

**Sections 5311/5339/5310/5303/5304
SFY 2021**

A RESOLUTION AUTHORIZING THE FILING OF AN APPLICATION WITH THE DEPARTMENT OF TRANSPORTATION, UNITED STATES OF AMERICA, FOR A GRANT UNDER FIXING AMERICA'S SURFACE TRANSPORTATION ACT (FAST ACT) and A RESOLUTION COMMITTING THE LOCAL SHARE OF FUNDS NECESSARY TO SECURE A SECTION 5311/5339/5310/5303/5304 GRANT APPLICATION.

WHEREAS, the Secretary of Transportation is authorized to make grants for mass transportation projects; and

WHEREAS, the contract for financial assistance will impose certain obligations upon the applicant, including the provision by it of the local share of the project costs; and

WHEREAS, it is required by the U.S. Department of Transportation in accordance with the provisions of Title VI of the Civil Rights Act of 1964, that in connection with the filing of an application for assistance under the Fixing America's Surface Transportation Act (FAST Act), the applicant gives an assurance that it will comply with Title VI of the Civil Rights Act of 1964 and the Department of Transportation requirements thereunder; and

WHEREAS, it is required by the U.S. Department of Transportation in accordance with the provisions of Section 504 of the Rehabilitation Act of 1973, that in connection with the filing of an application for assistance the applicant gives an assurance that it will comply with Section 504 of Rehabilitation Act of 1973 and the U.S. Department of Transportation requirements thereunder; and

WHEREAS, it is required by the U.S. Department of Labor in accordance with the provisions of Section 5333(b) of the Fixing America's Surface Transportation Act (FAST Act), that in connection with the filing of an application for assistance under the Fixing America's Surface Transportation Act (FAST Act), and in the absence of a waiver from the U.S. Department of Labor, the applicant gives an assurance that it will comply with Section 5333(b) of the Fixing America's Surface Transportation Act (FAST Act), and the U.S. Department of Labor requirements thereunder; and

WHEREAS, it is the goal of the applicant that disadvantaged business enterprises be utilized to the fullest extent possible in connection with this project, and the definite procedures shall be established and administered to ensure that disadvantaged businesses shall have maximum feasible opportunity to compete for contracts when procuring construction contracts, supplies, equipment contracts or consultant and other services.

NOW, THEREFORE, BE IT RESOLVED BY THE Lexington Urban County Council, hereinafter referred to as Applicant's Governing Board, OF THE Lexington-Fayette Urban County Government, hereinafter referred to as Applicant, authorizes the following in regards to Linda Gorton, Mayor, hereinafter referred to as Agency Representative:

- Section 1. That Agency Representative of the Applicant is authorized to execute and file an application on behalf of the Applicant with the U.S. Department of Transportation, to aid in the financing of the Section 5303, 5304, 5310, 5311 and 5339 assistance projects described in the attachment.**
- Section 2. That Agency Representative is authorized to execute and file with such application an assurance or any other document required by the U.S. Department of Transportation effectuating the purpose of Title VI of the Civil Rights Act of 1964.**
- Section 3. That Agency Representative of the Applicant is authorized to set forth and execute affirmative minority business policies in connection with the project's procurement needs.**
- Section 4. That Agency Representative of the Applicant is authorized to set forth and execute with such application an assurance that the Applicant will comply with the conditions of the Section 5333(b) Warranty as required by the U.S. Department of Labor effectuating the purposes of Section 5333(b) of Fixing America's Surface Transportation Act (FAST Act).**
- Section 5. That Agency Representative is authorized to furnish such additional information as the U.S. Department of Transportation may require in connection with the application or the project.**
- Section 6. That Agency Representative is authorized to execute grant contract agreements on behalf of Applicant with the Kentucky Transportation Cabinet for aid in the financing of the Section 5303, 5304, 5310, 5311 and 5339 assistance project(s).**
- Section 7. That Agency Representative is authorized to sign all grant, budgets, application and contract agreements via electronic signature on behalf of Applicant with the Kentucky Transportation Cabinet.**
- Section 8. This Resolution shall be in full force and effect from and after the date of its adoption.**

WHEREAS, Applicant is authorized by KRS 96A to apply for and accept grants of money to assist in the implementation of a transit system or for transportation planning in Lexington Fayette County (Applicant's service area); and

WHEREAS, Applicant has applied to the Kentucky Transportation Cabinet and the Federal Transit Administration of the United States Department of Transportation Act of 1964, in connection with the Section 5311/5339/5310/5303/5304 project; and

WHEREAS, said Applicant requires assurance of the Applicant's Governing Board relative to the commitment of the local share for the Section 5311/5339/5310/5303/5304 project(s).

NOW THEREFORE, BE IT RESOLVED BY THE Applicant's Governing Board,

1. That the Applicant's Governing Board hereby gives assurance that it is the intent of this Body to commit its local share of the funds necessary to support this project to improve transit service in Applicant's service area, as stated above, for a minimum of five years from the inception of the project. Said local share of expenses is to be resolved from general fund;
2. That the Applicant's Governing Board hereby gives assurance that it is the intent of this Body to continue the operation of transit service or planning for transit service for a minimum of five years.

ADOPTED by vote of the Applicant's Governing Board this 20 day of February, 2020.

Approved:

Linda Gorton
Printed Name

Mayor
Title

Linda Gorton
Signature

Attest:

Abigail Allan
Printed Name

Council Clerk
Title

Abigail Allan
Signature

I, being the duly appointed Council Clerk (Title) of the Applicant, do hereby certify that the foregoing is a true and correct copy of Resolution No. 87-2020, adopted by the Applicant's Governing Board, February 20, 2020.