

RESOLUTION NO. _____

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE AN AMENDED AGREEMENT WITH HAMILTON COUNTY AND THE TENNESSEE DEPARTMENT OF TRANSPORTATION (TDOT) FOR AN ADDITIONAL ONE MILLION ONE HUNDRED SIXTY THOUSAND DOLLARS (\$1,160,000.00) TRANSPORTATION ENHANCEMENT GRANT AND TWO HUNDRED NINETY THOUSAND DOLLARS (\$290,000.00) REQUIRED MATCH FROM PRIVATE FUNDS FOR TOTAL ADDITIONAL FUNDS OF ONE MILLION FOUR HUNDRED FIFTY THOUSAND DOLLARS (\$1,450,000.00) FOR CONSTRUCTION OF THE NEXT PHASE OF THE DOWNTOWN RIVERWALK.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CHATTANOOGA, it is hereby authorizing the Mayor to execute an amended agreement with Hamilton County and the Tennessee Department of Transportation (TDOT) for an additional \$1,160,000.00 transportation enhancement grant and \$290,000.00 required match from private funds for total additional funds of \$1,450,000.00 for construction of the next phase of the downtown Riverwalk.

ADOPTED: _____, 2014

/mem

City of Chattanooga



Resolution Request Form

Date Prepared: _____ 12-Aug-14

Preparer: _____ D. Madison/Blythe Bailey Department: Transportation Department

Brief Description of Purpose for Resolution/Ordinance: _____ Res./Ordinance # (if approved by Council) _____

Need resolution authorizing the Mayor to execute an amended agreement with Hamilton County and the TN Dept of Transportation for an additional \$1,160,000 Transportation Enhance Grant and \$290,000 required match from private funds for a total additional funds of \$1,450,000 for construction of the next phases of the Downtown Riverwalk

Name of Vendor/Contractor/Grant, etc. _____	New Contract/Project? (Yes or No) <u>No</u>
Total project cost \$ _____	Funds Budgeted? (YES or NO) <u>NA</u>
Total City of Chattanooga Portion \$ _____	Provide Fund _____
City Amount Funded \$ _____	Provide Cost Center _____
New City Funding Required \$ _____ 0	Proposed Funding Source if not budgeted _____
City's Match Percentage % _____	Grant Period (if applicable) _____

List all other funding sources and amount for each contributor.

<u>Amount(s)</u>	<u>Grantor(s)</u>
\$1,160,000.00	TDOT
\$260,000.00	Private Donation
\$	

Agency Grant Number _____

CFDA Number if known _____

Other comments: (Include contingency amount, contractor, and other information useful in preparing resolution)

No additional funds required of the City. County passed resolution authorizing amendment 8/6/14. See attachments

Approved by: _____

Reviewed by: FINANCE OFFICE

DESIGNATED OFFICIAL/ADMINISTRATOR

Please submit completed form to @budget, City Attorney and City Finance Officer

Revised: 1/26/09

Amendment Number: 4

Agreement Number: 100307

Project Identification Number: 113906.00

Federal Project Number: STP-M/EN/TCSP-9202(106)

**State Project Number: 33LPLM-F1-095
33LPLM-F2-096
33LPLM-F3-070**

**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 HAMILTON COUNTY (hereinafter called the "Agency") and the CITY OF CHATTANOOGA (hereinafter called the "City") for the purpose of providing an understanding between the parties of their respective obligations related to the management of the project described as:

Downtown Riverwalk - Phases 1-3: Construction of approximately 22,350 linear feet of 10-foot wide trail from Ross's Landing and the 21st Century Riverfront and terminating at St. Elmo Avenue. Project includes landscaping, pedestrian lighting, a retaining wall, a pedestrian bridge, crosswalks and signalization, railroad safety upgrades, an irrigation system, utility relocation, signage, ADA upgrades, a comfort station and pedestrian amenities.

1. Exhibit A for Agreement # 100307 Amendment 3 dated August 12, 2013, is hereby deleted in its entirety and replaced with the attached Exhibit A for Amendment 4.

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.

Hamilton County

STATE OF TENNESSEE
DEPARTMENT OF TRANSPORTATION

By: _____
Mayor

By: _____
John C. Schroer
Commissioner

APPROVED AS TO
FORM AND LEGALITY

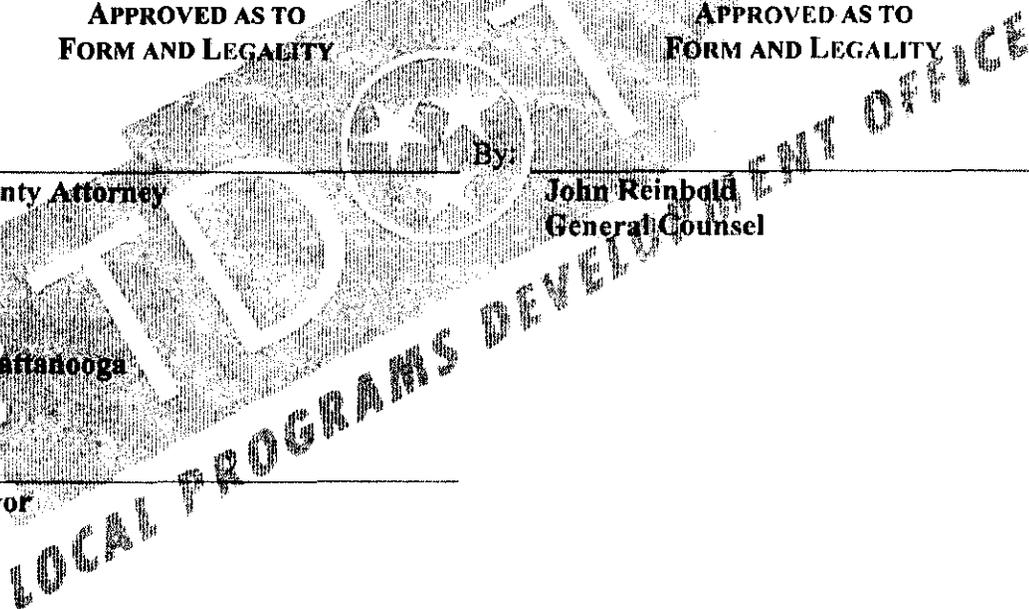
APPROVED AS TO
FORM AND LEGALITY

By: _____
County Attorney

By: _____
John Reinbold
General Counsel

City of Chattanooga

By: _____
Mayor



APPROVED AS TO
FORM AND LEGALITY

By: _____
City Attorney

EXHIBIT "A" for Amendment 4

CONTRACT NO.: 100307

PROJECT IDENTIFICATION No.: 113906.00

PROJECT DESCRIPTION: DOWNTOWN RIVERWALK – PHASES 1-3: Construction of approximately 22,350 linear feet of 10-foot wide trail from Ross's Landing and the 21st Century Riverfront and terminating at St. Elmo Avenue. Project includes landscaping, pedestrian lighting, a retaining wall, a pedestrian bridge, crosswalks and signalization, railroad safety upgrades, an irrigation system, utility relocation, signage, ADA upgrades, a comfort station 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, 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.

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

TYPE OF WORK: PEDESTRIAN AND BICYCLE FACILITIES

PHASE	FUNDING SOURCE	FED %	STATE %	LOCAL %	ESTIMATED COST
PE-D	M-STP	80%	0%	20%	\$1,500,000.00
ROW	M-STP	80%	0%	20%	\$500,000.00
CONST	M-STP	80%	0%	20%	\$2,950,000.00
CONST	TCSP	80%	0%	20%	\$1,222,875.00
CONST	ENHANCEMENT (ENH)	80%	0%	20%	\$5,783,624.00
CONST - CEI	ENHANCEMENT (ENH)	80%	0%	20%	\$601,063.00
CONST - TDOT ENGINEERING SERVICES	ENHANCEMENT (ENH)	80%	0%	20%	\$64,273.00

LIABILITY: The Agency understands the estimated cost of the construction phase of the Project is \$12,557,562.00, and that the Department will pay the Agency, as herein provided, for 80% of the actual cost of the construction phase with the maximum liability of the Department being \$10,046,049.60. Any additional costs for the construction phase shall be totally paid by the Agency.

The twenty percent (20%) non-federal share of the Project must be provided by the Agency as a cash match. The Agency no longer has the option of providing these funds through the use of the value of preliminary engineering services, donated land, services, material or equipment, previously known as soft match.

INELIGIBLE COST: One hundred percent (100%) of the actual cost will be paid from Agency funds if the use of said Federal and/or State funds is ruled ineligible at any time.

LEGISLATIVE AUTHORITY: STP; 23 U.S.C.A., Section 133, Surface Transportation Program.

PROJECT FUNDING AND SCOPE LIMITATIONS: Once the project is completed per the application and description above, all remaining federal funds will revert to the Department. Project scope revisions and /or additions outside the enhancement activity are prohibited. Limited project scope revisions consistent with the awarded activity must be reviewed and approved by the Department.

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).

TENNESSEE CODE ANNOTATED 54-5-501

Note: Where the Agency is managing any phase of the project, the Departments shall provide various activities necessary for Project development. The estimated costs for these activities are included in the funds shown in "Dept. Oversight" 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.