

The Procurement Division of Knox County, Tennessee will receive sealed Letters of Interest (LOI) and Request for Qualifications (RFQ) for **Professional Engineering Consultant Services** as specified herein. LOIs must be received by **2:00 p.m. on May 31, 2023**. Late submittals will neither be considered nor returned.

Deliver LOIs To:

**Solicitation Number 3423
Knox County Procurement Division
Suite 100
1000 North Central Street
Knoxville, Tennessee 37917**

The Envelope must show the Company Name, Solicitation Name, Solicitation Number & Closing Date.

SECTION I GENERAL TERMS AND CONDITIONS

1.1 ADDITIONAL INFORMATION: Knox County wants requests for additional information routed to Ben Sharbel, CPPPO, CPPB, Supervisor of Property Development and Asset Management, at 865.215-5765. Questions may be emailed to ben.sharbel@knoxcounty.org. If you have not heard from the Buyer in a reasonable amount of time, please call for further assistance. Information about the Knox County Procurement Division may be obtained on the internet at www.knoxcounty.org/procurement.

1.2 AUDIT HOTLINE: Knox County has established an Audit Hotline to report potential fraud and waste. To report potential fraud, waste, or abuse, please call 1-866-858-4443 (toll-free). You can also file a report online by accessing <http://www.knoxcounty.org/hotline/index.php>.

Vendors are hereby cautioned that this Audit Hotline does not replace the Award Protest Procedures found in Section VI, Item M of the Knox County Procurement Regulations.

1.3 BUSINESS OUTREACH PROGRAM: Knox County has established a Business Outreach Program which has the responsibility of increasing opportunity for small, minority and women owned businesses. This is being accomplished through community education programs, policy edification, active recruitment of interested businesses and process re-engineering.

Knox County is committed to ensuring full and equitable participation for all disadvantaged businesses. Knox County welcomes submittals from those disadvantaged businesses that have an interest in providing the goods and/or services listed herein. In addition, Knox County strongly encourages the inclusion of disadvantaged businesses by non-disadvantaged Contractors who may wish to partner or subcontract portions of this agreement in order to accomplish the successful delivery of goods and/or services.

If you are a disadvantaged business and would like additional information about our Business Outreach Program, please contact:

Diane Woods, Business Outreach Administrator
Knox County Procurement
Telephone: 865.215.5760
Fax: 865.215.5778
E-Mail: diane.woods@knoxcounty.org

1.4 CLOSURES: During periods of closure due to unforeseen circumstances in Knox County or closures at the direction of the Knox County Mayor, the Procurement Division will enact the following procedures in regards to solicitations and closures:

- If the Mayor closes the Administrative offices prior to the time set for solicitation opening of any business day, all solicitations due that same day will be moved to the next operational business day.
- Other unforeseen circumstances shall be at the sole discretion of the Procurement Director.
- Knox County shall not be liable for any commercial carrier's decision regarding deliveries during any unforeseen circumstances.

1.5 CONFLICT OF INTEREST: Vendors must have read and complied with the "non-conflict of interest" statement provided in the vendor registration process prior to the closing of this solicitation.

- 1.6 **COPIES:** Knox County **requires** that LOIs being submitted be one (1) marked original and one (1) exact copy. An electronic copy on CD/flash-drive, in one complete file, is also required.
- 1.7 **DECLARATIVE STATEMENT:** Any statement or words (e.g.: must, shall, will) are declarative statements and the vendor must comply with the condition. Failure to comply with any such condition may result in the LOI being deemed non-responsive and disqualified.
- 1.8 **ELECTRONICALLY SUBMIT RESPONSE:** Due to the nature of this solicitation, the Knox County Procurement Division **will not** accept electronically submitted responses. Facsimile submission is strictly prohibited.
- 1.9 **HOW TO DO BUSINESS:** Knox County utilizes a web-based Procurement software system, "KnoxBuys". The system provides our clients (vendors, county departments and the citizens of Knox County) with a more enhanced and end-user friendly means of accessing our services. The system allows for on-line vendor registration and maintenance, electronic receipt of purchase orders, on-line retrieval and submittal of quotes, bids and proposals for our vendor-clients and on-line requisitioning and receiving for our county departments. In order for the County to maximize its investment and minimize the cost associated with office operations we need your help. When doing business with Knox County we are urging you to please go to our website at www.knoxcounty.org/procurement, register as a vendor in our on-line Procurement system, "KnoxBuys", if you have not done so and whenever possible to conduct your business with the County through this site. If you have any questions, please contact the Procurement Division Representative listed in Section 1.1 of this document.
- 1.10 **INCURRED COSTS:** Knox County will not be liable in any way for costs incurred by any respondent in the preparation and submission of its LOI in response to this solicitation, nor for the presentation of its qualifications and/or participation in any required meetings, discussions or negotiations. If any oral presentations are required, Knox County advises vendors to be thorough and complete in submission of information.
- 1.11 **LOI DELIVERY:** Knox County requires vendors, when hand delivering LOIs, to time and date stamp the envelope before depositing it in the bid box. Knox County will not be responsible for any lost or misdirected mail. The time clock in the Procurement Division shall serve as the official record of time. Knox County shall not be responsible for technical difficulties experienced by vendors trying to register electronically less than twenty-four (24) hours prior to the LOI closing time.

Solicitations must be in a sealed envelope/box prior to entering the Procurement Division office. Procurement Division personnel are not allowed to see the submittal nor assist in placing documents in an envelope/box. Additionally, the Procurement Division is not responsible for providing materials (e.g. envelopes, boxes, tape) for submittals.

- 1.12 **NO CONTACT POLICY:** After the date and time the firm receives this solicitation, any contact initiated by any firm with any Knox County representative, other than the Procurement Division representative listed herein, concerning this LOI **is strictly prohibited**. Any such unauthorized contact may cause the disqualification of the firm from this process. If the firm is found in violation of this section for any reason, it could result in debarment from Knox County's bidders' list for twenty-four (24) months.
- 1.13 **NON-COLLUSION:** Vendors, by submitting a signed LOI, certify that the accompanying submittal is not the result of, or affected by, any unlawful act of collusion with any other person or company engaged in the same line of business or commerce, or any other fraudulent act punishable under Tennessee or United States law.
- 1.14 **PUBLIC RECORDS ACT:** Knox County is subject to the Tennessee Public Records Act 10-7-503 et seq. Respondents are cautioned that all documents submitted on behalf of this LOI shall be open to the public for viewing and inspection and Knox County will comply with all legitimate requests.
- 1.15 **RECYCLING:** Knox County, in its continuing efforts to lessen the amount of landfill waste and to further recycling efforts, request that LOIs be submitted on paper and shall:
- Be submitted on recycled paper
 - Not include pages of unnecessary advertising
 - Be made on both sides of each sheet of paper

- 1.16 **SIGNING OF SUBMITTALS:** In order to be considered all Submittals must be signed. Please sign the original in blue ink. By signing the response document, the respondent acknowledges and accepts the term and conditions stated in the LOI document. It is suggested that mailed LOIs be sent by certified or registered mail with return receipt requested or LOIs sent via common carrier include tracking and delivery confirmation.
- 1.17 **TITLE VI OF THE CIVIL RIGHTS ACT:** "Nondiscrimination in Federally Assisted Programs" - "No person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance." 42 U.S.C. section 2000 et seq. It is the policy of Knox County Government that all its services and activities be administered in conformance with the requirements of Title VI.
- 1.18 **VENDOR REGISTRATION:** Prior to the closing of this solicitation, **ALL INTERESTED FIRMS MUST** be registered with the Procurement Division. A vendor application may be submitted online at www.knoxcounty.org/procurement. Select the On-Line Vendor Registration link and complete the forms. Vendors must be registered with the Procurement Division **prior** to submitting their response. Knox County shall not be responsible for technical difficulties experienced by vendors trying to register less than twenty-four (24) hours prior to the solicitation closing time.
- 1.19 **WAIVING OF INFORMALITIES:** Knox County reserves the right to waive minor informalities or technicalities when it is in the best interest of Knox County.

SECTION II SCOPE OF WORK

- 2.1 **SCOPE OF WORK:** Knox County, an Equal Opportunity, Affirmative Action Employer, seeks to retain the services of a professional engineering consultant to provide expertise in **engineering and designed services for the Halls Greenway Connector Project consisting of construction of both shared-use paths and sidewalks in the area of the Norris Freeway (SR-71) and Maynardville Pike (SR-33) intersection. This work is partially funded by a Tennessee Department of Transportation (TDOT) Multimodal grant.** The professional engineering consulting firm **must** be on TDOT's preapproved list. Responsibilities of the professional engineering consultant include, but are not limited to, a) coordination with the Local Government Representative, b) surveying and mapping, c) civil, electrical, structural, and transportation engineering, d) context-sensitive solution/design services e) geotechnical studies, f) traffic control systems design and development, and g) utility relocation/coordination.

Project Name: Halls Greenway Connector
TDOT Project Pin: 132052.00

Required Scope of Services

The conceptual plans are broken into four phases. This scope will design all four conceptual phases as one project. The design need not be phased.

Phase 1 connects the existing shared-use path in Clayton Park and a second existing shared-use path serving the Halls elementary, middle, and high schools to a new trailhead to be constructed on the abandoned southbound roadbed for Maynardville Pike (SR-33) near Afton Drive.

Phase 2 continues this shared-use path and connects the new trailhead under the existing Maynardville Pike (SR-33) bridge crossing Beaver Creek to the existing Halls Greenway on the eastern side of Maynardville Pike (SR-33). This phase includes the addition of a mid-block pedestrian crossing on Andersonville Pike.

Phase 3 fills a sidewalk gap between the new trailhead at Afton Drive and the existing sidewalk on the western side of Maynardville Pike (SR-33). This phase includes traffic signal and intersection improvements as required at Afton Drive.

Phase 4 fills a sidewalk gap to connect the eastern terminus of Phase 2 to the existing sidewalks on the eastern side of Maynardville Pike at the northern intersection of Maynardville Pike (SR-33) and Andersonville Pike.

All total the project is estimated to construct approximately 2300 linear feet of shared use path, 2100 linear feet of sidewalk, and one trailhead with parking area including all appurtenances thereof for all elements.

NEPA, attached as Exhibit A, has been completed for this project and Notice to Proceed to Preliminary Engineering for Final Design was issued by TDOT on March 8, 2023. As such, design services will initiate with this phase.

2.2 AWARD: Knox County intends to issue a one-time award and lump-sum contract. The Knox County Procurement Division will draft the contract. Knox County will not accept any vendor's contract. Vendors are cautioned that the Knox County Mayor is the only individual who can legally bind Knox County to a contractual agreement. Knox County reserves the right to purchase these items/services from other sources if the need arises. Knox County reserves the right to revoke the award if a pattern of unavailability arises with the vendor.

2.3 ESTIMATED SCHEDULE:

1. Question deadline: Prospective respondents may submit questions no later than Friday, May 19, 2023, at 4:30 p.m. eastern time. All questions must be e-mailed to Ben Sharbel at ben.sharbel@knoxcounty.org.
2. Letters of Interest due Wednesday, May 31, 2023, at 2:00 p.m. eastern time
3. Short list of three (3) firms selected by Friday, June 16, 2023.
4. Qualifications of short-listed firms due by Tuesday, July 11, 2023 at 2:00 p.m. eastern time
5. Final selection of highest ranked firm by Tuesday, August 1, 2023
6. Contract start date October 1, 2023

2.4 LETTERS OF INTEREST: Firms may request consideration by submitting a letter of interest to **Knox County Procurement, 1000 N. Central St., Suite 100, Knoxville, TN 37917**. All letters of interest must be received by **Knox County Procurement** on or before **May 31, 2023 at 2:00 p.m. local time**. The letter of interest shall indicate the scope of services to be completed by any sub-consultants. Knox County shall be billed on a monthly basis for work completed and accepted by the County and the Public Building Authority (PBA), who is managing this project.

2.5 LETTERS OF INTEREST REQUIREMENTS/EVALUATION: Firms shall submit letters of interest with firm contact information including name, address and e-mail of primary contact. The letters of interest shall also include:

- **Work experience in required discipline with other government agencies and projects of similar size and scope. Details shall include context and description of contracts, names of municipality, the project cost, and whether the project had cost overruns or not. (20 Points)**
- **Demonstrated specialized expertise related to the project. (10 Points)**
- **Demonstrated capabilities of firm including number of employees assigned to the project and TDOT approval letter for projects of this nature of work. (10 Points)**
- **Size of project and unlimited prequalification status. (5 Points)**
- **Professional licensure (5 Points)**

From the letters of interest, Knox County will select a minimum of three (3) qualified firms to submit qualifications. A Request for Qualifications document will be sent to these top three (3) qualified firms upon selection. The top ranked consultant will be selected from this list.

2.6 PRE-QUALIFICATION: Knox County requires that all consultants being considered are pre-qualified with TDOT. Additional TDOT pre-qualification procedures, pre-qualification forms and current "Standard Procurement Policy for Engineering and Technical Services" are available at this website: www.tennessee.gov/tidot.

2.7 QUALIFICATIONS EVALUATION: Knox County will evaluate the top three (3) firms on the following criteria:

- **Technical Expertise (30 Points)**
 - Evidence the firm shall have been involved in the design of roadway and shared-use paths for a minimum of ten (10) years.
 - Detailed resume of the individual placed in charge of the project, if awarded.
 - Detailed resumes of the individuals assigned to work on the project, if awarded
 - Listing of proposed sub-contractor(s), if applicable, including information specified above.
 - Additional information deemed necessary to satisfy that the Firm is competent and that qualifications are sufficient to fully and successfully implement the work.
- **Implementation Plan - (25 Points)**
 - Master schedule that indicates major milestones and completion time for all tasks.
 - Detailed plan for interaction with County/PBA personnel for the project.

- **Workload capacity - (25 Points)**
 - Provide a list of current projects and estimated completion of each
- **Project Approach (20 Points)**
 - A detailed listing and description of the tasks the Firm expects to execute in order to achieve the desired outcomes listed in the required Scope of Services.
 - Demonstration of knowledge/understanding of the project
 - Quality control procedures

The consultant evaluation committee holds the ability to conduct interviews based on scoring.

Pre-qualification procedures, example letter of interest, list of pre-qualified firms and certified DBEs, TDOT's standard procurement policy, and additional information can be found at the following website: <http://www.tn.gov/tdot/topic/consultantinfo>. For information on pre-qualification, please contact Christine Smotherman at (615)741-4460 or Christine.Smotherman@tn.gov.

Evaluation proceedings will be conducted within the established guidelines regarding equal employment opportunity and nondiscriminatory action based upon the grounds of race, color, sex, creed or national origin interested certified Disadvantaged Business Enterprise (DBE) firms as well as other minority-owned and women owned firms are encouraged to respond to all advertisements by Knox County. For information on DBE certification, please contact David Neese at (615)741-3681 or David.Neese@tn.gov. Details and instructions for DBE certification can be found at the following website: <http://www.tn.gov/tdot/topic/small-business>.

EXHIBIT A



**STATE OF TENNESSEE
DEPARTMENT OF TRANSPORTATION**

ENVIRONMENTAL DIVISION
SUITE 900, JAMES K. POLK BUILDING
505 DEADERICK STREET
NASHVILLE, TENNESSEE 37243-1402
(615) 741-3655

BUTCH ELEY
DEPUTY GOVERNOR &
TRANSPORTATION COMMISSIONER

BILL LEE
GOVERNOR

To: Erick K. Hunt-Hawkins

Title: Environmental Manager, TDOT Environmental Division

Address/Street 1: Suite 900, James K. Polk Building

Address/Street 2: 505 Deaderick Street

City/State/Zip: Nashville, TN 37243

From: Keith Kirkland

Title: Construction Manager, PBA Property Development

Address/Street 1: 500 W. Summit Hill Drive

Address/Street 2: STE SPG110

City/State/Zip: Knoxville, TN 37902-2013

Tennessee Environmental Evaluation Report

State Route (SR) 33, SR-71

SR-33 (Maynardville Pike) and SR-71 (US-441, Norris Freeway), From Clayton Park to SR-71; Greenway along SR-71 then following Beaver Creek to the east side of SR-33

n/a

Knox County

PIN 132052.00

Submitted Pursuant to the National Environmental Policy Act of 1969, 42 U.S.C. 4332(2)

Project Information

General Information

Route: State Route (SR) 33, SR-71

Termini: SR-33 (Maynardville Pike) and SR-71 (US-441, Norris Freeway), From Clayton Park to SR-71; Greenway along SR-71 then following Beaver Creek to the east side of SR-33

Municipality: n/a

County: Knox County

PIN: PIN 132052.00

Plans: Preliminary

Date of Plans: 06/24/2019

Project Funding

Planning Area: Knoxville TPO

STIP/TIP: Not Applicable (State-Funded)

Funding Source	Preliminary Engineering	Right-of-Way	Construction
Federal	N/A	N/A	N/A
State	PE-N: 47LPLM-S0-213 PE-D: 47LPLM-S1-213	47LPLM-S2-213	47LPLM-S3-213

Project Location

PIN 132052.00, SR-33 (Maynardville Pike) and SR-71 (US-441, Norris Freeway), From Clayton Park to SR-71, Knox County

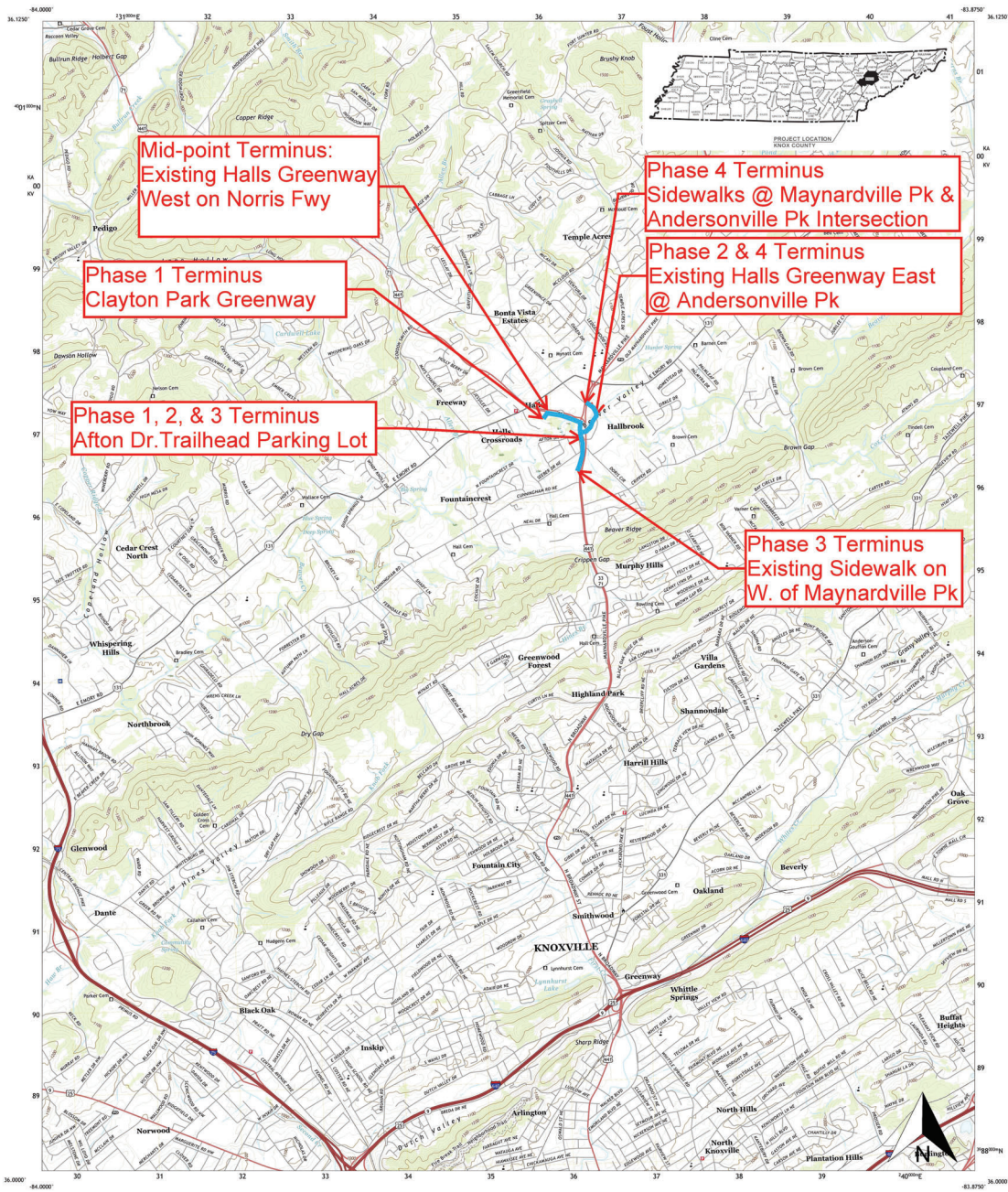


U.S. DEPARTMENT OF THE INTERIOR
U.S. GEOLOGICAL SURVEY



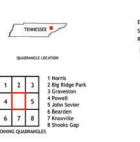
APE denoted in Blue

FOUNTAIN CITY QUADRANGLE
TENNESSEE - KNOX COUNTY
7.5-MINUTE SERIES



Produced by the United States Geological Survey
North American Datum of 1983 (NAD83)
Vertical Coordinate System of 1988 (GEOID18)
This map is not a legal document. Reproductions may be
generated for this map only. Please seek written permission
reproductions may not be shown. Obtain permission before
reproducing any part of this map.

Map: NAD, April 2014, October 2016
Data: U.S. Census Bureau, 2010; USGS, 2019
Hydrography: National Hydrography Dataset, 2015
Contour: National Elevation Dataset, 2017
Boundaries: National Gazetteer, metadata file 2017 - 2018
Metadata: PDF, National Wetlands Inventory 1981 - 2008



Project Overview

Introduction

Knox County, with funding assistance from the Tennessee Department of Transportation (TDOT), proposes a project that will fill multiple sidewalk gaps and construct a shared-use path along SR-71 and across SR-33. The resulting infrastructure will not only provide the first pedestrian crossing of SR-33 in this area but also links at least five isolated segments of infrastructure into a unified transportation network. By providing the central link in the existing infrastructure, this project will reunite three portions of the Halls community which have been separated for decades by two intersecting, high-volume 4-6 lane state highways.

The proposed project would be constructed entirely with state and local funds and as a result, is being processed as a Tennessee Environmental Evaluation Report.

Background

This project has been shown in county-wide planning documents since at least 2009, appearing as part of the 2010 Park and Greenway Network Plan published in December 2009 (See Technical Appendix B Section 3). It was also referenced in the 2012 North County Sector Plan, the 2014 Walk to School Prioritization Study, and the 2020 Knox County Greenway Corridor Study (See Technical Appendix B Sections 4, 5, and 6 respectively).

Coordination with TDOT for this project began more than a decade ago during TDOT's planning to replace the SR-33 bridges crossing Beaver Creek and to rework the SR-33/SR-71 interchange. Coordination between TDOT and Knox County as a part of that earlier effort provided space on the shoulder of SR-71 for the project now proposed and left the old southbound SR-33 roadway bridge in place. This resulted in reduced demolition costs for TDOT's SR-33/SR-71 project, reduced construction costs for this proposed project, and reduces impacts to Beaver Creek by both projects.

In 2019, with the SR-33/SR-71 work by TDOT fully complete, Knox County applied for Multimodal grant funding to support this project obtaining support from the Mayor, Knox County Commission, a Tennessee Senator, and community at large. The initial application was rejected, so the county reapplied in 2020 with additional support from the Knoxville Regional Transportation Planning Organization (TPO) and updated Greenway corridor planning documents.

In June 2021, TDOT announced the award of Multimodal funding for this project, and an executed contract for the grant funding was returned to Knox County in June 2022.

An aerial overview map, conceptual plans with aerial overlays, and project area photos can all be found in Technical Appendix B (Sections 1, 2, and 7 respectively).

Existing Conditions

The project begins at the current terminus of an existing shared-use path at Clayton Park and connects to a second westward shared-use path linking the Halls elementary, middle, and high schools. From there, the path turns east following the Norris Freeway towards Maynardville Pike along enhanced shoulders which were constructed by TDOT to support this future use during earlier roadway renovations. The path then crosses Beaver Creek on an existing abandoned roadway bridge left in place for this future use by TDOT during renovations of the SR-33/SR-71 intersection several years ago.

After crossing Beaver Creek, the path connects to new sidewalks along the west side of SR-33 which provide connectivity to existing sidewalks approximately 0.4 miles south. The shared-use path continues from here following Beaver Creek east under the SR-33 underpass which was constructed with this future use in mind. On the east side of SR-33, the shared-use path connects to a network of shared-use paths connecting multiple neighborhoods and facilities and a new sidewalk connector provides a link to the existing sidewalks along the east side of SR-33.

The majority of the project is intended to be built on existing TDOT Right-of-Way (ROW) to be licensed by the county from TDOT.

Project Development

Need

As highlighted in the 2012 Sector Plan (Technical Appendix B Section 4) and the 2014 Walk-to-School Prioritization Study (Technical Appendix B Section 5), the proposed project area along SR-33 and SR-71 lacks adequate bike and pedestrian infrastructure, limiting connectivity for the Halls community. Further, vehicle count and accident data updated annually by the TPO shows that the proposed project area experiences both very high vehicle volumes and a high vehicle crash rate posing a safety concern for pedestrians and vehicle users in the community.

Purpose

The purpose of this project is to alleviate congestion on the SR-33 and SR-71 arterial throughways, provide connectivity between land uses, improve pedestrian infrastructure, and reduce the annual average daily traffic (AADT) throughout the project area.

Range of Alternatives

Other the selected alternative, were any alternative build designs developed for this proposed project?

No

No-Build

During the development of design solutions that address both the need and purpose of the project, the potential consequences were evaluated if the project was not implemented. This option, known as the No-Build alternative, assumes continuation of existing conditions with routine maintenance activities, and sets a baseline from which the selected design impacts were compared. The No-Build Alternative was not selected because it does not meet the need and purpose of the project.

Public Involvement

Has there been any public involvement for the project?

Yes

Public meetings were held in both June and September of 2019 for the subject project. Between the two meetings, just under 200 people were able to attend and more than 80 comments were received. In addition, an online survey was conducted as part of the 2020 Greenway Corridor Study to allow people unable to attend the public meetings an opportunity to comment as well.

In addition to the public meetings, a stakeholder committee, consisting of 30 members with representatives from across the county, was formed to oversee project development and keep the public opinion involved.

See Technical Appendix C Sections 1-5 for additional details on Public and Stakeholder involvement.

Existing Conditions and Layout

Within the project area, SR-71 (Norris Freeway) is a 4-lane divided highway. Much of this road includes multiple turn lanes and a paved shoulder lane. The landscaped shoulder on the southern side of this road within the project area is an enhanced shoulder which was constructed in anticipation of this future project work.

There are no pedestrian facilities on either side of SR-71 within the project area; although an existing shared-use path begins at the western extent of the project connecting to the adjacent elementary, middle, and high schools.

Within the project area, SR-33 (Maynardville Highway) is also a 4-lane divided highway with multiple turn lanes and paved shoulder lanes. Total road width includes as many as 7 vehicular lanes, a divider, and a paved shoulder lane.

There are no pedestrian facilities on the west side of SR-33 within the project area. Newly constructed (<2 years old) sidewalks line most of the eastern side of SR-33 within the project area, but there are no designated crossings.

There is also an existing greenway network connecting multiple community facilities (park, senior center, library, etc.) on the east side of SR-33.

Selected Alternative

The selected alternative constructs shared-use paths and sidewalks to connect the existing disconnected pedestrian and bike infrastructure in the area and create a safe pedestrian crossing for SR-33. Alterations to vehicular travel are anticipated to be limited to the addition of crosswalks at the entrance to Clayton Park, the Afton Drive/SR-33 intersection (anticipated to include pedestrian additions to the existing signalization), and a mid-block rectangular rapid-flashing beacon crossing of Andersonville Pike, which is a county-owned roadway.

Right-of-Way

Does this project require the acquisition or right-of-way or easements?

Yes

The majority of the project is intended to be built on existing TDOT ROW to be licensed by the county from TDOT. Outside of this there are two acquisitions which will be required:

1. Approximately 50 ft. of sidewalk at the south end of the SR-33 sidewalk is expected to require property acquisition from an existing gas station. This station has sidewalk on a portion of the property but not at the north end. Total ROW required is anticipated to be less than 0.1 acre.
2. Approximately 1 acre of property within the flood zone for Beaver Creek will be required between Maynardville Pike and Andersonville Pike. The portion of the property needed lies on the opposite side of the creek from the main body of the parcel and would be challenging to develop for other uses due to the flood zone designation and its separation from the rest of the parcel by the waterway.

No other ROW or easement acquisition is anticipated.

Right-of-Way Acquisition Table

Permanent			Temporary	
R.O.W Acquisition	Drainage Easements	Slope Easements	Construction Easements	Total
1.1	0	0	0	1.1

^Measured in acres

Displacements and Relocations

Will this project result in residential, business or non-profit displacements and relocations?

No

Changes in Access Control

Will changes in access control impact the functional utility of any adjacent parcels?

No

Traffic Control Measures and Access Disruption

At this time, are traffic control measures and temporary access information available?

No

Traffic control measures will be evaluated as part of later plans development. Based on the preliminary plans, minimal traffic control or access impacts are anticipated.

Water Resources

Are there any water resources, wetlands or natural habitat located within the project area that will be impacted?

No

In an Environmental Studies Request (ESR) response dated 11/04/2022, the TDOT Ecology Section stated, "TDOT Ecology staff reviewed the submitted information for completeness and has determined that the necessary components documenting presence or absence of jurisdictional streams and wetlands within the project limits are present. TDOT Ecology staff did not verify the accuracy of the submitted findings, only the contents of the submittal. Local Government responsibilities for 'Environmental Permitting and Mitigation' are outlined in Section 8.1.3 of the TDOT Local Government Guidelines Manual.

TDOT Ecology coordinated this project with the USFWS and TWRA and their response is attached. The project fits the 2022 Memorandum of Agreement between TDOT, FHWA, and the TDEC Division of Natural Areas."

See Appendix D Section 4 for a copy of the TDOT Ecology ESR response.

Protected Species

U.S. Fish and Wildlife Service (USFWS):

Coordination with the USFWS was completed on 09/21/2022

In an email response, the USFWS stated, "Our database and the information provided do not indicate that any federally listed or proposed species would occur or that designated critical habitat is present within your project area. Therefore, we do not anticipate take of any federally listed species resulting from the project. Based on the best information available at this time, we believe that the requirements of the Endangered Species Act (ESA) are fulfilled for all species that currently receive protection under the ESA. Obligations under section 7 of the ESA should be reconsidered if (1) new information reveals impacts of the proposed action that may affect listed species or critical habitat in a manner not previously considered, (2) the proposed action is subsequently modified to include activities which were not considered during this consultation, or (3) new species are listed or critical habitat designated that might be affected by the proposed action.

TDOT would require implementation of standard construction BMPs to ensure that project-related contaminants are kept out of Beaver Creek. Equipment staging and maintenance areas should be developed an adequate distance from the stream to avoid entry of petroleum-based pollutants into the water. Fresh concrete and cement dust must be kept out of the water as they alter chemical properties and can be toxic to aquatic species."

See Technical Appendix D Section 5 for a copy of the email.

Tennessee Wildlife Resources Agency (TWRA):

Coordination with TWRA was completed on 09/20/2022

In an email response, the TWRA stated, "The Tennessee Wildlife Resources Agency has reviewed the information that you provided regarding the Local Programs project in Knox Co (PIN 132052.00). It is my understanding that the majority of work will be performed within ROW and two additional ROW acquisitions will be needed. However, I do not have specific species requests and the implementation of BMPs will be sufficient to satisfy the needs of the

TWRA."

See Technical Appendix D Section 7 for a copy of the email.

Tennessee Department of Environment and Conservation (TDEC):

Coordination with TDEC, Division of Natural Areas, was completed on N/A

Per the TDOT Ecology Response, "The project fits the 2022 Memorandum of Agreement between TDOT, FHWA, and the TDEC Division of Natural Areas."

See Technical Appendix D Section 8 for a copy of the 2022 MOA.

Floodplain Management

Flood Zone: Zone AE (Cross Hatched) - Floodway Area in Zone AE.

Portions of this project impact a FEMA defined floodplain where a floodway is defined. A No Rise Certification or a CLOMR/LOMR will be submitted for the project and it will be consistent with the Memorandum of Understanding (MOU) between FHWA and FEMA. The design of the roadway system will be consistent with the Memorandum of Understanding (MOU) between FHWA and FEMA and with the floodplain management criteria set forth in the National Flood Insurance Regulations of Title 44 of the Code of Federal Regulations (CFR). It will be consistent with the requirements of floodplain management guidelines for implementing Executive Order 11988 and FHWA guidelines 23 CFR 650A.

A portion of the FEMA FIRM is included as Appendix E. The project is located on Flood Insurance Rate Maps in ___ County, Panel ___ of ___, Map # ___. Please complete details below.

County:

Panel:

Map #:

Air Quality

Transportation Conformity:

Coordination with the TDOT Air Quality and Noise section was completed on 08/17/2022. In their signed ESR response, the section stated:

"Transportation Conformity

The project is in the Knoxville PM2.5 maintenance areas. However, this state industrial access (SIA) project is state-funded and not regionally significant. Therefore, the project is not subject to conformity.

Mobile Source Air Toxics (MSATs)

This project is state-funded and would qualify as a categorical exclusion under 23 CFR 771.117. Therefore, a MSATs evaluation is not needed."

See Technical Appendix F for the Air Quality and Noise ESR Response.

Noise

In accordance with FHWA requirements and TDOT's Noise Policy this project is determined to be **Type III**

No significant noise impacts are anticipated for this project and a noise study is not needed.

Farmland

Is this project exempt from the provisions of the Farmland Protection Policy Act (FPPA)? **Yes**

Section 4(f)

Does this project involve the use of publicly owned parks, recreation areas, or wildlife/waterfowl refuges, or publicly or privately owned historic properties that are listed on or eligible for listing on the National Register of Historic Places (see 23 CFR 774)?

No

Section 6(f)

Does this project involve the use of recreational properties funded through the Land and Water Conservation Fund (LWCF)?

No

Cultural Resources

Are NRHP listed or eligible cultural resources within the project Area of Potential Effect (APE)?

No

Joint Cultural Resource Concurrence:

Concurrence from the TN State Historic Preservation Office (TN-SHPO) was received on 09/16/2022

In their response, the TN-SHPO stated, "After considering the documentation submitted, it is our opinion that there are no National Register of Historic Places listed or eligible properties affected by this undertaking. We have made this determination because either: no National Register listed or eligible Historic Properties exist within the undertaking's area of potential effects, the specific location, size, scope and/or nature of the undertaking and its area of potential effects precluded affects to Historic Properties, the undertaking will not alter any characteristics of an identified eligible or listed Historic Property that qualify the property for listing in the National Register, or it will not alter an eligible Historic Property's location, setting or use. We have no objections to your proceeding with your undertaking."

See Technical Appendix G Section 2 for a copy of the TN-SHPO Concurrence Letter.

In an ESR response dated 09/13/2022, the TDOT Cultural Resources Section stated, "SHPO clearance for joint cultural resources was received 9/13/2022. Should plans change to include more ROW or easements of any, further consultation with this office may be required."

See Appendix G Section 1 for a copy of the TDOT Cultural Resources ESR response.

Note: An original TN-SHPO Concurrence letter dated 9/13/2022 contained a typo listing the incorrect local government but referencing the correct project information. The ESR was issued based on the original letter and thus has a date preceding the TN-SHPO Concurrence Letter. TDOT determined that a revised ESR referencing the revised TN-SHPO Concurrence date was not required as the revised TN-SHPO letter did not change the concurrence or project information.

Native American Consultation



Does this project require Native American consultation?

Yes

Native American Consultation was requested on 09/09/2022

Native American Consultation					
Sent	Response		Sent	Response	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Absentee Shawnee Tribe of Indians in Oklahoma	<input checked="" type="checkbox"/>	<input type="checkbox"/>	The Muscogee (Creek) Nation
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Cherokee Nation	<input type="checkbox"/>	<input type="checkbox"/>	Poarch Band of Creeks
<input type="checkbox"/>	<input type="checkbox"/>	The Chickasaw Nation	<input type="checkbox"/>	<input type="checkbox"/>	The Quapaw Nation
<input type="checkbox"/>	<input type="checkbox"/>	The Choctaw Nation of Oklahoma	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Shawnee Tribe
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Eastern Band of Cherokee Indians	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Thlopthlocco Tribal Town
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Eastern Shawnee Tribe of Oklahoma	<input checked="" type="checkbox"/>	<input type="checkbox"/>	United Keetoowah Band of Cherokee Indians in Oklahoma
<input type="checkbox"/>	<input type="checkbox"/>	Kialegee Tribal Town	<input type="checkbox"/>	<input type="checkbox"/>	Jena Band of Choctaw Indians

Eastern Shawnee Tribe of Oklahoma:

The response was received on 10/18/2022

In their response, the Eastern Shawnee Tribe of Oklahoma stated, "As described in your correspondence, and upon research of our database(s) and files, we find our people occupied these areas historically and/or prehistorically. However, the project proposes NO Adverse Effect or endangerment to known sites of interest to the Eastern Shawnee Tribe. Please continue project as planned. However, should this project inadvertently discover an archeological site or object(s) we request that you immediately contact the Eastern Shawnee Tribe, as well as the appropriate state agencies (within 24 hours). We also ask that all ground disturbing activity stop until the Tribe and State agencies are consulted. Please note that any future changes to this project will require additional consultation."

ESR Response

In an ESR response dated 08/16/2022, the TDOT Native American Consultation Section stated, "An invitation to participate in the Section 106 process was sent on September 9, 2022 to all federally recognized Native American tribes with interests in the subject county.

On October 18, 2022 the Eastern Shawnee Tribe responded with a finding of 'no adverse effect.'

TDOT will reinstate consultation if additional cultural resources studies are required or if archaeological materials or human remains are discovered during construction."

See Technical Appendix H for a copy of the NAC ESR response, the Section 106 Early Coordination documentation, and the Eastern Shawnee Tribe of Oklahoma response.



Are there any disproportionately high or adverse effects on low-income or minority populations?

No

Table 1: Minority and Low-Income Population and EJ Determination

Minority Populations				
Census Tract (CT) Block Group (BG)	62.03 1	62.05 1	62.08 1	Knox County
Total Population	1775	1863	1371	466,184
Total Minority Population	81	75	28	84320
% Minority/Non-White	4.6%	4.0%	2.0%	18.1%
Exceeds County % by 10 Percentage Points or More	No	No	No	N/A
Exceeds 50% of Block Group Population	No	No	No	N/A
Meet EJ Criteria?	No	No	No	N/A
Low-Income Populations				
Census Tract (CT) Block Group (BG)	62.03 1	62.05 1	62.08 1	Knox County
Total Population	1775	1840	1371	455,044
Total Low-Income Population	73	140	52	60065
% Low-Income/Below Poverty Line	4.1%	7.6%	3.8%	13.2%
Exceeds County % by 10 Percentage Points or More	No	No	No	N/A
Exceeds 50% of Block Group Population	No	No	No	N/A
Meet EJ Criteria?	No	No	No	N/A

N/A = Not Applicable

Source: U.S. Census Bureau, 2016-2020 American Community Survey (ACS) 5-Year Estimates. ACS data was accessed and reviewed on 11/07/2022 via the U.S. Census Bureau website.

The proposed project does not have the potential to cause disproportionately high or adverse effects on low-income or minority populations.

Knox County conducted an Environmental Justice (EJ) Analysis on 11/04/2022 which found: "There are three block groups (BG) within the project area that were analyzed for the 2022 EJ assessment: Census Tract (CT) 62.03 (BG 1), CT 62.05 (BG 1), and CT 62.08 (BG 1).

Minority Populations

According to the 2016-2020 American Community Survey (ACS), the minority population of Knox County is 18.1 percent, and minority populations within the project area range from 2.0 percent (CT 62.08, BG 1) to 4.6 percent (CT 62.03, BG 1). Table 1 displays the block groups in the project area and their minority population percentages.

Block groups that exceed the county minority average by 10 percentage points or more or have minority populations that are greater than 50 percent of the total population for the block group are EJ populations according to guidance provided in the "Effective Methods for Environmental Justice Assessment" report (National Cooperative Highway Research Program Report 532). Based on the analysis, there are no EJ minority populations within the project area.

Low-Income Populations

According to the 2016-2020 ACS, the low-income population for Knox County is 13.2 percent. Within the project area, low-income populations range from 3.8 percent (CT 62.08, BG 1) to 7.6 percent (CT 62.05, BG 1). Table 1 displays the block groups in the project area and their low-income population percentages.

As shown, there are no block groups within the project area that 1) exceed the county average by 10 percentage points or more, or 2) is greater than 50 percent of the total population within the corresponding block group. Therefore, there are no low-income populations considered an EJ population within the project area.

Per this analysis, there are no EJ minority or low-income populations within the project area. Knox County in partnership with the Tennessee Department of Transportation (TOOT) has made every effort to minimize impacts to the surrounding community, including minority and low-income communities. It is intended that all individuals living within and near the project area, regardless of race, ethnicity, or economic status, will share equally in the benefits of the proposed project, including increased mobility, improved safety conditions, and increased bicycle and pedestrian connectivity.

A copy of the Environmental Justice Analysis and all reference Census Data can be found in Technical Appendix K.

Hazardous Materials

Does the project involve any asbestos containing materials?

No

Does the project involve any other hazardous material sites?

No

In an ESR response dated 8/16/2022, the TDOT Hazardous Materials Section stated, "Based on a review of the Technical Section Agency Coordination Request dated 16 August 2022, this office agrees with the hazardous materials recommendations. In the event hazardous materials or wastes are encountered within the right-of-way disposition shall be subject to all applicable regulations, including the applicable sections of the Federal Resource Conservation and Recovery Act, as amended; the Comprehensive Environmental Response, Compensation, and Liability Act, as amended; and the Tennessee Hazardous Waste Management Act of 1983, as amended. Databases reviewed include Google Earth imagery, EPA National Priorities."

See Appendix I Section 1 for a copy of the TDOT Hazardous Materials ESR response.

Bicycle and Pedestrian

Does this project include accommodations for bicycles and pedestrians?

Yes

The entire project constructs shared-use and pedestrian facilities.

In an ESR response dated 8/24/2022, the TDOT Multimodal Section stated, "This project accommodates multimodal users, incorporating a share use path and sidewalk gap repair."

See Appendix J Section 1 for a copy of the TDOT Multimodal ESR response.

Environmental Commitments

Does this project involve any environmental commitments?

No

Additional Environmental Issues

No known environmental issues.

Conclusion

Review Determination

Determination: Tennessee Environmental Evaluation Report

This state-funded highway project qualifies for an environmental evaluation under the Tennessee Department of Transportation's current environmental procedures. The Department has determined that this project will not limit reasonable alternatives for federal-aid projects, that no federal agencies have significant influence over the outcome of the project, and that no significant environmental impacts will result from this action. This determination does not require Administration approval and has been documented in a Tennessee Environmental Evaluation Report.

Reference Material

All source material used in support of the information and conclusions presented in this document are included in the technical appendices. The technical appendices are compiled as a separate document and include information on funding, agency concurrence, applicable agency agreements, special commitment support, project plans, technical reviews, reports and any other additional information.

Preparer Certification

By signing below, you certify that this document has been prepared in compliance with all applicable environmental laws, regulations and procedures. You can attest to the document's quality, accuracy, and completeness, and that all source material has been compiled and included in the technical appendices.



Document Preparer

Document Approval

By signing below, you officially concur that this document is in compliance with all applicable environmental laws, regulations and procedures. You have reviewed and verified the document's quality, accuracy, and completeness and that all source material has been compiled and included in the attachments and technical appendices.

**Erick Hunt-
Hawkins**

Digitally signed by Erick
Hunt-Hawkins
Date: 2023.03.01 14:34:55
-06'00'

Tennessee Department of Transportation

Acronyms

AADT	Annual Average Daily Traffic	PCE	Programmatic Categorical Exclusion
ADA	Americans with Disabilities Act	PIN	Project Identification Number
APE	Area of Potential Effect	PM	Particulate Matter
BMP	Best Management Practice	PND	Pond
CAA	Clean Air Act	RCRA	Resource Conservation and Recovery Act
CE	Categorical Exclusion	ROW	Right-of-Way
CEQ	Council on Environmental Quality	RPO	Rural Planning Organization
CFR	Code of Federal Regulations	SIP	State Implementation Plan
CMAQ	Congestion Mitigation and Air Quality	SNK	Sinkhole
EJ	Environmental Justice	SR	State Route
EPA	Environmental Protection Agency	STIP	State Transportation Improvement Program
EPH	Ephemeral Stream	STR	Stream
FEMA	Federal Emergency Management Agency	TDEC	TN Department of Environment and Conservation
FHWA	Federal Highway Administration	TDOT	Tennessee Department of Transportation
FIRM	Flood Insurance Rate Map	TIP	Transportation Improvement Program
FPPA	Farmland Protection Policy Act	TN-SHPO	TN State Historic Preservation Office
GIS	Geographic Information System	TPO	Transportation Planning Organization
IAC	Interagency Consultation	TVA	Tennessee Valley Authority
LWCF	Land and Water Conservation Fund	TWRA	Tennessee Wildlife Resources Agency
LOS	Level of Service	USDOT	U.S. Department of Transportation
MOA	Memorandum of Agreement	USACE	U.S. Army Corps of Engineers
MOU	Memorandum of Understanding	USFWS	U.S. Fish and Wildlife Service
MPO	Metropolitan Planning Organization	UST	Underground Storage Tank
MSAT	Mobile Source Air Toxics	VMT	Vehicle Miles Traveled
NEPA	National Environmental Policy Act	VPD	Vehicles Per Day
NRCS	Natural Resources Conservation Service	WWC	Wet Weather Conveyance
NRHP	National Register of Historic Places		