



Legislation Text

File #: 2141-2023, **Version:** 1

1. BACKGROUND

The United States Department of Transportation (USDOT) has issued a Notice of Funding Opportunity (NOFO) for approximately \$5.5 billion in discretionary grant funding through the Multimodal Project Discretionary Grant Opportunity (MPDG). The MPDG opportunity contains three grant programs: the National Infrastructure Project Assistance grants program (Mega), the Nationally Significant Multimodal Freight and Highways Projects grants program (INFRA), and the Rural Surface Transportation Grant program (Rural). USDOT is combining the FY 2023 and FY 2024 allocations for Mega, INFRA, and Rural into a single opportunity. USDOT anticipates awarding the following approximate amounts for each program: Mega - \$1.8 billion, INFRA - \$3.1 billion, and Rural - \$650 million. This is the second time USDOT has used the MPDG to award funding for Mega, INFRA, and Rural. The NOFO was released on June 26, 2023 and will remain open only through August 21, 2023.

The City meets the criteria to be eligible to submit an application under the MPDG, and receive funding through either the Mega or INFRA grant programs. The Department of Public Service is working on a MPDG opportunity application with the Ohio Department of Transportation (ODOT) in support of the ongoing I-70/I-71 Columbus Crossroads project and related local projects. This application would focus on Phases 2D and 3, and it would include improvements not only to the mainline freeway, but also to related portions of Lester Drive; Elijah Pierce Avenue; Parson Avenue; and Main Street. It would also replace the Oak Street Bridge, Town Street Bridge, Main Street Bridge, and Parsons Avenue Bridge. The City has previously partnered with MORPC and ODOT on a successful INFRA application for Phase 4 of the Columbus Crossroads project in 2021. ODOT is the lead agency responsible for the construction of this work, which will cost approximately \$187 million.

This legislation will authorize the Director of Public Service to formally submit an application under the MPDG opportunity as either the lead applicant or joint applicant. It also authorizes the execution of agreements with USDOT, ODOT, or others in connection with the application for the grant, the award of the grant, the expenditure of grant funds, and the return of unused grant funds if any should remain at the end of the grant.

2. FISCAL IMPACT

Mega and INFRA grants may be used for up to sixty percent (60%) of future eligible project costs. No financial participation is required at this time. City funds will be approved in the form of design contracts and/or construction contracts that will be or have been submitted for Council's approval.

3. EMERGENCY DESIGNATION

Emergency action is requested to provide the Department of Public Service with the authorization to proceed with an application prior to the application period's deadline of August 21, 2023.

To authorize the Director of the Department of Public Service to solely or jointly submit a grant application to the United States Department of Transportation through the Multimodal Project Discretionary Grant Opportunity; to authorize the execution of grant and other requisite agreements with the United States Department of Transportation and other entities providing for the acceptance and administration of said grant award on behalf of the City of Columbus Department of Public Service; to authorize the expenditure of any awarded funds and the refund of any unused funds; and to declare an emergency. (\$0.00)

WHEREAS, the United States Department of Transportation (USDOT) announced the second round of the Multimodal Project Discretionary Grant Opportunity, which is an opportunity to award discretionary funds on a competitive basis; and

WHEREAS, USDOT is accepting applications for the FY 2023-24 funding round through August 21, 2023; and

WHEREAS, the City intends to partner with other interested stakeholders, including the Ohio Department of Transportation (ODOT), to submit a funding application for the I-70/I-71 Columbus Crossroads project and related local projects; and

WHEREAS, the interested stakeholders have yet to identify the most appropriate lead applicant and primary award beneficiary, but the City of Columbus will be involved in the application process and the use of the funds if awarded; and

WHEREAS, City Council approval is needed to apply for and accept the grant funding; and

WHEREAS, an emergency exists in the usual daily operation of the Department of Public Service in that it is immediately necessary to authorize the Director to prepare and submit the aforesaid grant application prior to the end of the application period, for the public health, safety and welfare; **NOW, THEREFORE**,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

SECTION 1. That the Director of Public Service be and is hereby authorized to solely or jointly submit an MPDG application for a grant from USDOT; to accept said grant, if awarded; and to execute a grant agreement and any other documents necessary to effectuate said application, acceptance, or agreement on behalf of the Department of Public Service.

SECTION 2. That the Director of Public Service be and hereby is authorized to identify ODOT as the primary recipient of any grant award received through this opportunity, and to execute any agreement or other documents necessary to effectuate designating ODOT as the primary award recipient if the final application scope involves work where the Ohio Department of Transportation is the primary agency responsible for construction.

SECTION 3. That the Director of Public Service be and hereby is authorized to execute any agreement or other documents necessary to effectuate the MPDG application if a more appropriate lead applicant is identified to submit an application to USDOT concerning the I-70/I-71 Columbus Crossroads project and related local projects.

SECTION 4. That the Department of Public Service be and hereby is authorized to expend any awarded grant funds in accordance with the terms and conditions of said grant.

SECTION 5. That, at the end of the grant period, or upon request of the grantor, any repayment of unencumbered balances required by the grantor is hereby authorized and any unused City match monies may be transferred back to the City fund from which they originated in accordance with all applicable grant agreements.

SECTION 6. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor or ten days after passage if the Mayor neither approves nor vetoes the same.