



STATE OF TENNESSEE  
DEPARTMENT OF TRANSPORTATION

HEADQUARTERS RIGHT OF WAY  
SUITE 600, JAMES K. POLK BUILDING  
NASHVILLE TENNESSEE 37243-1402  
(615) 741-3196

JOHN C. SCHROER  
COMMISSIONER

BILL HASLAM  
GOVERNOR

SEPTEMBER 12, 2017

Paul Holzen  
CITY OF FRANKLIN  
109 3<sup>rd</sup> Avenue South  
Franklin TN 37064

PROJECT#: 94092-2226-14                      COUNTY(s): Williamson  
FEDERAL: STP/HPP-397(10)                      PIN #: 101454.01  
DESCRIPTION: Mack Hatcher Parkway West, From South of SR-96 West of Franklin to East of SR-106 (US-431) North of Franklin  
TYPE: CH86 Move In  
CONTRACT #: 7698 Supplement 2                      Chapter 86 Eligible: NO

Please refer to the above captioned project number on all correspondence concerning utility relocation.

Dear Paul Holzen,

Enclosed are two (2) originals of the supplement contract between the State and your utility prepared to cover the adjustment of facilities belonging to your company on the above referenced project.

The Contracts must have ALL boxes checked and blank lines completed.

The Contract must be signed by either

1) an officer of the company (President, Vice-President, or General Manager)

OR

2) an individual that is specifically authorized by the board of directors to execute agreements and bind the company to those agreements. The individual must provide a letter of empowerment, signed by an officer of the company.

This project is currently scheduled for letting: 02/09/2018

After copies of the contract have been executed on behalf of the utility, please return two (2) ORIGINALS to me for further handling. A signed original will be sent to you with the authorization to begin work once the contract is executed by TDOT.

Sincerely,

Monica Cromer | Asst. State Utility Coordinator  
Right of Way Division  
James K. Polk Bldg, 6<sup>th</sup> Floor  
505 Deaderick Street, Nashville, TN 37243  
p. 615-741-3331

Enclosure

cc:



Contract No. 7698

STP/HPP-397(10) / 94092-2226-14

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## SUPPLEMENT TO UTILITY RELOCATION CONTRACT

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THIS SUPPLEMENT **#2** to Contract No. **7698**, **Supplement 1** made and entered into by and between the **State of Tennessee** acting through its Department of Transportation, hereinafter called "TDOT", and **City of Franklin Water Management (Water)**, hereinafter called the "Utility".

### WITNESSETH:

WHEREAS, TDOT and the Utility entered into Contract No. **7698**, dated the **1st day of September, 2016**, in which the parties agreed to certain matters concerning the relocation of utilities on PIN No. **101454.01, SR-397 (Mack Hatcher Parkway) From SR-96 West of Franklin to SR-109(US-431) North of Franklin**, located in **Williamson** County, Tennessee.; and

WHEREAS, it is desired by the parties that the hereinafter mentioned changes be made in said original contract;

NOW, THEREFORE, for a valuable consideration it is agreed by and between the parties as follows:

#### To change the paragraph,

WHEREAS, TDOT plans to construct PIN Number **101454.01, SR-397 (Mack Hatcher Parkway) From SR-96 West of Franklin to SR-109(US-431) North of Franklin**, located in **Williamson County**, Tennessee (hereinafter called the "Project"), and for said Project to be constructed it will be necessary for the Utility to relocate certain of its facilities, **19** percent of which are located on public highway right-of-way and **81** percent of which are located on private utility right-of-way; and

#### To the following,

WHEREAS, TDOT plans to construct PIN Number **101454.01, Mack Hatcher Parkway West, From south of SR-96 West of Franklin to East of SR-106 (U.S.-431) North of Franklin**, located in **Williamson County**, Tennessee (hereinafter called the "Project"), and for said Project to be constructed it will be necessary for the Utility to relocate certain of its facilities, **82** percent of which are located on public highway right-of-way and **18** percent of which are located on private utility right-of-way; and

#### To change the paragraph,

WHEREAS, the Utility has furnished TDOT with an estimate, plans, and specifications showing the cost and manner of relocating these facilities, which estimate is in the amount of **\$923,423.81**, including the amount of **\$9,423.81** for the cost of engineering; including the amount of **\$0.00** for the cost of inspection provided by the Utility; including the amount of **\$0.00** for the cost of betterment to the Utility's facilities (hereinafter called the "Betterment Cost"), and including the amount of **\$0.00** for deposit for the utility work in the State contract, and of which **81** percent represents the pro-rata share to which the Utility is entitled to reimbursement for relocation of utility facilities located on private utility right-of-way, and **19** percent represents the pro-rata share for relocation of utility facilities located on public



highway right-of-way, reimbursement being for the cost of construction, engineering and inspection, excluding betterment and the cost over the maximum TDOT reimbursement amount; and

**To the following**

WHEREAS, the Utility has furnished TDOT with an estimate and plans showing the cost and manner of relocating these facilities, which estimate is in the amount of **\$882,846.52**, including the amount of **\$56,478.52** for the cost of engineering, which may be inclusive of preliminary engineering authorized on **03/10/2010**; including the amount of **\$0.00** for the cost of inspection provided by the Utility; and including the amount of **\$0.00** for the cost of betterment to the Utility's facilities (hereinafter called the "Betterment Cost"), and including the amount of **\$0.00** for deposit for the utility work in the State contract, and of which **18** percent represents the pro-rata share to which the Utility is entitled to reimbursement for relocation of utility facilities located on private utility right-of-way, and **82** percent represents the pro-rata share for relocation of utility facilities located on public highway right-of-way, reimbursement being for the cost of construction, engineering and inspection, excluding betterment and the cost over the maximum TDOT reimbursement amount; and

It is understood that the above are the only changes made in said contract.

**IN WITNESS WHEREOF**, the parties have EXECUTED this agreement

UTILITY

**City of Franklin Water Management  
(Water)**

BY: \_\_\_\_\_

Dr. Ken Moore

TITLE: Mayor

DATE: \_\_\_\_\_

Approved as to Form:

\_\_\_\_\_  
Tiffani M. Pope, Staff Attorney

STATE OF TENNESSEE  
DEPARTMENT OF TRANSPORTATION

BY: \_\_\_\_\_

John C. Schroer  
Commissioner

DATE: \_\_\_\_\_

APPROVED AS TO FORM:

BY: \_\_\_\_\_

John H. Reinbold  
General Counsel



Project No: 94092-2226-14 (Water)  
County: Williamson  
Date: September 11, 2017

Exhibit A

\*Submittal and completion of this form is required for consideration of reimbursement on this project.\*

Primary Contact: Paul Holzen  
E-mail: paul.holzen@franklin.tn.gov Phone: (615) 550-6679  
Secondary Contact: Patricia McNeese  
E-mail: patricia.mcneese@franklin.tn.gov Phone: (615) 550-6674  
Utility Name: City of Franklin, TN  
Address: 109 3rd Avenue South  
City, State: Franklin, TN Zip: 37064

Percent On Private: 18% Private ROW - #Poles / Length of facility: 562  
Percent On Public: 82% Public ROW - #Poles / Length of facility: 2550  
Total Percentage: 100% Total #Poles / Length of facility: 3112

Is Utility Chapter 86 Certified (Obtained from Certification Sheet)? ☒ Y

(If project does not qualify for Chapter 86 Reimbursement, then "Percent on Private" will be used to calculate total amount due to Utility)

NO COST / NO REIMBURSEMENT (STOP HERE, REMAINDER OF FORM IS NOT REQUIRED) ☐

#### CHAPTER 86

REIMBURSEMENT MOVE PRIOR ☐  
REQUESTED MOVE IN State Contract ☒ X  
(Please check ONE) Other ☐

#### NON-CHAPTER 86

% Private / Public Relocation ☐  
% Private / Public MOVE IN State Contract ☐  
Utility Replacement Easement Reimbursement ☐

#### ENGINEERING

Description	Amount
Pre-Construction	\$ 47,670.89
Construction	\$ 8,375.23
Construction Inspection Private	\$
Construction Inspection Public	\$
Reimbursable Expenses	\$ 432.40
<b>ENGINEERING COST:</b>	<b>\$ 56,478.52</b>

#### CONSTRUCTION (LABOR & MATERIAL)

Description	Amount
Installation Labor	\$ 826,368.00
Installation Materials	\$
Removal Labor	\$
Site Costs	\$
Material Provided to State	\$
Salvage Materials	\$
Non-Usable Materials	\$

**ESTIMATED CONSTRUCTION COST:** \$ 826,368.00

#### BETTERMENT

Description	Amount
Installation Labor	\$
Installation Materials	\$

**ESTIMATED UTILITY BETTERMENT COST:** \$

**ESTIMATED REPLACEMENT EASEMENT COST:** \$

If cost is listed above, separate Easement Contract is needed

**ESTIMATED TOTAL CONSTRUCTION COST:** \$ 882,846.52

#### TDOT USE ONLY

RG Approval and Date: 9/15/17  
Consult Appr. Date: 1/1  
Amount Approved: \$  
HQ Approval and Date: 9/12/17  
CH86 COIN PIN: 11454-01  
LET: 2191 2018 Contract #: 4698  
Easement Contract #

#### UTILITY REIMBURSEMENT

**CHAPTER 86 MOVE-IN CONTRACT:** \$ 56,478.52

**CHAPTER 86 MOVE PRIOR:** \$

**NON-CHAPTER 86 MOVE-IN CONTRACT:** \$

**NON-CHAPTER 86 % PUBLIC/PRIVATE:** \$

Does Estimate Exceed \$1.75M Cap? - N

Does Estimate Require 75% Cap? - N

#### UTILITY DEPOSIT (IF APPLICABLE)

**RELOCATION EXCEEDS \$1.75M CAP:** \$0.00

**AMOUNT OVER 75% REIMBURSEMENT:** \$0.00

**ESTIMATED UTILITY BETTERMENT COST:** \$0.00

**NON-CHAPTER 86 MOVE-IN CONST COST:** \$0.00

**TOTAL UTILITY DEPOSIT:** \$0.00

The Utility will reference the page number where designated on the form when other Detail Cost Estimate sheets are attached.

"Exhibit A"



## Declaration of Scheduled Calendar Days

Project Number: 94092-2226-14 Date: April 10, 2015  
Description: SR-397(Mack Hatcher Parkway) from SR-96 West of Franklin to SR-109 (US 431)  
County: Williamson

Utility Name: City of Franklin  
Address: 109 3rd Avenue S.  
City, State: Franklin, TN Zip Code: 37065

Phone Number: \_\_\_\_\_ Fax Number: \_\_\_\_\_

Type of Facilities: ☒ Water ☐ Sewer ☐ Gas ☐ Telephone ☐ Electric  
☐ CATV ☐ Fiberoptic ☐ Other

Required Period services cannot be interrupted: \_\_\_\_\_

All estimated days should be expressed in "Calendar" days to complete installation, relocation or adjustment of the utility facilities on the above referenced project. The utility can as an option submit an "On or Before" date all work will be completed. In accordance with provisions set forth in TCA 54-5-854.

Task	Days to Complete	Special Conditions
Stock Pile Material (Including ordering material)	45	see Note 1
Mobilize Work Force (including Bidding process if Required)	45	see Note 2
Complete Relocation	225	see Notes 3 & 4
Total Days To Complete	315 ✓ A.S.	

### Special Conditions:

Note 1: All materials shall be submitted to City Staff for approval prior to release of material order by the contractor

Note 2: Assumes project is included and bid with State Contract

Note 3: Schedule to be dictated by main contractor

Note 4: Water tie-ins to occur at night or off peak times with 72 hour advance notice to City

Patricia Rector 4/10/15  
Signature of submitting Date  
Utility Representative

Chris John 5/2/16  
Signature of submitting Date  
State Representative  
WJC 5/19/16

Subject to provisions of the TDOT Utility Office Maintenance of Traffic Procedures.



TDOT

Department of  
Transportation

## Chapter 86 Certification

In accordance with Tennessee Department of Transportation policy number 340-07, the following information is provided with regards to required compliance documentation for utility relocation reimbursement in accordance with TCA 54-5-804 and TCA 54-5-854.

PROJECT #/S: 94092-2226-14 (Water) COUNTY/S: Williamson  
FEDERAL: STP/HPP-397(10) PIN: \_\_\_\_\_

1. The utility is seeking reimbursement under provisions of TCA 54-5-804 as amended by Public Acts 2003, Chapter number 86.
2. To the best of my knowledge the utility is in compliance with TCA § 54-5-804(a)(1) and this policy in that the utility has returned its relocation plan, schedule, and cost estimate to the Department within 120 days after receipt of the Department's project plans, or within such additional time as may be allowed in accordance with TCA § 54-5-854(b).
3. To the best of my knowledge the utility is in compliance with TCA 54-5-804(b) in that the utility has a valid permit to locate its utility facility on the public highway right-of-way.
4. The utility is eligible for reimbursement in accordance with the Limitation provisions of the TDOT Policy 340-07 in that it is:

Municipally Owned ☒ Utility District ☐ Utility Cooperative ☐

5. The utility is considered to be a specific utility category listed in accordance with the Limitation provisions of the TDOT Policy 340-07:

- ☒ Water  
☐ Waste Water  
☐ Gas ☐ Distribution ☐ Transmission  
☐ Electric ☐ Distribution ☐ Transmission  
☐ Communication ☐ CATV ☐ Phone ☐ Fiberoptic ☐ Broadband  
☐ Street Lighting  
☐ Other \_\_\_\_\_

Signature indicates this individual has the legal authority to sign contracts and agreements to obligate the utility.

Signature: \_\_\_\_\_  
Print Name: \_\_\_\_\_  
Title: \_\_\_\_\_  
Utility Name: \_\_\_\_\_  
Utility Address: \_\_\_\_\_  
City, State, Zip: \_\_\_\_\_  
Phone Number: \_\_\_\_\_  
Fax Number: \_\_\_\_\_  
Email Address: \_\_\_\_\_

Date: \_\_\_\_\_

## ESTIMATE OF ENGINEERING COST

TDOT Project Number(s): STP/HPP-397(10) 94092-2226-14 (Wz

County(les): Williamson

Utility Name &amp; Address:

**Consultant Name & Address:**

City of Franklin, TN

**Smith Seckman Reid, Inc.**

109 3rd Avenue South

2995 Sidco Drive

Franklin, TN

37064

Nashville, TN

37204

## CONSULTANT ENGINEERING ESTIMATE

Place an "X" in the appropriate box:

**x** Standard Contract

☐ Continuing Contract (attach copy of Contract for TDOT verification)

ENGINEERING SERVICES				PRE-CONSTRUCTION		CONSTRUCTION		CONSTRUCTION INSPECTION	
Classification	Rate/Hr	Hours	Total	Hours	Total	Hours	Total	Hours	Total
Principal	\$ 66.00	5	\$ 330.00		\$ -		\$ -		\$ -
Project Manager	\$ 53.00	125	\$ 6,625.00	30	\$ 1,590.00		\$ -		\$ -
Design Engineer	\$ 40.00	45	\$ 1,800.00	5	\$ 200.00		\$ -		\$ -
Designer / Senior Designer	\$ 43.00	155	\$ 6,655.00	20	\$ 860.00		\$ -		\$ -
Technician / Draftsperson	\$ -		\$ -		\$ -		\$ -		\$ -
Administrative	\$ 25.00	15	\$ 375.00	5	\$ 125.00		\$ -		\$ -
Field Inspector	\$ -		\$ -		\$ -		\$ -		\$ -
Licensed Surveyor	\$ 41.00		\$ -		\$ -		\$ -		\$ -
Rod Person	\$ 30.00		\$ -		\$ -		\$ -		\$ -
	\$ -		\$ -		\$ -		\$ -		\$ -
<b>Total Engineering Services</b>		<b>345</b>	<b>\$ 15,795.00</b>	<b>60</b>	<b>\$ 2,775.00</b>	<b>0</b>	<b>\$ -</b>		<b>\$ -</b>
<b>REIMBURSABLE EXPENSES</b>				<b>REIMBURSABLE EXPENSES</b>		<b>REIMBURSABLE EXPENSES</b>		<b>REIMBURSABLE EXPENSES</b>	
	Cost/Unit	Quantity	Total	Quantity	Total	Quantity	Total	Quantity	Total
Transportation / Mile:	\$ 0.47 X	420	\$ 197.40	500	\$ 235.00		\$ -		\$ -
Meals / Day:	X		\$ -		\$ -		\$ -		\$ -
Lodging / Day:	X		\$ -		\$ -		\$ -		\$ -
Printing / Shipping:									
Other (Specify):									
Other (Specify):									
<b>Total Reimbursable Expenses</b>			<b>\$ 197.40</b>		<b>\$ 235.00</b>		<b>\$ -</b>		<b>\$ -</b>
<b>INDIRECT/OVERHEAD EXPENSES</b>				<b>INDIRECT/OVERHEAD EXPENSES</b>		<b>INDIRECT/OVERHEAD EXPENSES</b>		<b>INDIRECT/OVERHEAD EXPENSES</b>	
Indirect/Overhead Rate (not to exceed 145%):		171.26%	\$ 27,060.52	171.26%	\$ 4,762.47		\$ -		\$ -
<b>NET INDIRECT/OVERHEAD ALLOWANCE RATE</b>				<b>NET INDIRECT/OVERHEAD ALLOWANCE RATE</b>		<b>NET INDIRECT/OVERHEAD ALLOWANCE RATE</b>		<b>NET INDIRECT/OVERHEAD ALLOWANCE RATE</b>	
Allowable Rate (Maximum of 13%):		13.00%	\$ 4,626.37	13.00%	\$ 847.76		\$ -		\$ -
(Expenses for Sections III and IV only apply to Consultant Engineering Services without a Continuing Contract agreement with the Utility)									
<b>TOTAL ENGINEERING / SURVEY COST:</b>				<b>INSPECTION (Included)</b>		<b>INSPECTION (Included)</b>		<b>INSPECTION (Included)</b>	
Standard Consultant: (I+II+III+IV) =			\$ 66,478.52	Private:	\$ -	Private:	\$ -	Private:	\$ -
Continuing Contract: (I+II) =			\$ -	Public:	\$ -	Public:	\$ -	Public:	\$ -
<b>TOTAL COST (Engineering and Inspection)</b>									
				Standard Consultant:	\$ 66,478.52				
				Continuing Contract:	\$ -				

## WINDUPEENGINEERINGESTIMATE

I. ENGINEERING SERVICES				II. PRE-CONSTRUCTION				III. CONSTRUCTION				IV. CONSTRUCTION INSPECTION			
Classification	Rate/Hr	Hours	Total	Hours	Total	Hours	Total	Hours	Total						
Project Manager			\$		\$		\$		\$						
Engineer			\$		\$		\$		\$						
Draftperson			\$		\$		\$		\$						
Administrative			\$		\$		\$		\$						
Field Inspector			\$		\$		\$		\$						
Licensed Surveyor			\$		\$		\$		\$						
Rod Person			\$		\$		\$		\$						
	\$		\$		\$		\$		\$						
<b>Total Engineering Services</b>		0	\$	0	\$	0	\$	0	\$						
<b>V. REIMBURSABLE EXPENSES</b>				<b>VI. REIMBURSABLE EXPENSES</b>				<b>VII. REIMBURSABLE EXPENSES</b>							
	Cost/Unit	Quantity	Total	Quantity	Total	Quantity	Total	Quantity	Total						
Transportation / Mile:	X	=	\$		\$		\$		\$						
Meals / Day:	X	=	\$		\$		\$		\$						
Lodging / Day:	1 X	=	\$		\$		\$		\$						
Printing / Shipping:															
Other (Specify):															
Other (Specify):															
<b>Total Reimbursable Expenses</b>			\$		\$		\$		\$						
<b>VIII. INDIRECT/OVERHEAD EXPENSES</b>				<b>IX. INDIRECT/OVERHEAD EXPENSES</b>				<b>X. INDIRECT/OVERHEAD EXPENSES</b>							
<b>Indirect/Overhead Rate (not to exceed 145%):</b>			\$		\$		\$		\$						
<b>TOTAL ENGINEERING COST:</b>				<b>TOTAL ENGINEERING COST:</b>				<b>TOTAL INSPECTION COST:</b>							
			\$		\$		\$		\$						
			\$		\$		\$		\$						
			\$		\$		\$		\$						



EQUIPMENT COST INCLUDED WITH INSTALLATION COST ☒

REMOVAL LABOR, SALVAGE AND NON-USABLE (JUNKED) MATERIAL								
			LABOR				MATERIAL	
TDOT Item No.	Item Description	Qty	In House Cost		Contract Bid/Continuing		Salvage / Reused	Intake / Scrapped
			Unit Cost	Extended	Unit Cost	Extended		
			\$	-	\$	-		
			\$	-	\$	-		
			\$	-	\$	-		
			\$	-	\$	-		
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			\$	-	\$	-		
			\$	-	\$	-		
			\$	-	\$	-		
TOTAL REMOVAL COSTS			\$	-	\$	-		

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Revision 10-25-2013