



STATE OF TENNESSEE  
**DEPARTMENT OF ENVIRONMENT AND CONSERVATION**  
Recreation Educational Services  
10th floor - L&C Tower  
401 Church Street  
Nashville, Tennessee 37243

June 17, 2011

The Honorable Mike Moore  
Mayor, City of Franklin  
P.O. Box 295  
Franklin, TN 37065

**Re: City of Franklin – FY 09 Recreation Trails Program (RTP) Grant – Contract # GG-09-27455-00 – Harpeth River Greenway -Bid Documentation Approval – BVC and Company – Also Proposed Subcontract Document Approved for Use**

Dear Mayor Moore,

Thank you for submitting for my review the bid documentation for the above referenced project. I have reviewed the bid documentation and concur in your decision to award the bid to:

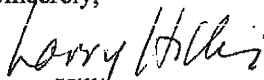
**BVC and Company**

I have also reviewed the proposed unexecuted subcontract between the City and BVC and Company and approve of its use between the two parties.

Once the City has formally awarded the bid to BVC and Company, please proceed and have both parties executed the proposed subcontract along with our RTP Certification of Contractor form and forward a copy of each to me for my review and final approval of both documents. I have enclosed another copy of our RTP Certification of Contractor form for your use, if needed.

If you have any questions, please contact me at 615-532-0051 regarding administrative matters, or Mackel Reagan for technical assistance at 615-532-0755.

Sincerely,

  
Larry Hillis  
Grants Analyst

Enclosure

cc: Lisa Clayton, Director, Parks and Recreation Dept, City of Franklin  
Paul Holzen, Engineering Department, City of Franklin

**CERTIFICATION OF CONTRACTOR  
REGARDING  
CONFLICTS OF INTEREST,  
LOBBYING, NONDISCRIMINATION,  
PUBLIC ACCOUNTABILITY AND PUBLIC NOTICE**

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This certification is required by the agency that has funded, in part, the Recreation Trails Program (RTP) project. The Contractor, \_\_\_\_\_, by signing and submitting this Certification, acknowledges the following: This Certification will be incorporated into the Agreement executed between:

\_\_\_\_\_  
*(the Grantee)* and the Contractor.

By signing and submitting this Certification, the Contractor, certifies that neither it, its principals nor affiliates has violated the following:

1. Conflicts of Interest: The Contractor, warrants that no part of the total contract award shall be paid directly or indirectly to an employee or official of the State of Tennessee as wages, compensation, or gifts in exchange for acting as an officer, agent, employee, subcontractor, or consultant to the Grantee in connection with any work contemplated or performed relative to this project or the Grant.
2. Lobbying: The Contractor, certifies to the best of its knowledge and belief that:
  - a. No federally appropriated funds have been paid or will be paid, by or on behalf of the Contractor, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress in connection with the awarding of any federal contract, the making of any federal grant, the making of any federal loan, and entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any federal contract, grant, loan, or cooperative agreement.
  - b. If any funds other than federally appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this grant, loan, or cooperative agreement, the Contractor shall complete and submit Standard Form LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.
  - c. The Grantee, shall require that the language of this certification be included in the award documents for all sub-awards at all tiers (including sub-grants, subcontracts, and contracts under grants, loans, and cooperative agreements) and that all sub-recipients of federally appropriated funds shall certify and disclose accordingly.

- d. Nondiscrimination: The Contractor, hereby agrees, warrants, and assures that no person shall be excluded from participation in, be denied benefits of, or be otherwise subjected to discrimination in the performance of this grant or in the employment practices of the Contractor, on the grounds of disability, age, race, color, religion, sex, national origin, or any other classification protected by Federal, Tennessee State constitutional, or statutory law. The Contractor, shall, upon request, show proof of such nondiscrimination and shall post in conspicuous places, available to all employees and applicants, notices of nondiscrimination.
  
- e. Public Accountability: If this Grant involves the provision of services to citizens by the Grantee, on behalf of the State, the Grantee, agrees to establish a system through which recipients of services may present grievances about the operation of the service program, and the Grantee agrees to display a sign stating:
 

“NOTICE: This Grantee is a recipient of taxpayer funding. If you observe an employee engaging in any activity which you consider to be illegal or improper, please call the State Comptroller’s toll free hotline: 1-800-232-5454.”

Said sign shall be displayed in a prominent place, located near the passageway(s) through which the public enters in order to receive Grant supported services.
  
- f. Public Notice: All notices, informational pamphlets, press releases, research reports, signs, and similar public notices prepared and released by the Grantee, shall include the statement, “This project is funded under an agreement with the Tennessee Department of Environment and Conservation.” Any such notices by the Grantee shall be approved by the State.

**Grantee’s Authorized Representative:  
(USUALLY MAYOR / COUNTY MAYOR)**

\_\_\_\_\_  
*Signature*

\_\_\_\_\_  
*Title*

\_\_\_\_\_  
*Date*

**CONTRACTOR:**

\_\_\_\_\_  
*Signature*

\_\_\_\_\_  
*Title*

\_\_\_\_\_  
*Date*



HISTORIC  
FRANKLIN  
TENNESSEE

## MEMORANDUM

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June 17, 2011

TO: Board of Mayor and Alderman

FROM: Eric Stuckey, City Administrator *ES*  
David Parker, P.E., CIP Executive  
Eric J. Gardner, P.E., Director of Engineering  
Paul P. Holzen, P.E., Engineering Supervisor

SUBJECT: Consideration of the Construction Contract Award to BVC and Company, Inc for the Harpeth River Greenway Project (Contract 2011-0043)

### **Purpose**

The purpose of this memorandum is to provide the Board of Mayor and Aldermen (BOMA) with information to consider award of a construction contract for the Harpeth River Greenway Project.

### **Background**

On April 15, 2009, the City was awarded a Recreational Trails Program (RTP) grant for the Harpeth River Greenway. This grant was intended to be used as part of the 3<sup>rd</sup> Avenue North Project to fund a section of the multi-use trail. In an effort to avoid losing this grant, City staff separated this section of the trail out to be bid as a separate project. Per the grant contract, funding must be spent prior to April 14, 2012. This project will eventually connect into the multi-use trail that will be completed as part of the 3<sup>rd</sup> Ave North Project. It generally includes the construction of a 10' wide 375' asphalt trail, 10' wide 540' concrete trail, grading, clearing and stabilization. Construction Bids were publicly opened and read aloud on June 9, 2011 and BVC and Company, Inc was the low bidder. On June 17, 2011 TDEC reviewed and approved the bid documentation giving us authorization to move forward into the construction phase.

### **Financial Impact**

<b>City Funding:</b>	<b>\$102,768.00</b>
<u>Federal RTP Grant:</u>	<u>\$100,000.00</u>
Total Bid Price:	\$202,768.00

### **Recommendation**

Staff recommends awarding the contract to BVC and Company, Inc in the amount of \$202,768.00.

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