



# City of Madison

City of Madison  
Madison, WI 53703  
www.cityofmadison.com

## Master

**File Number: 30343**

<b>File ID:</b> 30343	<b>File Type:</b> Resolution	<b>Status:</b> Items Referred
<b>Version:</b> 1	<b>Reference:</b>	<b>Controlling Body:</b> BOARD OF ESTIMATES
<b>Lead Referral:</b> TRANSIT AND PARKING COMMISSION	<b>Cost:</b>	<b>File Created Date :</b> 05/24/2013

**File Name:** 2013 Section 5307 Grant

**Final Action:**

**Title:** Authorizing the Transit General Manager to file an application for a Section 5307, public transit capital, capital maintenance, and capital planning grant with U.S. Department of Transportation and authorizing the Mayor and the City Clerk to execute the associated grant agreement with USDOT and the associated 13 (c) agreement with Teamsters Local No. 695.

**Notes:**

**Code Sections:**

**CC Agenda Date:** 06/04/2013

**Indexes:**

**Agenda Number:** F.6.

**Sponsors:** Chris Schmidt and Sue Ellingson

**Effective Date:**

**Attachments:** 2013 Section 5307 Grant Budget.pdf

**Enactment Number:**

**Author:**

**Hearing Date:**

**Entered by:** aschroeder@cityofmadison.com

**Published Date:**

### Approval History

Version	Date	Approver	Action
1	05/28/2013	Daniel Bohrod	Approve

### History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Metro Transit	05/24/2013	Referred for Introduction				
	<b>Action Text:</b>		This Resolution was Referred for Introduction				
	<b>Notes:</b>		Transit and Parking Commission, Board of Estimates				
1	COMMON COUNCIL	06/04/2013	Refer	TRANSIT AND PARKING COMMISSION			Pass

**Action Text:** A motion was made by Resnick, seconded by Clausius, to Refer to the TRANSIT AND PARKING COMMISSION. The motion passed by voice vote/other.

**Notes:** Additional referral to Board of Estimates

1 TRANSIT AND PARKING 06/04/2013 Referred BOARD OF 06/10/2013  
COMMISSION ESTIMATES

**Action Text:** This Resolution was Referred to the BOARD OF ESTIMATES

**Notes:**

1 BOARD OF ESTIMATES 06/10/2013 Return to Lead with TRANSIT AND Pass  
the PARKING  
Recommendation for COMMISSION  
Approval

**Action Text:** A motion was made by Schmidt, seconded by Clausius, to Return to Lead with the Recommendation for Approval to the TRANSIT AND PARKING COMMISSION. The motion passed by voice vote/other.

**Notes:**

1 TRANSIT AND PARKING 06/12/2013  
COMMISSION

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### Text of Legislative File 30343

#### Fiscal Note

Funds under this grant will be used to support the Transit Division Capital and Operating budgets. Up to 80% of the total project cost of \$8,671,441 is funded by USDOT/FTA with the remaining 20% local share (\$1,734,288.) to be funded from general obligation debt and operating funds included in the Transit Utility's Capital and Operating budgets.

The separate 13c agreement is a required precondition for receiving Federal grant funds. Any costs associated with the 13(c) agreement are included in the Transit Division operating budget.

#### Title

Authorizing the Transit General Manager to file an application for a Section 5307, public transit capital, capital maintenance, and capital planning grant with U.S. Department of Transportation and authorizing the Mayor and the City Clerk to execute the associated grant agreement with USDOT and the associated 13 (c) agreement with Teamsters Local No. 695.

#### Body

##### PREAMBLE

Under the Urbanized Area Formula program of 49 United States Code 5307, funds are made available for capital and operating assistance and transportation-related planning projects. As an urbanized area, the City of Madison receives from the U.S. Congress an apportionment for use by Madison Metro. Metro will use its funds for capital leasing, preventive maintenance costs, ADA Paratransit service costs, capital costs for Paratransit low-floor buses, additional security equipment, IT hardware & software, Support Vehicles, Shop equipment, and planning costs associated with the Metropolitan Planning Organization as included in the Transit Division capital and operating budgets.

**WHEREAS**, FTA has been delegated authority to award Federal financial assistance for a transportation project; and

**WHEREAS**, grants for financial assistance will impose certain obligations upon the City of Madison, including the provision of the local share of the project costs; and

**WHEREAS**, as a condition of the assistance, the City of Madison must provide all annual certifications and assurances required by FTA and negotiate an agreement relating to the protection of mass transit employees under the provisions of Section 5333(b), formerly Section 13 (c) of the Federal Transit Act, as amended; and

**WHEREAS**, the U.S. Department of Transportation's Master Agreement contains a provision which requires the City to indemnify, save and hold harmless the Federal Government against any liability, including costs and expenses, resulting from any willful or intentional violation by the City of Proprietary rights, copyrights, or right of privacy, arising out of the publication, translation, reproduction, delivery, use, or disposition of any data furnished under the projects; and

**WHEREAS**, pursuant to APM 1-1, the inclusion of such a provision requires the express approval of the Common Council,

**NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF MADISON:**

1. That the Transit General Manager is authorized to execute and file applications for capital and planning assistance on behalf of the City of Madison with FTA for Federal assistance authorized by Title 23 and Chapter 53 of Title 49, United States Code, or other Federal Statutes authorizing the above-mentioned projects set forth in the preamble and administered by FTA.
2. That the Transit General Manager is authorized to execute and file with such applications the annual certifications and assurances and other documents FTA requires before awarding a financial assistance grant.
3. That, in accordance with 3.58 of the MGO, the Transit General Manager, in conjunction with the Affirmative Action Director, is authorized to set forth and execute affirmative disadvantaged business policies in connection with the procurement needs of the grant's projects.
4. That the Mayor and City Clerk are authorized to execute grant agreements for the aforementioned applications.
5. That the agreements with FTA will contain indemnification provisions negotiated by and acceptable to Metro staff, the City Attorney and the Risk Manager.
6. That while the indemnification clause increases the City's exposure to risk; the City has coverage for indemnification clauses under its current insurance policy, subject to the policy's terms and conditions.
7. That the Mayor and City Clerk are authorized to execute agreements pursuant to Section 5333 (b) under the Federal Transit Act, as amended, between the City of Madison, Wisconsin and Drivers, Salesmen, Warehousemen, Milk Processors, Cannery, Dairy Employees and Helpers Union Local 695, affiliated with the International Brotherhood of Teamsters, Chauffeurs, Warehousemen and Helpers of America, with reference to this grant application.

Please see the attached document "2013 Section 5307 Grant Budget."