



## Legislation Text

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File #: 49545, Version: 1

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### Fiscal Note

The proposed resolution awards the Low-No Emission Grant to Metro Transit and amends the adopted 2018 capital budget to accept \$1,278,950 of federal funding and \$31,000 of private contribution funds within the Transit Coaches capital program in 2018. Funds under this grant will be used to support the Transit Coaches program within the Metro Transit Capital budget to purchase three electric buses and pay for project management assistance. Up to 90% of the total cost of the electric buses (\$1,278,950) is funded by USDOT/FTA with the remaining local share to be funded from a contribution from MG&E (\$31,000) and budgeted general obligation debt (\$187,050) in the adopted 2018 Transit Coaches capital program. The resolution has no 2018 operating budget impact as the electric buses will be delivered for operation in the 2019 fiscal year; operating costs of the the electric buses are anticipated budget neutral.

The proposed resolution also authorizes the sole source agreement for the electric bus delivery and project management with the Center for Transportation and Environment (CTE) and Proterra as planned in the grant application and award.

### Title

Authorizing the Transit General Manager to file an application for a Section 5339 Low-No Emission Grant with U.S. Department of Transportation and authorizing the Mayor and the City Clerk to execute the associated grant agreement with USDOT, the associated sole source agreements with the project partners, Center for Transportation and the Environment (CTE) and Proterra and execute the required 13 (c) agreement with Teamsters Local No. 695, and accepting the grant award and amending the 2018 adopted capital budget to add \$1,278,950 of federal funding and \$31,000 of private contribution funds to the Transit Coaches capital program.

### Body

#### PREAMBLE

The Low or No Emission Competitive program provides funding to state and local governmental authorities for the purchase or lease of zero-emission and low-emission transit buses as well as acquisition, construction, and leasing of required supporting facilities. Under 49 U.S.C. 5339 (c)/FAST Act Section 3017, \$55 million in funds were made available for this program. The City of Madison was awarded \$1,278,950 to purchase 3 Proterra 40' battery electric buses and related equipment that will replace diesel buses. The project will begin the fleet transition to all electric buses. The City of Madison has a goal to convert the fleet to 50% electric by 2035. CTE assisted with the grant application and will provide project management and technical assistance for our Electric Bus Deployment project.

This resolution amends the 2018 adopted capital budget to add the awarded federal funding and contribution from Madison Gas & Electric (MGE) to the Transit Coaches program in 2018.

**WHEREAS**, The United States Department of Transportation recently awarded the City of Madison's Metro Transit Division a highly competitive Low or No Emission grant to support the deployment of electric buses and start the transition to an all-electric bus fleet as the City of Madison has a goal to convert the fleet to 50% electric by 2035; and

**WHEREAS**, under this grant award, City of Madison will partner with Center for Transportation and the Environment (CTE), and Proterra for their knowledge and expertise in project management, technical acumen and necessary equipment and execute sole source agreements based on our grant application and budget;

and

**WHEREAS**, amends the 2018 adopted capital budget to add \$1,278,950 of the grant award federal funding and the contribution from Madison Gas & Electric (MGE) (\$31,000) to Metro's Transit Coaches capital program in 2018. The existing budgeted GO Borrowing appropriated to the Transit Coaches capital program will provide \$187,050 used as local match to the Federal grant award; 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 assistance for the Low or No Emission Grant program on behalf of the City of Madison with FTA for Federal assistance authorized by 49 U.S.C. 5339 (c)/FAST Act Section 3017, or other Federal Statutes authorizing the above-mentioned projects set forth in the preamble and administered by FTA.
2. City of Madison will partner with Center for Transportation and the Environment (CTE), and Proterra for their knowledge and expertise in project management, technical acumen and necessary equipment and execute sole source agreements based on our grant application and budget.
3. That the 2018 adopted capital budget be amended to add \$1,278,950 of awarded federal funding and the contribution from Madison Gas & Electric (MGE) (\$31,000) to the Transit Coaches capital program in 2018.
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.