

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION
PUBLIC TRANSPORTATION
SUPPLEMENTAL JOINT PARTICIPATION AGREEMENT
Number 1

725-030-07
 PUBLIC TRANSPORTATION
 06/11
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Financial Project No.: <u>43035118413</u> <small>(item-segment-phase-sequence)</small> Contract No.: <u>AQC10</u> Catalog of Federal Domestic Assistance Number: _____	Fund: <u>010</u> Function: <u>683</u> Federal No.: <u>FL-57-X013</u> DUNS No.: <u>80-939-7102</u> Catalog of State Financial Assistance Number: <u>20.521</u>	FLAIR Category: <u>088774</u> Object Code: <u>790004</u> Org. Code: <u>5502000531</u> Vendor No.: <u>F596-000-865-007</u> Catalog of State Financial Assistance Number: <u>NA</u>
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THIS AGREEMENT, made and entered into this _____ day of _____, _____, by and between the STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION, an agency of the State of Florida, hereinafter referred to as the Department, and Sumter County Board of County Commissioners
7375 Powell Road, Wildwood, FL 34785
 hereinafter referred to as Agency.

WITNESSETH:

WHEREAS, the Department and the Agency heretofore on the 22nd day of June, 2011, entered into a Joint Participation Agreement; and

WHEREAS, the Agency desires to accomplish certain project items as outlined in the Attachment "A" appended hereto; and

WHEREAS, the Department desires to participate in all eligible items for this project as outlined in Attachment "A" for a total Department Share of \$150,000.00.

NOW, THEREFORE THIS INDENTURE WITNESSETH: that for and in consideration of the mutual benefits to flow from each to the other, the parties hereto agree that the above described Joint Participation Agreement is to be amended and supplemented as follows:

1.00 Project Description: The project description is amended

To continue to provide FTA section 5317 New Freedom grant funding for the operating costs of deviated fixed route service with a service enhancement that covers beyond a three-quarter (3/4) of a mile deviation from the corridor for pickups within the Villages small urban areas of Sumter County.

2.00 Project Cost:

Paragraph 3.00 of said Agreement is increased by \$25,662.00
bringing the revised total cost of the project to \$ 300,000.00.

Paragraph 4.00 of said Agreement is increased by \$12,831.00
bringing the Department's revised total cost of the project to \$ 150,000.00.

3.00 Amended Exhibits:

Exhibit(s) A, B, C & D of said Agreement is amended by Attachment "A".

4.00 Contract Time:

Paragraph 18.00 of said Agreement June 30th, 2013

5.00 E-Verify

Vendors/Contractors:

1. shall utilize the U.S. Department of Homeland Security's E-Verify system to verify the employment eligibility of all new employees hired by the Vendor/Contractor during the term of the contract; and
2. shall expressly require any subcontractors performing work or providing services pursuant to the state contract to likewise utilize the U.S. Department of Homeland Security's E-Verify system to verify the employment eligibility of all new employees hired by the subcontractor during the contract term.

Financial Project No. 43035118413
Contract No. AQC10
Agreement Date _____

Except as hereby modified, amended or changed, all other terms of said Agreement dated June 22nd 2011
and any subsequent supplements shall remain in full force and effect.

IN WITNESS WHEREOF, the parties hereto have caused these presents to be executed, the day and year first
above written.

AGENCY

Sumter County Board of County Commissioners
AGENCY NAME

SIGNATORY (PRINTED OR TYPED)

SIGNATURE

TITLE

FDOT

See attached Encumbrance Form for date of Funding
Approval by Comptroller

LEGAL REVIEW
DEPARTMENT OF TRANSPORTATION

DEPARTMENT OF TRANSPORTATION

District 5 Director of Transportation Development
TITLE

Financial Project No. 43035118413

Contract No. AQC10

Agreement Date _____

ATTACHMENT "A"
 SUPPLEMENTAL JOINT PARTICIPATION AGREEMENT

This Attachment forms an integral part of that certain Supplemental Joint Participation Agreement between the State of Florida, Department of Transportation and Sumter County Board of County Commissioners
7375 Powell Road, Wildwood, FL 34785

dated _____.

DESCRIPTION OF SUPPLEMENT (Include justification for cost change):
 To provide additional funding to the Sumter County New Freedom project.

I.	Project Cost:	As Approved	As Amended	Net
		\$274,338.00	\$300,000.00	\$25,662.00
	Total Project Cost	\$274,338.00	\$300,000.00	\$25,662.00
II.	Fund	As Approved	As Amended	Net
	Department:	\$137,169.00	\$150,000.00	\$12,831.00
	Agency:	\$137,169.00	\$150,000.00	\$12,831.00
		\$0.00	\$0.00	\$0.00
	Total Project Cost	\$274,338.00	\$300,000.00	\$25,662.00

Comments:

EXHIBIT "A"

PROJECT DESCRIPTION AND RESPONSIBILITIES

This exhibit forms an integral part of that certain Joint Participation Agreement between the State of Florida Department of Transportation and Sumter County Board of County Commissioners dated _____.

PROJECT LOCATION: Board of Sumter County Commissioners
Sumter County Transit
7375 Powell Road
Wildwood , FL 34758

Debbie Nelson
Transit Manager
325-689-4448

PROJECT DESCRIPTION:

Sumter County Transit's request to the Florida Department of Transportation for the Section 5317 New Freedom Grant program is to provide funding for the operating costs of deviated fixed route service with a service enhancement that covers beyond a three-quarter (3/4) of a mile deviation from the corridor for pickups within the Villages Small Urban areas of Sumter County.

SPECIAL CONSIDERATIONS BY AGENCY:

The audit report(s) required in paragraph 7.60 of the Agreement shall include a schedule of project assistance that will reflect the Department's contract number, Financial Management Number and the Federal Identification number, where applicable, and the amount of state funding action (receipt and disbursement of funds) and any federal or local funding action and the funding action from any other source with respect to the project.

If the project scope changes, the FDOT project manager must be notified in writing prior to the next scheduled billing cycle. This includes, but is not limited to, the following: billing rate changes, modifications to funded service areas, maintenance and fuel costs changes, staffing, fare increase/decrease, funding, program discontinuation, etc.

DELIVERABLES:

- Quarterly Operating Reports (AORs)
- Detailed budget delineating the scope of services' action items
- Billing Rates and methodology for determining the rates
 - This must be included in the executed JPA

SPECIAL CONSIDERATIONS BY DEPARTMENT:

Please reference Exhibit C – Special Requirements section for specific considerations.

EXHIBIT "B"
PROJECT BUDGET

This exhibit forms an integral part of that certain Joint Participation Agreement between the State of Florida, Department of Transportation and Board of Sumter County Commissioners 7375 Powell Rd., Wildwood, FL34785 dated _____.

I. PROJECT COST:			
New Freedom Operating Costs			
\$60.23/hr x 213.03 hrs/yr x 2 drivers			\$ 25,662.00
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TOTAL PROJECT COST:			\$ 25,662.00
II. PARTICIPATION:			
Maximum Federal Participation			
FTA, FAA	(%) or	\$
Agency Participation			
In-Kind	(%)	\$
Cash	(%)	\$12,831.00
Other	(%)	\$
Maximum Department Participation,			
Primary			
(DS)(DDR)(DIM)(PORT)	(%) or	\$
Federal Reimbursable (DU)(FRA)(DFTA)	(%) or	\$12,831.00
Local Reimbursable (DL)	(%) or	\$
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TOTAL PROJECT COST			\$25,662.00

FM# 430351-1-84-13	DU	\$12,831
Small Urban	LF	\$12,831

EXHIBIT "C"

**Section 5317
New Freedom Program**

This exhibit forms an integral part of that certain Joint Participation Agreement between the State of Florida, Department of Transportation and Board of Sumter County Commissioners 7375 Powell Rd., Wildwood, FL 34785 dated _____ referenced by the above Financial Project Number.

This Agreement is in conformance with Section 5317 of SAFETEA-LU, as amended (49 U.S.C. app. □ 5317) and Section 341.051(1)(a) Florida Statutes.

The Section 5317 subrecipient shall ensure adherence with all federally required certifications and assurances made in its application to the Department for Section 5317 funds.

The Section 5317 subrecipient shall at all times comply with all applicable FTA regulations, policies, procedures and directives, including without limitation those listed directly or by reference in the Master Agreement between the FDOT and FTA, as they may be amended or promulgated from time to time during the term of this contract. Failure to so comply shall constitute a material breach of this contract.

The Section 5317 subrecipient agrees to comply with 49 U.S.C. 5323(d) and 49 CFR Part 604, which provides that recipients and subrecipients of FTA assistance are prohibited from providing charter service using federally funded equipment or facilities if there is at least one private charter operator willing and able to provide the service, except under one of the exceptions at 49 CFR 604.9. Any charter service provided under one of the exceptions must be "incidental," i.e., it must not interfere with or detract from the provision of mass transportation.

Pursuant to 69 U.S.C. 5323(f) and 49 CFR Part 605, the Section 5317 subrecipient of FTA assistance may not engage in school bus operations exclusively for the transportation of students and school personnel in competition with private school bus operators unless qualified under specified exemptions. When operating exclusive school bus service under an allowable exemption, subrecipients may not use federally funded equipment, vehicles, or facilities.

The Section 5317 subrecipient agrees to comply with all applicable standards, orders or regulations issued pursuant to the Federal Water Pollution Control Act, as amended, 33 U.S.C. 1251 if the agreement exceeds \$100,000.

The Section 5317 subrecipient agrees to comply with the requirements pursuant to Byrd Anti-Lobbying Amendment, 31 U.S.C. 1352(b)(5) and 49 CFR Part 19, Appendix A, Section 7.

If this agreement is for a construction project over \$100,000 the recipient must adhere to FTA's bonding requirements as outlined in the Best Practices Procurement Manual.

The 5317 subrecipient agrees to comply with applicable standards, orders or regulations issued pursuant to the Clean Air Act, as amended, 42 U.S.C. 7401 if this agreement exceeds \$100,000.

The 5317 subrecipient agrees to comply with all the requirement of Section 6002 of the Resource Conservation and Recovery Act (RCRA), as amended (49U.S.C. 6962), including but not limited to the regulatory provisions of 40 CFR Part 247, and Executive Order 12873, as they apply to the procurement of the items designated in Subpart B of 40 CFR Part 247.

The 5317 subrecipient agrees to comply with the Davis-Bacon and Copeland Anti-kickback acts as codified at 40 U.S.C. 3141 and 18 U.S.C. 874 for any agreement exceeding \$2,000.

For any contract over \$2,000 the 5317 subrecipient agrees to comply with the Contract Work Hours and Safety Standards Act codified at 40 U.S.C. 3701.

The 5317 subrecipient agrees to comply with the Transit Employee Protective Agreements as codified in 40 U.S.C. 5311 and 29 CFR Part 215.

The 5317 subrecipient shall not perform any act, fail to perform any act, or refuse to comply with any FDOT requests which would cause the 5317 subrecipient to be in violation of the FTA terms and conditions.

JPA Modifications

1. Delete subparagraph 4.10 [c] in its entirety.
2. Add the following sentence at the end of the existing paragraph 7.40: "Such records shall be maintained by the Agency for five years after final payment and made available upon the Department's request."
3. Delete the following language from the end of paragraph 8.30: "and costs attributable to goods and services received under a contract or other arrangements which has not been approved in writing by the Department."
4. Delete paragraph 12.10 in its entirety and replace it with the following language to serve as paragraph 12.10: "It is understood and agreed by the parties hereto that participation by the Department in this project is contingent on the agency complying in full with all provisions of Chapter 287, Florida Statutes." Florida Counsel for the Agency shall provide written certification to the Department of the Agency's compliance with Chapter 287, prior to request for reimbursement.

Special Requirements

The Agency will submit an Annual Performance Measures Report. The Annual Performance Measures Report is due to the District Five Public Transportation Office by September 1 of each year. The annual report will include both quantitative and qualitative information as available on each of the following measures:

1. Increases or enhancements related to geographic coverage, service quality and/or service times that impact availability of transportation services for individuals with disabilities as a result of the New Freedom projects implemented in the current reporting year.
2. Additions or changes to environmental infrastructure (e.g., transportation facilities, side walks, etc), technology, and vehicles that impact availability of transportation services as a result of the New Freedom projects implemented in the current reporting year.
3. Actual or estimated number of rides (as measured by one-way trips) provided for individuals with disabilities as a result of the New Freedom projects implemented in the current reporting year.

EXHIBIT "D"

Federal Resources Awarded to the Recipient Pursuant To This Agreement Consist Of The Following:

Federal Agency: Federal Transit Administration, Department of Transportation

Authorization: 49 U.S.C. 5317

CFDA #: 20.521 New Freedom Program

Amount: \$12,831.00

Compliance Requirement:

Allowed Activities:

To provide grants to recipients for new public transportation services and public transportation alternatives beyond those required by the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et. Seq.) that assists individuals with disabilities with transportation, including transportation to and from jobs and employment support services.

The funds can be used for delivery of services as well as to administer, plan and provide technical assistance for projects.

The project must be a product of the local coordinated public transit human services coordinated plan, competitively selected by the area's recipient, and included in the State Transportation Improvement Program prior to grant award.

Eligibility:

Applicant Eligibility

State and local governments, public agencies, nonprofit organizations, public transportation providers, private transportation providers, and human services transportation providers.

Beneficiary Eligibility

Individuals with disabilities.

Compliance Requirements Applicable To The Federal Resources Awarded Pursuant To This Agreement Are As Follows:

The recipient of New Freedom Program funding must comply with the statutory requirements in 341.051 (1)(a) Florida Statutes, Chapter 49 Code of Federal Regulations, and FTA Circular 9045.1.