

**U.S. DEPARTMENT OF TRANSPORTATION
MARITIME ADMINISTRATION**

**GRANT AGREEMENT UNDER THE
FISCAL YEAR 2021 PORT INFRASTRUCTURE DEVELOPMENT PROGRAM (PIDP)
GRANTS**

MARAD FY 2021 PIDP Grant No. 693JF72245018

70X1713D21 2024 1PM2245018 0000150002 41010 61006600 — \$1,617,750

This agreement is between the United States Department of Transportation Maritime Administration (“**MARAD**”) and the Marquette, City of¹ (the “**Recipient**”).

This agreement reflects the selection of the Recipient to receive a PIDP Grant for the Protecting Critical Infrastructure and Improving Efficiency 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 2021 Port Infrastructure Development Program (PIDP) Grants,” dated October 27, 2023, which is available at <https://www.maritime.dot.gov/ports/port-infrastructure-development-program/fy-2021-pidp-general-terms-and-conditions-october-27>. Articles 8–29 are in the General Terms and Conditions. The General Terms and Conditions are part of this agreement.
- (b) The Recipient states that it has knowledge of the General Terms and Conditions.
- (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, terminating of the PIDP Grant, disallowing costs incurred for the Project, requiring the Recipient to refund to MARAD the PIDP Grant, and reporting the non-compliance in the Federal-government-wide integrity and performance system.

¹ The Recipient is referred to here as “Marquette, City of” because that is how its name is listed as part of its unique entity identifier, as required by 2 C.F.R. 200.211(b)(1), but the rest of this agreement will refer to the Recipient by its legal name, the City of Marquette.

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

2.1 Application.

Application Title: Protecting Critical Infrastructure and Improving Efficiency

Application Date: July 30, 2021

2.2 Award Amount.

PIDP Grant Amount: \$1,617,750

2.3 Award Dates.

Budget Period End Date: July 22, 2027

Period of Performance End Date: July 21, 2030

2.4 Large Project or Small Project at a Small Port Designation.

Large-Small Project Designation: Small

2.5 Capital or Planning Designation.

Capital-Planning Designation: Capital

2.6 Federal Award Identification Number. MARAD identifies this award with the following federal award identification number:

693JF72245018

**ARTICLE 3
SUMMARY PROJECT INFORMATION**

3.1 Summary of Project's Statement of Work.

The Project will improve critical port infrastructure, dredge encroaching sediment to protect port infrastructure, and deposit dredge materials on shore to enhance coastal restoration and protect road infrastructure at the Port of Marquette.

3.2 Project’s Estimated Schedule.

Milestone	Schedule Date
Planned City of Marquette Sponsored Dredging Start Date:	March 1, 2024
Planned City of Marquette Sponsored Dredging Substantial Completion Date:	September 20, 2026
Planned Cliffs Inc./ LS&I Sponsored Dredging Start Date:	March 1, 2024
Planned Cliffs Inc./ LS&I Sponsored Dredging Substantial Completion Date:	September 30, 2025

3.3 Project’s Estimated Budget.

Eligible Project Costs	
PIDP Grant Amount:	\$1,617,750
Local Funds:	\$13,000
Other Funds:	\$737,000
Total Eligible Project Cost:	\$2,367,750

**ARTICLE 4
CRITICAL MILESTONE DEADLINES**

4.1 Critical Milestone Deadlines.

The Recipient acknowledges MARAD may terminate this award under Section 17.1(a) on some conditions related to the Project’s estimated schedule, as listed in Section 3.2 and in the following table.

Milestone	Deadline Date
MARAD receives first reimbursement request	May 1, 2024

**ARTICLE 5
PARTY INFORMATION**

5.1 Recipient’s Unique Entity Identifier.

Recipient’s Unique Entity Identifier: NJTGBUGAVBF9

5.2 Recipient Contact(s).

Mikael Kilpela
City Engineer
City of Marquette
1100 Wright Street
Marquette, MI 49855
mkilpela@marquettemi.gov
(906) 225-8995

and

Kellen Wessels
Assistant City Engineer
City of Marquette
1100 Wright Street
Marquette, MI 49855
kwessels@marquettemi.gov
(906) 225-8990

and

Dennis Stachewicz
Director, Community Development
City of Marquette
1100 Wright Street
Marquette, MI 49855
dstachewicz@marquettemi.gov
(906) 225-8377

5.3 Recipient Key Personnel.

None. The parties have not identified any individuals as key personnel for this award.

5.4 MARAD Project Contact(s).

Kelly Mitchell-Carroll
Grants and Cooperative Agreements Officer
DOT – Maritime Administration
1200 New Jersey Ave, SE
Washington, DC 20590
MAR-380
W26-422
Mailstop 5
(202) 366-9714
k.mitchell-carroll@dot.gov

and

David Bohnet
Supervisory Grant Management Specialist
DOT – Maritime Administration
1200 New Jersey Ave, SE
Washington, DC 20590
MAR-510
W21-226
Mailstop 3
(202) 366-0586
david.bohnet@dot.gov

ARTICLE 6 MARAD ADMINISTRATIVE INFORMATION

6.1 Payment System.

MARAD Payment System: Delphi eInvoicing System

6.2 Office for Subaward and Contract Authorization.

MARAD Office for Subaward and Contract Authorization: None

ARTICLE 7 SPECIAL GRANT TERMS

7.1 Mitigation Measures.

- (a) The Recipient shall complete the mitigation activities described in MARAD’s Finding of No Significant Impact (FONSI) and accompanying Environmental Assessment (EA), dated September 18, 2023, including the terms and conditions contained in the required permits and authorizations for the Project.
- (b) The Recipient shall complete the mitigation activities described in the Section 106 consultation correspondence with the Michigan State Historic Preservation Office (MI-SHPO), Ho-Chunk Nation, and Sokaogon Chippewa Community, dated March 6, 2023, December 15, 2022, and December 27, 2022. MI-SHPO and the Sokaogon Chippewa Community require that work be halted and they be contacted if any human remains or archaeological materials are encountered during construction activities. These remains and/or archaeological materials shall not be removed until appropriate consultations with MI-SHPO and the Sokaogon Chippewa Community are complete.

ATTACHMENT A STATEMENT OF WORK

This Project will be broken down into two separate dredging components. Each component will be performed under two independent contracts, one initiated by the Recipient and the other by project partners, Cliffs Inc./ LS&I Railroad. Component 1 will be funded by the PIDP award and Cliffs Inc./ LS&I will fund Component 2 as a non-Federal match.

Component 1 – City of Marquette Sponsored Dredging

- Complete design.
- Dredge up to 54,100 cubic yards (CY) of material from the sediment plume at the outflow of the Dead River. The soils dredged from this location will be placed along the shoreline either at the mouth of the Dead River or to the south of the dredge area.
- Conduct coastal resiliency and shoreline stabilization projects with community partners.

Component 2 – Cliffs Inc./ LS&I Sponsored Dredging

- Dredge up to 22,900 CY of material from the boat loading and unloading areas on the south side of the ore dock. Soils located in the area of the ore dock have been found unsuitable for redistribution due to ore-pellet contamination and will be disposed of in a landside facility that is currently being used for dredge material disposal as part of annual maintenance dredging.

**ATTACHMENT B
ESTIMATED PROJECT BUDGET**

1. Supplementary Fund Source Table

The following table supplements the budget information in section 3.3.

Eligible Costs			
	City of Marquette Sponsored Dredging	Cliffs Inc./ LS&I Sponsored Dredging	Total
PIDP Funds:	\$1,617,750	\$0	\$1,617,750
Local Funds:	\$13,000	\$0	\$13,000
Other Funds:	\$0	\$737,000	\$737,000
Total:	\$1,630,750	\$737,000	\$2,367,750

2. Cost Classification Table

Cost Classification	PIDP Eligible Costs
Administrative and legal expenses	\$36,200
Architectural and engineering fees	\$26,500
Other architectural and engineering fees	\$75,050
Site work	\$215,000
Construction	\$2,015,000
Project Total	\$2,367,750

ATTACHMENT C
OUTCOME PERFORMANCE MEASUREMENT INFORMATION

Study Area: LS&I Ore Dock

Baseline Measurement Date: March 1, 2023 - February 29, 2024

Baseline Report Date: May 1, 2024

Table 1: Outcome Performance Measure Table

Measure	Category and Description of Measure
Freight Movements	Economic Competitiveness Number of Railcars loaded with iron ore delivered to the ore dock.
Gross Tons	Economic Competitiveness Tons of material shipped to and from the ore dock.
Vessel Calls	Economic Competitiveness Vessel type and freight capacity of vessels loading/ unloading at the ore dock.

**ATTACHMENT D
CHANGES FROM APPLICATION**

Scope: After preliminary design, collection of bathometric data, and input from regulators, it has become evident that not all the proposed dredging material shown in the grant proposal is suitable for use in the proposed beneficial reuse areas. Additional areas to deposit dredged materials are described below:

1. The Cliffs Inc./ LS&I Sponsored dredging material (boat slip areas near the Ore Dock) will be placed at a site within the LS&I railyard. This site is currently being used for dredge material disposal as part of annual dredging. The Cliffs Inc./ LS&I Sponsored dredge spoils may contain deleterious materials that are not suitable for beneficial re-use.

2. Any remaining dredge materials will be placed west of Lakeshore Boulevard as shown in the Project design drawings.

Schedule: Due to delays in getting NEPA completed, the Project start and end dates have changed from that anticipated in the application.

Application:

Milestone	Schedule Date
Planned City of Marquette Sponsored Dredging Start Date:	July 1, 2022
Planned City of Marquette Sponsored Dredging Substantial Completion Date:	December 1, 2024
Planned Cliffs Inc./ LS&I Sponsored Dredging Start Date:	July 1, 2022
Planned Cliffs Inc./ LS&I Sponsored Dredging Substantial Completion Date:	December 1, 2024

Grant Agreement:

Milestone	Schedule Date
Planned City of Marquette Sponsored Dredging Start Date:	March 1, 2024
Planned City of Marquette Sponsored Dredging Substantial Completion Date:	September 20, 2026
Planned Cliffs Inc./ LS&I Sponsored Dredging Start Date:	March 1, 2024

Milestone	Schedule Date
Planned Cliffs Inc./ LS&I Sponsored Dredging Substantial Completion Date:	September 30, 2025

Additionally, the Cliffs Inc./ LS&I Sponsored Dredging component in the ore boat area is being proposed for a period of 2 construction seasons (generally March – September due to fish spawning in the fall and the port freezing over during winter) instead of 1 construction season as shown in the grant application. This will allow contractors to complete this work during the short construction seasons without causing shipping delays at the active port site, and not interfering with fish spawning requirements.

Budget: None.

ATTACHMENT E
APPROVED PRE-AWARD COSTS

The Recipient sent a written request to MARAD on January 26, 2023, for pre-award approval authority to begin incurring certain pre-award costs for Preliminary Engineering Design and NEPA Administration related to its Project. The Recipient requested pre-award costs authorization for \$13,000.

On February 23, 2023, MARAD approved the Recipient's request to allow the following pre-award costs:

- Preliminary Engineering Design: \$8,000
- NEPA Administration: \$5,000

These pre-award costs will be eligible to count towards the Recipient's non-Federal cost share, assuming such costs would have been allowable if incurred after the date of the Federal award.

RECIPIENT SIGNATURE PAGE

The Recipient, intending to be legally bound, is signing this agreement on the date stated opposite that party's signature.

THE CITY OF MARQUETTE

Witness

City Mayor
City of Marquette

Witness

Kyle L. Whitney, City Clerk
City of Marquette

APPROVED AS TO FORM:

APPROVED AS TO SUBSTANCE:

Suzanne C. Larsen
City Attorney

Karen M. Kovacs
City Manager

MARAD SIGNATURE PAGE

MARAD, intending to be legally bound, is signing this agreement on the date stated opposite that party's signature.

UNITED STATES DEPARTMENT OF
TRANSPORTATION MARITIME
ADMINISTRATION

_____ By: _____
Date Signature of MARAD's Authorized Representative

Name

Title