

RESOLUTION NO. _____

A RESOLUTION APPROVING AN AMENDMENT TO AN AGREEMENT WITH THE TENNESSEE DEPARTMENT OF TRANSPORTATION FOR THE RESURFACING OF VARIOUS ROADS; AUTHORIZING THE MAYOR TO EXECUTE THE AMENDMENT; AND ALL OTHER DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE PURPOSE OF THE AMENDMENT

WHEREAS, on February 4, 2025, the board approved Resolution No.: 2025-147 authorizing the mayor to sign an agreement with the Tennessee Department of Transportation for resurfacing of various roads, including Meadowview Parkway and Orebank Road; and

WHEREAS, due to the anticipated timeframe to complete the necessary environmental review it is recommended to execute this amendment which will remove Meadowview Parkway from the project in order to focus on the 2.5 mile section of Orebank Road from Memorial Boulevard to near Cleek Road; and

WHEREAS, this will also change the estimated cost from \$4,015,000 to \$2,515,000, which will be funded 80% (\$2,012,000) through Metropolitan Transportation Planning Organization Surface Transportation Block Grant funding source (Federal funds) and a 20% (\$503,000) city match; and

WHEREAS, funding is available for the local match in MPO025A.

Now therefore,

BE IT RESOLVED BY THE BOARD OF MAYOR AND ALDERMEN AS FOLLOWS:

SECTION I. That an amendment to the agreement with the Tennessee Department of Transportation for resurfacing of Orebank Road is approved.

SECTION II. That the mayor, or in his absence, incapacity, or failure to act, the vice-mayor, is authorized to execute, in a form approved by the city attorney, and subject to the requirements of Article X, Section 10 of the Charter of the City of Kingsport, an amendment to the agreement with the Tennessee Department of Transportation for resurfacing of Orebank Road, to deliver the agreement and take any and all action as may be required on the part of the city to carry out, give effect to, and consummate the transactions contemplated by the agreement and this resolution, said amendment being generally as follows:

Amendment Number:	1
Agreement Number:	240447
Project Identification Number:	136057.00
Federal Project Number:	STP-M-9108(54)
State Project Number:	82LPLM-F3-105

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 KINGSPORT (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:

Various Roads in Kingsport

1. The language of Agreement # 240447 dated February 10, 2025, Termini and Scope of Work is deleted in its entirety and replaced with the following:

Orebank Road, from Memorial Boulevard (SR-126) to near Cleek Road. This project includes milling, grading, repairing, sidewalk/ADA compliance as necessary, striping, signage and safety improvements.

2. Exhibit A for Agreement # 240447 dated February 10, 2025, 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.

[Acknowledgements Deleted for Inclusion in this Resolution]

SECTION II. That the mayor is further authorized to make such changes approved by the mayor and the city attorney to the amendment/agreement set out herein that do not substantially alter the material provisions of the agreement, and the execution thereof by the mayor and the city attorney is conclusive evidence of the approval of such changes.

SECTION III. That the board finds that the actions authorized by this resolution are for a public purpose and will promote the health, comfort and prosperity of the citizens of the city.

SECTION IV. That this resolution shall take effect from and after its adoption, the public welfare requiring it.

ADOPTED this the 5th day of August, 2025.

PAUL W. MONTGOMERY, MAYOR

ATTEST:

ANGELA MARSHALL, DEPUTY CITY RECORDER

APPROVED AS TO FORM:

RODNEY B. ROWLETT, III, CITY ATTORNEY