

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

**GRANT AGREEMENT UNDER THE
FISCAL YEAR 2020 PORT INFRASTRUCTURE DEVELOPMENT PROGRAM (PIDP)
GRANTS**

MARAD FY 2020 PIDP Grant No. 693JF72140008

70X17130DG 2023 1MR2140008 0000150002 41010 61006600 — \$1,000,000

This agreement is between the United States Department of Transportation Maritime Administration (“**MARAD**”) and the Port Authority of Kansas City MO (the “**Recipient**”).

This agreement reflects the selection of the Recipient to receive a PIDP Grant for the Missouri River Terminal Intermodal Facility planning 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 2020 Port Infrastructure Development Program For Planning Grants Executed After May 14, 2022,” dated September 28, 2022, which is available at <https://www.maritime.dot.gov/ports/office-port-infrastructure-development/pidp-2020-terms-and-conditions-planning-grants>. Articles 8–24 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.

Article 2

APPLICATION, PROJECT, AND AWARD

2.1 Application. The application for funding was dated May 18, 2020 and titled “Missouri River Terminal.” It contained Standard Form 424 and all information and attachments submitted with that form through Grants.gov.

2.2 Project. In this agreement, the “**Project**” means the project proposed in the application identified in Section 2.1 as modified by the negotiated provisions of this agreement, including Article 3 and Attachments A-E.

2.3 Federal Award and Federal Obligation.

MARAD hereby awards a PIDP Grant to the Recipient in the amount of \$1,000,000 and obligates that amount for the budget period.

2.4 Award Dates.

Budget Period End Date: January 30, 2025

Period of Performance End Date: April 30, 2025

Estimated Closeout Date: April 30, 2026

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

693JF72140008

2.6 Planning Project Designation. This is a PIDP planning grant for development phase activities. The Project does not include construction activities.

Article 3

SUMMARY PROJECT INFORMATION

3.1 Summary of Project’s Statement of Work. (See Attachment A for additional details).

This planning Project will implement development phase activities needed to develop (1) pavement and road access, (2) rail access, and 3) preliminary site design for the planned large-scale intermodal facility along the Missouri River in Kansas City, Missouri. The planning and design activities will include access alignment and designs, non-invasive surveys, options analysis, and preliminary site design related to dock planning.

3.2 Project's Estimated Schedule.

Milestone	Schedule Date
Planned Conceptual Design Start Date:	April 15, 2023
Planned Project Substantial Completion Date:	March 31, 2024

3.3 Project's Estimated Budget. (See Attachment B for additional details).

Eligible Project Costs	
PIDP Grant Amount:	\$1,000,000
Local Funds:	\$1,702,000
Total Eligible Project Cost:	\$2,702,000

Article 4
CRITICAL MILESTONE DEADLINES

4.1 Critical Milestone Deadlines.

The Recipient acknowledges MARAD may terminate this award under Section 16.1(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	January 1, 2024

Article 5
PARTY INFORMATION

5.1 Recipient's Unique Entity Identifier.

Recipient's Unique Entity Identifier: JSEKGHB5EPD3

5.2 Recipient Contact(s).

Joseph Lohman
Director of Finance
Port KC
110 Berkley Plaza
Kansas City, MO 64120

(816) 559-3724
Jlohman@portkc.com

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 Agreement 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.

Reserved.

ATTACHMENT A STATEMENT OF WORK

This planning Project will implement development phase activities needed to develop (1) pavement and road access, 2) rail access, and 3) preliminary site design for the site of a planned large-scale intermodal facility along the Missouri River in Kansas City, Missouri. The planning activities are included as one component with three sub-elements:

Component 1: Planning Activities

- Element 1 – Pavement and Road Site Access Planning
 - Conceptual design
 - Design project management
 - Design studies
 - Traffic assessment
 - Final plans for construction ready documents
- Element 2 – Rail Access Planning
 - Investigate and review track feasibility alignment and condition
 - Rail access planning to study alignment alternatives
 - Conceptual Designs – The design will be the basis for the final design and will consist of the following sub-elements:
 - Design project management
 - Project objectives
 - Design studies
 - 30% Design drawings
- Element 3 – Preliminary Site Design
 - Dock structural assessment
 - Conceptual design
 - Design project management
 - Design studies
 - 30% Design drawings
 - Feasibility for wharf improvement
 - hydrologic and hydraulic analysis

**ATTACHMENT B
ESTIMATED PROJECT BUDGET**

1. Supplementary Fund Source Table(s)

Reserved. This Attachment B does not contain any supplementary fund source tables.

2. Cost Classification Table

Cost Classification	Total Costs	Non-PIDP Previously Incurred Costs	Eligible Costs
Architectural and engineering fees	\$2,702,000		\$2,702,000
Project Total	\$2,702,000		\$2,702,000

ATTACHMENT C
OUTCOME PERFORMANCE MEASUREMENT TABLE

Reserved.

ATTACHMENT D MATERIAL CHANGES FROM APPLICATION

Scope: The Recipient was originally selected for award of a FY 2020 PIDP capital grant for \$9,880,000 for activities related to the development of a large-scale intermodal facility along the Missouri River in Kansas City. The work included redevelopment activities such as preventative flooding maintenance, environmental remediation, site design, land acquisition, site security and access preparation, and limited pavement and rail access development. However, after award announcement and numerous discussions with the Recipient, the Project scope has been significantly reduced from the originally awarded capital project to a planning project.

The reason for the scope reduction is that the Recipient needs to secure a Public-Private Partnership (P3) partner before it can begin the capital project components included in the originally awarded project. The P3 partner was also anticipated to provide most of the necessary matching funds for the originally awarded project. The Recipient will need to seek bridge financing to get to and through the P3 procurement process but cannot seek that financing until a grant agreement is in place because the grant agreement is needed to support the bridge financing process. Additionally, since many elements needed for the design of the eventual facility are dependent on the needs of the as-of-yet unknown P3 partner, MARAD could not complete the NEPA review of the originally awarded project, and thus could not obligate the funding. Due to these concerns, MARAD and the Recipient have agreed to only include certain development phase activities in the Project that can be performed by the Recipient now with its own non-Federal funds and the \$1,000,000 in PIDP funds before the P3 partner and additional financing are secured.

The following components have therefore been removed from the Project: the STB Application Process; Environmental Analysis; Legal Consulting Costs; Property Acquisition; Remediation, Contamination, and Floodway Maintenance; and Security Fencing and Gate. The new scope of work outlined in the agreement now consists of one overall planning component with multiple elements: (i) Pavement and Road Site Access Planning, (ii) Rail Access Planning, and (iii) Preliminary Site Design. MARAD determined that the revised scope constitutes an eligible PIDP planning project because the scope of work is for development phase activities that support an eligible capital project under the FY 2020 PIDP. MARAD also determined that the reduced scope independently meets minimum PIDP award amounts (\$1M), independently aligns well with the merit criteria, and meets NEPA requirements with respect to independent utility.

Schedule: The original schedule in the Recipient's grant application anticipated a Project start date of April 1, 2020, and a project completion date of June 30, 2023, for a total project duration of 38 months. The new schedule, focused on road, rail, and dock access planning, will begin in April 2023 and reach completion by March 2024, for a project duration of 12 months. The delay in schedule is due to the time needed to complete the NEPA review as well as negotiate the new scope, schedule, and budget of the reduced-scope Project. The Project duration is roughly 26 months shorter than originally anticipated due to the reduction in scope.

Budget: Per the grant application, the Recipient requested \$10,000,000 to fund a total of nine components. MARAD awarded the Project with a reduced award of \$9,880,000 and the

Recipient committed to a non-Federal matching share of \$16,843,161. However, due to the reduction in scope as described above, the Federal award amount was further reduced from \$9,880,000 to \$1,000,000, the minimum amount allowable under a FY 2020 PIDP grant. The non-Federal contribution is now \$1,702,000 and the total Project cost is \$2,702,000.

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

Fund Source	Application		Section 3.3 and Attachment B	
	\$	%	\$	%
Total Project Cost	\$26,732,161	100%	\$2,702,000	100%
Total Non-PIDP Previously Incurred Cost				
Federal Funds				
Non-Federal Funds				
Total Eligible Project Cost	\$26,732,161		\$2,702,000	
PIDP Funds	\$10,000,000	37%	\$1,000,000	37%
Other Federal Funds				
Non-Federal Funds	\$16,723,161	63%	\$1,702,000	63%

ATTACHMENT E
APPROVED PRE-AWARD COSTS

None. MARAD has not approved under this award any pre-award costs under 2 C.F.R. 200.458. Because unapproved costs incurred before the date of this agreement are not allowable costs under this award, MARAD will neither reimburse those costs under this award nor consider them as a non-Federal cost sharing contribution to this award. Costs incurred before the date of this agreement are allowable costs under this award only if approved in writing by MARAD before being included in the project costs and documented in this Attachment E. See Section 19.2(b).

RECIPIENT SIGNATURE PAGE

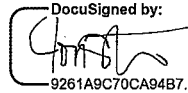
The Recipient, intending to be legally bound, is signing this agreement on the date stated opposite that party's signature.

March 31, 2023

Date

By:

PORT AUTHORITY OF KANSAS CITY MO

DocuSigned by:

9261A9C70CA94B7...

Signature of Recipient's Authorized Representative

Jon Stephens

Name

President & CEO

Title

MARAD SIGNATURE PAGE

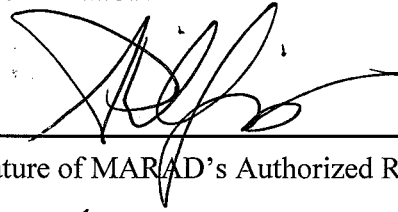
MARAD, intending to be legally bound, is signing this agreement on the date stated opposite that party's signature.

UNITED STATES DEPARTMENT OF
TRANSPORTATION MARITIME
ADMINISTRATION

4/10/23

Date

By:



Signature of MARAD's Authorized Representative

Annie Phillips

Name

Maritime Administration

Title