



Legislation Text

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Fiscal Note

Funds under this grant will be used to support the Transit Division Capital budget. Up to 50% of the total bus project cost of \$8,610,000.00 is funded by USDOT/FTA with the remaining 50% local share (\$4,305,000.00) to be funded with general obligation debt, which is included in the Transit Utility's Capital budget. For the YWCA JobRide van project, up to 80% of the total project cost of \$165,000.00 is funded by USDOT/FTA with the remaining 20% local share (\$33,000.00) to be funded by the YWCA's 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 Surface Transportation Program (STP) capital 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 13 (c) agreement with Teamsters Local No. 695 and associated subrecipient agreements with the YWCA Inc.

Body

PREAMBLE

Section 1108 of the Moving Ahead for Progress in the 21st Century Act (MAP-21) establishes the Surface Transportation Program (STP) under 23 U.S.C. 133. Section 1105 of MAP-21 provides for the apportionment of funds under 23 U.S.C. 104.

WHEREAS, 23 U.S.C. § 133(b) specifically authorizes funding for capital purchases related to transit projects as defined under 49 U.S.C. Chapter 53 and carpool projects, which is defined and explained by 23 U.S.C. § 101(a)(3) and 23 U.S.C. §146 (a). Capital funds are available for transit system capital improvements. Metro will use these funds to purchase buses to replace older buses still in service and assist the YWCA with the purchase of replacement vans for their JobRide program. The local share for the bus project is funded in the Metro Capital budget and the YWCA will be responsible for the local share for their van project.

WHEREAS, as the direct recipient, Metro Transit is responsible for administering grant agreements with eligible third-party subrecipients; and

WHEREAS, eligible projects for the Madison metropolitan area are selected annually by the Madison Area Transportation Planning Board - a Metropolitan Planning Organization; and

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.
8. That the Mayor of the City of Madison may execute Subrecipient Agreements with the YWCA Inc. for the purposes of disbursing STP funding.

Please see the attached STP Grant Budget document.