Legislation Details (With Text)

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On agenda:	2/11/2019	**Final action:**	2/13/2019
Title:	To authorize the Director of Public Service to solely or jointly apply for an Infrastructure for Rebuilding America Program Grant from the United States Department of Transportation; 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)		
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Date	Ver.	Action By	Action	Result
2/13/2019	1	CITY CLERK	Attest	
2/12/2019	1	MAYOR	Signed	
2/11/2019	1	COUNCIL PRESIDENT	Signed	
2/11/2019	1	Columbus City Council	Approved	Pass

1. BACKGROUND

The United States Department of Transportation (USDOT) has issued a Notice of Funding Opportunity for approximately $900 million in discretionary grant funding through the Infrastructure for Rebuilding America (INFRA) grant program. This is the second round of funding for the INFRA grant program.

The INFRA grant program provides federal financial assistance to highway and freight projects of national or regional significance. To maximize the value of FY 2019 INFRA funds for all Americans, USDOT is focusing the competition on transportation infrastructure projects that support four key objectives: (1) economic vitality at the national and regional level; (2) leveraging federal funding to attract non-federal sources of infrastructure investment; (3) deploying innovative technology, encouraging innovative approaches to project delivery, and incentivizing the use of innovative financing; and (4) holding grant recipients accountable for their performance.

The FAST Act authorizes the INFRA grant program at $4.5 billion for fiscal years (FY) 2016 through 2020, including up to $950 million for FY 2019, to be awarded by USDOT on a competitive basis to projects of national or regional significance that meet statutory requirements. For this round of INFRA grants, $5 million is the minimum grant award for a small project, and $25 million is the minimum award for a large project. The minimum project size for large projects is the lesser of $100 million; 30 percent (30%) of a state's FY 2018 federal-aid apportionment if the project is located in one state; or 50 percent (50%) of the larger participating state's FY 2018 apportionment for projects located in more than one state.

Eligible applicants for INFRA grants are: (1) a state or group of states; (2) a metropolitan planning organization that serves an Urbanized Area (as defined by the Bureau of the Census) with a population of more than 200,000 individuals; (3) a unit of local government or group of local governments; (4) a political subdivision of a state or local government; (5) a special purpose district or public authority with a transportation function, including a port authority; (6) a federal

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land management agency that applies jointly with a state or group of states; (7) a tribal government or a consortium of tribal governments; or (8) a multi-state or multi-jurisdictional group of public entities. Applications are due by March 4, 2019.

The City meets the criteria to be eligible to submit an INFRA program grant application. The Department of Public Service is working with the Department of Development as well as the Mid-Ohio Regional Planning Commission (MORPC) and the Ohio Department of Transportation (ODOT) regarding an INFRA program grant application in support of the ongoing I-70/I-71 Columbus Crossroads project and related local projects. The City partnered with MORPC and ODOT to submit a BUILD application in July 2018 in support of the Columbus Crossroads project. Although it was ultimately not selected for funding, the application was well-received. The Department of Public Service has confirmed that MORPC and ODOT would be willing to support an INFRA application for the Columbus Crossroads project.

The precise scope is still being finalized, but it would likely include the same phasing as the previous BUILD application: Phase 4R - improve the I-70 eastbound approach and ramps into Downtown, and rebuild the Front Street Bridge; Phase 4B - complete the South Innerbelt Trench, rebuild the Third Street Bridge, and rebuild the Fourth Street Bridge; and Phase 4H - rebuild the High Street Bridge. ODOT is the lead agency responsible for the construction of these three phases.

This legislation will authorize the Director of Public Service to formally apply for an INFRA program grant. 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
INFRA grants may be used for up to sixty percent (60%) of future eligible project costs. No financial participation is required at this time. The encumbrance and expenditure of 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 prepare and submit a grant application prior to the end of the application period.

To authorize the Director of Public Service to solely or jointly apply for an Infrastructure for Rebuilding America Program Grant from the United States Department of Transportation; 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 funding for the Infrastructure for Rebuilding America (INFRA) program, which awards federal financial assistance to highway and freight projects of national or regional significance on a competitive basis; and

WHEREAS, USDOT is accepting applications for the FY 2019 funding round through March 4, 2019; 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 application for a grant from USDOT's INFRA program; 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 the INFRA grant award, 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 INFRA grant 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.

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