Legislation Details (With Text)

File #:	30341	**Version:**	1	**Name:**	2013 Section 5337 Grant
Type:	Resolution			**Status:**	Passed
File created:	5/24/2013			**In control:**	BOARD OF ESTIMATES (ended 4/2017)
On agenda:	6/18/2013			**Final action:**	6/18/2013
Enactment date:	6/19/2013			**Enactment #:**	RES-13-00502

Title: Authorizing the Transit General Manager to file an application for a Section 5337 State of Good Repair Formula public transit capital 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.

Sponsors: Chris Schmidt, Sue Ellingson

Indexes:

Code sections:

Attachments: 1. 2013 Section 5337 Grant Budget.pdf

Date	Ver.	Action By	Action	Result
6/18/2013	1	COMMON COUNCIL	Adopt	Pass
6/12/2013	1	TRANSIT AND PARKING COMMISSION (ended 06/2018)	RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER	Pass
6/10/2013	1	BOARD OF ESTIMATES (ended 4/2017)	Return to Lead with the Recommendation for Approval	Pass
6/4/2013	1	TRANSIT AND PARKING COMMISSION (ended 06/2018)	Referred	
6/4/2013	1	COMMON COUNCIL	Refer	Pass
5/24/2013	1	Metro Transit	Referred for Introduction	

Fiscal Note

Funds under this grant will be used to support the Transit Division Capital budget. Up to 80% of the total project cost of $631,788 is funded by USDOT/FTA with the remaining 20% local share ($126,358) to be funded with general obligation debt, which is included in the Transit Utility's Capital budget.

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 5337 State of Good Repair Formula public transit capital 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 Section 5337 (formerly known as Section 3 of the Federal Transit Act, as amended), capital funds are available for transit system capital improvements. Metro will use these funds to purchase buses to replace older buses still in service. The local share is funded in the Metro Capital budget.

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 transitemployees 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 5337 Grant Budget."