



## Legislation Text

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**File #:** 23-0599R, **Version:** 1

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RESOLUTION AUTHORIZING A STATE OF MINNESOTA AGENCY AGREEMENT BETWEEN MNDOT AND THE CITY OF DULUTH FOR FEDERAL PARTICIPATION IN FORCE ACCOUNT WORK FOR CROSS CITY TRAIL PHASE 3, SP 118-090-026, TA 6923(261), CITY PROJECT 1510.

**CITY PROPOSAL:**

WHEREAS, the City of Duluth and the BNSF are executing a trail grade crossing construction and maintenance agreement for the Cross City Trail Phase 3; and

WHEREAS, as part of that trail grade crossing agreement, the BNSF will perform the construction activities within the BNSF right of way and be reimbursed by the City for that work; and

WHEREAS, this agreement with MNDOT will allow the City to be reimbursed by Federal funds for the eligible portions of work. Therefore,

RESOLVED, that pursuant to Minnesota Stat. Sec. 161.36, the Commissioner of Transportation be appointed as Agent of the City of Duluth and as agent to accept and disburse federal aid funds which may be made available for eligible transportation related projects.

FURTHER RESOLVED, the proper city officials are hereby authorized and directed for and on behalf of the City of Duluth to execute and enter into an agreement with the Commissioner of Transportation prescribing the terms and conditions of said federal aid participation as set forth and contained in "Minnesota Department of Transportation Agency Agreement No. 1054371", a copy of which said agreement was before the City Council and which is made a part hereof by reference. Funding will be deposited into Permanent Improvement Fund 411, Department/Agency 035 (Capital Projects Accounts, Object 4210-01 (Pass thru Federal Grants Capital), S.P. 118-090-026, TA 6923(261), City Project No. 1510.

STATEMENT OF PURPOSE: This resolution authorizes the City of Duluth to enter into an agreement with MNDOT. The BNSF is going to relocate a trail grade crossing for the Cross City Trail Phase 3. The City will pay BNSF for this work within the BNSF right of way. This resolution authorizes the city to enter into an agreement with MNDOT that allows MNDOT to reimburse the City for 80% of that BNSF work, using Federal funds. The estimated cost to relocate the crossing is \$98,683, and this agreement will allow MNDOT to reimburse the City for 80% of that cost, \$78,946. The remainder will be paid for from local project funds. Funding shall be deposited into Permanent Improvement Fund 411, Department/Agency 035 (Capital Projects Accounts, Object 4210-01 (Pass thru Federal Grants Capital), S.P. 118-090-026, TA 6923(261), City Project No. 1510.