

**Amendment #2**  
**State of Florida Commission for the Transportation Disadvantaged**  
**Standard Coordination/Operator Contract**

This agreement amendment is made and entered into this 28<sup>th</sup> day of March 2023, between the Board of County Commissioners of Sumter County Florida, 7375 Powell Road, Wildwood, Florida 34785 (Coordinator) and MTM Transit LLC, 16 Hawk Ridge Drive, Lake Saint Louis, MO 63367 (Agency/Operator).

WHEREAS, the parties executed an original agreement dated August 18, 2020;

WHEREAS, the County wishes to amend the agreement to add additional applicable federal clauses that are required per the Sumter County 2022 FDOT Triennial Review for Recycled/Recovered Materials as well as Transit Employee Protective Agreements. The term of this Agreement does not relieve the Vendor of any future responsibility as described in paragraph six (6) of this Agreement. All other terms and conditions will remain the same.

NOW, THEREFORE, the parties agree as follows:

1. Recovered Materials - The Coordinator agrees to comply with all the requirements of Section 6002 of the Resource Conservation and Recovery Act (RCRA), as amended (42 U.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.
2. Transit Employee Protective Provisions. (1) The Coordinator and Agency/Operator agree to the comply with applicable transit employee protective requirements as follows:
  - (a) General Transit Employee Protective Requirements - To the extent that FTA determines that transit operations are involved, the Coordinator and Agency/Operator agree to carry out the transit operations work on the underlying contract in compliance with terms and conditions determined by the U.S. Secretary of Labor Florida Department of Transportation – Procurement Guidance for Transit Agencies – Revision: 09.24.2015 406 to be fair and equitable to protect the interests of employees employed under this contract and to meet the employee protective requirements of 49 U.S.C. A 5333(b), and U.S. DOL guidelines at 29 C.F.R. Part 215, and any amendments thereto. These terms and conditions are identified in the letter of certification from the U.S. DOL to FTA applicable to the FTA Recipient's project from which Federal assistance is provided to support work on the underlying contract. The Coordinator agrees to carry out that work in compliance with the conditions stated in that U.S. DOL letter. The requirements of this subsection (1), however, do not apply to any contract financed with Federal assistance provided by FTA either for projects for elderly individuals and individuals with disabilities authorized by 49 U.S.C. § 5310(a)(2), or for projects for nonurbanized areas authorized by 49 U.S.C. § 5311. Alternate provisions for those projects are set forth in subsections (b) and (c) of this clause.
  - (b) Transit Employee Protective Requirements for Projects Authorized by 49 U.S.C. § 5310(a)(2) for Elderly Individuals and Individuals with Disabilities - If the contract involves transit operations financed in whole or in part with Federal assistance authorized by 49 U.S.C. § 5310(a)(2), and if the U.S. Secretary of Transportation has determined or determines in the future that the employee protective requirements of 49 U.S.C. § 5333(b) are necessary or appropriate for the state and the public body subrecipient for which work is performed on the underlying contract, the Coordinator and Agency/Operator agree to carry out the Project in compliance with the terms and conditions

determined by the U.S. Secretary of Labor to meet the requirements of 49 U.S.C. § 5333(b), U.S. DOL guidelines at 29 C.F.R. Part 215, and any amendments thereto. These terms and conditions are identified in the U.S. DOL's letter of certification to FTA, the date of which is set forth Grant Agreement or Cooperative Agreement with the state. The Coordinator agrees to perform transit operations in connection with the underlying contract in compliance with the conditions stated in that U.S. DOL letter.

(c) Transit Employee Protective Requirements for Projects Authorized by 49 U.S.C. § 5311 in Nonurbanized Areas - If the contract involves transit operations financed in whole or in part with Federal assistance authorized by 49 U.S.C. § 5311, the Coordinator agrees to comply with the terms and conditions of the Special Warranty for the Nonurbanized Area Program agreed to by the U.S. Secretaries of Transportation and Labor, dated May 31, 1979, and the procedures implemented by U.S. DOL or any revision thereto.

(2) The Coordinator also agrees to include the any applicable requirements in each subcontract involving transit operations financed in whole or in part with Federal assistance provided by FTA.

3. Agency/Operator shall, at all times, comply with the Florida Public Records Law, the Florida Open Meeting Law and all other applicable laws, rules and regulations of the State of Florida.
4. **IF THE AGENCY/OPERATOR HAS QUESTIONS REGARDING THE APPLICATION OF CHAPTER 119, FLORIDA STATUTES, TO THE FIRMS' DUTY TO PROVIDE PUBLIC RECORDS RELATING TO THIS AGREEMENT, CONTACT THE CUSTODIAN OF PUBLIC RECORDS AT 352-689-4400, Sumter County Board of County Commissioners, 7375 Powell Road, Wildwood, Florida 34785 or via email at [Records@sumtercountyfl.gov](mailto:Records@sumtercountyfl.gov).**
5. Except as expressly modified by Amendment #1 and Amendment #2, all other terms and conditions of the original Agreement remain in full force and effect for the term of the Agreement.

Attest: Deputy Clerk

BOARD OF COUNTY COMMISSIONERS,

SUMTER COUNTY, FLORIDA

By: Chairman

Date Signed: \_\_\_\_\_

Date Signed: \_\_\_\_\_

MTM TRANSIT LLC

By: \_\_\_\_\_

Witness:

Date Signed: \_\_\_\_\_

Date Signed: \_\_\_\_\_