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Title: Resolution relating to Amendment 3 to the Freight Railroad Preservation Program grant agreement between Port Milwaukee and the Wisconsin Department of Transportation and to the acceptance, funding and expenditure of additional grant funds awarded to Port Milwaukee in conjunction with this Amendment.

Sponsors: THE CHAIR

Indexes: GRANTS, PORT OF MILWAUKEE, RAILROADS, WISCONSIN DEPARTMENT OF TRANSPORTATION

Attachments: 1. FRPP 1st Amendment - Executed.pdf, 2. FRPP 2nd Amendment - Executed.pdf, 3. FRPP 3rd Amendment - Capital Grant Resolution Certification (Comptroller).pdf, 4. FRPP 3rd Amendment - Pending Approval.pdf, 5. FRPP Agreement - Executed.pdf

Date	Ver.	Action By	Action	Result	Tally
3/22/2022	0	COMMON COUNCIL	ASSIGNED TO		
4/7/2022	0	PUBLIC WORKS COMMITTEE	RECOMMENDED FOR ADOPTION	Pass	5:0
4/19/2022	0	COMMON COUNCIL	ADOPTED	Pass	13:0
4/27/2022	0	MAYOR	SIGNED		

211845
ORIGINAL
170254
THE CHAIR

Resolution relating to Amendment 3 to the Freight Railroad Preservation Program grant agreement between Port Milwaukee and the Wisconsin Department of Transportation and to the acceptance, funding and expenditure of additional grant funds awarded to Port Milwaukee in conjunction with this Amendment.

This resolution approves Amendment 3 to the Freight Railroad Preservation Program Grant agreement between Port Milwaukee and the Wisconsin Department of Transportation. The Amendment will add additional rail crossings and track connections to the project work plan, extend the project completion deadline, and increase the project budget and funding amount by \$2,224,600, to a full amount of \$4,429,000. The resolution also authorizes Port Milwaukee to accept, fund and expend the additional grant funds and to execute the necessary documents.

Whereas, Port Milwaukee strengthens the overall economic and social environment of the City of Milwaukee and the Great Lakes region by increasing international trade, business development, and job creation; and

Whereas, Port Milwaukee generates \$100 million in local economic activity and regional business revenue annually through its ongoing commercial, cruise ship and multimodal activity in Milwaukee; and

Whereas, Port Milwaukee is responsible for the maintenance, repair and replacement of its capital assets and transportation infrastructure; and

Whereas, In 2021, Port Milwaukee established a new Capital Asset Renewal Plan (CARP), which institutes a long-term maintenance and replacement schedule for Port facilities and infrastructure; and

Whereas, The CARP found that the current placement value (CPV) of all Port-operated and owned capital assets is over \$190 million, and the total 50-year renewal costs for Port capital assets is over \$202 million, or approximately \$4 million annually; and

Whereas, Port Milwaukee owns and maintains approximately 14 miles of railroad track connecting Port domestic and international terminals to two Class 1 railroads, Union Pacific (UP) and Canadian Pacific (CP), both providing delivery service to and from the Port; and

Whereas; In order to accommodate the expanded safe, secure and efficient use of Port-owned rail by UP and CP, additional rail crossings, track, and turnouts were identified in the CARP; and

Whereas, The crossings of Port Milwaukee-owned track consist of rail that is of a size which is lower than industry standard and is inadequate to withstand, over the long-term, current weight load demands; and

Whereas; On June 20, 2017, the Common Council adopted File Number 170254, a resolution authorizing Port Milwaukee to apply for, accept, and fund a Freight Railroad Preservation Program grant from the Wisconsin Department of Transportation, Bureau of Railroad & Harbors in the amount of \$1,763,520 in connection with the rehabilitation of Port Milwaukee railroad crossings on Port-owned railroad track; and

Whereas; The first amendment to the grant agreement was a no-cost extension allowing additional time for completion of project work; and

Whereas; The second amendment to the grant agreement was a no-cost extension that also slightly amended the project plan; and

Whereas; Amendment 3 to the grant amendment, a copy of which is attached to and made a part of this Common Council file, will allow the Port to address additional rail crossings and track connections that were not previously included in the work plan; and

Whereas, Amendment 3 will also extend the project completion deadline and increase the project budget and funding amount by \$2,224,600, to a full amount of \$4,429,000; and

Whereas, \$1,779,680 (80%) of the amendment cost will be provided by WisDOT (grantor share) and \$444,920 (20%) of the amendment cost will be provided in the Port 2022 Budget (Project 180130402 - Rail Track & Service Upgrades, Taxable) as previously approved by the Common Council; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that Port Milwaukee is authorized to accept the attached Amendment 3 to Agreement 0497-70-79 between Port Milwaukee and the Wisconsin Department of Transportation in accordance with the terms of said agreement, as

previously amended, without further Common Council approval unless the terms of the grant change in a manner described in s. 304-81 of the Milwaukee Code of Ordinances; and be it

Further Resolved, That the City Comptroller is hereby authorized to add within the Capital Improvement Fund, Grant and Aid Projects, an additional \$1,779,680 for this project and to transfer to these accounts the amount required under the grant agreement and City Accounting Policy as follows:

State I.D. 0497-70-79
Port Milwaukee - Rehabilitation of Railroad Crossings
City Share - Rail Track & Service Upgrades, Taxable
PT180130402
Fund 0481
\$444,920

Grantor Reimbursable Fund Rehab Railroad Crossings
SP032220100
Fund 0306
\$1,779,680
Total project costs previously authorized \$2,204,000
Current estimated cost of total project, including this resolution, \$4,429,000
Original estimated cost of total project \$2,204,000

; and, be it

Further Resolved, That Port Milwaukee is authorized to expend these funds for the specified purpose as indicated in the amended grant agreement; and, be it

Further Resolved; That the Municipal Port Director, as representative of the Board of Harbor Commissioners, is authorized to sign agreements, forms, claims, and other required documents binding upon said Board in connection with the acceptance and administration of this grant, as amended; and be it

Further Resolved; That the proper City officials are directed to execute Amendment 3 to Agreement 0497-70-79, as previously amended, by and between Port Milwaukee and the Wisconsin Department of Transportation on behalf of the City of Milwaukee.

Port Milwaukee
LRB177296-1
Adam Tindall-Schlicht/Jeff Osterman
03/10/2022