



## Legislation Text

---

**File #:** 11-0341, **Version:** 1

---

Resolution to Approve an Agreement with the United States Department of Transportation, Federal Highway Administration for the E. Stadium Boulevard Bridges Replacement and Improvements Project

Attached for your review and approval, please find a resolution approving the Grant Agreement between the United States Department of Transportation (USDOT) and the City of Ann Arbor for the subject project. We have also provided you a project status report and our anticipated schedule to ready the project for construction.

### TIGER II Grant Agreement

The attached resolution that is presented to you approves the TIGER II Grant Agreement. It is necessary to approve this agreement in order to move forward with the construction of the project. The agreement outlines the terms and conditions that the City must fulfill in order to receive the funding.

The Grant Agreement itself contains several sections that detail its Terms and Conditions; Grantee and Project information; Reporting Requirements; Special Requirements (which there are none for this project); Terms in which the Agreement can be terminated, expire, or modified; and, Awarding and Executing the Grant. The agreement also defines the work to be performed, the project schedule and budget, and the chosen reporting requirements. Finally, the agreement also contains several other exhibits that define the legislative authority of the agreement, detailed terms and conditions, applicable federal laws and regulations, required grant assurances that the we are required to make and/or follow, our responsibility and authority, how project costs will be reimbursed, clauses that must be placed in contracts, and quarterly performance reports.

An important and unique element of this Grant is the preparation of a Pre- and Post- Project Report that outlines the conditions that existed before and after the project in order to report on how effectively the funding was utilized. Also, we are obligated to report on certain Performance Measures associated with the project. The performance measures that were chosen for this project were a report on bridge sufficiency rating (FSR) before and after the project, pre- and post- project decreases in travel time through the project area, and bicycle and pedestrian counts within the project. These performance measures will be collected and reported upon for periods of time of between two and five years depending on the specific performance measure. More information about the performance measures can be found in Attachment D of the Grant Agreement.

### Work in Progress

After we received the news of the Federal and the State funds available for the project in about October 2011, through the Washtenaw Area Transportation Study Committee (WATS) and the Southeast Michigan Council of Governments (SEMCOG) we amended the area's Transportation Improvement Plan (TIP) and included the TIGER II, Local Bridge Program, and Transportation Enhancement Funding in the E. Stadium Bridges project funding plan. This was the first of many required steps to receive the approved Federal and State funds for the project.

Currently we are coordinating with DTE Energy, Inc. for the relocation of DTE's overhead electric lines along the Ann Arbor Railroad right-of-way and on the University Golf Course property. The work is well underway and we expect all relocation efforts to be completed in spring 2011.

On October 8, 2010 we transmitted the description of the needed permanent right-of-way and temporary grading permits to the University of Michigan for their review. In December 2010 we retained the services of a qualified real estate appraiser to complete the needed appraisals for the University of Michigan property that we need to acquire to construct the project. On February 25, 2011 we received the completed real estate appraisals. Now we must work with the MDOT and FHWA to have the funds for the Rights-of-way Acquisition authorized and obligated so that we can prepare a "Good Faith Offer" to the University in accordance with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (the Uniform Act). In order to be able to be reimbursed by FHWA for these expenditures, we must strictly adhere to their established rights-of-way acquisition process and procedures.

In February 2011, we met with Ann Arbor Public School and with Ann Arbor Transportation Authority (AATA) and reviewed discuss the E. Stadium Bridges replacement project. In the next several months and when the construction schedule is better defined we will schedule another public engagement meeting and will include the Ann Arbor Public Schools Transportation, AATA and the University of Michigan to participate in the discussions of the construction's temporary traffic control plan.

In the months of April and May 2011, we will ask for your approval of the final cost of the DTE Energy Overhead Line Relocation Agreement, and a Professional Services Agreement for the project's Construction Engineering and Inspection Services.

With the challenging process that we must follow to "obligate" all the Federal and State share of the project cost at the earliest possible date, we anticipate that MDOT's will advertise the project's construction contract by about June 2011, followed by a City/State Agreement. The MDOT's construction bid opening is expected in September and a notice to proceed with the construction in October 2011.

Attached, please find a copy of the project schedule that we have developed that satisfies all state and federal requirements which we are following to bring this project to construction.

Prepared by: Homayoon Pirooz, P.E., Project Management Manager

Reviewed by: Sue F. McCormick, Public Services Area Administrator

Approved by: Roger W. Fraser, City Administrator

Whereas, on October 15, 2010 the City of Ann Arbor was selected by the United States Department of Transportation to receive \$13,900,000.00 in funding pursuant to the National Infrastructure Investments Discretionary Grant Program (Tiger II Discretionary Grants);

Whereas, The project has received all needed Federal, State, and Local approvals;

Whereas, City Staff has reviewed the terms of the Grant Agreement and the provisions therefore and find them agreeable; and

Whereas, In order to proceed further with this project it is now necessary and essential to approve the grant agreement;

RESOLVED, That the Mayor and City Clerk be authorized and directed to execute the Federal Highway Administration TIGER II Grant Agreement that is substantially in the form attached, following approval as to substance by the City Administrator, and approval as to form by the City Attorney; and

RESOLVED, That Council authorizes the City Administrator to take necessary administrative actions to implement this resolution.