



## **PARKING COMMISSION AGENDA**

**DATE: March 15, 2022**

**MEETING LOCATION: CITY HALL MAYOR'S CONFERENCE ROOM  
ONE PUBLIC SQUARE  
CLARKSVILLE, TN 37040**

**TIME: 3:00 P.M.**

### **I. CALL TO ORDER**

### **II. ANNOUNCE MEMBERS IN ATTENDANCE (VERIFY QUORUM)**

- Ryan Bowie
- Andrea Herrera
- Andy Kean
- David Shelton
- Councilperson Wanda Smith

### **III. PARKING COMMISSION PUBLIC HEARING - *RYAN BOWIE, CHAIR***

1. On-Street Parking Options (Comments limited to 5 minutes each)
  - a. Status Quo - put the IPS meters back up and offer the option to pay at the meter (coins or credit card) or use ParkMobile.
  - b. Offer on-street parking for free (Lots and Garages would use kiosks or ParkMobile)
  - c. Bring back analog meters and offer the option to use coins at the meter or use ParkMobile.

### **IV. ADOPTION OF MINUTES: February 24, 2022 & March 2, 2022 (Workshops)**

### **V. DEPARTMENT REPORTS**

1. Management Report
  - a. Meter/ParkMobile Report
  - b. Parking Study
  - c. Enlarging Downtown Footprint
  - d. ParkMobile Refunds
2. Financial Report

### **VI. NEW BUSINESS**

1. On-Street Parking Options
  - d. Status Quo - put the IPS meters back up and offer the option to pay at the meter (coins or credit card) or use ParkMobile.
  - e. Offer on-street parking for free (Lots and Garages would use kiosks or ParkMobile)
  - f. Bring back analog meters and offer the option to use coins at the meter or use ParkMobile.
2. Resident - Downtown Discount

**VII. OLD BUSINESS**

**1. Duplicate Hang Tags**

**VIII. PARKING COMMISSION COMMENTS**

**IX. PUBLIC COMMENTS (limit 5 minutes each)**

**X. VOIDING REQUESTS**

**1. Appeal - Ticket #170115184**

**XI. ADJOURNMENT**



## **PARKING COMMISSION WORKSHOP MINUTES**

**DATE:** February 24, 2022, 3:00 p.m.

**MEETING LOCATION:** MAYOR'S CONFERENCE ROOM, 4TH FLOOR  
1 PUBLIC SQUARE  
CLARKSVILLE, TN 37040

Parking Commission members present were Ryan Bowie, Andy Kean and David Shelton

Andy Kean made a motion to accept the Minutes from the February 15th meeting, Ryan Bowie seconded and the motion carried.

### **DISCUSSION**

Ryan Bowie recognized Jeff Robinson. Mr. Robinson stated that parking is the lifeblood of any brick-and-mortar business. Business owners rely on the government to regulate parking. He advised taking plenty of time and getting input from a variety of sources before making changes to fees, fines, or rates.

Lance Baker, City Attorney, explained that a prior administration made the decision to restrict the authority of the new Parking Commission so they would not be involved in making management type decisions and their role would be limited to establishing parking regulations, setting rates, and dealing with ticket appeals.

Mr. Baker gave Commission members copies of the Advisory Board and Commission Training and Orientation Manual as well as the City Code that pertains to the Clarksville Parking Commission as well as parking regulations that have been adopted by either this Parking Commission or prior Parking Commissions or Parking Authority. He advised that Commission Members read the entire documents. In the Parking Commission handout, he highlighted Section 1-1907, 1-1910, Appendix A. Next, he covered the City Code of Ethics and Conflict of Interest document, highlighting section 12-4-101, 12-4-101B, 12-4-102, 6-54-107, state law The City Private Act Charter, Article 6 Section 10 establishing an Ethics Commission, 1-601, 1-602, 1-603, 1-604, 1-605, 1-606, 1-607. He discussed the Open Meetings Act emphasizing that you can only discuss, deliberate, and make decisions toward parking policy in publicly noticed meetings in public. Having communication about meeting dates in private are okay.

Mr. Baker gave an overview of the ParkMobile contract. Laurie Matta, CFO, pointed out that this contract was the result of management decisions outside the scope of the Parking Commission, although the Commission was made aware of the contract in August and September of 2021.

**Ms. Matta moved on to a financial overview for Parking. The Parking Commission, by City Code and accounting rules, is an Enterprise Fund which operates as a for-profit business, and assets only hit the financial statements through depreciation. The City can issue debt on behalf of the Parking Commission, but the Commission is responsible for reimbursing the city. The Commission is responsible for setting rates appropriately to recover the payments for assets. Ms. Matta stated that it is critically important for the Commission to understand this because the Parking Fund has had a loss from 2014 - present, except for 2019 when there wasn't a Parking Manager. She mentioned that if the Commission had followed the recommendations of studies that were done, such as the Desmond Study in 2010, we would not be in the position we are in. She said that she had advised against offering the First Hour Free, which was supposed to cause downtown sales to skyrocket, but it did not have the impact it was supposed to have. She stated that these issues were created before any of the current members were on the Parking Commission. Mr. Kean observed that the Commission must now fix a problem they did not create. Mr. Baker presented another option where the City Council could make the decision to have the general taxpayer subsidize Parking. Ms. Matta agreed this is possible but pointed out that it is a political decision that may not be popular with people who never come downtown or people who own businesses elsewhere and pay for their own parking.**

**Mr. Palmore presented 3 options for street parking:**

- 1. Status Quo - put the IPS meters back up and offer the option to pay at the meter (coins or credit card) or use ParkMobile.**
- 2. Bring back analog meters and offer the option to use coins at the meter or use ParkMobile.**
- 3. Offer on-street parking for free (Lots and Garages would use kiosks or ParkMobile)**

**Mr. Hilborn suggested keeping the IPS meters that have been upgraded and putting the analog meters where we don't have them now.**

**Mr. Bowie requested a public input session prior to making a decision about street parking. Mr. Palmore also suggested a financial workshop prior to deciding and the workshop was set for March 2 at 9:00 am.**



## **PARKING COMMISSION WORKSHOP MINUTES**

**DATE: March 2, 2022, 9:00 a.m.**

**LOCATION: BUILDING & CODES, CONFERENCE ROOM  
100 SOUTH SPRING ST.  
CLARKSVILLE, TN 37040**

**Parking Commission members present were Ryan Bowie, Andrea Herrera, David Shelton, Andy Kean and Councilperson Smith**

### **DISCUSSION**

**David Smith, former Parking Manager, gave a review of developments during his tenure. Laurie Matta, CFO, clarified that while Mr. Smith was Parking Manager, Clarksville had a Parking Authority which had more authority than our current Parking Commission. Mr. Smith outlined the transition process from analog meters that only accepted coins to more technologically advanced meters from IPS. Ms. Matta pointed out that that the decision was made to offer first hour free parking at the time the new meters were installed in hopes of increased sales tax revenue. However, sales tax revenue did not grow and the Parking Fund incurred losses. To offset the losses, Mr. Smith said the staff did landscaping and repairs in-house and deferred maintenance on the Cumberland Garage.**

**Ms. Matta presented financials associated with various proposed options for street parking.**

- 1. Status Quo - put the IPS meters back up and offer the option to pay at the meter (coins or credit card) or use ParkMobile.**
- 2. Bring back analog meters and offer the option to use coins at the meter or use ParkMobile.**
- 3. Offer on-street parking for free (Lots and Garages would use kiosks or ParkMobile)**

**Ms. Matta also outlined the process the city goes through when they issue debt on behalf of an enterprise fund, such as the Parking Commission or Gas & Water, and the necessity to have a plan for repayment. Mr. Smith pointed out that the City tried free on-street parking in the past, describing it as a “fail” because the free spaces were taken up entirely by employees.**

**The proposed new garage was discussed and Ms. Herrera inquired as to how the projected cost was arrived at. Ms. Matta said she would ask Project Manager John Hilborn for information. Mr. Bowie expressed interest in a new parking study. Mr. Smith advised if a study is done to make sure it is limited to the information you need most. Mr. Bowie said the next step is a listening session with the public next week regarding the options for on-street parking.**

**Mr. Bowie also expressed interest in having the City Council review what the Parking Commission is tasked with and perhaps requesting a seat at the table when spending decisions are made because the Commission will ultimately be charged with setting rates to offset the expenses. Ms. Matta said the Commission would need to make a recommendation and she would help route it through the proper channels.**

**CITY OF CLARKSVILLE**  
**PARKING AUTHORITY REVENUE & EXPENDITURE MONTHLY COMPARISON - YTD**

	July 1, 2020 February 28, 2021	July 1, 2021 February 28, 2022	Increase (Decrease)
<b>REVENUES:</b>			
PARKING METER FINES - TICKETS	65,803	44,767	(21,036)
INVESTMENT EARNINGS	412	69	(342)
INTEREST	-	-	-
PARKING METER MONEY - DOWNTOWN	78,832	95,519	16,686
RESIDENTIAL	-	-	-
MAIN ST LOT	477	2,425	1,948
ROXY LOT	7,767	6,833	(935)
TRINITY LOT	-	-	-
FRANKLIN STREET LOT	1,440	540	(900)
PARKING SPACES / LOADING ZONES	29,147	32,071	2,924
CONSTRUCTION PERMITS	610	1,370	760
APPLICATION FEE	90	150	60
GARAGES - LEASED SPACES - TRANSIT	8,383	10,130	1,747
CUMBERLAND PLAZA LEASED SPACES	30,853	375	(30,478)
CUMBERLAND PLAZA METER MONEY	78,488	52,697	(25,791)
MISCELLANEOUS	496	629	133
Includes additional hang tags, CityCourt/Pcard Rebate/other rental	-	-	-
TRANSFER IN FROM GENERAL FUND	-	-	-
	<u>302,798</u>	<u>247,575</u>	<u>(55,224)</u>
<b>EXPENSES:</b>			
SALARIES & WAGES	78,570	43,676	(34,894)
OPERATING	78,520	51,353	(27,167)
OTHER PROFESSIONAL SERVICES	96,000	87,000	(9,000)
BUILDING REPAIR & MAINTENANCE	7,649	8,357	707
OTHER REPAIR & MAINTENANCE	3,904	13,880	9,976
OTHER EQUIPMENT PURCHASES	-	-	-
INTEREST - OTHER DEBT	-	-	-
OTHER	-	3,377	3,377
IMPROVEMENTS (NON-BUILDINGS)	-	-	-
AMORTIZATION EXPENSE	-	-	-
	<u>264,643</u>	<u>207,644</u>	<u>(57,000)</u>
<b>OPERATING PROFIT/(LOSS)</b>	<b>38,155</b>	<b>39,931</b>	<b>1,776</b>
			-
AMORTIZATION EXPENSE	-	-	-
DEPRECIATION EXPENSE	58,951	58,951	-
<b>NET PROFIT/(LOSS) AFTER DEPRECIATION:</b>	<b><u>(20,796)</u></b>	<b><u>(19,020)</u></b>	<b><u>1,776</u></b>
<b>PARKING FUND BALANCE</b>		<b>649,228</b>	

**CITY OF CLARKSVILLE**  
**PARKING AUTHORITY REVENUE & EXPENDITURE COMPARISON**

	<b>FY2019</b> <b>2/1/2019</b> <b>2/28/2019</b>	<b>FY2020</b> <b>2/1/2020</b> <b>02/29/2020</b>	<b>FY2021</b> <b>2/1/2021</b> <b>2/28/2021</b>	<b>FY2022</b> <b>2/1/2022</b> <b>2/28/2022</b>
<b>REVENUES:</b>				
PARKING METER FINES - TICKETS	\$ 5,953.95	\$ 9,505.50	\$ 2,613.98	\$ 3,099.00
INVESTMENT EARNINGS	537.02	398.80	23.18	18.54
PARKING METER MONEY - DOWNTOWN	6,232.55	8,086.05	6,587.12	6,639.39
RESIDENTIAL PARKING - DOWNTOWN	-			
THIRD & MAIN STREET LOT - F&M			\$ 300.00	
ROXY LOT	700.00	725.00	\$ 839.90	880.00
FRANKLIN STREET LOT				
TRINITY LOT				
PARKING SPACES / LOADING ZONES	1,397.00	1,186.00	\$ 1,204.50	5,006.00
CONSTRUCTION PERMITS				930.00
RENTAL APPLICATION FEES				90.00
GARAGES - LEASED SPACES - TRANSIT	631.46	520.00	\$ 930.00	670.00
CUMBERLAND PLAZA LEASED SPACES	1,051.68	1227.66	\$ 2,016.00	796.50
CUMBERLAND PLAZA METER MONEY	11,351.41	15,023.95	\$ 3,847.50	2,329.15
MISCELLANEOUS	50.92	52.12	\$ 73.52	43.62
TRANSFER IN FROM GENERAL FUND	-	-		
	<u>27,905.99</u>	<u>36,725.08</u>	<u>\$ 18,435.70</u>	<u>20,502.20</u>
<b>EXPENSES:</b>				
SALARIES & WAGES	11,587.94	53,865.28	\$ 10,287.43	4,669.16
OPERATING	4,393.88	9,048.90	\$ 9,809.02	\$ 3,459.96
OTHER PROFESSIONAL SERVICES			\$ 12,000.00	9,000.00
BUILDING REPAIR & MAINTENANCE	428.00	587.63	\$ 393.98	3,620.41
OTHER REPAIR & MAINTENANCE		91.95	\$ 602.32	\$ 2,184.93
OTHER EQUIPMENT PURCHASES				
INTEREST - OTHER DEBT			\$ -	
OTHER			\$ -	
IMPROVEMENTS (NON-BUILDINGS)	-		\$ -	-
	<u>16,409.82</u>	<u>63,593.76</u>	<u>\$ 33,092.75</u>	<u>22,934.46</u>
<b>OPERATING INCOME/(LOSS)</b>	11,496.17	(26,868.68)	\$ (14,657.05)	(2,432.26)
AMORTIZATION EXPENSE	-			
DEPRECIATION EXPENSE	7,538.15	7,368.83	\$ 7,368.83	7,368.83
<b>NET PROFIT/(LOSS):</b>	<u><u>\$ 3,958.02</u></u>	<u><u>\$ (34,237.51)</u></u>	<u><u>\$ (22,025.88)</u></u>	<u><u>\$ (9,801.09)</u></u>



**PARKING FUND PROJECTION WITH PARKING GARAGE DEBT  
CURRENT STATE NO CHANGE TO RATES**

ACCOUNT DESCRIPTION	2021 REVISED BUDGET	2021 YTD ACTUAL	2022 ESTIMATE	2023 5% Growth ESTIMATE	2024 10% Growth ESTIMATE	2025 10% Growth ESTIMATE
35115 Parking Meter Fines-Tick	(123,700.00)	(102,929.04)	(73,695.34)	(77,380.11)	(85,118.12)	(93,629.93)
36100 Investment Earnings	(435.00)	(432.13)	(87.29)	(91.66)	(100.82)	(110.90)
36201 Parking Meter Money-Down	(124,100.00)	(130,259.06)	(152,364.77)	(159,983.01)	(175,981.31)	(193,579.44)
36204 Main Street Lot	(477.00)	(657.48)	(4,157.14)	(4,365.00)	(4,801.50)	(5,281.65)
36206 Roxy Lot	(11,000.00)	(10,767.40)	(10,204.29)	(10,714.50)	(11,785.95)	(12,964.55)
36209 Franklin Street Lot	(1,440.00)	(1,440.00)	(925.71)	(972.00)	(1,069.20)	(1,176.12)
36215 Parking Spaces/Loading Z	(34,812.00)	(34,853.00)	(54,978.57)	(57,727.49)	(63,500.24)	(69,850.27)
36216 Construction Permits	(1,900.00)	(2,300.00)	(840.00)	(882.00)	(970.20)	(1,067.22)
36217 Rental Application Fee	(150.00)	(210.00)	(154.29)	(162.00)	(178.20)	(196.02)
36221 Garages-Leased Spaces-Tr	(13,300.00)	(12,503.44)	(16,422.86)	(17,244.00)	(18,968.40)	(20,865.24)
36222 Cumberland Plaza Leased	(44,362.00)	(44,588.85)	(20,000.00)	(41,000.00)	(45,100.00)	(49,610.00)
36222 New Garage Leased				(41,000.00)	(45,100.00)	(49,610.00)
36223 Cumberland Plaza Meter M	(116,000.00)	(121,923.07)	(86,344.85)	(60,442.09)	(66,486.30)	(73,134.93)
36500 Miscellaneous Revenue	(675.00)	(914.16)	(1,004.06)	(1,054.26)	(1,159.69)	(1,275.65)
1141000 Parking Commission-Rev	(472,351.00)	(463,777.63) -	(421,179.17)	(473,018.12)	(520,319.94)	(572,351.93)
4150 Management Fee	251,556.00	248,595.79	231,672.93	281,877.02	310,064.73	341,071.20
4330 Other Professional Servic	-	-	-	-	-	-
4340 Technical	144,000.00	144,000.00	87,000.00		-	-
4433 Equipment Repair & Mainte			5,789.88	6,079.37	6,687.31	7,356.04
Debt Expense				683,566.00	818,750.00	1,518,750.00
4804 Depreciation Expense	95,000.00	87,430.49	87,430.49	91,802.01	100,982.22	111,080.44
11410003 Parking Commission-Op	490,556.00	480,026.28 -	411,893.30	1,063,324.41	1,236,484.25	1,978,257.68
4740 Machinery & Equipment						
11410004 Parking Commission-Pr	-	- -	-	-	-	-
2101 Parking Commission(Profit)/Loss	18,205.00	16,248.65 -	(9,285.87)	590,306.29	716,164.32	1,405,905.75
Revenue Total	(472,351.00)	(463,777.63) -	(421,179.17)	(473,018.12)	(520,319.94)	(572,351.93)
Expense Total	490,556.00	480,026.28 -	411,893.30	1,063,324.41	1,236,484.25	1,978,257.68
(Profit)Loss	18,205.00	16,248.65 -	(9,285.87)	590,306.29	716,164.32	1,405,905.75

**PARKING FUND PROJECTION WITH PARKING GARAGE DEBT**  
**FREE ON-STREET PARKING - RAISE RATES IN LOTS & GARAGES - double rates and fines**

OBJECT	ACCOUNT DESCRIPTION	2021 REVISED BUDGET	2021 YTD ACTUAL	2022 ESTIMATE	2023 5% Growth ESTIMATE	2024 10% Growth ESTIMATE	2025 10% Growth ESTIMATE
35115	35115 Parking Meter Fines-Tick	(123,700.00)	(102,929.04)	(73,695.34)	(151,075.45)	(166,183.00)	(182,801.30)
36100	36100 Investment Earnings	(435.00)	(432.13)	(87.29)	(91.66)	(100.82)	(110.90)
36201	36201 Parking Meter Money-Down						
36204	36204 Main Street Lot	(477.00)	(657.48)	(4,157.14)	(8,522.14)	(9,374.36)	(10,311.79)
36206	36206 Roxy Lot	(11,000.00)	(10,767.40)	(10,204.29)	(20,918.79)	(23,010.66)	(25,311.73)
36209	36209 Franklin Street Lot	(1,440.00)	(1,440.00)	(925.71)	(1,897.71)	(2,087.49)	(2,296.23)
36215	36215 Parking Spaces/Loading Z	(34,812.00)	(34,853.00)	(54,978.57)	(57,727.49)	(63,500.24)	(69,850.27)
36216	36216 Construction Permits	(1,900.00)	(2,300.00)	(840.00)	(882.00)	(970.20)	(1,067.22)
36217	36217 Rental Application Fee	(150.00)	(210.00)	(154.29)	(162.00)	(178.20)	(196.02)
36221	36221 Garages-Leased Spaces-Tr	(13,300.00)	(12,503.44)	(16,422.86)	(33,666.86)	(37,033.54)	(40,736.90)
36222	36222 Cumberland Plaza Leased	(44,362.00)	(44,588.85)	(20,000.00)	(41,000.00)	(45,100.00)	(49,610.00)
	36222 New Garage Leased				(41,000.00)	(45,100.00)	(49,610.00)
36223	36223 Cumberland Plaza Meter M	(116,000.00)	(121,923.07)	(86,344.85)	(117,984.95)	(129,783.44)	(142,761.78)
36500	36500 Miscellaneous Revenue	(675.00)	(914.16)	(1,004.06)	(1,054.26)	(1,159.69)	(1,275.65)
	1141000 Parking Commission-Rev	(348,251.00)	(333,518.57)	(268,814.39)	(475,983.31)	(523,581.64)	(575,939.80)
	4150 Management Fee	251,556.00	248,595.79	231,672.93	281,877.02	310,064.73	341,071.20
4330	4330 Other Professional Servic	-	-	-	-	-	-
4340	4340 Technical	144,000.00	144,000.00		-	-	-
	4610 Park Mobile fees			3,500.00	12,000.00	13,200.00	14,520.00
	4433 Equipment Repair & Mainte			5,789.88	6,079.37	6,687.31	7,356.04
	Debt Expense				683,566.00	818,750.00	1,518,750.00
4804	4804 Depreciation Expense	95,000.00	87,430.49	87,430.49	91,802.01	100,982.22	111,080.44
	11410003 Parking Commission-Op	490,556.00	480,026.28	328,393.30	1,075,324.41	1,249,684.25	1,992,777.68
	4740 Machinery & Equipment						
	11410004 Parking Commission-Pr	-	-	-	-	-	-
	2101 Parking Commission(Profit)/Loss	142,305.00	146,507.71	59,578.90	599,341.10	726,102.61	1,416,837.88
	Revenue Total	(348,251.00)	(333,518.57)	(268,814.39)	(475,983.31)	(523,581.64)	(575,939.80)
	Expense Total	490,556.00	480,026.28	328,393.30	1,075,324.41	1,249,684.25	1,992,777.68
	(Profit)Loss	142,305.00	146,507.71	59,578.90	599,341.10	726,102.61	1,416,837.88

**PARKING FUND PROJECTION WITH PARKING GARAGE DEBT  
NO CHANGE TO RATES, COIN ONLY METERS ON STREET**

ACCOUNT DESCRIPTION	2021 REVISED BUDGET	2021 YTD ACTUAL	2022 ESTIMATE	2023 5% Growth ESTIMATE	2024 10% Growth ESTIMATE	2025 10% Growth ESTIMATE
35115 Parking Meter Fines-Tick	(123,700.00)	(102,929.04)	(73,695.34)	(77,380.11)	(85,118.12)	(93,629.93)
36100 Investment Earnings	(435.00)	(432.13)	(87.29)	(91.66)	(100.82)	(110.90)
36201 Parking Meter Money-Down	(124,100.00)	(130,259.06)	(152,364.77)	(159,983.01)	(175,981.31)	(193,579.44)
36204 Main Street Lot	(477.00)	(657.48)	(4,157.14)	(4,365.00)	(4,801.50)	(5,281.65)
36206 Roxy Lot	(11,000.00)	(10,767.40)	(10,204.29)	(10,714.50)	(11,785.95)	(12,964.55)
36209 Franklin Street Lot	(1,440.00)	(1,440.00)	(925.71)	(972.00)	(1,069.20)	(1,176.12)
36215 Parking Spaces/Loading Z	(34,812.00)	(34,853.00)	(54,978.57)	(57,727.49)	(63,500.24)	(69,850.27)
36216 Construction Permits	(1,900.00)	(2,300.00)	(840.00)	(882.00)	(970.20)	(1,067.22)
36217 Rental Application Fee	(150.00)	(210.00)	(154.29)	(162.00)	(178.20)	(196.02)
36221 Garages-Leased Spaces-Tr	(13,300.00)	(12,503.44)	(16,422.86)	(17,244.00)	(18,968.40)	(20,865.24)
36222 Cumberland Plaza Leased	(44,362.00)	(44,588.85)	(20,000.00)	(41,000.00)	(45,100.00)	(49,610.00)
36222 New Garage Leased				(41,000.00)	(45,100.00)	(49,610.00)
36223 Cumberland Plaza Meter M	(116,000.00)	(121,923.07)	(86,344.85)	(60,442.09)	(66,486.30)	(73,134.93)
36500 Miscellaneous Revenue	(675.00)	(914.16)	(1,004.06)	(1,054.26)	(1,159.69)	(1,275.65)
1141000 Parking Commission-Rev	(472,351.00)	(463,777.63)	-	(421,179.17)	(473,018.12)	(520,319.94)
4150 Management Fee	251,556.00	248,595.79	231,672.93	281,877.02	310,064.73	341,071.20
4330 Other Professional Servic	-	-	-	-	-	-
4340 Technical	144,000.00	144,000.00	87,000.00		-	-
4433 Equipment Repair & Mainte			5,789.88	6,079.37	6,687.31	7,356.04
Debt Expense				683,566.00	818,750.00	1,518,750.00
4804 Depreciation Expense	95,000.00	87,430.49	87,430.49	91,802.01	100,982.22	111,080.44
11410003 Parking Commission-Op	490,556.00	480,026.28	-	411,893.30	1,236,484.25	1,978,257.68
4740 Machinery & Equipment						
11410004 Parking Commission-Pr	-	-	-	-	-	-
2101 Parking Commission(Profit)/Loss	18,205.00	16,248.65	-	(9,285.87)	590,306.29	716,164.32
Revenue Total	(472,351.00)	(463,777.63)	-	(421,179.17)	(473,018.12)	(520,319.94)
Expense Total	490,556.00	480,026.28	-	411,893.30	1,063,324.41	1,236,484.25
(Profit)Loss	18,205.00	16,248.65	-	(9,285.87)	590,306.29	716,164.32

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**Sec. 1-1901. Clarksville Parking Commission established.**

A board, to be designated the "Clarksville Parking Commission," is hereby created to regulate public parking within the city limits.

(Ord. No. 14-2015-16, § 1, 9-3-15)

**Sec. 1-1902. Clarksville Parking Commission composition; eligibility for appointment; term; vacancy during unexpired term.**

- (a) *Composition.* The Clarksville Parking Commission shall be composed of five (5) members.
- (b) *Eligibility for appointment.* No person shall be eligible for appointment to the Clarksville Parking Commission unless he or she has been a resident of the City of Clarksville for at least one (1) year preceding the date of his or her appointment. No former elected mayor or city council member, or current regularly compensated officer or employee, other than one (1) current member of city council, shall be eligible for appointment to the commission until at least one (1) year after the expiration of the term of such person's public office or employment with the city. No former Clarksville Parking Commission member who has served two (2) consecutive, full terms shall be eligible for reappointment to the commission until two (2) years have passed since the expiration of his or her previous term.
- (c) *Appointment of commission members.* The mayor shall appoint the members of the Clarksville Parking Commission, subject to the approval of the city council by majority vote. One member of the Clarksville Parking Commission shall be a current member of the city council. If a nominee is not approved by majority vote of the city council, then the mayor shall nominate another person until such nominee has been approved by a majority vote of the city council.
- (d) *Term.* Members of the Clarksville Parking Commission shall serve a two-year term. Members of the Clarksville Parking Commission may serve up to two (2) full, consecutive terms. The term for the city council member appointed to the Clarksville Parking Commission shall be for a period of two (2) years during his or her term as a city council member and shall be coterminous with his or her term as a city council member. For the first commission appointed, three (3) members shall be appointed for a term period of two (2) years, and two (2) members shall be appointed for a term period of one (1) year, in order for the commission members to have staggered terms. Thereafter, all subsequent term periods shall be for a period of two (2) years.
- (e) *Residency.* Members of the Clarksville Parking Commission must maintain their residency within the limits of the City of Clarksville during their term(s) of service. If a member of the commission moves out of the limits of the City of Clarksville during his or her term of service on the commission, their membership shall be vacated and a new member shall be appointed to fill the unexpired term of the vacated member.
- (f) *Vacancy before expiration of term.* If any member of the Clarksville Parking Commission resigns from, is removed from, or ceases to be a member of the commission before the expiration of his or her term, the mayor shall appoint a new member to serve the remainder of the unexpired term, subject to city council approval. For purposes of computing a term, the filling of an unexpired term shall not count toward the two (2) full consecutive terms limit.

(Ord. No. 14-2015-16, § 1, 9-3-15)

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**Sec. 1-1903. Clarksville Parking Commission quorum; election of chair and vice chair; public meetings; procedure.**

- (a) *Quorum.* A majority of the Clarksville Parking Commission shall constitute a quorum, and the commission shall act by vote of a majority present at any meeting attended by a quorum. Vacancies in the commission shall not affect its power and authority so long as a quorum remains.
- (b) *Election of a chair and vice chair.* The Clarksville Parking Commission shall elect a chairperson and a vice chairperson.
- (c) *Public meetings.* The Clarksville Parking Commission shall hold public meetings, and give notice to the public thereof, at such regular time and place as the commission may determine. Changes in such time and place of meeting shall be made known to the public as required by law. All meetings of the commission shall be subject to state law of general application concerning open meetings.
- (d) *Rules of procedure.* The meetings of the Clarksville Parking Commission shall be conducted in accordance with the most current edition of Robert's Rules of Order, and such other rules of procedure as the Commission may adopt by majority vote.

(Ord. No. 14-2015-16, § 1, 9-3-15)

**Sec. 1-1904. Compensation.**

Members of the Clarksville Parking Commission shall not receive, or be entitled to receive, any monetary compensation for their service on the commission.

(Ord. No. 14-2015-16, § 1, 9-3-15)

**Sec. 1-1905. Removal of members.**

- (a) *Grounds.* Any member of the Clarksville Parking Commission may be removed from office for cause, to include permanent disability, knowing or willful misconduct in office, knowing or willful failure to perform any duty required by law, or the committing of any act constituting a felony or a violation of any penal statute involving moral turpitude, or malfeasance, misfeasance, or nonfeasance as a Commission member, by resolution by the city council, upon a roll call vote of three-fourths ( $\frac{3}{4}$ ) of the full membership of the city council at a public hearing, but only after prior preferment of formal charges by resolution of the city council approved by a majority vote of the full membership of the city council at a public hearing.
- (b) *Charges, investigation, notice.* All charges shall be in writing and the city council shall make or direct such investigation in relation to the matter as it may consider necessary. Prior to any hearing, a copy of the charges to be considered at the hearing shall be delivered to or mailed to the commission member against whom they have been filed, together with notice of the time and place for the public hearing, which shall not be less than five (5) calendar days from the delivery or mailing of the charges to the accused member.
- (c) *Hearing, right to counsel, and process.* The hearing on removal shall be public. The accused Commission member shall have the right to appear and to defend in person or by counsel, and shall have process of the city council to compel the attendance of witnesses on his or her behalf. The city attorney, or such other person as the city council by majority vote may direct, shall present the evidence and witnesses, if any, against the accused commission member.

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- (d) *Expiration of term upon removal.* Immediately upon a vote approving removal, the term of the accused commission member shall expire, and his or her office, status, power, and authority shall cease without further action.

(Ord. No. 14-2015-16, § 1, 9-3-15)

### **Sec. 1-1906. Record and reports of the Clarksville Parking Commission.**

The Clarksville Parking Commission shall keep a complete and accurate record of all meetings and actions taken, which may be in summarized form, and a copy of the same shall be filed with the city clerk.

(Ord. No. 14-2015-16, § 1, 9-3-15)

### **Sec. 1-1907. Powers and duties of the Clarksville Parking Commission.**

The Clarksville Parking Commission shall have the following powers and duties pertaining to parking on city-owned properties and public streets:

- (a) Establishing parking regulations, rates, and a schedule of civil penalties, along with late fees and costs, all of which shall be contained in an appendix to the Official Code of the City of Clarksville;
- (b) Establishing leasing rates for public parking lots and individual public parking spaces; and
- (c) Making recommendations to the city council regarding parking policy issues.

(Ord. No. 14-2015-16, § 1, 9-3-15)

### **Sec. 1-1908. Parking manager.**

- (a) There shall be a parking manager, appointed by the mayor, who shall have the following duties:
  - 1. Collecting civil penalties, fines, and fees related to violations of parking regulations;
  - 2. Managing and maintaining any city-owned parking garages or other city-owned parking facilities as well as managing the acquisition, construction, and establishment of such facilities as may be authorized by the city council; and
  - 3. Managing and maintaining the installation and use of parking meters or other necessary equipment in connection therewith.
- (b) The parking manager shall be reportable to the mayor, or his or her designee, and shall be responsible for presenting the budget of the Clarksville Parking Commission to the city council.

(Ord. No. 14-2015-16, § 1, 9-3-15)

### **Sec. 1-1909. Accounting.**

All moneys collected for the commission from any source shall be remitted to the City of Clarksville and deposited with the city treasurer, for the retirement of any bonds or other debt related to parking garages or facilities; operations, maintenance, and improvement of parking garages, facilities, or public parking spaces in the city and shall be accounted for in a separate enterprise fund, along with such other funds as may be budgeted for such purposes by the city council.

(Ord. No. 14-2015-16, § 1, 9-3-15)

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### **Sec. 1-1910. Jurisdiction.**

All citations issued for alleged parking violations on city-owned property or public streets shall be subject to the jurisdiction of the Clarksville Parking Commission.

(Ord. No. 14-2015-16, § 1, 9-3-15)

### **Sec. 1-1911. Right to appeal citation.**

- (a) All parking citations shall contain a notice informing the recipient in summarized form as to the process to appeal the citation to the Clarksville Parking Commission.
- (b) Any person who receives a parking violation citation shall have the right to an administrative hearing before the Clarksville Parking Commission to contest the citation. Any person wishing to contest an alleged parking citation shall file his or her appeal with the Clarksville Parking Commission within ten (10) calendar days from the date of the issuance of the citation. No requests for appeal that are filed outside the ten (10) calendar day period shall be considered.
- (c) At the administrative hearing, the commission shall keep a record of the proceedings, hear and decide whether a parking violation has occurred, and shall impose the appropriate civil penalty in such cases in accordance with the civil penalty schedule.
- (d) All civil penalties shall be paid within thirty (30) calendar days of the date the citation was issued unless there is a timely filed appeal pending before the commission. If an individual files a timely appeal to the Clarksville Parking Commission, and if the commission finds that a parking violation did occur at the appeal hearing, the cited individual shall have ten (10) calendar days from the hearing date to pay the civil penalty.
- (e) Any person aggrieved by a decision of the Clarksville Parking Commission may appeal the decision to the Chancery or Circuit Court of Montgomery County pursuant to state law of general application.

(Ord. No. 14-2015-16, § 1, 9-3-15)

### **Sec. 1-1912. Enforcement of parking regulations.**

The Clarksville Parking Commission shall adopt and enforce parking regulations within the city limits. The chief of police is authorized to enter into an interlocal governmental agreement with the Clarksville Parking Commission which may provide for the enforcement of parking regulations by Clarksville police officers in some or all of the areas within the city limits. All citations issued by any police officer pursuant to such interlocal agreement shall be returnable to the Clarksville Parking Commission.

(Ord. No. 14-2015-16, § 1, 9-3-15)

### **Sec. 1-1913. Vehicle immobilization.**

- (a) *Eligibility for immobilization.*
  - (1) Any vehicle having ten (10) or more outstanding parking citations and/or which has accrued two hundred dollars (\$200.00) or more in unpaid fines shall be subject to immobilization.
  - (2) Notwithstanding the provisions of subsection (a), a vehicle will not be subject to immobilization if the vehicle owner has an installment agreement for the payment of parking fines with the city under which all payments are current.

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(b) *Immobilization list.*

- (1) Once a vehicle is found to be eligible for immobilization pursuant to subsection (a)(1), the parking manager shall send an immobilization eligibility notice to the registered address of the vehicle owner.
- (2) If there is no corrective action taken by the vehicle owner within thirty (30) days of the date of mailing the notice, the state registration number of the vehicle shall be placed on the immobilization list.
- (3) A vehicle on the immobilization list shall remain on the list until the amount of fines assessed to the vehicle for unpaid parking tickets and any other applicable fees is paid in full or the owner of the vehicle enters into an installment agreement with the city for the payment of such fines and fees.

(c) *Immobilization procedure.*

- (1) If a vehicle on the immobilization list is parked on a public street or other right-of-way, or within a city-operated parking facility, whether or not it is legally parked, the vehicle may be immobilized by means of an immobilization device. Such immobilization may be conducted by the city or its designated agent.
- (2) At the time of immobilization, a notice shall be conspicuously placed on the driver's side window of the vehicle and shall contain the following information:
  - a. That the vehicle has been immobilized;
  - b. A caution not to move the vehicle;
  - c. A statement that payment of the fines is required for removal of the device;
  - d. City contact information for payment of fines;
  - e. A warning that if the vehicle remains immobilized for more than seventy-two (72) hours, it may be subjected to impoundment; and
  - f. A notice of the owner's right to an immobilization hearing.
- (3) Upon immobilization, a fifty dollar (\$50.00) fee will be assessed for the installation and removal of the immobilization device.

(d) *Removal of immobilization device.*

- (1) In order to have the immobilization device removed from a vehicle, the vehicle owner must pay all outstanding fines and any applicable fees to the city finance and revenue department, or the vehicle owner must enter into an installment agreement with the city to pay all outstanding fines on terms established and approved by the Clarksville Parking Commission.
- (2) Upon payment in full or signing an installment agreement, the immobilization device will be removed from the vehicle. In order to have the immobilization device removed on the day of payment, payment must be made by 4:00 p.m.

(e) *Immobilization hearing.*

- (1) The owner of any vehicle that has been immobilized shall be entitled to an immobilization hearing in front of the Clarksville Parking Commission.
- (2) This hearing is for the purpose of contesting the propriety of immobilizing the vehicle only, and not for the purpose of contesting any outstanding parking citations or fines for which the vehicle was immobilized.
- (3) In order to request a hearing, the vehicle owner must contact the parking manager's office. The parking manager shall set the hearing on the agenda for the next scheduled meeting of the Clarksville Parking Commission.



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- (4) At the hearing, the Clarksville Parking Commission shall conduct a review of the decision to immobilize the vehicle, and the vehicle owner may present evidence relevant to that issue.
  - (5) If the Clarksville Parking Commission determines that the vehicle was improperly immobilized, the monies collected from the vehicle owner, including the immobilization fee, shall be refunded to the vehicle owner.
  - (6) If the vehicle owner is dissatisfied with the outcome of the immobilization hearing, he or she may appeal the decision to the Chancery or Circuit Court of Montgomery County pursuant to state law of general application.
  - (f) *Impoundment.* In the event the vehicle remains immobilized for more than seventy-two (72) hours, the vehicle may be tagged as an "abandoned motor vehicle" by the Clarksville Police Department pursuant to T.C.A. § 55-16-103(1) and may be subject to impoundment under T.C.A. § 55-16-104.
  - (g) *Tampering, removal, or destruction of immobilization device; attempt to drive motor vehicle.* Any person who tampers with, removes or attempts to remove, or damages the immobilization device, or who attempts to drive a vehicle that is immobilized by an immobilization device, shall be subject to civil and/or criminal prosecution under any applicable local ordinance or state law.

(Ord. No. 14-2015-16, § 1, 9-3-15)

Gross Sales CBID vs City



**ADDENDUM #1  
PROPOSAL #3902-P  
MANAGEMENT & DESIGN/BUILD SERVICES  
FOR THE CITY OF CLARKSVILLE'S  
PARKING FACILITIES**

**November 30, 2018**

The following changes have been made to the above-mentioned proposal:

1. There will be a non-mandatory pre-proposal meeting at 9:30 a.m. on December 14, 2018. This meeting will take place in the Mayor's Office conference room located on the 4<sup>th</sup> floor of 1 Public Square, Clarksville, TN.
2. The opening date has been rescheduled to 2:30 p.m. on January 2, 2019. No proposals will be accepted after this date and time.
3. The last day for questions has been changed to December 26, 2018 and the last day we will issue an addendum will be December 28, 2018.

The following questions have been answered.

1. Q - Could you tell me what firms the City Of Clarksville has requested RFPs from?  
  
A - We are not able to give out that information as this time.
2. Q - Can you better clarify the exact materials required to be provided with the RFP Step 1 & Step 2?  
  
A - Step 1 is to provide any documentation/information on the firm's qualifications in the design/build and/or management of parking facilities. It would be helpful to provide references of other parking design/build projects you have completed. Step 2 would not occur until after Step 1 is evaluated. Step 2 is basically our teams working together to see if we can come to agreement on a plan.
3. Q - Can you better define the City's requirements for the "Financing" component and what must be provided with Step 1 of the Proposal to satisfy the City?  
  
A - Credit rating and/or latest financial statements with balance sheet.
4. Q - Can you better define the City's requirements for the "Management & Operation" component and what is required with Step 1 of the Proposal to satisfy the City?

**ADDENDUM #2  
PROPOSAL #3902-P  
MANAGEMENT & DESIGN/BUILD SERVICES  
FOR THE CITY OF CLARKSVILLE'S  
PARKING FACILITIES**

**December 19, 2018**

The following changes have been made to the above-mentioned proposal:

1. The opening date has been rescheduled to 2:30 p.m. on January 28, 2019. No proposals will be accepted after this date and time.
2. The last day for questions has been changed to January 2, 2019 and the last day we will issue an addendum will be January 4, 2019.

The following questions have been answered.

1. Q - Will you accept more than one solution to your RFP?  
A – Yes
2. Q – Could you provide site plans for the proposed location?  
A – See attached
3. Q – Please provide the engineering report for the garage located on 2<sup>nd</sup> Street.  
A – See attached
4. Q – Please provide the financials for each location.  
A – See attached

All vendors are required to acknowledge receipt of this addendum in their proposal.

**ADDENDUM #3  
PROPOSAL #3902-P  
MANAGEMENT & DESIGN/BUILD SERVICES  
FOR THE CITY OF CLARKSVILLE'S  
PARKING FACILITIES**

**January 8, 2019**

In Addendum #2, the bid opening date and time should have read 2:30 p.m. on January 8, 2019. No proposals will be accepted after this date and time.

All vendors are to acknowledge receipt of this addendum in their proposal.

## Sections 14 are in Charter

### Section 14.1. Parking authority created.

Be it enacted by the general assembly of the State of Tennessee, that article V of Chapter 292 of the Private Acts of 1957, the caption of which is recited in the caption hereof, and all subsequent amendatory acts thereto be, and the same is hereby amended so as to create for the City of Clarksville a parking authority whose duties, membership, powers, responsibilities, compensation, are to be as hereinafter set out.

*(Pr. Acts 1965, Ch. 80, § 1)*

*Editor's note—*

Sections 14.1—14.6 are derived from Private Acts 1965, Ch. 80, which provided that Article V of Chapter 292 of the Private Acts of 1957 be amended to create a parking authority but did not specify particular sections to be added. The provisions of Ch. 80 have therefore been placed at the end of Article V.

### Section 14.2. Membership; terms of office; vacancy.

Such parking authority created hereby shall be composed of a board of five (5) members and shall be known as the Clarksville Parking Authority and hereafter referred to in this act as the authority. One member of the authority shall be a member of the city council of Clarksville appointed by the mayor for a term of one year. The remaining four (4) members of the authority shall be appointed by the mayor and approved by a majority of the city aldermen, and shall serve for terms of four (4) years. Provided, however, the first such authority members appointed shall serve terms of one, two (2), three (3) and four (4) years respectively, the term of each to be designated at the time of appointment, and all subsequent regular appointments shall be for terms of four (4) years, it being the intent that such lay members of the authority succeeding the initial appointments, shall serve four-year terms on a staggered basis so that one member shall thereafter be appointed each year. Members shall serve until their successors are elected as provided herein. Any vacancy shall be filled in the same manner as an original appointment, but only for the unexpired term of the member whose absence from death of other cause, created the vacancy.

*(Pr. Acts 1965, Ch. 80, § 2)*

*Note—See the editor's note for § 14.1*

### Section 14.3. Compensation; expenses; organization; meetings; minutes.

The members of the authority shall serve without compensation except for actual expenses incurred in the performance of the duties of such office. Such expenses shall be reimbursed only upon the filing by such member of an itemized statement of such expense, sworn to and presented to the city council for approval, and approved thereby. The members of the first board shall meet, and then, and thereafter annually, select from among themselves a chairman, vice-chairman and secretary. The board shall meet each month, at a time and place provided for it by the city council, and at such other times as the chairman may call a special meeting thereof. Notification of any special or called meeting shall be given each member prior to such meeting. Minutes of all meetings shall be kept by the secretary or someone designated by him.

*(Pr. Acts, Ch. 80, § 3)*

**Note**—See the editor's note for [§ 14.1](#)

#### **Section 14.4. Adopting parking and regulations.**

The authority is hereby authorized to adopt and publish parking regulations, including the erection of proper signs necessarily and properly connected with, or incident to the following:

- (a)

The location and time when parking shall be limited.
- (b)

Places where parking shall be prohibited entirely or during certain periods of time.
- (c)

The location, time and charge, if any, for loading zones.
- (d)

To make studies and recommend to the city council improvements in or need for, off-street parking facilities.

*(Pr. Acts 1965, Ch. 80, § 4)*

**Note**—See the editor's note for [§ 14.1](#)

#### **Section 14.5. Management of public parking facilities and finances.**

The authority shall have authority to manage any public parking facilities in any Clarksville street or road, including the installation of parking meters or other necessary equipment in connection therewith. The authority shall prescribe and may revise a schedule of service charges in connection with the use of parking meters, a copy of which schedule shall be kept on file and subject to public inspection at the office of the authority and at the office of the city clerk.

The authority is authorized to establish a schedule of civil penalties, including late fees and costs, none of which may exceed one hundred dollars (\$100.00) for violation of any parking regulations adopted by it, including, but not limited to, the following:

- (1) Overtime parking at a parking meter;
- (2) Parking on a sidewalk;
- (3) Parking in front of a public or private driveway;
- (4) Parking within fifteen (15) feet of a fire hydrant;
- (5) Parking on a crosswalk;
- (6) Parking alongside or opposite any street excavation or obstruction when stopping, standing, or parking would obstruct traffic;
- (7) Parking on the roadway side of any vehicle stopped or parked at the edge or curb of a street (double parking);
- (8) Parking facing the opposite direction of the flow of traffic in the lane of a street;
- (9) Parking at any place where official signs prohibit stopping or parking; and
- (10) Parking in a space clearly identified by an official sign as being reserved for the physically handicapped; unless, however, the person driving the vehicle is physically handicapped or parking such vehicle for the benefit of a physically handicapped person.

Any person who receives notice of an alleged parking violation shall have the right to an administrative hearing before the parking authority. Such hearing shall be held not earlier than ten (10) days, nor later than forty-five (45) days, from the date of the issuance of a notice of an alleged violation. At the hearing, the parking authority shall take and maintain a verbatim record of the proceedings, and shall hear and decide whether a violation has occurred, and shall impose the appropriate civil penalty in such cases.



Any person aggrieved by a decision of the parking authority may appeal the decision to the Chancery Court of Montgomery County pursuant to Tennessee Code Annotated, Section 27-9-101 et seq.

The parking authority may institute legal proceedings to collect any penalties, late fees, or other costs owed to it.

The authority shall also have control management of any city owned parking garage or other parking facilities, and the acquisition, construction and establishment whenever authorized or otherwise provided for by the city council. The authority may recommend entering into lease agreements with private operators to operate the parking facilities owned by the City of Clarksville, and it is authorized to collect rents, fees or other charges for such parking garage and other parking facilities as it may operate and manage. All moneys collected by the authority from any source shall be remitted by it to the City of Clarksville and deposited with the city treasurer, who shall keep such moneys in a separate fund for the retirement of parking bonds, operation and maintenance and the improvement of parking facilities in the City of Clarksville, along with such other funds as may [be] budgeted for such purposes by the city council.

*(Pr. Acts 1965, Ch. 80, § 5; Pr. Acts 1996, Ch. 169, § 1)*

## **Section 14.6. Conflicting ordinances.**

Any of the city ordinances set out under [Chapter 18](#) of the Official Code of the City of Clarksville, Tennessee, as adopted No. 29-1963 on the 11th day of October, 1963 [now codified as [title 9](#) of part II of this volume], which conflict with the provisions of this act by designating any of the functions and duties given the authority by this act to the chief of police of such city, or to any other person, board or agency, shall be modified by the city council to reflect the powers and duties granted the authority under the provisions of this act, the powers and duties of the authority superseding any such granted to another or others by city ordinance.

The parking authority may enter into interlocal governmental agreements with other private or public agencies, including the Clarksville Police Department, for the enforcement of parking regulations in the City of Clarksville. Any notices issued by such agency of alleged parking violations shall be returnable and subject to the exclusive jurisdiction of the parking authority.

*(Pr. Acts 1965, Ch. 80, § 6; Pr. Acts 1996, Ch. 169, § 2)*

## **Ordinances**

### **Sec. I. Parking regulations.**

The Clarksville Parking Authority is authorized to regulate public parking and parking facilities in the city. These regulations are intended to establish:

- Restrictions on locations for parking and fees associated therewith;
- Procedures for the establishment of loading zones and other restricted areas;
- Procedures for long-term rental of parking privileges; and
- A schedule of penalties for illegal parking, and procedures for contesting citations issued pursuant to these regulations.

## **Sec. II. Parking violations.**

It is a violation of these regulations to commit any of the following acts:

- Overtime parking at a parking meter; between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday (except legal holidays);
- Parking in any restricted zone;
- Parking facing the opposite direction of the flow of traffic in the lane of a street or marked parking area;
- Parking on or too close to a sidewalk;
- Parking within fifteen (15) feet of a fire hydrant (fire plug zone);
- Blocking or obstructing traffic in any location;
- Parking in any areas clearly marked as RESERVED;
- Parking in a space clearly identified by an official sign as being reserved for the physically disabled; unless, however, the person driving the vehicle meets the requirements for the issuance of a distinguishing placard, license plate, or a disabled veteran's license plate;
- Parking or standing in a fire lane;
-

Parking on a designated pedestrian crosswalk;

•

Parking alongside or opposite any street excavation or obstruction when stopping, standing or parking would obstruct traffic;

•

Parking or leaving any vehicle on the roadway side or any vehicle stopped or parked at the edge of a curb of a street (double parking); unless,

(a)

The vehicle is disabled while on the paved or main-traveled portion of a street in such manner and to such extent that it is impossible to avoid stopping and temporarily leaving such disabled vehicle in such position;

(b)

The vehicle is being operated as a carrier of passengers for hire by a driver holding a certificate of convenience and necessity, while taking passengers on such vehicle, or discharging passengers there from; provided that in every event an unobstructed lane of travel of the street be left for free passage of other vehicles and a clear view of such stopped vehicles is available; and

(c)

The vehicle is being operated as a solid waste vehicle while on a paved or improved main traveled portion of the street in such manner and to such extent as is necessary for the sole purposes of collecting municipal solid waste; provided that such a vehicle maintain flashing hazard lights at all times while it is stopping or standing; and provided further, that the vehicle is stopped so that a clear view of such stopped vehicle is available.

•

Parking any place where official signs prohibit stopping or parking;

•

Parking in front of a public or private driveway;

•

Parking or standing in a No Parking zone; and

•

No person shall stand or park a truck or other motor vehicle having three (3) or more axles in a residential district on a street right of way except during the loading or unloading of passengers or materials. Provided, however, this shall not apply to residentially-zoned property which is valid pre-existing, nonconforming commercial or industrial use, and where the standing or parking of such truck or other motor vehicle is a proper accessory use of the

main building or other portion of the property pursuant to applicable zoning ordinance.

### **Sec. III. Rental spaces, loading zones and special events.**

Individuals, businesses, or organizations may request the parking authority to lease parking spaces to be marked and designated for the use of those individuals, businesses, or organizations subject to the following:

The charges for such spaces are as follows:

- Minimum charges of twenty-five (\$25.00), thirty (\$30.00), and forty dollars (\$40.00) per month; due by the first (1st) and payable no later than the fifteenth (15th) of each month. If the space is to be retained, a late fee of five dollars (\$5.00) will be collected. Failure to retain spaces will result in a forty-dollar (\$40.00) fine for parking in that space and parking privileges may be revoked;
- Individuals, businesses, or organizations desiring to have a rent-parking zone designated for a particular use shall make written application to the parking authority for such designation. Such application shall state the particular location of the parking zone involved, and shall state the reason for such application. The parking authority shall determine the size of the parking zone for restricted parking purposes; and
- Individuals, businesses, or organizations shall pay the cost of the cost of the preparation and the erection of a sign for the designation of the restricted parking zone. The parking authority shall prescribe the content and dimension of such signs and no signs purporting to regulate parking shall be erected by any person other than those authorized by the parking authority.

Any group or organization sponsoring an event, that effect parking, will have to pay a fee established by the parking authority. Any exception from the policy will have to get the approval from the parking authority.

### **Sec. I. Parking citations.**

Any person who receives notice of an alleged violation has the right to an administrative hearing before the parking authority. Such hearing shall be held not earlier than ten (10) days, no later than forty-five (45) days, from the date of the issuance of a notice of an alleged violation. At the hearing, the parking authority shall take and maintain a record of the proceedings, and shall hear and decide whether a violation has occurred, and shall impose the appropriate civil penalty in such cases.

## **Sec. II. Appeals.**

Any person aggrieved by a decision of the parking authority may appeal the decision to the Chancery Court of Montgomery County (at his or her own cost) pursuant to T.C.A. §§ 27-9-101, et seq.

## **Sec. III. Penalties.**

The Clarksville Parking Authority is authorized to establish a scheduled of civil penalties, including late fees and costs, none of which may exceed one hundred dollars (\$100.00) for violation of any parking regulation. The parking authority reserves the right to institute legal proceedings to collect any penalties, late fees, or other costs owed to it. The penalties associated with violations of the parking authority's regulations are the following:

- Overtime parking at a meter: First ticket ten dollars (\$10.00).
- Parking in a restricted zone: Thirty dollars (\$30.00).
- Parked facing wrong direction: Thirty dollars (\$30.00).
- Parking on or too close to sidewalk: Twenty dollars (\$20.00).
- Parking too close to or in front of fire hydrant/fire plug zone: Fifty dollars (\$50.00).
- Blocking or obstructing traffic: Thirty dollars (\$30.00).
- Parking in any reserved space: Forty dollars (\$40.00).
- Parking in handicapped zone: Fifty dollars (\$50.00).
- Parking in fire lane: Fifty dollars (\$50.00).
- Any other violation: Thirty dollars (\$30.00).

All fines can be issued in two (2) hour increments.

All fines must be paid within thirty (30) days of date fine was issued, failure to do so will result in all fines doubling in amount due; unless fine is in hold status due to pending voiding request or any other approved reasons.

ADOPTED: September 24, 1996

REVISED: August 24, 1999

REVISED: June 27, 2000

REVISED: August 29, 2000

REVISED: April 17, 2001

REVISED: March 30, 2006

REVISED: April 28, 2010

TO: All Qualified Vendors

FROM: Camille Thomas, Purchasing Supervisor *C. Thomas*

DATE: November 15, 2018

SUBJECT: Request for Proposals for the Management and Design-Build Services for Construction of Parking Garage

This request for proposals is submitted to qualified vendors for the Management and Design-Build Services for Construction of Parking Garage for the Parking Commission

Proposals must be submitted no later than 2:30 p.m. on December 6, 2018 and should be submitted in an enclosed envelope and addressed to:

City of Clarksville  
Purchasing Office  
1 Public Square, Suite 301  
Clarksville, TN 37040

**NO PROPOSALS WILL BE ACCEPTED AFTER DECEMBER 6, 2018 AT 2:30 P.M.**

THE CITY RESERVES THE RIGHT TO REJECT ANY AND ALL PROPOSALS.

**Vendors are to submit 2 copies of the proposal.** If you have any questions regarding this proposal, please contact Camille Thomas at [Camille.thomas@cityofclarksville.com](mailto:Camille.thomas@cityofclarksville.com).

**The City of Clarksville is an equal opportunity provider and employer**

## **REQUEST FOR PROPOSALS**

### **MANAGEMENT AND DESIGN-BUILD SERVICES FOR CONSTRUCTION OF PARKING GARAGE**

The City of Clarksville invites firms to submit proposals, qualifications and experience for consideration to provide management and design-build services to the City for the management of our parking services and the construction of parking garages in downtown Clarksville as a part of growth initiative.

Over the past few years our downtown area has been experiencing significant growth from both businesses and residences. The plan is to have mixed use in our downtown area. We currently have restaurants, retail, apartments, townhouses, hotel, offices, and a local theatrical center. The offerings downtown continue to grow. Parking is currently handled in-house as a separate "fund" of the City.

The City cannot keep up with the demand for parking to support the current businesses let alone the growth in progress. The City currently operates 2 structured parking garages, multiple surface lots and on-street parking. The City is interested in the development of another parking structure on city owned property adjacent to City Hall and/or within the downtown area with approximately 300 spaces. To continue to foster the development in the downtown area, the City is seeking innovative approaches and firms that may be willing to design, build, operate, etc. one or more garages.

**The City will receive sealed proposals until 2:30 p.m. on December 6, 2018.** No proposals will be accepted after this date and time. The official time clock is on the wall in the Purchasing Department.

The City has chosen to utilize a two-step selection process. Phase 1 is a qualifications-based shortlisting process. Phase 2 is an interview process.

#### **1. Project Background**

The need for additional garage space comes as a result of recent developments whereby mixed use investment has continued to grow in our downtown area. Of the two garages currently operated by the City, one is in need of repair. Proposed reparations are presently being reviewed by an engineering firm.

Design shall adhere to locally accepted design guidelines which would be incorporated within the existing CBID (central business improvement district). The City is looking for a vendor with experience in incorporating parking structures seamlessly into the surrounding landscape while being mindful of cost and delivery times. This vendor should be able to demonstrate utilization of innovative approaches and materials to deliver high quality parking structures as economically and efficiently as possible.

#### **3. Design Objectives**

The proposed garage will be a multi-level parking structure. Plans may consider mixed-use options.

The Design-Build Firm will determine the particular detail of the layout of the garage and



other infrastructure design, subject to the review and approval of the City. The number of total parking spaces will depend on the respective design. The design should maximize the car capacity within the given parameters but approximately 300 spaces should be provided.

Studies, investigations, designs and calculations shall be performed by responsible design professionals within the Team. The professionals are expected to design a complete parking garage facility that meets the operational expectations of the various stakeholders involved in the downtown. The responsible design professionals of the successful Development Team will be required to certify, sign, and seal their respective drawings and specifications.

- ☐ The parking structure shall be designed with high quality, long-term durability, and low maintenance components.
- ☐ Patron security is an important consideration and an efficient lighting system and other security features are essential.
- ☐ Project must meet local, state, and federal codes and building requirements, including ADA compliance.
- ☐ Appropriate signage and graphics shall be provided to clearly define wayfinding, operational information, access and egress, emergency and safety information, and any other information necessary for the operation of the garage.

#### **4. Introduction and Purpose**

The City of Clarksville ("CITY") hereby requests proposals from interested management and/or development teams who shall be required to provide turnkey design-build-finance-with possible management requirements for a parking project(s). General project specifications and requirements, which will be further elaborated as known, include but are not limited to:

- Design, construction, financing, for a parking garage (approximately 300 parking spaces).**
- Possible development of a parking management system which may encompass an area outside the garage footprint and encompass the greater area.**

The successful proposer will have to coordinate design activities and site development construction with City Staff representing various City Departments.

The scope of services (Step 2) for this project may include, but are not limited to an interview process between the City and shortlisted parking development teams resulting from Phase 1 of this process.

The following are intended to set minimum requirements for various design aspects of the project:

##### **A. Intent**

The intent of the CITY is to solicit proposals and to issue a contract to a Design-

Build team to provide professional services to the CITY for the New Parking garage located near City Hall and/or the downtown area as well as making reparations/improvements to the existing garage.

The CITY is seeking proposals that demonstrate creativity addressing downtown compatibility, street frontage, pedestrian activity, quality design, and quality materials in construction.

Proposers will clearly demonstrate the experience of their team and their background of developing similar projects.

Proposers will present a conceptual design that is financially feasible prior to preparing construction documents.

**B. Team Experience**

The CITY's goal is to hire an experienced and competent team to provide all identified services and successfully complete the project. Proposer must clearly demonstrate the experience of the Team and background to document the capacity to successfully complete the project for the CITY.

**C. Financial Capabilities**

The CITY's goal is to hire a team with sufficient financial resources to complete the project without delays. Proposer must provide sufficient information to verify the team contractor has the financial capacity to secure bonding adequate to construct the project.

**D. Project Concept Design/Development Concept/Delivery**

- 1) The successful garage development team must work closely with the City to assure the garage integrates successfully.
- 2) The project must meet all applicable State of Tennessee and local Building Codes (latest edition).

**5. Two-Step Process**

The City is employing a two-step design build competitive proposal selection process to retain a Design-Build-Finance-Operate firm to perform the work. Step 1 of the process will result in the City short-listing of Design-Build teams considered as the most qualified to do the work. Step 2 of the process will be for those teams deemed most qualified to participate in an interview with the City to facilitate the City in making a selection. This RFQ represents Step 1 of the process for evaluating Design-Build teams based on qualifications only.

Responses to Step 2 will be evaluated based on the criteria published in Step 2; scores/points will not be carried over from the Step 1 evaluation.

Step 2 will result in a single team selected as the parking developer. Once selected, the City and the selected team, working in conjunction with the City, will work collectively to develop the parking system design, construction/development budgets, financing model, and income collection systems. Assuming all parties can successfully create an equitable parking system meeting the needs of all parties the City and parking development team will execute a parking development contract. In the event the team cannot equitably develop an approved agreement, the City has the right to select another parking development team.

The City does not provide any assurances that Step 2 will move forward with any vendor.

### **9. Selection/Evaluation Process**

A Selection/Evaluation Committee will be appointed to select the most qualified Design-Build Teams. The Selection/Evaluation Committee will then present their findings to the City Council and upon their approval, establish a short list for continuation to Step 2 of the RFP process.

The Committee will rank responses based upon the following criteria.

	<b><u>Criteria Point Range</u></b>
1. Qualifications	35%
2. Project understanding	15%
3. Scheduling	15%
4. Capability of the team to perform	35%

Pursuant to TCA §62-6-119, each contractor / bidder applying to bid for the prime contract and for any masonry contract where the total masonry portion of the construction project exceeds one hundred thousand dollars (\$100,000.00), materials and labor, electrical, plumbing, heating, ventilation, and air conditioning contracts, is required to place his / her bid in a sealed envelope showing the bidder's name, contractor license number, license expiration date, and license classification, and for electrical, plumbing, heating, ventilation and air conditioning contracts and for each vertical closed loop geothermal heating and cooling project, the company name, Tennessee Department of Environment and Conservation (TDEC) license number, classification, and the expiration date of same, on the outside of the envelope using the State Contractor Licensing Information Form (Section 00300), except when the bid is in an amount less than twenty-five thousand dollars (\$25,000.00). Only one (1) contractor in such classification may be listed. Prime contractor bidders who are to perform the masonry portion of the construction project which exceeds one hundred thousand dollars (\$100,000.00), materials and labor, the electrical, plumbing, heating, ventilation and air conditioning must be so designated upon the outside of the envelope. Bids not conforming to these legal requirements are void, shall not be opened or considered. Bids less than twenty-five thousand dollars (\$25,000.00) may contain only the name of the contractor on the outside of the envelope. Upon opening the envelope, if such bid is in excess of twenty-five thousand dollars (\$25,000.00), the same shall be automatically disqualified and shall not be considered. Pursuant to TCA §62-6-102 any masonry contractor, and roofing subcontractor where the total cost of the roofing

portion of the construction project is twenty-five thousand dollars (\$25,000) or more must be a licensed contractor. "Roofing work" means the act of removing, installing, repairing or otherwise maintaining any covering to any at- or above-grade structure for the purpose of providing weather proof protection or ornamental enhancement to such structure. In the event the roofing sub-contractor's portion is \$25,000 or more, that sub-contractor's name, contractor's license number, license expiration date, and license classification shall appear on the envelope containing the bid documents.

Attached you will find a Drug-Free Workplace Affidavit, an Attestation of Illegal Aliens form, an Iran Divestment Act Certification and a copy of the City's Contractor's Safety Program. All must be filled out, signed and returned with your proposal. Failure to do so shall result in your proposal being rejected. **ABSOLUTELY NO EXCEPTIONS.**

Each vendor must submit a signed Conflict of Interest form with each and every proposal on all proposals with the City of Clarksville at the time of that party's submission of the proposal. In those cases where proposals are opened by the City and the apparent awarded vendor for which the proposal would be awarded has not done so, the City will notify that vendor that the signed Conflict of Interest form was not submitted, but that the submission of the form within two working days after the City's notification, oral or written, of the failure to submit the form, will allow the City to further consider the proposal in accordance with all other applicable rules and practices. The City will not be responsible for the vendor's loss of the opportunity if the vendor cannot be reached by the City's best effort for contact.

The City is not responsible for mail that is not delivered in a timely manner by the United States Postal Service, any delivery service (i.e. UPS, FedEx, etc.) or emails that are sent by the City that end up in a vendor's spam or junk mail.

All bids/proposals must be returned by the date and time specified to 1 Public Square, Suite 301, Clarksville, TN. Completed sealed responses shall be in the hands of the Purchasing Department personnel by the date and time specified or it will be considered late. It is the vendor's responsibility to ensure that their bid/proposal complies with all requirements and is received by the Purchasing Department prior to the date and time of the official opening. The official time clock is on the wall in the Purchasing Department.

The City will not award a bid, proposal, contract, etc. to any vendor that is in arrears to the City on a debt, contract, or judgment or who is otherwise in default to the City.

More than one bid/proposal for the same work/product from an individual or entity under the same or different names will not be considered and shall result in rejection of all bids/proposals in which that bidder has an interest. Alternate proposals will not be considered unless specifically called for in the bid/proposal.

The City of Clarksville's payment terms are net 30. We will not pay for any goods or services in advance of receipt and inspection. If you are unable to comply with these terms, we require that you not submit a proposal. Any bid or request for proposals not accepting these terms will be considered non-responsive and not acceptable.

TCA 12-4-113 prohibits addenda to proposal documents within less than 48 hours of an opening, and to require that questions concerning proposal documents must be received no less than 96 hours before the opening date excluding weekends and legal holidays. All questions shall be in writing to the contact name provided. This shall not apply to department of transportation contracts or any state or local agency contracts funded in whole or in part with

state or federal highway funds. It is the responsibility of the vendor to check with the City to see if any addenda have been issued.

The City reserves the right to reject any and all proposals, including without limitation, nonconforming, nonresponsive, unbalanced, or conditional proposals. Owner further reserves the right to reject the proposal of any vendor whom it finds, after reasonable inquiry and evaluation, to not be responsible. The City may also reject the proposal of any vendor if the City believes that it would not be in the best interest of the project/bid to make an award to that vendor. The City also reserves the right to waive all informalities not involving price, time, or changes in the work and to negotiate contract terms with the successful vendor. The City also reserves the right to reject the proposal of a vendor who has previously failed to perform properly or complete on time contracts of a similar nature, or a proposal of a vendor who investigation shows is not in a position to perform the contract.

**SECTION C-00300**

**STATE CONTRACTOR LICENSE INFORMATION FORM**

*Complete applicable portions of this form and attach to the outside of envelope containing the Bid*

**Bidder/Prime Contractor Name:** \_\_\_\_\_

Street Address: \_\_\_\_\_

City, State, Zip: \_\_\_\_\_

If bid amount is \$25,000 or greater, Bidder shall complete Tennessee Contractor License Information:

License No.: \_\_\_\_\_ Expiration Date: \_\_\_\_\_

License Classification: \_\_\_\_\_ License Limit: \_\_\_\_\_

**Electrical Contractor**

(should subcontract portion be \$25,000 or greater, Tennessee Contractor License Information shall also be provided)

Name: \_\_\_\_\_  
License No.: \_\_\_\_\_  
License Classification: \_\_\_\_\_  
License Expiration Date: \_\_\_\_\_  
License Limit: \_\_\_\_\_

**Plumbing Contractor**

(should subcontract portion be \$25,000 or greater, Tennessee Contractor License Information shall also be provided)

Name: \_\_\_\_\_  
License No.: \_\_\_\_\_  
License Classification: \_\_\_\_\_  
License Expiration Date: \_\_\_\_\_  
License Limit: \_\_\_\_\_

**Heating, Ventilation and Air Conditioning (HVAC) Contractor**

(should subcontract portion be \$25,000 or greater, Tennessee Contractor License Information shall also be provided)

Name: \_\_\_\_\_  
License No.: \_\_\_\_\_  
License Classification: \_\_\_\_\_  
License Expiration Date: \_\_\_\_\_  
License Limit: \_\_\_\_\_

**Vertical Closed Loop Geothermal Heating and Cooling Contractor**

(should subcontract portion be \$25,000 or greater, Tennessee Contractor License Information shall also be provided)

Name: \_\_\_\_\_  
License No.: \_\_\_\_\_  
License Classification: \_\_\_\_\_  
License Expiration Date: \_\_\_\_\_  
License Limit: \_\_\_\_\_

**Roofing Contractor**

(should subcontract portion be \$25,000 or greater, Tennessee Contractor License Information shall also be provided)

Name: \_\_\_\_\_  
License No.: \_\_\_\_\_  
License Classification: \_\_\_\_\_  
License Expiration Date: \_\_\_\_\_  
License Limit: \_\_\_\_\_

**Masonry Contractor**

(should subcontract portion be \$100,000 or greater, Tennessee Contractor License Information shall also be provided)

Name: \_\_\_\_\_  
License No.: \_\_\_\_\_  
License Classification: \_\_\_\_\_  
License Expiration Date: \_\_\_\_\_  
License Limit: \_\_\_\_\_

Per Tennessee Department of Commerce & Insurance Board for Licensing Contractors Rule 0680-01-.24 (2): Award of the subcontract to one not listed on the base bid envelope in violation of T.C.A. §62-6-119 will be subject to review and disciplinary action by the Board.

Contractor's Authorized Agent: \_\_\_\_\_  
(Signature)

Contractor's Authorized Agent: \_\_\_\_\_  
(Printed Name)

## **DRUG-FREE WORKPLACE AFFIDAVIT**

Contractor/Company/Business Name: \_\_\_\_\_

Contractor/Company/Business' Authorized Agent: \_\_\_\_\_

(Printed Name)

(Check applicable box)

- ☐ I hereby state that, as an employer, I have adopted a Drug-Free Workplace policy, which meets the criteria set forth by the Tennessee Department of Labor and Workforce Development and at a minimum the requirements of the City of Clarksville's Drug-Free Workplace program, which includes pre-employment drug testing, reasonable suspicion drug testing and, when applicable, compliance with the U.S. Department of Transportation Procedures for Transportation Workplace Drug Testing Programs as specified in Title 49 of the Code of Federal Regulations (CFR) Part 40 and Title 49 CFR Part 199.

Said Drug-Free Workplace program is in compliance with the Tennessee Drug-Free Workplace Act, Tennessee Code Annotated §50-9-101 *et sequentia*.

- ☐ I hereby state that I employ less than five (5) employees, and I am not required to submit the Drug-Free Workplace Affidavit.

Contractor/Company/Business' Authorized Agent: \_\_\_\_\_

(Signature)

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

**CONTRACTOR'S ATTESTATION REGARDING ILLEGAL IMMIGRANTS or ALIENS**

Pursuant to Tennessee Code Annotated § 12-3-309, and Section 6-105 of the Official Code of the City of Clarksville, I (We), the Contractor identified below, hereby attests, certifies, warrants and assures that I (We) will not knowingly utilize the services of any illegal immigrant or alien in the performance of this Contract, and will not knowingly utilize the services of any subcontractor who will utilize the services of an illegal immigrant or alien in the performance of this Contract.

Company Name: \_\_\_\_\_

Contractor's Authorized Agent: \_\_\_\_\_  
(Printed Name)

Contractor's Authorized Agent: \_\_\_\_\_  
(Signature)

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



## IRAN DIVESTMENT ACT CERTIFICATION

By submission of this bid, each bidder and each person signing on behalf of any bidder certifies, and in the case of a joint bid each party thereto certifies as to its own organization, under penalty of perjury, that to the best of its knowledge and belief that each bidder is not on the list created pursuant to TCA 12-12-106 in reference to the Iran Divestment Act.

This act prohibits a person identified on the list from bidding or contracting with a local government and makes any contract entered into void.

The State of Tennessee list can be found at:

[https://www.tn.gov/content/dam/tn/generalservices/documents/cpo/cpo-library/public-information-library/List of persons pursuant to Tenn. Code Ann. 12-12-106 Iran Divestment Act updated 7.7.17.pdf](https://www.tn.gov/content/dam/tn/generalservices/documents/cpo/cpo-library/public-information-library/List%20of%20persons%20pursuant%20to%20Tenn.%20Code%20Ann.%2012-12-106%20Iran%20Divestment%20Act%20updated%207.7.17.pdf)

The undersigned hereby certifies that he or she is authorized by the vendor or bidder to certify that his/her company is not on the list.

Company Name: \_\_\_\_\_

Contractor's Authorized Agent: \_\_\_\_\_

(Printed Name)

Contractor's Authorized Agent: \_\_\_\_\_ Date: \_\_\_\_\_

(Signature)

# **CITY OF CLARKSVILLE CONTRACTOR SAFETY PROGRAM**

## **1. PURPOSE**

This program is designed to set safety and health expectations and establish a screening process so that The City of Clarksville may hire and use Contractors who accomplish the desired job tasks without compromising the safety and health of employees. The Contractor must assure that contract employees are trained on: performing the job safely, of the hazards related to the job, and other applicable provisions of the OSHA Standards. The program is a systematic approach that must be used to evaluate Contractor personnel used in the conduct of business at the City of Clarksville.

The City of Clarksville does not take responsibility for the safety of the Contractor's employees. Nor does the City take responsibility for instructing Contractors on how to perform work. Rather, this program spells out what is expected of Contractors conducting work for the City of Clarksville.

Contractors are defined as non-city government individuals or businesses that are retained by the City to provide specific labor or services.

## **2. RESPONSIBILITIES OF THE CONTRACTOR**

Contractor compliance with all state and federal occupational safety and health standards is a condition of doing business with the City of Clarksville. Contractors have the responsibility to:

- Conduct daily safety inspections of all assigned areas.
- Identify and correct hazards within their responsibility and report hazards to the city.
- Provide Contractor employees with personal protective equipment as needed to safely perform contracted tasks.
- Ensure Contractor employees have the training for assigned tasks as is required by state and federal occupational safety and health standards.
- Coordinate with City Health and Safety Manager for safety related issues that may affect city operations.
- Establish and maintain an effective safety and health program for contractor employees.
- Establish and maintain an effective safe housekeeping program.
- Make available for inspection by the City any written safety programs, safety data sheets, training records and other safety-related documents.

## **3. MONITORING AND INSPECTIONS**

All Contractors and subcontractors working under contract with the City of Clarksville are subject to regular safety, health and environmental monitoring by the City.

## **4. HAZARDOUS CHEMICAL / SUBSTANCE NOTIFICATION**

Contractors must follow state and federal Occupational Safety and Health Administration Hazard Communication standard requirements including use, safe handling and storage of chemicals. Contractors are required to inform the City of all hazardous substances which may be brought on to City property, including providing the most current Safety Data Sheet (MSDS)/(SDS) for each

substance. All spills and leaks of hazardous chemicals shall be immediately reported to the City Health & Safety Manager.

## **5. WORK ZONE TRAFFIC CONTROL**

All Contractors conducting work which involve traffic control in the public way shall comply with the Federal Highway Administration's Manual on Uniform Traffic Control Devices. The City Traffic Engineer (931-645-7464) should also be contacted prior to commencing operations. This measure is to insure the safety of workers and the public.

## **6. DUE REGARD FOR THE PUBLIC**

All Contractors and their employees while engaged in work for the City of Clarksville shall exercise due regard and reasonable care for the safety of the public.

## **7. OTHER POLICIES AND PROCEDURES**

All Contractor employees shall adhere to all City policies and procedures, including but not limited to: access to City facilities and equipment, use of controlled substances, firearm & explosive restrictions, harassment of other persons, traffic and parking regulations.

The City's policies and procedures can be found at [www.cityofclarksville.com](http://www.cityofclarksville.com)

## **8. CONTACT INFORMATION FOR CITY HEALTH & SAFETY MANAGER**

Contact the City Health and Safety Manager at One Public Square, Clarksville, TN 37040, (931) 645-7451, Email: [wes.golden@cityofclarksville.com](mailto:wes.golden@cityofclarksville.com).

CDE Health & Safety contact – Keith Cutshall (931) 905-7250 ext. 250  
Email: [kcutshall@clarksvilledc.com](mailto:kcutshall@clarksvilledc.com)

Gas & Water Health & Safety contact – Bronson Gibbs (931) 645-2565 ext. 1406  
Email: [Bronson.Gibbs@cityofclarksville.com](mailto:Bronson.Gibbs@cityofclarksville.com)

## **9. ENVIRONMENTAL, SAFETY AND HEALTH SOURCES OF INFORMATION**

TENNESSEE OSHA: [WWW.TN.GOV/LABOR-WFD/TOSHA.HTML](http://WWW.TN.GOV/LABOR-WFD/TOSHA.HTML)  
FEDERAL OSHA: [WWW.OSHA.GOV/](http://WWW.OSHA.GOV/)  
TENNESSEE DEPARTMENT OF ENVIRONMENTAL CONSERVATION:  
[WWW.TENNSEESS.GOV/ENVIRONMENT/](http://WWW.TENNSEESS.GOV/ENVIRONMENT/)

## Contractor Safety Information

**PURPOSE:** The purpose of this questionnaire is to provide The City of Clarksville with necessary information about your company's safety program and performance. All items must be completed.

Company Name: \_\_\_\_\_

Address: \_\_\_\_\_

Safety Director: \_\_\_\_\_  
(Person responsible for safety)

Phone #: \_\_\_\_\_

Email: \_\_\_\_\_

### 1) Accident/Injury Experience

Using last year's OSHA 300 Log or Worker's Compensation Documentation, fill in the following:

- i) Number of recordable injuries/illnesses \_\_\_\_\_
- ii) Number of restricted work days \_\_\_\_\_
- iii) Number of lost work days \_\_\_\_\_
- iv) Number of fatalities \_\_\_\_\_
- v) Employee hours worked last year \_\_\_\_\_
- vi) Number of injuries/illnesses requiring hospitalization \_\_\_\_\_

### 2) Safety Program

- i) Does your company have a written safety program?  
Yes \_\_\_\_\_ No \_\_\_\_\_
- ii) Is the program revised/updated annually?  
Yes \_\_\_\_\_ No \_\_\_\_\_
- iii) Does your written program contain a statement that your company abides by all federal (OSHA), state and local rules and regulations relating to safe work practices?  
Yes \_\_\_\_\_ No \_\_\_\_\_

iv) Do you have a new hire orientation program pertaining to safety training?

Yes \_\_\_\_\_ No \_\_\_\_\_

v) Does it include any training on the following? (If your company has a handbook, please submit a copy).

Yes \_\_\_\_\_ No \_\_\_\_\_

Head Protection  
Eye Protection  
Hearing Protection  
Respiratory Protection  
Fall Protection  
Scaffolding  
Housekeeping  
Fire Protection  
Confined Space Entry

Emergency Procedures  
Hazardous Substances  
Trench & Evacuation  
Barricades  
Electrical Safety  
Rigging & Crane Safety  
Hand & Power Tool Safety  
Hand Protection  
Others

vi) Do you have a foreman safety training program?

Yes \_\_\_\_\_ No \_\_\_\_\_ If yes, please include an outline.

vii) Do you conduct regular safety meetings? Yes \_\_\_\_\_ No \_\_\_\_\_

viii) How often? Are records kept? Yes \_\_\_\_\_ No \_\_\_\_\_

ix) Do you generate accident investigation reports? Yes \_\_\_\_\_ No \_\_\_\_\_

x) Do you perform project safety inspections?

Yes \_\_\_\_\_ No \_\_\_\_\_

Who conducts them? Name \_\_\_\_\_

Job Title \_\_\_\_\_

How often? \_\_\_\_\_

### 3) Lockout/Tagout

Does the work that you are submitting a bid for, involve any "Lockout/Tagout" situations?

Yes \_\_\_\_\_ No \_\_\_\_\_

If yes, please submit a copy of your written Lockout/Tagout procedures.

**4) Hazard Communication**

Does the work that you are submitting a bid for, involve the use of any "Hazardous Substances"?

Yes \_\_\_\_\_ No \_\_\_\_\_

If yes, please submit a copy of your written hazard communication program and material safety data sheets for any hazardous substance that you will be using in your work.

**5) Confined Spaces**

Does the work you are bidding involve working in a "Confined Space"?

Yes \_\_\_\_\_ No \_\_\_\_\_

If yes, include your work plan, copies of training certification of the pertinent employees, entry permit and who will be in the confined space permit-required.

**6) Elevated Work and Fall Protection**

Does the work that you are submitting a bid for, involve any "Elevated Work"?

Yes \_\_\_\_\_ No \_\_\_\_\_

If yes, please submit a copy of your fall protection and elevated work rules policy.

**7) Powered Industrial Vehicles**

Does the work that you are submitting a bid for, involve the use of any powered industrial vehicles? (i.e., fork trucks, highlifts, etc.)

Yes \_\_\_\_\_ No \_\_\_\_\_

Have designated people been trained on such?

Yes \_\_\_\_\_ No \_\_\_\_\_

**8) Respiratory Compliance**

Does your company have a written respiratory program or policy?

Yes \_\_\_\_\_ No \_\_\_\_\_

Have employees been fit tested quantitatively or qualitatively?

Yes \_\_\_\_\_ No \_\_\_\_\_

Do you have established medical surveillance procedures?

Yes \_\_\_\_\_ No \_\_\_\_\_

What type of respiratory training has your employee had?

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What type of respiratory equipment are they permitted to wear?

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**9) Key Personnel**

List the key onsite people you would use for this project.

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

**For City Use Only**

<b>Recommendations:</b>			
<b>Comments:</b>			
<b>Authorization</b>			
<b>Approved:</b>	<b>*YES</b>	<b>NO</b>	

\*Further detailed on attachment: YES \_\_\_\_ NO \_\_\_\_

I certify that I have conducted a review of the information contained in this questionnaire and approved the contractor for the above described work.

<b>Name:</b>			
<b>Title:</b>			
<b>Signature:</b>			
<b>Date:</b>		<b>Time:</b>	

**CONTRACTOR / CONSULTANT / SERVICE PROVIDER AKNOWLEDGEMENT OF RECIPT OF  
CITY OF CLARKSVILLE CONTRACTOR SAFETY PROGRAM**

Company Name: \_\_\_\_\_

Contractor's Authorized Safety Representative: \_\_\_\_\_

I acknowledge receipt of and agree to comply with the City of Clarksville's Contractor Safety Guidelines. I will also make employees and subcontractors aware of City's safety expectations and requirements.

I understand that any accidents, injuries or property damage will be reported to the City Health and Safety Manager within three (3) days.

I also understand that any questions regarding the program can be directed to the contracting department head and/or the City Health & Safety Manager.

**I certify that all personnel conducting work have been trained in accordance with Occupational Safety and Health Administration regulation: 29 Code of Federal Regulations § 1910/1926.**

Authorized Representative (Printed): \_\_\_\_\_ Date: \_\_\_\_\_

Signature of Authorized Representative: \_\_\_\_\_



## CONFLICT OF INTEREST

I hereby certify that this bid/proposal is submitted in conformance with the City of Clarksville's conflict of interest restrictions. No employee of the City of Clarksville, officer, agent, any member of an employee's family or his or her partner has any financial interest or a tangible personal benefit in the profit of any contract, service or other work performed as a result of my submission of this bid/proposal. A conflict of interest would also arise when the parties indicated herein are employed or about to be employed by the person or company submitting this bid/proposal. Additionally, no party indicated herein has an indirect interest in the contract, which is the subject of this bid/proposal\*.

In the event I am providing a service\*\* to the City of Clarksville, I certify that I have no conflict of interest relating to the service to be provided pursuant to this Request for Proposals (RFP), Request for Qualifications (RFQ) or the project/work.

Should a conflict arise at any time during the duration of the contract, agreement, etc., it is the vendor's responsibility to inform the City of said conflict within 30 days.

Therefore, the undersigned (corporation, partnership, limited liability company, or other business organization or individual) has no conflict of interest, or potential conflict of interest in connection with this proposal or in connection with any contract executed or to be executed, concerning or with response to this RFP/RFQ for this project/work.

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Company Name

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Project Name

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Signature

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Date

\* **"Indirect Interest"** means any contract in which an employee has no direct interest however a spouse or relative has an interest in the contract. *A conflict of interest exists if a spouse or relative commingle their assets.* Examples of commingling assets include sharing a joint-checking account or jointly owned property together with a company or person doing business with the City of Clarksville.

\*\* **"Service Vendors"** include but are not limited to: architects, engineers, appraisers, surveyors, accountants, etc.

## **RIGHT TO AUDIT**

Contractors shall establish a reasonable invoice accounting system which enables ready identification of contractor costs of goods and use of funds. The City or its representative may audit the contractor's records anytime before four (4) years after final payment (or until all disputed claims have been settled, whichever is longer) to verify the City's payment obligation and the use of City's funds. This right to audit shall include subcontractors from whom goods or services are subcontracted by the contractor. Contractor shall ensure the City has these rights with subcontractors. Any disputed claims will be verified by an independent auditor at the cost of the City unless the contractor is found to have overcharged the City in which case the contractor will pay the cost of the audit as well as repay all overcharges.

## **BUSINESS LICENSE REQUIREMENT**

Prior to award to Classification 4 vendors, the winning bidder must provide the City of Clarksville proof of both a valid City of Clarksville and a valid Montgomery County business license. Classification 4 is "each person engaged in the business of contracting, performing a contract or engaging in any of these activities, or similar activities for monetary gain: exterminating, installing personal property; constructing, building, repairing, excavating, drilling, or adding to any building, street; electrical system, air conditioning, heating... and any other improvement or structure or any part thereof." For a complete list of Classification 4 activities or for questions about your classification please consult the Tennessee Department of Revenue website. If you have any questions regarding Clarksville business license please call 931-645-7435. You may also contact the Tennessee Department of Revenue at 1-800-342-1003.

For all other classifications of business licenses, the successful vendor may still be required to secure the necessary business licenses referenced above.

## **CONTRACTING WITH MINORITY BUSINESSES**

The City of Clarksville shall take all necessary steps to assure that minority businesses, women's business enterprises and labor surplus area firms are given equal opportunity to bid on City projects. And further, equal opportunity shall be given to contract with the City for any good or service.

## **CIVIL RIGHTS**

Nondiscrimination – In accordance with Title VI of the Civil Rights Act, as amended, 42 U.S.C. § 2000d, section 303 of the Age Discrimination Act of 1975, as amended, 42 U.S.C. § 6102, section 202 of the Americans with Disabilities Act of 1990, 42 U.S.C. § 12132, and Federal transit law at 49 U.S.C. § 5332, the Contractor agrees that it will not discriminate against any employee or applicant for employment because of race, color, creed, national origin, sex, age or disability. In addition, the Contractor agrees to comply with applicable Federal implementing regulations and other implementing requirements FTA/FHWA/DOT may issue.

## **CERTIFICATION OF ELIGIBILITY UNDER THE DAVIS-BACON ACT**

- (a) By the submission of this proposal, the offeror certifies that neither it nor any person or firm who has an interest in the offeror's firm is a person or firm ineligible to be awarded contracts by the United States Government by virtue of section 3(a) of the Davis-Bacon Act or 29 CFR 5.12(a)(1).
- (b) No part of the contract resulting from this solicitation shall be subcontracted to any person or firm ineligible to be awarded contracts by the United States Government by virtue of section 3(a) of the Davis-Bacon Act or CFR 5.12(a)(1).
- (c) The penalty for making false statements is prescribed in the U.S. Criminal Code, 18 U.S.C. 1001.

## **BIDDER REGISTRATION**

If the successful bidder is not registered with the City of Clarksville as a vendor, the bidder will be required to complete a City of Clarksville vendor application in order to be awarded the bid. If the awarded bidder does not return the completed application to the City's Purchasing Office within 48 hours of its being sent to the bidder, the City may determine that the bidder shall be deemed nonresponsive and not be considered for award. You may access the vendor application through our web site at [www.cityofclarksville.com](http://www.cityofclarksville.com), or if you prefer, we will fax it to you.

The City of Clarksville is an equal opportunity provider and employer.

**STATEMENT OF NO BID**  
**BID/PROPOSAL #3902-P**

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If bidder is not bidding on the goods and/or services as stated in this bid/proposal, please complete and return this form to: The City of Clarksville, Purchasing Department, 1 Public Square, Suite 301, Clarksville, TN 37040, fax: 931-553-2409.

Company Name:	
Contact Person:	
Address:	
City / State / Zip	
Phone Number:	
Today's Date:	

The above has declined to submit a bid/proposal for the following reason(s):  
(check all that apply)

	Cannot meet specifications as given
	Specifications were unclear
	We do not offer this commodity/service or an equivalent
	Insufficient time to response to bid/proposal
	Cannot meet delivery requirements
	Our schedule would not permit us to perform in the time allotted
COMMENTS:	

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Vendor Signature

## **Current Status Proforma**

### Revenue

Increased revenue by 5% due to growth – kept the number low as the collections are only during normal business hours which the growth coming will likely impact nights and weekends.

Added additional revenue to the Cumberland garage as hopefully it will be open all year and used the same standard for the new parking garage in 2023.

Reduced Cumberland Meter by \$30,220 (1/3<sup>rd</sup>) as there are 3 kiosks and one of them will be removed while the new garage is under construction.

### Expenses

Management fee is to pay for the employees

Technical goes away as that was the contract with Premier

Debt expense gets added as the interest payments start coming due in 2023 for the new garage

## **Free on-street and rate increases Proforma**

### Revenue

Increased revenue by 205% due to doubling the rate and 5% growth – kept the growth number low as the collections are only during normal business hours which the growth coming will likely impact nights and weekends.

Added additional revenue to the Cumberland garage as hopefully it will be open all year and used the same standard for the new parking garage in 2023.

Reduced Cumberland Meter by \$59,022 (1/3<sup>rd</sup>) as there are 3 kiosks and one of them will be removed while the new garage is under construction.

### Expenses

Management fee is to pay for the employees

Technical goes away as that was the contract with Premier

Debt expense gets added as the interest payments start coming due in 2023 for the new garage

## **No rate changes coin only at meters Proforma**

### Revenue

Increased revenue by 5% due to growth – kept the growth number low as the collections are only during normal business hours which the growth coming will likely impact nights and weekends.

Added additional revenue to the Cumberland garage as hopefully it will be open all year and used the same standard for the new parking garage in 2023.

Reduced Cumberland Meter by \$30,220 (1/3<sup>rd</sup>) as there are 3 kiosks and one of them will be removed while the new garage is under construction.

### Expenses

Management fee is to pay for the employees

Technical goes away as that was the contract with Premier

Debt expense gets added as the interest payments start coming due in 2023 for the new garage

## **Gross Sales CBID vs City Graph**

May 2013 to June 2015 was the base line – the top line is citywide gross sales by month the bottom line is gross sales within the CBID (Roughly from Cumberland and Kraft Street and Riverside to 8<sup>th</sup>)

You can see the sales follow a similar pattern whether it is in the CBID or the entire City.

1<sup>st</sup> hour free was implemented in 2015 and you can see from the percentages below the growth slowed down within the CBID than the base year of 2014.

From 2013 to 2014 sales grew 4.49% within the CBID

From 2014 to 2015 sales grew 3.36% within the CBID

From 2015 to 2016 sales grew 2.19% within the CBID