

**PUBLIC TRANSPORTATION
SUPPLEMENTAL JOINT PARTICIPATION AGREEMENT
Number 1**

Financial Project No.: 42458028435 <small>(Item-segment-phase-sequence)</small>	Fund: 010	FLAIR Category: 088774
Contract No.: APA52	Function: 683	Object Code: 790004
Catalog of Federal Domestic Assistance Number: 20.516	Federal No.: FL-57-X035	Org. Code: 55052000531
	DUNS No.: 80-939-7102	Vendor No.: F596-000-865-007
	Catalog of State Financial Assistance Number: N/A	

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 Rd., Wildwood, FL 34785
hereinafter referred to as Agency.

WITNESSETH:

WHEREAS, the Department and the Agency heretofore on the 26th day of September, 2008, 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 \$172,791.00.

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 Section 5316 Job Access and Reverse Commute (JARC) funding for operating assistance for transportation services in Sumter County to low income individuals to get to and from places of employment in the amount of \$72,791.00 for services in the Rural areas.

2.00 Project Cost:

Paragraph 3.00 of said Agreement is increased by \$145,582.00
bringing the revised total cost of the project to \$ 345,582.00.

Paragraph 4.00 of said Agreement is increased by \$72,791.00
bringing the Department's revised total cost of the project to \$ 172,791.00.

3.00 Amended Exhibits:

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

4.00 Contract Time:

Paragraph 18.00 of said Agreement September 30th, 2012.

5.00 E-Verify:

The Agency shall utilize the U.S. Department of Homeland Security's E-Verify system, in accordance with the terms governing use of the system, to confirm the employment eligibility of;

1. all persons employed by the Agency during the term of the Contract to perform employment duties within Florida; and
2. all persons, including subcontractors, assigned by the Agency to perform work pursuant to the contract with the Department.

Financial Project No. 42458028435

Contract No. APA52

Agreement Date _____

Except as hereby modified, amended or changed, all other terms of said Agreement dated September 26th 2008 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

FDOT

Sumter County Board of County Commissioners
AGENCY NAME

See attached Encumbrance Form for date of Funding Approval by Comptroller

SIGNATORY (PRINTED OR TYPED)

LEGAL REVIEW
DEPARTMENT OF TRANSPORTATION

SIGNATURE

DEPARTMENT OF TRANSPORTATION

TITLE

District 5 Director of Transportation Development
TITLE

Financial Project No. 42458028435

Contract No. APA52

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 Rd., Wildwood, FL 34785

dated _____

DESCRIPTION OF SUPPLEMENT (Include justification for cost change):
to provide another year of funding for JARC services in Sumter County.

I. Project Cost:	As Approved	As Amended	Net
	\$200,000.00	\$345,582.00	\$145,582.00
Total Project Cost	\$200,000.00	\$345,582.00	\$145,582.00
II. Fund	As Approved	As Amended	Net
Department:	\$100,000.00	\$172,791.00	\$72,791.00
Agency:	\$100,000.00	\$172,791.00	\$72,791.00
	\$0.00	\$0.00	\$0.00
Total Project Cost	\$200,000.00	\$345,582.00	\$145,582.00

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 Board of Sumter County Commissioners 7375 Powell Rd., Wildwood, FL 34785 dated _____.

PROJECT LOCATION: Board of Sumter County Commissioners
Sumter County Transit
7375 Powell Rd.
Wildwood, FL 34785

Mr. David Levesque
Transit Manager
(352) 568-6683

PROJECT DESCRIPTION:

The FTA Section 5316 Job Access Reverse Commute (JARC) Operating Assistance will be used to continue funding existing JARC transportation services, in rural areas of Sumter County for low income individuals, to and from places of employment in the amount of \$72,791.00. This project is scheduled to commence on July 1, 2011 for a period of one (1) year.

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, FL 34785 dated _____.

I. PROJECT COST:

Job Access Reverse Commute Operating Costs		
\$19.34/trip x 6850.46 trips/yr (ambulatory)		\$132,488.00
\$33.15/trip x 296.19 trips/yr (wheelchair)		\$ 9,819.00
Advertising expenses		\$ 3,275.00
TOTAL PROJECT COST:		\$145,582.00

II. PARTICIPATION:

Maximum Federal Participation

FTA, FAA	(%) or	\$
Agency Participation		
In-Kind	(%)	\$
Cash	(50 %)	\$72,791.00
Other	(%)	\$

Maximum Department Participation,

Primary		
(DS)(DDR)(DIM)(PORT)	(%) or	\$
Federal Reimbursable (DU)(FRA)(DFTA)	(50 %)	\$72,791.00
Local Reimbursable (DL)	(%) or	\$

TOTAL PROJECT COST	\$145,582.00
---------------------------	---------------------

FM#4245802-84-35	DU	\$72,791
Rural	LF	\$72,791

EXHIBIT "C"

Section 5316 Job Access and Reverse Commute (JARC)

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 _____.

This Agreement is in conformance with Section 5316 of SAFETEA-LU, as amended (49 U.S.C. app. 5316) and Section 341.051(1)(a) Florida Statutes.

The Section 5316 subrecipient shall ensure adherence with all federally required certifications and assurances made in its application to the Department for Section 5316 funds.

The Section 5316 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 5316 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 49 U.S.C. 5323(f) and 49 CFR Part 605, the Section 5316 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 5316 subrecipient agrees to comply with Buy America requirements outlined in 49 U.S.C. 5323(j) and 49 CFR Part 661, if using the funds granted under this agreement for rolling stock purchases. The recipient also agrees to comply with the pre-award and post delivery requirements outlined in 49 CFR 661.12.

The Section 5316 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 5316 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 5316 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 5316 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 5316 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 5316 subrecipient agrees to comply with the Contract Work Hours and Safety Standards Act codified at 40 U.S.C. 3701.

The 5316 subrecipient agrees to comply with the Transit Employee Protective Agreements as codified in 40 U.S.C. 5311 and 29 CFR Part 215.

The 5316 subrecipient shall not perform any act, fail to perform any act, or refuse to comply with any FDOT requests which would cause the 5316 subrecipient to be in violation of the FTA terms and conditions.

The 5316 subrecipient shall require the independent auditor, retained to perform the audit as required by the Office of Management and Budget (OMB) Circular A-133 and /or the Florida Single Audit Act, 215.97, to specifically test and certify that services funded by the program were provided in non-urbanized areas, that there was no restriction on public use, and that the State and Federal share of eligible costs did not exceed amounts specified in the approved project budget (Exhibit B).

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. Actual or estimated number of jobs that can be accessed as a result of geographic or temporal coverage of Section 5316 JARC projects implemented in the current reporting year.
2. Actual or estimated number of rides (as measured by one-way trips) provided as a result of the Section 5316 JARC 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. 5316

CFDA #: 20.516 Job Access_Reverse Commute

Amount: \$145,582.00

Compliance Requirement:

Allowed Activities:

To provide grants to local governments, nonprofit organizations, and designated recipients of Federal transit funding to develop transportation services to connect welfare recipients and low-income persons to employment and support services. Job Access grants will be to finance planning, capital and operating cost of projects. The Reverse Commute grants can assist in funding the costs associated with adding reverse commute vanpool, carpool or service from urban areas, urban, rural and other suburban locations to suburban work places.

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, nonprofit organizations, and transit providers.

Beneficiary Eligibility

Low income individuals; individuals traveling to suburban work places.

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

The recipient of Job Access and Reverse Commute funding must comply with the statutory requirements in 341.051 Florida Statutes, and Chapter 49 Code of Federal Regulations, and guidance of FTA Circular 9050.1.