

**Amendment Number: 5**

**Agreement Number: 120296**

**Project Identification Number: 118151.00**

**Federal Project Number: SRTS-9305(29)**

**State Project Number: 94LPLM-F3-062**

**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 the CITY OF FRANKLIN (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:

Safe Routes to School: Hunters Bend Elementary School. Improvements to two walking tunnels including a retaining wall, earthwork, lighting, emergency call box and tunnel entrance rock surround.

1. The language of AGREEMENT # 120296A4 dated October 30, 2017 Exhibit A is hereby deleted in its entirety and replaced with the attached Exhibit A for Amendment 5.
2. The language of Agreement # 120296A3 dated May 17, 2017 Section B.2 a) is hereby deleted in its entirety.
3. The following is added as B.2 a).

**B.2 Completion Date:**

a) The Agency agrees to complete the herein assigned phases of the Project on or before May 12, 2019. 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 and 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 for 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.

IN WITNESS WHEREOF, the parties have caused this instrument to be executed by their respective authorized officials on the date first above written.

**CITY OF FRANKLIN**

**STATE OF TENNESSEE  
DEPARTMENT OF TRANSPORTATION**

By: \_\_\_\_\_ By: \_\_\_\_\_  
Mayor Date John C. Schroer Date  
Ken Moore Commissioner

APPROVED AS TO  
FORM AND LEGALITY

APPROVED AS TO  
FORM AND LEGALITY

By: \_\_\_\_\_ By: \_\_\_\_\_  
Attorney Date John Reinbold Date  
Shauna Billingsley General Counsel

## EXHIBIT "A" for Amendment 5

## Infrastructure Budget

**CONTRACT NO.:** 120296**PROJECT IDENTIFICATION NO.:** 118151.00

**PROJECT DESCRIPTION:** Hunters Bend Elementary School in Franklin: Improvements to 2 walking tunnels including retaining wall, earthwork, lighting, emergency call box, bicycle tracking system and tunnel entrance rock surround near Hunters Bend Elementary School. The purpose of the project is not location dependent. The purpose of this project shall be accomplished in accordance with the project application, budget and/or scope of work on which approval of the project was based and AASHTO standards. The application, budget and/or scope of work may be amended from time to time as agreed to by the parties and when amended will serve as the revised project standard.

**TYPE OF WORK:** Bicycle/Pedestrian Facility**FUNDING:**

PHASE	FUNDING SOURCE	FED %	STATE %	AGENCY %	ESTIMATED COST
PE - NEPA	Safe Routes To School (SRTS)	100	0	0	\$ 5,833.33
CONST	Safe Routes To School (SRTS)	100	0	0	\$234,237.76
CONST	Transportation Alternative (TAP)	80	0	20	\$421,438.24
CONST - CEI	Safe Routes to School (SRTS)	100	0	0	\$17,400.00
CONST- TDOT Engineering Services	Safe Routes to School (SRTS)	100	0	0	\$1,700.00

**INELIGIBLE COST:** One hundred percent (100%) of the actual cost will be paid from Agency funds following expenditure of the funds shown herein above or if the use of said federal funds is ruled ineligible at any time by the Federal Highway Administration.

The Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) provides funding for the development of the herein-described project as denoted above, which is comprised of 100% federal funds.

**LEGISLATIVE AUTHORITY:** The Safe Routes to School Program under Section 1404 of the SAFETEA-LU (23 U.S.C. 402; Public Law 109-59) and Section 1122 of the Moving Ahead For Progress In The 21ST Century Act (23 U.S.C. 213, Public Law 112-141).

**PROJECT FUNDING AND SCOPE LIMITATION:** 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 Safe Routes to School 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 Materials and Testing Expenses (Quality Assurance Testing).

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.