inspection provided by the Utility; including the amount of **\$62,000.00** for the cost of betterment to the Utility's facilities (hereinafter called the "Betterment Cost"), and including the amount of **\$0.00** for the cost over the maximum TDOT reimbursement amount, and of which **42** percent represents the pro-rata share to which the Utility is entitled to reimbursement for relocation of utility facilities located on private utility right-of-way, and **58** percent represents the pro-rata share for relocation of utility facilities located on public highway right-of-way, reimbursement being for the cost of construction, engineering and inspection, excluding betterment and the cost over the maximum TDOT reimbursement amount; and It is understood that the above are the only changes made in said contract.

To the following,

WHEREAS, the Utility has furnished TDOT with an estimate, plans, and specifications showing the cost and manner of relocating these facilities, which estimate is in the amount of **\$909,159.61**, including the amount of **\$55,581.61** for the cost of engineering; including the amount of **\$0.00** for the cost of inspection provided by the Utility; including the amount of **\$123,520.00** for the cost of betterment to the Utility's facilities (hereinafter called the "Betterment Cost"), and including the amount of **\$0.00** for the cost over the maximum TDOT reimbursement amount, and of which **42** percent represents the pro-rata share to which the Utility is entitled to reimbursement for relocation of utility facilities located on private utility right-of-way, and **58** percent represents the pro-rata share for relocation of utility facilities located on public highway right-of-way, reimbursement being for the cost of construction, engineering and inspection, excluding betterment and the cost over the maximum TDOT

reimbursement amount; and It is understood that the above are the only changes made in said contract.

IN WITNESS WHEREOF, the parties have EXECUTED this agreement

UTILITY

STATE OF TENNESSEE
DEPARTMENT OF TRANSPORTATION

BY: _____

BY: _____
John C. Schorer
Commissioner

TITLE: _____

DATE: _____

DATE: _____

APPROVED AS TO FORM:

BY: _____
John H. Reinbold
General Counsel

Exhibit A



Utility Relocation Estimate
Summary of Project Cost
(Attach Utility Detailed Worksheets)

Project No: 94002-2181-44

County: Williamson

Date: March 19, 2012

for consideration of reimbursement on this project.**

Contact Name (1): Mark Hilty
E-mail: mark.hilty@franklin.tn.gov Phone: 615-791-3218
Contact Name (2): Paul Holzen
E-mail: paul.holzen@franklin.tn.gov Phone: 615-791-3218
Utility Name: City of Franklin
Address: 405 5th Ave North
City, State: Franklin, TN Zip: 37064

Percent On Private: 42 Private ROW - # Main Poles/Length facility: _____
Percent On Public: 58 Public ROW - # Main Poles/Length facility: _____
Total Percentage: 100 Total Number of poles/Length of facility: 0
Is Utility Chapter 86 Certified (Obtained from Certification Sheet)? Y

TDOT Use ONLY	
RG Approval and Date:	
Consult Appr. Date:	<u>1/1</u>
Amount Approved:	
HQ Approval and Date:	<u>Mighty Mike 2/6/14</u>
CH86 Y/N	PIN# <u>10622A.00</u>
LET <u>8/30/13</u>	Contract #: <u>7913</u>
Easement Contract #	<u>7914</u>

(If project does not qualify for Chapter 86 Reimbursement, then "Percent on Private" will be used to calculate total amount due to Utility)

NO COST / NO REIMBURSEMENT (STOP HERE. REMAINDER OF FORM IS NOT REQUIRED)

UTILITY REQUESTS: Chapter 86 Move Prior % Public / Private Utility Relocation
REIMBURSEMENT: Chapter 86 MOVE IN % Public / Private MOVE IN State Contract
(Please check ONE) Other Utility Replacement Easement Reimbursement

A. Labor

1) Construction Labor (In House) + (Contract) + (Overhead) (From Pg 6.1)	Ref Page	\$ 853,578.00
2) Preconstruction Engineering (In House)+(Consultant)+(Overhead)(From Pg 6.1)	Ref Page	\$ 42,407.25
3) Construction Engineering (In House) + (Consultant) + (Overhead) (From Pg 6.1)	Ref Page	\$ 12,510.36
4) Other Expenses (Transportation, Lodging, Meals, Printing, etc.) (From Pg 6.1)	Ref Page	\$ 664.00
5) Easement Acquisition Expenses (From Pg 6.1)	Ref Page	\$ 11,090
6) Inspection (From Pg 6.1)	Ref Page	\$ -
(Includes Betterment)	Private =	\$ -
	Total A	\$ 909,159.61

B. Materials & Supply

1) Subtotal Material to Install (From Pg 5.1)	Ref Page	\$ -
2) Note only: Material provided to State Contractor (Pg 5.1)		\$ -
Less: Salvage (Estimated Values only. Final bill will include actual salvage values.)		\$ -
1.1 Subtotal Material Recovered/Salvaged (From Pg 3.1)	Ref Page	\$ -
1.2 Subtotal Non-Usable (junked) (From Pg 3.1)	Ref Page	\$ -
Total Material Recovered/Salvaged/Junked		\$ -
(Includes Betterment)	Net Material Cost	\$ -
	Total B	\$ -

C. Site Cost

1) Clearing and Grubbing (From Pg 2.1)	Ref Page	\$ -
2) Traffic Control (From Pg 2.1)	Ref Page	\$ -
3) Erosion Control (From Pg 2.1)	Ref Page	\$ -
(Traffic and Erosion Control are not required if utility chooses MOVE IN Contract)		\$ -
	Total C	\$ -

D. Total Cost (Contract Amount)

(W/out Betterment) Total D = (A+B+C)-E	\$ 785,639.61	(Includes Betterment) Total D=(A+B+C)	\$ 909,159.61
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E. Betterment:

1) Betterment - Labor Installation & Removal (From Page 3.1 & 5.1)	Ref Page	\$ 123,520.00
2) Betterment - Materials (From Page 5.1)	Ref Page	\$ -
	Total Betterment	\$ 123,520.00
	Total E	\$ 123,520.00

F. Total Amount Due:

Estimate exceeds \$1.75M = N
Estimate capped 75% = N

Utility Reimbursement

Amount Utility Owes (CH86 exceeds \$1.75M)	\$ -	Chapter 86 Move In	\$ 55,581.61	Chapter 86 Move Prior	\$ -	Non-Chapter 86 Move In	\$ -	Non-Chapter 86 Move Prior	\$ -
Amount Utility Owes (CH86 exceeds 75%)	\$ -								

Utility Deposit (if applicable): \$ 123,520.00

* Inspection cost for Private is added after the percentage is applied.
The Utility will reference the page number where designated on the form when other Detail Cost Estimate sheets are attached.

APPROVED
DATE 9/11/2015
BY [Signature]
REG. UTILITIES OFFICE

TDOT Utility Form 2011-16
Page 6.1

Page 4 of 5



Declaration of Scheduled Calendar Days

Project Number: 94002-2181-44 Date: March 19, 2012
 Description: I65, FROM N. OR SR 840 TO N. OF SR 248 (INCLUDES GOOSE CREEK INTERCHANGE)
 County: WILLIAMSON

Utility: City of Franklin
 Address: 405 5th Ave North
 City: Franklin State: TN Zip: 37064
 Phone Number: _____ Fax Number: _____

- Type of Facilities: Water Sewer Gas Telephone Electric
 CATV Fiberoptic Other

Required Period services cannot be interrupted: WATER INTERRUPTIONS - NO MORE THAN 8 HOURS

All estimated days should be expressed in "Calendar" days to complete installation, relocation or adjustment of the utility facilities on the above referenced project. The utility can as an option submit an "On or Before" date all work will be completed. In accordance with provisions set forth in TCA 54-5-854.

Task	Days to Complete	Special Conditions
Stock Pile Material (Including ordering material)	30	See Note 1
Mobilize Work Force (including Bidding process if Required)	60	See Note 2
Complete Relocation	135	See Notes 3 & 4
Total Days To Complete	225	

Special Conditions:

Note 1 - All mat's will require submittals to city for approval prior to release of material order by the contractor

Note 2 - assumes project is included and bid with state roadway contract

Note 3 - schedule will be dicated by the road contractor and his approach to work

Note 4 - water tie-ins to occur at night or off peak times with 72 hour advance notice to city.

Signature of submitting _____ Date _____
 Utility Representative

Signature of submitting _____ Date _____
 State Representative

Subject to provisions of the TDOT Utility Office Maintenance of Traffic Procedures.

APPROVED
 DATE 9/11/2015
 BY [Signature]
 REG. UTILITIES OFFICE