



Legislation Text

File #: 16674, **Version:** 1

Fiscal Note

Funding of \$150,000 for the project is included in the Metro Transit 2010 Adopted Capital budget, project #2, "Building Remodeling Projects."

Title

Authorizing the Transit General Manager to file an application for Urbanized area Capital Assistance, public transit Stimulus ARRA (American Recovery & Reinvestment Act), Transit Investments for Greenhouse Gas and Energy Reduction (TIGGER) program 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 American Recovery and Reinvestment Act of 2009, capital funds are made available for transit systems Capital Assistance under Section 77 Transit Investments for Greenhouse Gas and Energy Reduction (TIGGER) program. Upon proposal evaluation, the City of Madison received an allocation from the U.S. Department of Transportation for use by Metro Transit. Metro will use the funds for capital costs of replacement of the Maintenance/Bus Storage Facility Lighting system.

WHEREAS, FTA has been delegated authority to award Federal financial assistance for a transportation project; 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 amendments to applications for capital, planning assistance and operating 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 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.

PROJECT DESCRIPTION	TOTAL COST	FTA SHARE	LOCAL SHARE
Maintenance/Bus Storage Lighting	\$ 150,000.	\$ 150,000.	\$ 00.
	\$ 150,000.	\$ 150,000.	\$ 00.