

RESOLUTION 2011-01

A RESOLUTION AUTHORIZING THE RENEGOTIATION OF THE LOJAC CONTRACTS REGARDING THE PAVING OF ALL LANES OF BELLE MEADE BOULEVARD

BE IT RESOLVED BY THE CITY OF BELLE MEADE, as follows:

WHEREAS, the Metropolitan Government of Nashville and Davidson County, acting through its Department of Water and Sewerage Services, has been performing certain infrastructure improvement projects within the City of Belle Meade;

WHEREAS, one result of the work being performed by the Metropolitan Government of Nashville and Davidson County, acting through its Department of Water and Sewerage Services, has been damage to the pavement of some streets in the City of Belle Meade, including the northbound lanes of Belle Meade Boulevard;

WHEREAS, Metropolitan Government of Nashville and Davidson County, acting through its Department of Water and Sewerage Services competitively bid a contract to repair the streets that have been damaged and awarded that contract to LOJAC;

WHEREAS, Metropolitan Government of Nashville and Davidson County, acting through its Department of Water and Sewerage Services has offered to assign, and the City of Belle Meade has agreed to accept an assignment of, that portion of the LOJAC contract to re-pave the streets damaged by these repairs that relates to Belle Meade Boulevard;

WHEREAS, the intended result of the assignment of that portion of the LOJAC contract to re-pave is to substitute the City of Belle Meade for the Metropolitan Government of Nashville and Davidson County as the primary beneficiary of any warranties provided by the paving contractor, thereby relieving the Metropolitan Government of Nashville and Davidson County, acting through its Department of Water and Sewerage Services, of such obligations and creating a direct contractual obligation between the City of Belle Meade and the contractor;

WHEREAS, the City of Belle Meade desires to maximize the benefit of that contract by considering value engineering alternatives in consultation with the paving contractor, including but not limited to potential modifications to that portion of the contract assigned to the City of Belle Meade to include paving both the northbound and southbound lanes of Belle Meade Boulevard;

NOW THEREFORE be it resolved:

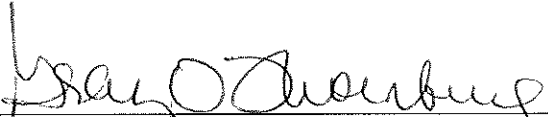
1. The City of Belle Meade, having confirmed that Metropolitan Government of Nashville and Davidson County competitively bid a contract to repair its streets, hereby approves

the acceptance through assignment of that that portion of the LOJAC contract to re-pave the streets damaged by these repairs that relates to Belle Meade Boulevard including:

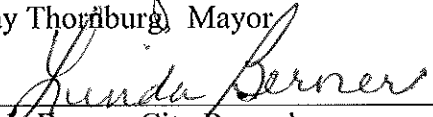
- a. The complete release of Metropolitan Government of Nashville and Davidson County of any and all damages or claims arising in connection with the obligation to repave Belle Meade Boulevard;
 - b. The modification of the paving contract to substitute the City of Belle Meade as the primary obligee and beneficiary of such contract; and
 - c. Such other and further provisions that the Commissioners in consultation with the City Attorney deem necessary and appropriate to such assignment.
2. The City of Belle Meade, acting through its Commissioners, hereby authorizes the renegotiation of those provisions of the LOJAC contract as are assigned to it to the extent that they determine, through value engineering, to maximize the benefits to the City, which benefits may include paving both the northbound and southbound lanes of Belle Meade Boulevard.

This Resolution shall become effective immediately.

Passed on first reading:
April 14, 2011



Gray Thornburg, Mayor



Linda Berner, City Recorder