

1 **BILL NO. S-24-09-02**

2 SPECIAL ORDINANCE NO. S-106-24

3
4 **AN ORDINANCE** approving FISCAL YEAR 2023
5 SAFE STREETS AND ROADS FOR ALL GRANT
6 PROGRAM between THE U.S. DEPARTMENT OF
7 TRANSPORTATION FEDERAL HIGHWAY
8 ADMINISTRATION and the City of Fort Wayne,
9 Indiana, by and through its Board of Public Works.

10 **NOW, THEREFORE, BE IT ORDAINED BY THE COMMON**
11 **COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:**

12 **SECTION 1.** That the FISCAL YEAR 2023 SAFE STREETS AND
13 ROADS FOR ALL GRANT PROGRAM between THE U.S. DEPARTMENT OF
14 TRANSPORTATION FEDERAL HIGHWAY ADMINISTRATION and the City of
15 Fort Wayne, Indiana, by and through its Board of Public Works, is hereby ratified,
16 and affirmed and approved in all respects, respectfully for:

17 Agreement between the City of Fort Wayne, Indiana, and The
18 Federal Highway Administration for improvements at the
19 Broadway and Taylor intersection along with the Broadway
20 corridor between Wall Street and Creighton Avenue and Taylor
21 Street corridor between River greenway access point at St.
22 Marys River and Fairfield Avenue. The project will include a
23 roundabout, improved intersections, and safety features for
24 multi-modal transportation modes. The project will have three
25 phases of completion — base, phase I and phase II;

26 involving a grant of FIVE MILLION SIX HUNDRED FORTY-SIX THOUSAND
27 FOUR HUNDRED AND 00/100 DOLLARS - (\$5,646,400.00). A copy of said
28 Contract is on file with the Office of the City Clerk and made available for public
29 inspection, according to law.
30

PW 8.20.24


Approval of Grant Agreement for Broadway & Taylor Corridors Project between Wall Street and Creighton Ave and between St. Mary's River and Fairfield Ave for a total grant amount of \$5,646,400 for project #0687P.

**CITY OF FORT WAYNE
BOARD OF PUBLIC WORKS**

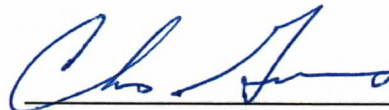
Date: 8.20.2024



Shan Gunawardena, Chair

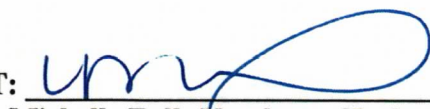


Kumar Menon, Member



Chris Guerrero, Member

ATTEST:



Michelle Fulk-Vondran, Clerk

- | | | |
|--|--|---|
| <p>1. Federal Award No.</p> | <p>2. Effective Date
See No. 16 Below</p> | <p>3. Assistance Listings No.
20.939</p> |
| <p>4. Award To
City of Fort Wayne
200 E Berry St, Suite 210,
Fort Wayne, Indiana, 46802</p> | <p>5. Sponsoring Office
U.S. Department of Transportation
Federal Highway Administration
Office of Safety
1200 New Jersey Avenue, SE
HSSA-1, Mail Drop E71-117
Washington, DC 20590</p> | |

Unique Entity Id.: VQ2VRMECQ3Z7

TIN No.: 35-6001029

- | | | | | | | | | | | | | |
|--|--|--|----------------|------------------|----------------|----------------------|-----|--------------|-----|--------|----------------|--|
| <p>6. Period of Performance
Effective Date of Award – 60
Months</p> | <p>7. Total Amount</p> <table border="0" style="width: 100%;"> <tr> <td style="width: 70%;">Federal Share:</td> <td style="text-align: right;">\$5,646,400.00</td> </tr> <tr> <td>Recipient Share:</td> <td style="text-align: right;">\$1,411,600.00</td> </tr> <tr> <td>Other Federal Funds:</td> <td style="text-align: right;">\$0</td> </tr> <tr> <td>Other Funds:</td> <td style="text-align: right;">\$0</td> </tr> <tr> <td>Total:</td> <td style="text-align: right;">\$7,058,000.00</td> </tr> </table> | Federal Share: | \$5,646,400.00 | Recipient Share: | \$1,411,600.00 | Other Federal Funds: | \$0 | Other Funds: | \$0 | Total: | \$7,058,000.00 | <p>8. Type of Agreement
Grant</p> |
| Federal Share: | \$5,646,400.00 | | | | | | | | | | | |
| Recipient Share: | \$1,411,600.00 | | | | | | | | | | | |
| Other Federal Funds: | \$0 | | | | | | | | | | | |
| Other Funds: | \$0 | | | | | | | | | | | |
| Total: | \$7,058,000.00 | | | | | | | | | | | |
| <p>10. Procurement Request No.
HSA240270PR</p> | <p>11. Federal Funds Obligated
Base Phase: \$728,000</p> | <p>9. Authority
Section 24112 of the Infrastructure Investment and Jobs Act (Pub. L. 117–58, November 15, 2021; also referred to as the “Bipartisan Infrastructure Law” or “BIL”)</p> | | | | | | | | | | |
| <p>12. Submit Payment Requests To
See Article 5.</p> | <p>13. Accounting and Appropriations Data
[insert Data]</p> | | | | | | | | | | | |

14. Description of the Project

Improvements at the Broadway and Taylor intersection along with the Broadway corridor between Wall Street and Creighton Avenue and Taylor Street corridor between River greenway access point at St. Marys River and Fairfield Avenue. The project will include a roundabout, improved intersections, and safety features for multi-modal transportation modes. The project will have three phases of completion – base, phase I and phase II.

RECIPIENT

FEDERAL HIGHWAY ADMINISTRATION

15. Signature of Person Authorized to Sign

16. Signature of Agreement Officer



Signature Date

Name:

Title: Agreement Officer

Signature Date

Name:

Title:

U.S. DEPARTMENT OF TRANSPORTATION
GRANT AGREEMENT UNDER THE
FISCAL YEAR 2023 SAFE STREETS AND ROADS FOR ALL GRANT PROGRAM

This agreement is between the United States Department of Transportation's (the "USDOT") Federal Highway Administration (the "FHWA") and the City of Fort Wayne (the "Recipient").

This agreement reflects the selection of the Recipient to receive a Safe Streets and Roads for All ("SS4A") Grant for the Broadway-Taylor Corridors project.

The parties therefore agree to the following:

ARTICLE 1
GENERAL TERMS AND CONDITIONS

1.1 General Terms and Conditions.

- (a) In this agreement, "**General Terms and Conditions**" means the content of the document titled "General Terms and Conditions Under the Fiscal Year 2023 Safe Streets and Roads for All ("SS4A") Grant Program," which is available at <https://www.transportation.gov/grants/ss4a/grant-agreements> under "Fiscal Year 2023." Articles 7–30 are in the General Terms and Conditions. The General Terms and Conditions are part of this agreement.
- (b) The Recipient acknowledges that it has knowledge of the General Terms and Conditions. Recipient also states that it is required to comply with all applicable Federal laws and regulations including, but not limited to, the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (2 CFR part 200); National Environmental Policy Act (NEPA) (42 U.S.C. § 4321 et seq.); and Build America, Buy America Act (BIL, div. G §§ 70901-27).
- (c) The Recipient acknowledges that the General Terms and Conditions impose obligations on the Recipient and that the Recipient's non-compliance with the General Terms and Conditions may result in remedial action, termination of the SS4A Grant, disallowing costs incurred for the Project, requiring the Recipient to refund to the FHWA the SS4A Grant, and reporting the non-compliance in the Federal-government-wide integrity and performance system.

**ARTICLE 2
APPLICATION, PROJECT, AND AWARD**

2.1 Application.

Application Title: Broadway-Taylor Corridors project

Application Date: 7/7/2023

2.2 Award Amount.

SS4A Grant Amount: \$5,646,400.00

2.3 Federal Obligation Information.

Federal Obligation Type: Multiple

Obligation Condition Table		
Phase the Project	Allocation of the SS4A Grant	Obligation Condition
Base Phase: Pre-NEPA	\$728,000	

Obligation Condition Table		
Phase the Project	Allocation of the SS4A Grant	Obligation Condition
Phase 1: Final Design, Right-of-Way, and Utility Relocation	\$408,000	<p>The Recipient shall not expend any funds (Federal or non-Federal) for, seek reimbursement of eligible costs, or otherwise begin any part of the final design and construction of an Implementation Project unless and until:</p> <ol style="list-style-type: none"> (1) The requirements of the National Environmental Policy Act (42 U.S.C. § 4321 et seq.) (“NEPA”), Section 106 of the National Historic Preservation Act (16 U.S.C. § 470f) (“NHPA”), and any other applicable environmental laws and regulations have been met; and (2) FHWA, or a State with applicable NEPA Assignment authority, has approved the NEPA document for the Project and provided the Recipient with a written notice that the environmental review process is complete; and (3) FHWA has obligated additional funds for this phase and notified the Recipient in writing that the Recipient may proceed to the next activity after NEPA approval, and the Recipient has acknowledged receipt in writing of FHWA’s notification. Recipient shall not proceed with any such advance activities until (2) and (3) as described in this section are met. Costs that are incurred before (2) and (3) as described in this section are met are not allowable costs under this agreement. <p>Extent of activities that are permissible before NEPA is complete are those activities constituting “preliminary design” as specified in FHWA Order 6640.1A.</p>

Obligation Condition Table		
Phase the Project	Allocation of the SS4A Grant	Obligation Condition
Option Phase 2: Construction	\$4,510,400	<p>The Recipient shall not expend any funds (Federal or non-Federal) for, seek reimbursement of eligible costs, or otherwise begin any part of the construction or final design and construction of an Implementation Project unless and until:</p> <p>(1) The requirements of the National Environmental Policy Act (42 U.S.C. § 4321 et seq.) (“NEPA”), Section 106 of the National Historic Preservation Act (16 U.S.C. § 470f) (“NHPA”), and any other applicable environmental laws and regulations have been met; and</p> <p>(2) FHWA, or a State with applicable NEPA Assignment authority, has approved the NEPA document for the Project and provided the Recipient with a written notice that the environmental review process is complete; and</p> <p>(3) FHWA has obligated additional funds for this phase and notified the Recipient in writing that the Recipient may proceed to the next activity after NEPA approval, and the Recipient has acknowledged receipt in writing of FHWA’s notification. Recipient shall not proceed with any such activities until (2) and (3) as described in this section are met. Costs that are incurred before (2) and (3) as described in this section are met are not allowable costs under this agreement.</p> <p>Extent of activities that are permissible before NEPA is complete are those activities constituting “preliminary design” as specified in FHWA Order 6640.1A.</p>

2.4 Budget Period.

]

Base Phase Budget Period: 24 Months

Option Phase 1 Budget Period: [24 Months]

Option Phase 2 Budget Period: [12 Months]

2.5 Grant Designation.

Designation: Implementation

**ARTICLE 3
SUMMARY PROJECT INFORMATION**

3.1 Summary of Project’s Statement of Work.

This project will address many safety problems along two 30 mph roadway corridors (Broadway and Taylor) and multiple intersections and access points in Fort Wayne. Proposed countermeasures include a low-speed, single-lane roundabout; pedestrian refuge islands; and crosswalk visibility enhancements, and improved lighting. The project will be completed in three phases as follows:

Base Phase: Pre-NEPA: Completion of NEPA document, public involvement and design through 60% completion

Option Phase 1: Final Design, Right-of-Way, and Utility Relocation: Completion of Right-of-Way acquisition, Utility Relocation work, and Design through 100% along with bidding of the project

Option Phase 2: Construction: Completion of the construction work and post-construction monitoring

3.2 Project’s Estimated Schedule.

Base Phase: Pre-NEPA: 24 months from execution of the grant agreement

Phase 1: Final Design, Right of Way Acquisition (ROW), & Utility Relocation (UR): 24 months from completion of base phase

Phase 2: Construction: 12 months from completion of Phase 1

Implementation Schedule (Construction)

Milestone	Schedule Date
Planned NEPA Completion Date:	24 Months after GA execution
Planned Construction Start Date	48 Months after GA execution
Planned Construction Substantial Completion and Open to Public Use Date:	60 Months after GA execution
Planned SS4A Final Report Date:	74 Months after GA execution

3.3 Project’s Estimated Costs.

(a) Eligible Project Costs

Eligible Project Costs	
SS4A Grant Amount:	\$5,646,400
Other Federal Funds:	\$0
State Funds:	\$0
Local Funds:	\$1,411,600
In-Kind Match:	\$0
Other Funds:	\$0
Total Eligible Project Cost:	\$7,058,000

(b) Cost Classification Table – Planning and Demonstration Grants with demonstration activities and Implementation Grants Only

Cost Classification	Total Costs	Non-SS4A Previously Incurred Costs	Eligible Costs
Land, structures, rights-of-way, appraisals, etc.	200,000	0	200,000
Architectural and engineering fees	884,000	0	884,000
Other architectural and engineering fees	150,000	0	150,000
Project inspection fees	624,000	0	624,000
Site work	764,000	0	764,000
Demolition and removal	570,000	0	570,000
Construction	2,775,000	0	2,775,000
Equipment	150,000	0	150,000
Miscellaneous	75,000	0	75,000
Contingency	866,000	0	866,000
Project Total	7,058,000	0	7,058,000

(c) Indirect Costs

Indirect costs are allowable under this Agreement in accordance with 2 CFR part 200 and the Recipient’s approved Budget Application. In the event the Recipient’s indirect cost rate changes, the Recipient will notify FHWA of the planned adjustment and provide supporting documentation for such adjustment. This Indirect Cost provision does not operate to waive the limitations on Federal funding provided in this document. The Recipient’s indirect costs are allowable only insofar as they do not cause the Recipient to exceed the total obligated funding.

ARTICLE 4

RECIPIENT INFORMATION

4.1 Recipient Contact(s).

Patrick Zaharako
 City Engineer
 City of Fort Wayne – Public Works
 200 E Berry St, Suite 210
 Fort Wayne, IN, 46802
 (260) 427-2789
Patrick.zaharako@cityoffortwayne.org

4.2 Recipient Key Personnel.

Name	Title or Position
Patrick <u>Zaharako</u>	City Engineer
Phil Labrash	Assistant City Engineer
Shan Gunawardena	Director of Public Works
Tom Henry	Mayor
Karen Moses	Assistant City Attorney

4.3 USDOT Project Contact(s).

Safe Streets and Roads for All Program Manager
 Federal Highway Administration
 Office of Safety
 HSSA-1, Mail Stop: E71-117
 1200 New Jersey Avenue, S.E.
 Washington, DC 20590
 202-366-2822
SS4A.FHWA@dot.gov

and

Agreement Officer (AO)
 Federal Highway Administration
 Office of Acquisition and Grants Management
 HCFA-33, Mail Stop E62-310
 1200 New Jersey Avenue, S.E.
 Washington, DC 20590
 202-493-2402
HCFASS4A@dot.gov

and

Division Administrator Indiana
 Agreement Officer's Representative (AOR)
 575 N Pennsylvania St, Room 254
 Indianapolis, IN
 317-226-7475
Fhwa.in@dot.gov

and

Hanna Endres
 Indiana Division Office Lead Point of Contact
 Transportation Engineer
 575 N Pennsylvania St, Room 254
 Indianapolis, IN
 317-226-5234
hanna.endres@dot.gov

ARTICLE 5 USDOT ADMINISTRATIVE INFORMATION

5.1 Office for Subaward and Contract Authorization.

USDOT Office for Subaward and Contract Authorization: FHWA Office of Acquisition and Grants Management

SUBAWARDS AND CONTRACTS APPROVAL

Note: See 2 CFR § 200.331, Subrecipient and contractor determinations, for definitions of subrecipient (who is awarded a subaward) versus contractor (who is awarded a contract).

Note: Recipients with a procurement system deemed approved and accepted by the Government or by the Agreement Officer (the “AO”) are exempt from the requirements of this clause. See 2 CFR 200.317 through 200.327. Note: This clause is only applicable to grants that do not include construction.

In accordance with 2 CFR 200.308(c)(6), unless described in the application and funded in the approved award, the Recipient must obtain prior written approval from the AO for the subaward, transfer, or contracting out of any work under this award above the Simplified Acquisition Threshold. This provision does not apply to the acquisition of supplies, material, equipment, or general support services. Approval will be issued through written notification from the AO or a formal amendment to the Agreement.

The following subawards and contracts are currently approved under the Agreement by the AO. This list does not include supplies, material, equipment, or general support services which are exempt from the pre-approval requirements of this clause.

5.2 Reimbursement Requests

- (a) The Recipient may request reimbursement of costs incurred within the budget period of this agreement if those costs do not exceed the amount of funds obligated and are allowable under the applicable cost provisions of 2 C.F.R. Part 200, Subpart E. The Recipient shall not request reimbursement more frequently than monthly.
- (b) The Recipient shall use the DELPHI iSupplier System to submit requests for reimbursement to the payment office. When requesting reimbursement of costs incurred or credit for cost share incurred, the Recipient shall electronically submit supporting cost detail with the SF-270 (Request for Advance or Reimbursement) or SF-271 (Outlay Report and Request for Reimbursement for Construction Programs) to clearly document all costs incurred.
- (c) The Recipient’s supporting cost detail shall include a detailed breakout of all costs incurred, including direct labor, indirect costs, other direct costs, travel, etc., and the Recipient shall identify the Federal share and the Recipient’s share of costs. If the Recipient does not provide sufficient detail in a request for reimbursement, the Agreement Officer’s Representative (the “AOR”) may withhold processing that request until the Recipient provides sufficient detail.
- (d) The USDOT shall not reimburse costs unless the AOR reviews and approves the costs to ensure that progress on this agreement is sufficient to substantiate payment.
- (e) In the rare instance the Recipient is unable to receive electronic funds transfers (EFT), payment by EFT would impose a hardship on the Recipient because of their inability to manage an account at a financial institution, and/or the Recipient is unable to use the DELPHI iSupplier System to submit their requests for disbursement, the FHWA may waive the requirement that the Recipient use the DELPHI iSupplier System.

The Recipient shall contact the Division Office Lead Point of Contact for instructions on and requirements related to pursuing a waiver.

- (f) The requirements set forth in these terms and conditions supersede previous financial invoicing requirements for Recipients.

ARTICLE 6 SPECIAL GRANT TERMS

- 6.1 SS4A funds must be expended within five years after the grant agreement is executed and DOT obligates the funds, which is the budget period end date in section 10.3 of the Terms and Conditions and section 2.4 in this agreement.
- 6.2 The Recipient demonstrates compliance with civil rights obligations and nondiscrimination laws, including Titles VI of the Civil Rights Act of 1964, the Americans with Disabilities Act (ADA), and Section 504 of the Rehabilitation Act, and accompanying regulations. Recipients of Federal transportation funding will also be required to comply fully with regulations and guidance for the ADA, Title VI of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973, and all other civil rights requirements.
- 6.3 SS4A Funds will be allocated to the Recipient and made available to the Recipient in accordance with FHWA procedures.
- 6.4 The Recipient of an Implementation Grant agrees to update its Action Plan within two years of the date of this agreement to: align with all Comprehensive Safety Action Plan components in Table 1 of the SS4A FY 2023 NOFO corresponding with any “no” responses in the Self-Certification Eligibility Worksheet; ensure that the Action Plan’s safety focus includes all road users, including pedestrians, bicyclists, and motor vehicle safety; and ensure that the Action Plan was last updated not more than three years prior.
- 6.5 The Recipient acknowledges that it is required to conduct certain environmental analyses and to prepare and submit to FHWA, or State with applicable NEPA Assignment authority, documents required under NEPA, and other applicable environmental statutes and regulations before the Government will obligate funds for Option Phase 1 under this agreement and provide the Recipient with a written notice to proceed with Option Phase 1.
- 6.6 The Government’s execution of this agreement does not in any way constitute pre-approval or waiver of any of the regulations imposed upon Recipient under the applicable Federal rules, regulations and laws regarding SS4A projects undertaken in accordance with the terms and conditions of this agreement. The Recipient shall comply with all applicable Federal requirements before incurring any costs under this agreement.
- 6.7 There are no other special grant requirements.

**ATTACHMENT A
PERFORMANCE MEASUREMENT INFORMATION**

Study Area: Broadway and Taylor intersection with the Broadway corridor between Wall Street and Creighton Avenue and Taylor Street corridor between Rivergreenway access point at St. Marys River and Fairfield Avenue

Baseline Measurement Date: 36 Months after execution of the grant agreement

Baseline Report Date: 38 Months after execution of the grant agreement

Table 1: Performance Measure Table

Measure	Category and Description	Measurement Frequency and Reporting Deadline
Safety Performance [for Implementation Grants and Planning and Demonstration Grants with demonstration activities]	Fatalities: Total annual fatalities in the project location(s)	Annually and within 120 days after the end of the period of performance
Safety Performance [for Implementation Grants and Planning and Demonstration Grants with demonstration activities]	Serious Injuries: Total annual serious injuries in the project location(s) [if available]	Annually and within 120 days after the end of the period of performance
Safety Performance [for Implementation Grants and Planning and Demonstration Grants with demonstration activities]	Crashes by Road User Category: Total annual crashes in the project location(s) broken out by types of roadway users involved (e.g., pedestrians, bicyclists, motorcyclist, passenger vehicle occupant, commercial vehicle occupant)	Annually and within 120 days after the end of the period of performance
Equity [for all Grants]	Percent of Funds to Underserved Communities: Funding amount (of total project amount) benefitting underserved communities, as defined by USDOT	Within 120 days after the end of the period of performance
Costs [for all Grants]	Project Costs: Quantification of the cost of each eligible project carried out using the grant	Within 120 days after the end of the period of performance

Measure	Category and Description	Measurement Frequency and Reporting Deadline
<p>Outcomes and Benefits [for Implementation Grants and Planning and Demonstration Grants with demonstration activities]</p>	<p>Quantitative Project Benefits: Quantification of evidence-based projects or strategies implemented (e.g., miles of sidewalks installed, number of pedestrian crossings upgraded, etc.)</p>	<p>Within 120 days after the end of the period of performance</p>
<p>Outcomes and Benefits [for Implementation Grants and Planning and Demonstration Grants with demonstration activities]</p>	<p>Qualitative Project Benefits: Qualitative description of evidence-based projects or strategies implemented (e.g., narrative descriptions, testimonials, high-quality before and after photos, etc.)</p>	<p>Within 120 days after the end of the period of performance</p>
<p>Outcomes and Benefits [for Implementation Grants and Planning and Demonstration Grants with demonstration activities]</p>	<p>Project Location(s): GIS/geo coordinate information identifying specific project location(s)</p>	<p>Within 120 days after the end of the period of performance</p>
<p>Lessons Learned and Recommendations [for all Grants]</p>	<p>Lessons Learned and Recommendations: Description of lessons learned and any recommendations relating to future projects or strategies to prevent death and serious injury on roads and streets.</p>	<p>Within 120 days after the end of the period of performance</p>

**ATTACHMENT B
CHANGES FROM APPLICATION**

Describe all material differences between the scope, schedule, and budget described in the application and the scope, schedule, and budget described in Article 3. The purpose of Attachment B is to clearly and accurately document any differences in scope, schedule, and budget to establish the parties’ knowledge and acceptance of those differences. See Article 11 for the Statement of Work, Schedule, and Budget Changes. If there are no changes, please insert “N/A” in Section 3.3 of the table.

Scope: There have been no changes to scope.

Schedule: There have been no changes to schedule.

Budget: See below

The table below provides a summary comparison of the project budget.

Fund Source	Application		Section 3.3	
	\$	%	\$	%
Previously Incurred Costs (Non-Eligible Project Costs)				
Federal Funds	5,646,400	80	N/A	N/A
Non-Federal Funds	1,411,600	20	N/A	N/A
Total Previously Incurred Costs	0	0	N/A	N/A
Future Eligible Project Costs				
SS4AFunds	0	0	N/A	N/A
Other Federal Funds	0	0	N/A	N/A
Non-Federal Funds	0	0	N/A	N/A
Total Future Eligible Project Costs	0	0	N/A	N/A
Total Project Costs	7,058,000	0	N/A	N/A

**ATTACHMENT C
 RACIAL EQUITY AND BARRIERS TO OPPORTUNITY**

1. Efforts to Improve Racial Equity and Reduce Barriers to Opportunity.

The Recipient states that rows marked with “X” in the following table align with the application:

	A racial equity impact analysis has been completed for the Project. <i>(Identify a report on that analysis or, if no report was produced, describe the analysis and its results in the supporting narrative below.)</i>
X	The Recipient or a project partner has adopted an equity and inclusion program/plan or has otherwise instituted equity-focused policies related to project procurement, material sourcing, construction, inspection, hiring, or other activities designed to ensure racial equity in the overall delivery and implementation of the Project. <i>(Identify the relevant programs, plans, or policies in the supporting narrative below.)</i>
X	The Project includes physical-barrier-mitigating land bridges, caps, lids, linear parks, and multimodal mobility investments that either redress past barriers to opportunity or that proactively create new connections and opportunities for underserved communities that are underserved by transportation. <i>(Identify the relevant investments in the supporting narrative below.)</i>
X	The Project includes new or improved walking, biking, and rolling access for individuals with disabilities, especially access that reverses the disproportional impacts of crashes on people of color and mitigates neighborhood bifurcation. <i>(Identify the new or improved access in the supporting narrative below.)</i>
	The Project includes new or improved freight access to underserved communities to increase access to goods and job opportunities for those underserved communities. <i>(Identify the new or improved access in the supporting narrative below.)</i>
	The Recipient has taken other actions related to the Project to improve racial equity and reduce barriers to opportunity, as described in the supporting narrative below.
	The Recipient has not yet taken actions related to the Project to improve racial equity and reduce barriers to opportunity but intends to take relevant actions described in the supporting narrative below.
	The Recipient has not taken actions related to the Project to improve racial equity and reduce barriers to opportunity and will not take those actions under this award.

2. Supporting Narrative.

Black, Latino, Asian Americans, other persons of color: The Broadway-Taylor Corridors are located in and near zip codes with a larger share of BIPOC populations than the city as a whole, according to U.S. Census Bureau data. Based on the disproportionate share of BIPOC populations in and near the Broadway-Taylor Corridors compared to Fort Wayne, safety improvements here provide direct benefit to racially and ethnically diverse populations. Furthermore the full-service locally owned grocery store at the southeast corner of Broadway and Taylor, George’s International Market, carries a broad selection of food and consumable products used by racially diverse households so this project improves safety of the store’s customers and employees

People with disabilities: Present infrastructure is not ADA compliant. The refuge islands and access points would provide compliant curb cuts. For people who are blind or have low vision, the pedestrian-oriented spaces will include

tactile pavement. Disabled individuals will be invited to be part of the planning process to ensure improvements reflect the needs of many user types.

People adversely affected by persistent poverty/inequality: Low-income households may have limited or no personal transportation, thus relying on walking, a bicycle or personal conveyance, or public transit for mobility. Improvements here increase safety and access for people who do not use a personal vehicle. Additionally, with the revitalization of the Electric Works campus at the north edge of the project area, walkway improvements mean local residents could walk or use micromobility devices for improved access to jobs, food and retail options, and a family medicine clinic.

Data on employment by race, gender: The prime contractor must submit monthly employment reports that includes subcontractors with employee work hours by trade based on race and sex and the Manpower Utilization Summary Report at project completion, that comprises all firms who performed work for the project. The Summary Report contains the number of workforce hours broken down by race and sex. Minority, Women and Emerging Business Enterprise contract dollar amounts and participation percentages will be in this project.

Emerging Business Enterprises requirement on construction contracts: The City of Fort Wayne encourages participation of minority-, women-owned and emerging business enterprises in City construction contracts. The City's goal is every contractor subcontract at least 10% of contracted amount to a certified Emerging Business Enterprise, which is a small business owned, operated and controlled by one or more economically disadvantaged individuals. If contractors cannot meet the EBE/MBE/WBE threshold, they must demonstrate a good-faith effort to secure goods or services from those companies and request a waiver in writing.

**ATTACHMENT D
 CLIMATE CHANGE AND ENVIRONMENTAL JUSTICE IMPACTS**

1. Consideration of Climate Change and Environmental Justice Impacts.

The Recipient states that rows marked with “X” in the following table align with the application:

	The Project directly supports a Local/Regional/State Climate Action Plan that results in lower greenhouse gas emissions. <i>(Identify the plan in the supporting narrative below.)</i>
	The Project directly supports a Local/Regional/State Equitable Development Plan that results in lower greenhouse gas emissions. <i>(Identify the plan in the supporting narrative below.)</i>
	The Project directly supports a Local/Regional/State Energy Baseline Study that results in lower greenhouse gas emissions. <i>(Identify the plan in the supporting narrative below.)</i>
	The Recipient or a project partner used environmental justice tools, such as the EJScreen, to minimize adverse impacts of the Project on environmental justice communities. <i>(Identify the tool(s) in the supporting narrative below.)</i>
X	The Project supports a modal shift in freight or passenger movement to reduce emissions or reduce induced travel demand. <i>(Describe that shift in the supporting narrative below.)</i>
	The Project utilizes demand management strategies to reduce congestion, induced travel demand, and greenhouse gas emissions. <i>(Describe those strategies in the supporting narrative below.)</i>
	The Project incorporates electrification infrastructure, zero-emission vehicle infrastructure, or both. <i>(Describe the incorporated infrastructure in the supporting narrative below.)</i>
	The Project supports the installation of electric vehicle charging stations. <i>(Describe that support in the supporting narrative below.)</i>
X	The Project promotes energy efficiency. <i>(Describe how in the supporting narrative below.)</i>
	The Project serves the renewable energy supply chain. <i>(Describe how in the supporting narrative below.)</i>
	The Project improves disaster preparedness and resiliency <i>(Describe how in the supporting narrative below.)</i>
	The Project avoids adverse environmental impacts to air or water quality, wetlands, and endangered species, such as through reduction in Clean Air Act criteria pollutants and greenhouse gases, improved stormwater management, or improved habitat connectivity. <i>(Describe how in the supporting narrative below.)</i>
	The Project repairs existing dilapidated or idle infrastructure that is currently causing environmental harm. <i>(Describe that infrastructure in the supporting narrative below.)</i>
	The Project supports or incorporates the construction of energy- and location-efficient buildings. <i>(Describe how in the supporting narrative below.)</i>

X	The Project includes recycling of materials, use of materials known to reduce or reverse carbon emissions, or both. <i>(Describe the materials in the supporting narrative below.)</i>
	The Recipient has taken other actions to consider climate change and environmental justice impacts of the Project, as described in the supporting narrative below.
	The Recipient has not yet taken actions to consider climate change and environmental justice impacts of the Project but will take relevant actions described in the supporting narrative below.
	The Recipient has not taken actions to consider climate change and environmental justice impacts of the Project and will not take those actions under this award.

2. Supporting Narrative.

Broadway-Taylor improvements to reduce air pollution and greenhouse gas emissions from motor vehicles.

Roundabout design decreases emissions and fuel use and reduces motor-vehicle pollution with less intersection idle time compared to traffic signals.

Broadway-Taylor Corridors can create modal shift. Better bicycle and pedestrian infrastructure encourages active transportation in immediate and adjacent locations. Since this is located on public transit routes, improvements to sufficiently accommodate buses could result in increased transit use and reduce reliance on private vehicles.

Improved pedestrian corridors bike lanes or sharrows to connect with the existing Rivergreenway multiuse trail, and pedestrian islands make the area more accessible for those not using a vehicle. The improved user experience can make people comfortable walking or using micromobility units. During the design, Fort Wayne will work with Citilink to improve the transit user experience getting on and off the bus. Since this project is adjacent to Electric Works, Fort Wayne expects more non-vehicle use during the workday and into the evening so visitors are more likely to not use personal vehicles.

Project materials promote energy efficiency, reduce greenhouse gas emissions: Fort Wayne will require reuse of concrete in subbase materials under sidewalks & trails. The roundabout eliminates a signalized intersection’s power use while LED street lighting can reduce electricity use by 50%-65%. The roundabout can also reduce idling times and tailpipe emissions when compared to the current signalized intersection.

**ATTACHMENT E
LABOR AND WORKFORCE**

1. Efforts to Support Good-Paying Jobs and Strong Labor Standards

The Recipient states that rows marked with “X” in the following table align with the application:

X	The Recipient demonstrate, to the full extent possible consistent with the law, an effort to create good-paying jobs with the free and fair choice to join a union and incorporation of high labor standards. <i>(Identify the relevant agreements and describe the scope of activities they cover in the supporting narrative below.)</i>
	The Recipient or a project partner has adopted the use of local and economic hiring preferences in the overall delivery and implementation of the Project. <i>(Describe the relevant provisions in the supporting narrative below.)</i>
	The Recipient or a project partner has adopted the use of registered apprenticeships in the overall delivery and implementation of the Project. <i>(Describe the use of registered apprenticeship in the supporting narrative below.)</i>
	The Recipient or a project partner will provide training and placement programs for underrepresented workers in the overall delivery and implementation of the Project. <i>(Describe the training programs in the supporting narrative below.)</i>
	The Recipient or a project partner will support free and fair choice to join a union in the overall delivery and implementation of the Project by investing in workforce development services offered by labor-management training partnerships or setting expectations for contractors to develop labor-management training programs. <i>(Describe the workforce development services offered by labor-management training partnerships in the supporting narrative below.)</i>
	The Recipient or a project partner will provide supportive services and cash assistance to address systemic barriers to employment to be able to participate and thrive in training and employment, including childcare, emergency cash assistance for items such as tools, work clothing, application fees and other costs of apprenticeship or required pre-employment training, transportation and travel to training and work sites, and services aimed at helping to retain underrepresented groups like mentoring, support groups, and peer networking. <i>(Describe the supportive services and/or cash assistance provided to trainees and employees in the supporting narrative below.)</i>
	The Recipient or a project partner has documented agreements or ordinances in place to hire from certain workforce programs that serve underrepresented groups. <i>(Identify the relevant agreements and describe the scope of activities they cover in the supporting narrative below.)</i>

	<p>The Recipient or a project partner participates in a State/Regional/Local comprehensive plan to promote equal opportunity, including removing barriers to hire and preventing harassment on work sites, and that plan demonstrates action to create an inclusive environment with a commitment to equal opportunity, including:</p> <ul style="list-style-type: none"> a. affirmative efforts to remove barriers to equal employment opportunity above and beyond complying with Federal law; b. proactive partnerships with the U.S. Department of Labor’s Office of Federal Contract Compliance Programs to promote compliance with EO 11246 Equal Employment Opportunity requirements and meet the requirements as outlined in the Notice of Funding Opportunity to make good faith efforts to meet the goals of 6.9 percent of construction project hours being performed by women and goals that vary based on geography for construction work hours and for work being performed by people of color; c. no discriminatory use of criminal background screens and affirmative steps to recruit and include those with former justice involvement, in accordance with the Fair Chance Act and equal opportunity requirements; d. efforts to prevent harassment based on race, color, religion, sex, sexual orientation, gender identity, and national origin; e. training on anti-harassment and third-party reporting procedures covering employees and contractors; and f. maintaining robust anti-retaliation measures covering employees and contractors. <p><i>(Describe the equal opportunity plan in the supporting narrative below.)</i></p>
	<p>The Recipient has taken other actions related to the Project to create good-paying jobs with the free and fair choice to join a union and incorporate strong labor standards. <i>(Describe those actions in the supporting narrative below.)</i></p>
	<p>The Recipient has not yet taken actions related to the Project to create good-paying jobs with the free and fair choice to join a union and incorporate strong labor standards but, before beginning construction of the project, will take relevant actions described in the supporting narrative below.</p>
	<p>The Recipient has not taken actions related to the Project to improving good-paying jobs and strong labor standards and will not take those actions under this award.</p>

2. Supporting Narrative.

Use of skilled labor, federal wage rates: Contractors working on Fort Wayne’s federally funded construction projects must comply with federal wage and benefits rates. These rates are a minimum and shall not prevent contractors from paying a higher rate of pay or fringe benefits. The City accepts bids from all union and non-union bidders. Non-union bidders typically include small contractors that are minority owned. The City also has EBE requirements that encourage minority owned businesses to bid as sub contractors.

Data on employment by race, gender: The prime contractor must submit monthly employment reports that includes subcontractors with employee work hours by trade based on race and sex and the Manpower Utilization Summary Report at project completion, that comprises all firms who performed work for the project. The Summary Report contains the number of workforce hours broken down by race and sex. Minority, Women and Emerging Business Enterprise contract dollar amounts and participation percentages will be in this project.

Emerging Business Enterprises requirement on construction contracts: The City of Fort Wayne encourages participation of minority-, women-owned and emerging business enterprises in City construction contracts to create jobs and opportunities. In addition to meeting Federal goals for minority- and women-owned businesses, the City has its own economically disadvantaged business program. The City’s goal is every contractor subcontract at least 10% of contracted amount to a certified Emerging Business Enterprise, which is a small business owned, operated and controlled by one or more economically disadvantaged individuals with at least 51% owned, operated and controlled by an economically disadvantaged owner-operator. If contractors cannot meet the EBE/MBE/WBE threshold, they must demonstrate a good-faith effort to secure goods or services from those companies and request a waiver in writing.

**ATTACHMENT F
CRITICAL INFRASTRUCTURE SECURITY AND RESILIENCE**

1. Efforts to strengthen the Security and Resilience of Critical Infrastructure against both Physical and Cyber Threats.

The Recipient states that rows marked with “X” in the following table are accurate:

	The Recipient demonstrates, prior to the signing of this agreement, effort to consider and address physical and cyber security risks relevant to the transportation mode and type and scale of the activities.
	The Recipient appropriately considered and addressed physical and cyber security and resilience in the planning, design and oversight of the project, as determined by the Department and the Department of Homeland Security.
	For projects in floodplains: The Recipient appropriately considered whether the project was upgraded consistent with the Federal Flood Risk Management Standard, to the extent consistent with current law, in Executive Order 14030, Climate-Related Financial Risk (86 FR 27967), and Executive Order 13690, Establishing a Federal Flood Risk Management Standard and a Process for Further Solicit and Considering Stakeholder Input (80 FR 6425).

2. Supporting Narrative.

Climate resilience practices: The southwest corner of the Broadway-Taylor project is in the floodway. This project may include installation of new storm sewer inlets, manholes, and pipe. Adding native plants and unpaved surfaces where possible should also mitigate risk.

DIGEST SHEET

Department: Transportation Engineering

Resolution Number: 0687P

Title of Ordinance: FISCAL YEAR 2023 SAFE STREETS AND ROADS FOR ALL GRANT PROGRAM

Amount of Contract:

Grant Agreement with Federal Highway Administration for \$5,646,400.00 for #0687P, Broadway & Taylor Corridors Project

Description of Project (Be Specific):

Improvements at the Broadway and Taylor intersection along with the Broadway corridor between Wall Street and Creighton Avenue and Taylor Street corridor between River greenway access point at St. Marys River and Fairfield Avenue. The project will include a roundabout, improved intersections, and safety features for multi-modal transportation modes. The project will have three phases of completion — base, phase I and phase II.

What Are The Implications If Not Approved:

If Prior Approval Is Being Requested, Justify: N/A

Additional Comments: N/A

BILL NO. S-24-09-02

REPORT OF COMMITTEE ON PUBLIC WORKS

September 17, 2024

Nathan Hartman Chair

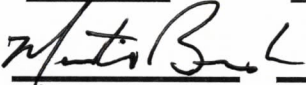


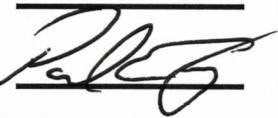



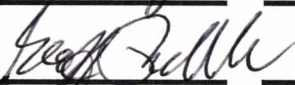
Geoff Paddock Co-Chair

All Council Members

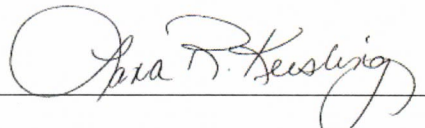
An Ordinance approving fiscal year 2023 Safe Streets and Roads for All Grant Program between the U.S. Department of Transportation Federal Highway Administration and the City of Fort Wayne, Indiana, by and through its Board of Public Works

Involving a grant of \$5,646,400.00

COMMITTEE ON PUBLIC WORKS HAVE HAD SAID Ordinance under consideration and beg leave to report back to the Common Council that said Ordinance

<u>COUNCIL MEMBER</u>	<u>DO PASS</u>	<u>DO NOT PASS</u>	<u>ABSTAIN</u>
<u>BENDER</u>			
<u>BOOKER</u>			
<u>CHAMBERS</u>			
<u>ENSLEY</u>			
<u>FREISTROFFER</u>			
<u>HARTMAN</u>			
<u>JEHL</u>			
<u>MYERS</u>			
<u>PADDOCK</u>			

**LANA R. KEESLING
CITY CLERK**



Public Hearing Date: N/A

Read the first time in full and on motion by Councilperson Hartman.

Read the second time by title and referred to the Public Works Committee.

Read the third time in full and on motion by Councilperson Hartman, placed on passage by the following vote:

<u>TOTAL VOTES</u>	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>
BENDER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
BOOKER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
CHAMBERS	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
ENSLEY	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
FREISTROFFER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
HARTMAN	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
JEHL	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
MYERS	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
PADDOCK	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

DATED: September 24, 2024




 LANA R. KEESLING, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as

Special Ordinance No. S-24-09-02 on the 24th day of September, 2024

ATTEST:




 LANA R. KEESLING
 CITY CLERK



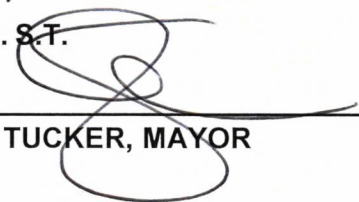
 PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 25th of September 2024, at the hour of 10:20 o'clock A.M. E.S.T.



 LANA R. KEESLING, CITY CLERK

Approved and signed by me this 26th day of September 2024, at the hour of 3:34 o'clock P.M. E.S.T.



 SHARON TUCKER, MAYOR

FORT WAYNE, INDIANA
RECEIVED
 SEP 26 2024
 LANA R. KEESLING
 CITY CLERK