

RESOLUTION NO. _____

A RESOLUTION APPROVING CHANGE ORDER NO. 3 TO AN AGREEMENT WITH THE TENNESSEE DEPARTMENT OF TRANSPORTATION AND SUMMERS-TAYLOR, INC. FOR THE MAIN STREET REDEVELOPMENT PROJECT, AND AUTHORIZING THE MAYOR TO EXECUTE THE CHANGE ORDER AND ALL OTHER DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE PURPOSE OF THE CHANGE ORDER

WHEREAS, on March 15, 2016, by Resolution No.: 2016-123, the board approved an agreement with the Tennessee Department of Transportation for the Main Street Redevelopment project; on March 16, 2021, by Resolution No.: 2021-174, the board approved an amendment to the Tennessee Department of Transportation agreement no.: 160028 for the Main Street Redevelopment project; and on June 21, 2022, by Resolution No.: 2022-268, the board awarded the bid for the Main Street Redevelopment project to Summers-Taylor, Inc. for improvements to roadway and streetscape at an estimated cost of \$17,610,480.00; and

WHEREAS, the project has been delayed due to unexpected issues with contaminated soil which will add an additional 158 days to the timeline and change order no. 3 has been issued by Summers-Taylor, Inc. for these essential modifications of the cost and time;

WHEREAS, the change order no. 3 in the amount of \$2,028,751.22 has been issued to meet these unexpected issues; and

WHEREAS, funding is available in GP1516, ST2110, SW1901, and WA1901 and funds in project nos.: WA2001, WA2204, and WA2301 are available and will be transferred to WA1901.

Now therefore,

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

SECTION I. That the third change order to the contract with Tennessee Department of Transportation and Summers-Taylor, Inc. is approved.

SECTION II. That the mayor, or in his absence, incapacity, or failure to act, the vice-mayor, is authorized and directed 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, a third change order to the contract with Tennessee Department of Transportation and Summers-Taylor, Inc. for the Main Street Redevelopment project, 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 this resolution.

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 19th day of September, 2023.

PATRICK W. SHULL, MAYOR

ATTEST:

ANGELA MARSHALL, DEPUTY CITY RECORDER

APPROVED AS TO FORM:

RODNEY B. ROWLETT, III, CITY ATTORNEY