



Legislation Text

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The proposed resolution amends Metro Transit's 2021 adopted operating budget to appropriate \$75,811 in supplemental awards associated with the Coronavirus Response and Relief Supplemental Appropriations Act and the American Rescue Plan Act. These grant funds are intended to support the mobility needs of seniors and people with disabilities. The funds will be passed through to subrecipients for projects selected by the Greater Madison MPO. The City of Madison will retain \$6,892 of the award for administration costs. Amending the 2021 Adopted Operating Budget for Metro Transit to accept a \$75,811 in grant funds from the Federal Transit Administration and to pass through funds to subrecipients. Authorizing the Transit General Manager to file an application for CRRSA and ARP Act Stimulus Section 5310 Grants for Enhanced Mobility of Seniors & Individuals with Disabilities operating assistance in response to the COVID-19 pandemic 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 authorizing Metro Transit to pass through funding as approved in the Program of Projects.

PREAMBLE

The Coronavirus Response and Relief Supplemental Appropriations Act of 2021 (CRRSAA) (H.R. 133), signed by President Donald J. Trump on December 27, 2020 and the American Rescue Plan (ARP) Act of 2021, signed into law on March 11, 2021 are made available for operating assistance to help the nation's public transportation systems respond to the Coronavirus Disease 2019 (COVID-19). The City of Madison receives from the U.S. Congress an apportionment based on the Section 5310 program. This grant will be pass through funds to support programs enhancing public transportation for seniors and people with disabilities. 100% of the total project cost is funded by USDOT/FTA through this grant program. In addition, Metro Transit will be reimbursed for Grant Administration by USDOT/FTA. Please see the attached document "Section 5310 Program of Projects" for a full budget breakdown.

WHEREAS, FTA has been delegated authority to award Federal financial assistance for a transportation project; and

WHEREAS, FTA is allocating \$50 million to recipients of CRRSAA Enhanced Mobility of Seniors and Individuals with Disabilities (49 USC 5310) funding. Based on the 5310 program calculations, the City of Madison was apportioned \$54,368.

WHEREAS, FTA is allocating \$50 million to recipients of ARP Act Enhanced Mobility of Seniors and Individuals with Disabilities (49 USC 5310) funding. Based on the 5310 program calculations, the City of Madison was apportioned \$54,368. Of this amount, \$21,443 was awarded in 2021 with the remaining funds be carried over into a subsequent round of subrecipient applications conducted by the MPO.

WHEREAS, the Madison Area Transportation Planning Board (TPB) - An MPO, adopted Resolution TPB No. 84 on November 13, 2013 supporting the designation of the City of Madison - Metro Transit as the recipient for federal Section 5310 Enhanced Mobility of Seniors and Individuals with Disabilities Program funds; and

WHEREAS, Governor Walker designated the City of Madison - Metro Transit as the recipient of Section 5310 Program funds for the Madison Urbanized Area via letter to the Federal Transit Administration on December 9, 2013; and

WHEREAS, the Madison Area TPB, in conjunction with the City of Madison - Metro Transit has developed the Program Management and Recipient Coordination Plan with input from the Wisconsin Department of

Transportation, Bureau of Transit and the Program of Projects (attached) to receive funding; and

WHEREAS, the Greater Madison MPO approved the Section 5310 Program of Projects for the Supplemental 2021 Funding (CRRSAA and ARPA) on May 5, 2021;

WHEREAS, Funding will be provided at a 100-percent federal share, with no local match required, and will be available to support operating, and other expenses generally eligible under those programs to prevent, prepare for, and respond to COVID-19.

WHEREAS, Operating expenses incurred beginning on January 20, 2020 are eligible for 5310 public transportation providers nationwide to maintain transit services as well as cover transit personnel costs due to reduced operations during an emergency.

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. The 2021 Adopted Operating Budget for Metro Transit is amended to appropriate \$75,811 from federal sources and pass through funds to the subrecipients.
2. That the Transit General Manager is authorized to execute and file applications for Stimulus Section 5310 operating assistance for the Coronavirus Response and Relief Supplemental Appropriations Act of 2021 (CRRSAA) 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.
3. That the Transit General Manager is authorized to execute and file applications for Stimulus Section 5310 operating assistance for the American Rescue Plan (ARP) Act of 2021 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.
4. 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.
5. That the Mayor and City Clerk are authorized to execute grant agreements for the aforementioned Applications.
6. That the agreements with FTA will contain indemnification provisions negotiated by and acceptable to Metro staff, the City Attorney and the Risk Manager.
7. 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.
8. That the Mayor of the City of Madison may execute Subrecipient Agreements with subrecipients for the purposes of disbursing Stimulus Section 5310 operating assistance funding.
9. 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.