



Legislation Text

File #: 01050, **Version:** 1

Fiscal Note

This grant, for the maximum amount of \$111,840, would pay for 50% of the net operating cost of providing new commuter service between Madison and Verona for a two year period beginning in August, 2005. The balance of the net service cost would be paid for by the City of Verona, through a separate contractual agreement with the City of Madison. There would be no net cost impact to Metro Transit or the City of Madison.

Title

Authorizing the Mayor and the City Clerk to execute a grant agreement with the Wisconsin Department of Transportation for a Reverse Commute grant in connection with proposed commuter service to the City of Verona.

Body

PREAMBLE

On February 22, 2005, Common Council adopted RES-05-00188, whereby the Transit General Manager was authorized to prepare and file an application for a Reverse Commute grant with the Wisconsin Department of Transportation (WisDOT) in connection with the proposed commuter service to the City of Verona, and authorizing the Mayor to sign the application. The resolution had previously been referred to and approved by the Transit and Parking Commission and the Board of Estimates.

Under USC 49, Section 2027, federal funds are available through Reverse Commute grants to initiate transit services for workers at suburban job sites. This grant, in the maximum amount of \$111,840, would pay for 50% of the net operating cost of providing new commuter service between Madison and Verona for a two year period beginning in August, 2005. The balance of the net service cost would be paid for by the City of Verona, through a separate contractual agreement with the City of Madison. Metro has been advised by WisDOT that the City has been awarded such a grant covering the period of July 1, 2005 through June 30, 2007 for a maximum amount of \$111,840.

WHEREAS, the Wisconsin Department of Transportation has been delegated authority to award Federal financial assistance for a transportation project; and

WHEREAS the Transit and Parking Commission, the Board of Estimates and the Common Council have already approved the application for the grant logically anticipating accepting the grant if awarded;

WHEREAS, the WisDOT Reverse Commute Contract contains a provision which requires the City to hold harmless the State of Wisconsin, WisDOT, all its officers, employees, and agents against any and all liability claims and costs of whatever kind and nature occurring in connection with or in any way incident to the City's operations or performance or lack of performance under the contract or in any way connected with the acts or omissions of the City or its officers, employees, or agents;

WHEREAS the contract incorporates a similar indemnification requirements under the Federal Regulations with respect to the Federal Government; 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 Mayor and City Clerk are authorized to execute a grant agreement for the aforementioned application for the maximum amount of \$111,840.
2. That the agreement with the Wisconsin Department of Transportation will contain indemnification provisions acceptable to Metro staff, the City Attorney and the Risk Manager.
3. That the Risk Manager is instructed to purchase appropriate insurance to protect the City from the risk imposed by the indemnification provisions in the event it is concluded that such is not already covered under existing policies as an insured contract.