



Legislation Text

File #: 73466, **Version:** 1

Fiscal Note

The proposed resolution authorizes the application and execution of a grant agreement for \$6.4 million in funds from the U.S. Department of Transportation. These funds will be used to support remodeling work at Metro's 1101 East Washington facility. The grant funds and local match are included within the 2023 Executive Capital Budget within Metro Transit's Facilities Repairs and Improvement capital program.

Title

Authorizing the Transit General Manager to file an application for a Section 5339 Buses and Bus Facilities Discretionary 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 13(c) agreement with Teamsters Local No. 695.

Body

The Section 5339 Buses and Bus Facilities Discretionary program provides funding to state and local governmental authorities for the purchase or lease of transit buses as well as acquisition, construction, and leasing of required supporting facilities. Under 49 U.S.C. 5339 (b)/FAST Act Section 3017, \$409.59 million in funds were made available for this program. The City of Madison was awarded \$6.4 million to fund phase 3B of the multi-phase remodeling work at Metro's maintenance facility located at 1 S. Ingersoll Street that includes administrative offices, dispatch offices, locker rooms, bathrooms and over half the bus maintenance bays that will improve safety, equity and efficiency at this core transit facility.

WHEREAS, The United States Department of Transportation recently awarded the City of Madison's Metro Transit Division a highly competitive Section 5339 Buses and Bus Facilities Discretionary grant to support the renovations and necessary upgrades at Metro's maintenance facility to improve safety, equity and efficiency at this core transit facility; and

WHEREAS, Resolution 67884 passed on November 16, 2021 Supporting Madison Metro's 5339b Grant Application to Federal Transit Administration indicated that "if the Federal Transit Administration awards the City of Madison a grant of up to \$8.4 million for renovations at Metro's maintenance facility, the City of Madison would provide the match funds required, up to \$2.1 million"; 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 Section 5339 Buses and Bus Facilities Discretionary Grant program on behalf of the City of Madison with FTA for Federal assistance authorized by 49 U.S.C. 5339 (b)/FAST Act Section 3017, or other Federal Statutes authorizing the above-mentioned projects set forth in the preamble and administered by FTA.
2. That the Mayor and City Clerk are authorized to execute grant agreements for the aforementioned applications.
3. That the agreements with FTA will contain indemnification provisions negotiated by and acceptable to Metro staff, the City Attorney and the Risk Manager.
4. 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.
5. 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.