



Legislation Details (With Text)

**File #:** 28942      **Version:** 1      **Name:** BioLink Termination Resolution  
**Type:** Resolution      **Status:** Passed  
**File created:** 1/29/2013      **In control:** BOARD OF ESTIMATES (ended 4/2017)  
**On agenda:** 3/19/2013      **Final action:** 3/19/2013  
**Enactment date:** 3/20/2013      **Enactment #:** RES-13-00175

**Title:** Authorizing the execution of an offer for termination and de-obligation of grant agreement for convenience with the Economic Development Administration for the BioLink project; and, authorizing the City to seek and accept reimbursement for eligible and allowable costs for architectural/engineering design and project management work.

**Sponsors:** Jill Johnson

**Indexes:**

**Code sections:**

**Attachments:** 1. BioLink Mayor Signed Termination Letter 12-7-12.pdf, 2. EDA Letter 11-9-12.pdf

Date	Ver.	Action By	Action	Result
3/19/2013	1	COMMON COUNCIL	Adopt	Pass
3/11/2013	1	BOARD OF ESTIMATES (ended 4/2017)	RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER	Pass
2/5/2013	1	COMMON COUNCIL	Refer	Pass
1/29/2013	1	Economic Development Division	Referred for Introduction	

**Fiscal Note**

The amount of reimbursement the City might receive for eligible costs is currently unknown. Any proceeds received by the City will be disbursed to other parties as appropriate for their respective shares, and reimbursement for direct City costs will be credited to TID #39, from which project proceeds were initially expended.

**Title**

Authorizing the execution of an offer for termination and de-obligation of grant agreement for convenience with the Economic Development Administration for the BioLink project; and, authorizing the City to seek and accept reimbursement for eligible and allowable costs for architectural/engineering design and project management work.

**Body**

WHEREAS, on May 11, 2010, the Economic Development Administration (“EDA”) awarded Financial Assistance Award #06-79-05491 to the City of Madison (“City”) and Madison Development Corporation (“MDC”) in the amount of \$4,534,472 to develop the Midwest BioLink Commercialization and Business Center (“BioLink”); and,

WHEREAS, MDC subsequently began architectural/engineering design work for BioLink; and,

WHEREAS, MDC and the City identified that the cost to construct BioLink would significantly exceed the estimate in the City’s and MDC’s application to the EDA; creating a financial gap; and,

WHEREAS, MDC and the City have been unable to identify sources of funds to close this financial gap; and,

WHEREAS, MDC and the City have also been unable to secure an interest on the part of businesses to locate

within BioLink; and,

WHEREAS, MDC and the City have agreed that it is in the best interest of both parties to terminate the grant for convenience and de-obligate undisbursed grant funds and disburse grant funds for architectural/engineering design and project management; and,

WHEREAS, the EDA will determine the eligible and allowable costs for architectural/engineering design and project management at a later date; and,

WHEREAS, the EDA may reimburse the City for these eligible and allowable costs for architectural/engineering design and project management work; and,

WHEREAS, eligible and allowable costs for architectural/engineering design and project management have been expensed by the City, along with MDC, the Wisconsin Economic Development Corporation, Madison Gas & Electric, and potentially others.

NOW THEREFORE BE IT RESOLVED that the City of Madison Common Council agrees to execute an Offer for Termination and De-obligation of Grant Agreement for Convenience for said Financial Assistance Award #06-79-05491; and,

BE IT FURTHER RESOLVED that the City is authorized to seek reimbursement from the EDA for eligible and allowable costs for architectural/engineering design and project management work expensed by the City; and, on behalf of MDC, Wisconsin Economic Development Corporation, Madison Gas & Electric, and others as may be identified, for eligible and allowable costs expensed by them; and,

BE IT FURTHER RESOLVED that the City is authorized to accept said reimbursement from the EDA; and, in-turn reimburse MDC, Wisconsin Economic Development Corporation, Madison Gas & Electric, and others as may be identified, for their respective shares of the reimbursement; and,

BE IT FINALLY RESOLVED that the Mayor and City Clerk are authorized to execute, deliver, accept and record any and all documents and take such other actions as shall be necessary or desirable to accomplish the purpose of this resolution in a form approved by the City Attorney.