

RESOLUTION NO. _____

A RESOLUTION APPROVING AMENDMENT 1 TO THE AGREEMENT WITH THE TENNESSEE DEPARTMENT OF TRANSPORTATION FOR THE NORTH EASTMAN ROAD AND CLINCHFIELD STREET ROAD RESURFACING PROJECT; AUTHORIZING THE MAYOR TO EXECUTE THE AMENDMENT; AND ALL OTHER DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE PURPOSE OF THE AMENDMENT

WHEREAS, on December 6, 2022, the board approved Resolution No.: 2023-119 authorizing the mayor to sign an agreement with the Tennessee Department of Transportation (TDOT) for the resurfacing of North Eastman Road and Clinchfield Street; and

WHEREAS, the City would like to amend the scope of work to allow City personnel to perform sidewalk/ADA compliance along North Eastman Road and Clinchfield Street prior to resurfacing, which will result in a savings to the City in the anticipated amount of \$440,000.00.

Now therefore,

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

SECTION I. That Amendment 1 to the agreement with the Tennessee Department of Transportation (TDOT) for the resurfacing of North Eastman Road and Clinchfield Street 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, Amendment 1 to the Agreement with the Tennessee Department of Transportation (TDOT) for the resurfacing of North Eastman Road and Clinchfield Street, 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:	220034
Project Identification Number:	132587.00
Federal Project Number:	STP-M-9108(53)
State Project Number:	82PLM-F3-101

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:

North Eastman Road, from Lincoln Street to SR-1 (US-11W, East Stone Drive); Clinchfield Street, from SR-36 (West Center Street) to SR-1 (US-11W, East Stone Drive)

1. The language of Agreement # 220034 dated December 19, 2022 Exhibit A is hereby deleted in its entirety and replaced with the attached Exhibit A for Amendment 1.

2. The language of Agreement # 220034 dated December 19, 2022 Scope of Work is hereby deleted in its entirety and replaced with the following:

Resurfacing of various functionally classified roadways including milling, grading, repairing, striping and signage. Roadway listing and classifications as follows: N. Eastman Road - Urban Minor Arterial - from Lincoln Street to East Stone Drive (SR-1) Clinchfield Street - Urban Minor Arterial - from West Center Street (SR-36) to East Stone Drive (SR-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 16th day of December, 2025.

PAUL W. MONTGOMERY, MAYOR

ATTEST:

ANGELA MARSHALL, DEPUTY CITY RECORDER

APPROVED AS TO FORM:

RODNEY B. ROWLETT, III, CITY ATTORNEY