

RESOLUTION NO. _____

A RESOLUTION APPROVING AMENDMENT NUMBER 3 TO AGREEMENT NUMBER 160028 WITH THE TENNESSEE DEPARTMENT OF TRANSPORTATION FOR THE MAIN STREET REDEVELOPMENT PROJECT; AUTHORIZING THE MAYOR TO EXECUTE ALL OTHER DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE PURPOSE OF THE AMENDMENT OR THIS RESOLUTION

WHEREAS, in March, 2016, the board approved a resolution authorizing the mayor to sign an agreement with the Tennessee Department of Transportation (TDOT) for the Main Street Redevelopment Project, which involves rebuilding Main Street from Sullivan Street to Market Street (Res 2016-123).

WHEREAS, Amendment 1 to the agreement was approved on March 16, 2021 (Res. 2021-174, as the completion date for this project was changed to April 1, 2024 project completion date.

WHEREAS, Amendment 2 to the agreement was approved on August 20, 2024 (Res. 2025-043, as the completion date for this project was changed to April 3, 2025 project completion date

WHEREAS, this third amendment to this agreement will extend the completion date to December 30, 2025.

Now therefore,

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

SECTION I. That Amendment 3 to the Tennessee Department of Transportation Agreement Number 160028 for the Main Street Redevelopment Project is approved.

SECTION II. That the mayor, or in his absence, incapacity, or failure to act, the vice-mayor, is further 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, all other documents necessary and proper to effectuate the purpose of Amendment 3 to the Tennessee Department of Transportation Agreement Number 160028 for the Main Street Redevelopment Project and all other documents necessary and proper to effectuate the purpose of this resolution, the amendment being generally as follows:

Amendment Number:	3
Agreement Number:	1 60028
Project Identification Number:	123325.00
Federal Project Number:	STP/TAP/CRP-M/HIP-91 08(48)
State Project Number:	82LPLM-F3-071

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 among the parties of their respective obligations related to the management of the project described as:

Main Street, from Sullivan Street to Market Street

1 . The language of Agreement # 1 60028 A2 dated August 21, 2024 Section B.2 a) is hereby deleted in its entirety.

2 . The following is added as B.2 a) .

B.2 a) The Agency agrees to complete the herein assigned phases of the Project on or before December 30, 2025. If the Agency does not complete the herein described phases of the Project within this time period, this Agreement will expire on the last day of scheduled completion as provided in this paragraph unless an extension of the time period is requested by the Agency and granted in writing by the Department prior to the expiration of the Agreement. An extension of the term of this Agreement will be effected through an amendment to the Agreement. Expiration of this Agreement will be considered termination of the Project. The cost of any work performed after the expiration date of the Agreement will not be reimbursed by the Department.

All provisions of the original contract not expressly amended hereby shall remain in full force and effect.

Required Approvals. The State is not bound by this Amendment until it is signed by the contract parties and approved by appropriate officials in accordance with applicable Tennessee laws and regulations (depending upon the specifics of this contract, said officials may include, but are not limited to, the Commissioner of Finance and Administration, the Commissioner of Human Resources, and the Comptroller of the Treasury).

Amendment Effective Date. The revisions set forth herein shall be effective once all required approvals are obtained. All other terms and conditions of this Grant Contract not expressly amended herein shall remain in full force and effect.

[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 September, 2025.

PAUL W. MONTGOMERY, MAYOR

ATTEST:

ANGELA MARSHALL, DEPUTY CITY RECORDER

APPROVED AS TO FORM:

RODNEY B. ROWLETT, III, CITY ATTORNEY