

Indian River County Grant Contract Subrecipient Award

This Grant Contract ("Contract") entered into **effective** this 1st day of October 2016 by and between Indian River County, a political subdivision of the State of Florida, 1800 27th Street, Vero Beach FL, 32960 ("County") and Indian River County Senior Resource Association, Inc. (SRA), ("Subrecipient"), 694 14th Street, Vero Beach, FL 32960 (Address), 167981612 (Unique Entity Identifier) for providing and administering mass transit service for Indian River County (Name of Subrecipient's Program)

Background Recitals

- A. The County received see attached list (Federal and/or State Award Identification) ("Award") from the Florida Department of Transportation and Federal Transit Administration (Federal agency) on see attached list (date), the Award Date.
- B. The Awards are for local transit planning projects and assistance for capital and operating expenses (Project Description - provide enough information to give the public a good idea of the purpose and intended outcomes of the subaward).
- C. The Federal Award Identification Numbers ("FAIN") for the Awards, if applicable, is see attached list (FAIN).
- D. The Catalog of Federal Domestic Assistance ("CFDA") Number for the Awards, if applicable, is see attached list (CFDA). The total dollar amount made available under the Awards are \$10,070,794.
- E. The indirect cost rate for the Award, including if the de minimis rate is charged, per federal regulations is based upon the County approved indirect cost allocation plan. See number 6 below.
- F. The Subrecipient, by submitting a proposal to the County, has applied for a grant of money ("Grant") for the Grant Period (as such term is hereinafter defined) on the terms and conditions set forth herein.
- G. The County has agreed to provide such Grant funds to the Subrecipient for the Grant Period (as such term is hereinafter defined) on the terms and conditions set forth herein.

NOW THEREFORE, in consideration of the mutual covenants and promises herein contained, and other good and valuable consideration, the receipt and adequacy of which are hereby acknowledged, the parties agree as follows:

- 1. Background Recitals The background recitals are true and correct and form a material part of this Contract.
- 2. Purpose of Grant The Grant shall be used only for the purposes set forth in the complete proposal submitted by the Subrecipient attached hereto as Exhibit "A" and incorporated herein by this reference (such purposes hereinafter referenced as "Grant Purposes").
- 3. Research and Development The award under this Contract is not for research activities, both basic and applied, and all development activities that are performed by non-Federal entities. The term research also includes activities involving the training of individuals in research techniques where such activities utilize the same facilities as

other research and development activities and where such activities are not included in the instruction function.

4. Term The Subrecipient acknowledges and agrees that the Grant is limited to the fiscal year(s) see attached list ("Grant Period"). The Grant Period and performance start date commences on see attached list.
5. Grant Funds and Payment. The approved Grants for the Grant Period is see attached list (\$10,070,794). The amount of federal funds obligated under this Contract by the County to the Subrecipient is see attached list (\$7,525,812). The total amount of the Awards committed to the Subrecipient by the County is see attached list (\$10,070,794). The total amount of federal funds obligated to the Subrecipient by the County, including the current obligation is see attached list (\$7,525,812). The County agrees to reimburse the Subrecipient from such Grant funds for actual documented costs incurred for Grant Purposes provided in accordance with this Contract. Reimbursement requests may be made no more frequently than monthly. Each reimbursement request shall contain the information, at a minimum, that is set forth in Exhibit "B" attached hereto and incorporated herein by this reference. SRA shall not be subject to the travel expenses and sick or vacation payments to employees policies set forth in exhibit B. All reimbursement requests are subject to audit by the County. In addition, the County may require additional documentation of expenditures, as it deems appropriate.
6. Indirect costs. Subrecipient is permitted to charge an indirect cost rate of 0% to the federal award, because indirect costs are charged directly through an approved indirect cost allocation plan. (The rate shall be based on either the County's federally negotiated indirect cost rate or, if no such rate has been obtained, a fixed rate of 10% of modified total direct costs).

**Schedule A - Approved Allocation
Methodology
Fiscal Year 2016-2017**

Indirect Cost Allocated to All Departments		
Department Description	Wages	%
Apartments	\$4,093	0.2%
Development	\$94,744	3.5%
Case Management	118,684	4.4%
Adult Day Service Vero Beach	260,846	9.7%
Adult Day Service Sebastian	183,061	7%
Meals on Wheels	131,404	4.9%
Congregate Meals	28,620	1.1%
Community Coach	\$572,426	21.4%
GoLine	\$1,287,489	48.0%
Total	\$2,681,367	100%

7. Additional Obligations of Subrecipient.

7.1 Records. The Subrecipient shall maintain adequate internal controls in order to safeguard the Grant. In addition, the Subrecipient shall maintain adequate records fully to document the use of the Grant funds for at least three (3) years after the expiration

of the Grant Period. The County and its auditors shall have access to all books, records, documents and financial statements as required by the County to meet federal requirements or by this Section for the purpose of inspection or audit during normal business hours at the County's expense, upon five (5) days prior written notice.

7.2 Compliance with Laws. The Subrecipient shall comply at all times with all applicable federal, state, and local laws, rules, and regulations, including Title 2 US Code of Federal Regulations Part 200, *Uniform Administrative Requirements, Cost Principles, and Audit Requirements of Federal Awards* (Uniform Guidance), Florida Statutes, Chapter 10.550, *Rules of the Auditor General*, and the terms and conditions of the Award.

7.3 Performance Reports. The Subrecipient shall submit cumulative, Performance Reports to the Metropolitan Planning Organization Department of the County within within thirty (30) business days following: December 31, March 31, June 30, and September 30. These reports should include but not limited to grant expenses and other statistics as required by the grants during the quarter, and the progress the agency has made toward meeting their goals and objectives as they stated in their RFP response.

7.4 Audit Requirements. If Subrecipient receives \$100,000 or more in the aggregate from all Indian River County government funding sources, the Subrecipient is required to have an audit completed by an independent certified public accountant at the end of the Subrecipient's fiscal year. Within 180 days of the end of the Subrecipient's fiscal year, the Subrecipient shall submit the audit to the Indian River County Office of Management and Budget. The fiscal year will be as reported on the application for funding, and the Subrecipient agrees to notify the County prior to any change in the fiscal period of Subrecipient. The Subrecipient acknowledges that the County may deny funding to any Subrecipient if an audit required by this Contract for a prior fiscal year is past due and has not been submitted within the 180 day period.

7.4.1 The Subrecipient further acknowledges that, promptly upon receipt of a qualified opinion from their independent auditor, such qualified opinion shall immediately be provided to the Indian River County Office of Management and Budget. The qualified opinion shall thereupon be reported to the Board of County Commissioners and funding under this Contract will cease immediately. The foregoing termination right is in addition to any other right of the County to terminate this Contract.

7.4.2 The Indian River County Office of Management and Budget reserves the right at any time to send a letter to the Subrecipient requesting clarification if there are any questions regarding a part of the financial statements, audit comments, or notes.

7.5 Insurance Requirements. Subrecipient shall, no later than October 1, 2017, provide to the Indian River County Risk Management Division a certificate or certificates issued by an insurer or insurers authorized to conduct business in Florida that is rated not less than category A-: VII by A.M. Best, subject to approval by Indian River County's risk manager, of the following types and amounts of insurance:

(i) Commercial General Liability Insurance in an amount not less than \$1,000,000 combined single limit for bodily injury and property damage, including coverage for premises/operations, products/completed operations, contractual liability, and independent contractors;

(ii) Business Auto Liability Insurance in an amount not less than \$1,000,000 per occurrence combined single limit for bodily injury and property damage,

including coverage for owned autos and other vehicles, hired autos and other vehicles, non-owned autos and other vehicles; and

(iii) Workers' Compensation and Employer's Liability (current Florida statutory limit)

(iv) In the event that children are supervised, Sexual Molestation Liability Insurance in an amount not less than \$1,000,000 each occurrence/claim.

7.6 Insurance Administration. The insurance certificates, evidencing all required insurance coverages shall be fully acceptable to County in both form and content, and shall provide and specify that the related insurance coverage shall not be cancelled without at least thirty (30) calendar days prior written notice having been given to the County. In addition, the County may request such other proofs and assurances as it may reasonably require that the insurance is and at all times remains in full force and effect. Subrecipient agrees that it is the Subrecipient's sole responsibility to coordinate activities among itself, the County, and the Subrecipient's insurer(s) so that the insurance certificates are acceptable to and accepted by County within the time limits set forth in this Contract. The County shall be listed as an additional insured on all insurance coverage required by this Contract, except Workers' Compensation insurance. The Subrecipient shall, upon ten (10) days' prior written request from the County, deliver copies to the County, or make copies available for the County's inspection at Subrecipient's place of business, of any and all insurance policies that are required in this Contract. If the Subrecipient fails to deliver or make copies of the policies available to the County; fails to obtain replacement insurance or have previous insurance policies reinstated or renewed upon termination or cancellation of existing required coverages; or fails in any other regard to obtain coverages sufficient to meet the terms and conditions of this Contract, then the County may, at its sole option, terminate this Contract.

7.7 Indemnification. The Subrecipient shall indemnify and save harmless the County, its agents, officials, and employees from and against any and all claims, liabilities, losses, damage, or causes of action which may arise from any misconduct, negligent act, or omissions of the Subrecipient, its agents, officers, or employees in connection with the performance of this Contract.

7.8 Public Records. The Subrecipient agrees to comply with the provisions of Chapter 119, Florida Statutes (Public Records Law). Specifically, the Subrecipient shall:

- (1) Keep and maintain public records that ordinarily and necessarily would be required by the County in order to perform the service.
- (2) Provide the public with access to public records on the same terms and conditions that the County would provide the records and at a cost that does not exceed the cost provided in chapter 119 or as otherwise provided by law.
- (3) Ensure that public records that are exempt or confidential and exempt from public records disclosure requirements are not disclosed except as authorized by law.
- (4) Meet all requirements for retaining public records and transfer, at no cost, to the County all public records in possession of the Subrecipient upon termination of the Contract and destroy any duplicate public records that are exempt or confidential and exempt from public records disclosure requirements. All records stored electronically must be provided to the County in a format that is compatible with the information technology systems of the County.

Failure of the Subrecipient to comply with these requirements shall be a material breach of this Agreement.

**IF THE CONTRACTOR HAS QUESTIONS REGARDING THE APPLICATION OF CHAPTER 119, FLORIDA STATUTES, TO THE CONTRACTOR'S DUTY TO PROVIDE PUBLIC RECORDS RELATING TO THIS CONTRACT, CONTACT THE CUSTODIAN OF PUBLIC RECORDS AT:
(772)226-1424
PUBLICRECORDS@IRCGOV.COM
Indian River County of the County Attorney
1801 27th Street
Vero Beach, FL 32960**

8. Termination. This Contract may be terminated by either party, without cause, upon thirty (30) days prior written notice to the other party. In addition, the County may terminate this Contract for convenience upon ten (10) days prior written notice to the Subrecipient if the County determines that such termination is in the public interest.
9. Notice and Contact Information - Except as otherwise provided in this Contract, any notice required pursuant to this Contract from either party to the other party must be in writing and sent by certified mail, return receipt requested, or by personal delivery with receipt. For purposes of all notices, the representatives of the County and Subrecipient are:

County: Mike Smykowski, Budget Director
Indian River County
1801 27th Street
Building A
Vero Beach, FL 32960

Subrecipient: Karen Deigl, President/CEO
Senior Resource Association
694 14th Street
Vero Beach, FL 32960

10. Availability of Funds. The obligations of the County under this Contract are subject to the availability of funds lawfully appropriated for its purpose by the Board of County Commissioners of Indian River County.
11. Standard Terms. This Contract is subject to the standard terms attached hereto as Exhibit C and incorporated herein in its entirety by this reference.
12. Sovereign Immunity. Nothing herein shall constitute a waiver of the County's sovereign immunity.

IN WITNESS WHEREOF, County and Subrecipient have entered into this Contract on the date first above written.

INDIAN RIVER COUNTY BOARD OF COUNTY COMMISSIONERS

By: _____
Commissioner Joseph E. Flescher, Chairman

Attest: Jeffrey R. Smith, Clerk of Courts & Comptroller

By: _____
Deputy Clerk

Approved as to form and legal sufficiency:

Approved: _____
Jason Brown, County Administrator

Dylan Reingold, County Attorney

SUBRECIPIENT:

By: _____
Karen Deidl, President/CEO

Agency Name: Indian River County Senior Resource Association

Exhibit A

Indian River County BOCC SRA Related Grants

Description/Grant Name	State Award ID # Federal Award ID #	CSFA# CFDA#	Amount	Award Date	Grant Period
State Grants:					
FDOT Service Development Grant	G0G90	55.012	\$ 500,000	12/02/16	01/01/17 to 10/31/19
FDOT Commuter Assistance Grant - terminated 06/30/17	G0115	55.007	293,741	08/06/15	06/23/15 to 06/30/20
FDOT Public Transportation Block Grant	ARQ56	55.007	1,349,692	12/24/14	12/29/14 to 12/31/19
FDOT Corridor Grant	ARE86	55.013	401,549	05/22/14	05/22/14 to 04/30/19
Total State Grants			\$ 2,544,982		
Federal Grants:					
FDOT Section 5339 Public Transportation Capital Funds	ARE87	20.526	\$ 612,567	05/22/14	05/22/14 to 04/30/18
FDOT Section 5311 Funding Assistance	ARQ46	20.509	203,830	01/06/15	12/29/14 to 12/30/19
FTA Section 5307 Grant	FL-90-X838	20.507	1,967,175	08/01/14	10/01/13 to 12/31/16
FTA Section 5307 Grant	FL-90-X888	20.507	2,384,987	11/23/15	10/01/14 to 03/31/17
FTA Section 5307 Grant	FL-2016-033	20.507	2,357,253	09/22/16	10/01/15 to 03/31/18
Total Federal Grants			\$ 7,525,812		
Total of All Awards			\$ 10,070,794		



Florida Department of Transportation

**RICK SCOTT
GOVERNOR**

3400 West Commercial Blvd.
Fort Lauderdale, FL 33309

**JIM BOXOLD
SECRETARY**

December 2, 2016

Mr. Brian Freeman, AICP
Senior Transportation Planner
Indian River County MPO
County Administration Building, Building A
1801 27th Street
Vero Beach, FL 32960



Subject: Public Transportation JPA, Contract # G0G90
Service Development Grant, Go-Line Improvements
FM # 438523-1-84-01

Dear Mr. Freeman:

Attached is one (1) fully executed copy of the Joint Participation Agreements (JPA) for the above referenced project. Please keep this office advised of the progress of this project as required by the JPA.

In accordance with Paragraph 16.00, the expiration date of this agreement is October 31, 2019. At expiration, any unused funds will be unencumbered and the contract will be canceled. If the contract needs to be extended, please notify us in writing at least 60 days prior to the expiration date. In addition, Paragraph 16.10 requires final invoicing within 120 days after the agreement expiration date.

Should you have any questions regarding this agreement, please call me at 954-777-4661.

Sincerely,

A handwritten signature in black ink, appearing to read "Jayne A. Pietrowski".

Jayne A. Pietrowski, AICP
Senior Transit Coordinator
Office of Modal Development

Attachments
cc: file

INDIAN RIVER COUNTY, FLORIDA

M E M O R A N D U M

TO: Jason Brown; County Administrator

DEPARTMENT HEAD CONCURRENCE:

Stan Boling

 Stan Boling, AICP; Community Development Director

THROUGH: Phil Matson, AICP; MPO Staff Director *PM*

FROM: Brian Freeman, AICP; Senior Transportation Planner *BF*

DATE: September 23, 2016

SUBJECT: Request for Approval to Enter into a Public Transportation Joint Participation Agreement (JPA) with the Florida Department of Transportation (FDOT) for a Service Development Grant

It is requested that the information herein presented be given formal consideration by the Board of County Commissioners at its regular meeting of October 4, 2016.

DESCRIPTION & CONDITIONS

For the past several years, Indian River County has applied for and received mass transit operating assistance from the Florida Department of Transportation (FDOT). Those FDOT funds, combined with local funds, serve as the required match towards federal transit operating assistance received under 49 USC Ch. 53, Section 5307 (also known as the Urbanized Area Formula Grant program). Those local, state and federal funds are then passed through to the Senior Resource Association (SRA), Indian River County's designated transit service provider. SRA operates the GoLine (fixed route) and the Community Coach (demand response) transit services.

Recently, a Service Development grant to the county expired. That grant was used to expand service on Saturdays and during evening hours on weekdays. In place of the recently expired grant, FDOT has awarded a new Service Development grant in the amount of \$500,000 over a three-year period, beginning in FY 2016/17.

While the new FDOT funding can be applied towards existing service, a portion of it must be used to fund a service improvement. In this case, service hours will be expanded on Saturdays, which is a recommendation of the Transit Development Plan (TDP). Currently, Saturday service is limited to a

Exhibit A

span of six hours (9 am – 3 pm). The TDP recommends increasing Saturday service hours incrementally to 8 am – 6 pm.

To receive the Service Development Grant funds, the County must enter into a Joint Participation Agreement (JPA) with FDOT, a copy of which is attached to this staff report (Attachment #2). As is the case with FDOT's Public Transportation Block Grant program, this grant has a 50% local match requirement. Because this grant is replacing a recently expired grant, matching funds are available in the County's normal transit allocation. Like the Block Grant, both the local contribution and the FDOT funds can be combined as a local/state match towards federal operating assistance through the federal Section 5307 program, which is the county's largest funding source for transit.

ANALYSIS

As with the FTA Section 5307 grant program, only public agencies may be designated recipients of Service Development Grant funds, although the funds may be passed through to a nonprofit provider. Under these restrictions, SRA has requested that the Board of County Commissioners apply for state Service Development Grant funds on its behalf.

The attached Joint Participation Agreement (JPA) is an agreement between FDOT and Indian River County specifying the requirements which the County must meet in order to receive Service Development Grant funds. In this case, the funds are to be used to maintain existing levels of service while also expanding service hours on Saturdays.

The attached resolution (Attachment #1) authorizes the Chairman of the Board of County Commissioners to execute the JPA for Service Development Grant funds. Upon the Board's adoption of the resolution and the Chairman's execution of the JPA, County staff will transmit the JPA to FDOT. Once the JPA has been executed by FDOT, the funds will be transmitted to the County and passed along to the Senior Resource Association (SRA), the County's public transportation provider, so that the SRA can continue providing fixed route and demand-response transit service. The provision of such service is consistent with the findings of the MPO's adopted 10-year Transit Development Plan and 2040 Long Range Transportation Plan.

FUNDING

Funding in the amount of \$166,667 is budgeted and available in the General Fund/Community Transportation Coordinator account (Account Number 00111041-088230). These funds are part of the allocation given to the Senior Resource Association to provide transit service in the county.

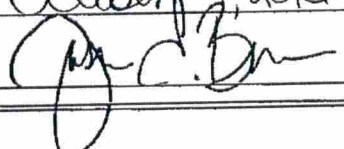
RECOMMENDATION

Staff recommends that the Board of County Commissioners approve the attached Public Transportation Joint Participation Agreement and adopt the attached resolution authorizing the Chairman to sign the agreement.

Exhibit A

ATTACHMENTS

1. Authorizing Resolution for the Execution of a Public Transportation Joint Participation Agreement
2. FDOT Public Transportation Joint Participation Agreement
3. Grant Budget Form

APPROVED AGENDA ITEM:	
FOR:	October 4, 2016
BY:	





Indian River Co,	Approved	Date
Admin.		9/29/16
Legal		9-27-16
Budget		9-28-16
Dept.		9/26/16
Risk Mgr.	_____	_____

Exhibit A



Florida Department of Transportation

RICK SCOTT
GOVERNOR

3400 West Commercial Blvd.
Fort Lauderdale, FL 33309

JIM BOXOLD
SECRETARY

August 6, 2015

Mr. Brian Freeman, AICP
Indian River County MPO
Building A
1801 27th Street
Vero Beach, FL 32960

Subject: Public Transportation JPA, Contract # G0115
Commuter Assistance Grant, Beachside Circulator
FM # 437719-1-84-01

Dear Mr. Freeman:

Attached are two (2) fully executed copies of the Joint Participation Agreements (JPA) for the above referenced project. Please keep this office advised of the progress of this project as required by the JPA.

In accordance with Paragraph 16.00, the expiration date of this agreement is June 30, 2020. At expiration, any unused funds will be unencumbered and the contract will be canceled. If the contract needs to be extended, please notify us in writing at least 60 days prior to the expiration date. In addition, Paragraph 16.10 requires final invoicing within 120 days after the agreement expiration date.

Should you have any questions regarding this agreement, please call me at 954-777-4661.

Sincerely,

A handwritten signature in black ink, appearing to read "Jayne".

Jayne Pietrowski, AICP
Senior Transit Coordinator
Office of Modal Development

Attachments
cc: file

Exhibit A

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

Number 01

Financial Project No.: <u>437719-1-84-01</u> <small>(item-segment-phase-sequence)</small>	Fund: <u>DPTO</u> Function: <u>215</u> Federal No.: _____ DUNS No.: <u>80-939-7102</u>	FLAIR Approp.: <u>088774</u> FLAIR Obj.: <u>751000</u> Org. Code: <u>55042010429</u> Vendor No.: <u>VF596000674007</u>
Contract No.: <u>G0115</u> CFDA Number: _____	CSFA Number: <u>55.007</u>	

THIS AGREEMENT, made and entered into this 29 day of April, 2016
by and between the STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION, an agency of the State of Florida,
hereinafter referred to as the Department, and Indian River County
1801 27th Street, Vero Beach, FL 32960
hereinafter referred to as Agency.

WITNESSETH:

WHEREAS, the Department and the Agency heretofore on the 23 rd day of June, 2015
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 \$ 293,741.00
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

Supplemental funds for operations of the Beachside Circulator, a public-privately funded transit route. This service provides job access and a park and ride connection.

G0115 2/5

8E

INDIAN RIVER COUNTY, FLORIDA

MEMORANDUM

TO: Joseph A. Baird; County Administrator

DEPARTMENT HEAD CONCURRENCE:

Stan Boling
Stan Boling, AICP; Community Development Director

THROUGH: Phil Matson, AICP; MPO Staff Director *PM*

FROM: Brian Freeman, AICP; Senior Transportation Planner *BF*

DATE: May 27, 2015

SUBJECT: Request for Approval to Enter into a Public Transportation Joint Participation Agreement (JPA) with the Florida Department of Transportation (FDOT) for a Commuter Assistance Grant

It is requested that the information herein presented be given formal consideration by the Board of County Commissioners at its regular meeting of June 9, 2015.

DESCRIPTION & CONDITIONS

For the past several years, the county has applied for and received transit operating assistance through Florida Department of Transportation (FDOT) grant programs. Those grant funds have been passed through to the Senior Resource Association (SRA), Indian River County's transit service provider.

Recently, the county was approved for an FDOT Commuter Assistance Grant that will provide funding for a new bus route that would serve as a circulator in the Vero Beach barrier island business district. The proposed beachside circulator will be known as GoLine Route 16 and will connect employment, business, tourist, and leisure destinations with a remote parking lot at Riverside Park, where the circulator will also connect with GoLine Route 1. It is expected that Route 16 will operate at a 15-minute frequency (i.e. four stops per hour at each destination along the route). The service is expected to begin on July 1, 2015.

The proposed circulator represents the first public-private partnership to support public transportation in Indian River County. The grant has a local match requirement equal to 25% of the state funds. In this case, the local match for the first year of service is \$40,000, which is being

Exhibit A

provided by a local business, the Vero Beach Hotel and Spa (see Attachment #4). According to the agreement, the Vero Beach Hotel and Spa will provide upfront the \$40,000 in local matching funds. At this time, the Board needs to approve the agreement in order to accept the funds and apply those funds as the grant's required local match.

To incentivize private sector participation in the project, the SRA has agreed to place advertising for the participating business on the beachside circulator bus. In subsequent years, it is expected that the local match will continue to be provided by the private sector. FDOT has confirmed that, should no business be willing to pay the local match, the County will be under no obligation to continue operating the service.

The cost to operate the beachside circulator is approximately \$200,000 per year. Of this amount, the required local contribution is \$40,000. The total amount being made available by FDOT during FY 2014/15 and 2015/16 (\$263,741) is sufficient to fund over 18 months of service. At this time, FDOT has allocated an initial amount of \$88,841 to the county to begin the service. During state FY 2015/16, an additional \$174,900 will be awarded to the County. If the proposed beachside circulator is successful, FDOT has indicated that it will remain eligible in future years for funding through the Commuter Assistance program.

In order to receive the funds for FY 2014/15, the BCC must enter into a Joint Participation Agreement (JPA) with FDOT, a copy of which is attached to this staff report (Attachment #2). The FY 2015/16 funds will be made available through a Supplemental JPA that will be brought before the Board after July 1, 2015.

ANALYSIS

The attached resolution (Attachment #1) authorizes the Chairman to execute the JPA for Commuter Assistance Grant funds. Upon the Board's adoption of the resolution and the Chairman's execution of the JPA, MPO staff will transmit the JPA to FDOT.

With respect to the Commuter Assistance Grant program, the county receives the grant funds and transfers those funds to the county's Community Transportation Coordinator and transit provider, the Senior Resource Association (SRA). The SRA, in turn, provides the service as directed by the county and as identified in the JPA. In this case, the funds will be used to operate the beachside circulator.

Because the local matching funds for the first year of service are being provided by the Vero Beach Hotel and Spa, this grant is a public-private partnership. The agreement between the SRA and Vero Beach Hotel and Spa (Attachment #4) needs to be approved by the Board so that the county can accept those funds and apply them as the required local match.

FUNDING

The local match for the first year of beachside circulator service (\$40,000) is being provided by a local business, the Vero Beach Hotel and Spa. During future years, it is expected that the hotel or another business will provide the local match. FDOT has confirmed that, should no business be

Exhibit A

willing to pay the local match, the County will be under no obligation to continue operating the service. Therefore, no county funding is required.

RECOMMENDATION

Staff recommends that the Board of County Commissioners approve the attached Public Transportation Joint Participation Agreement, adopt the attached resolution authorizing the Chairman to sign the agreement, and approve the agreement with the Vero Beach Hotel and Spa for contribution of the local match.

ATTACHMENTS

1. Authorizing Resolution for the Execution of a Public Transportation Joint Participation Agreement
2. FDOT Public Transportation Joint Participation Agreement
3. Grant Budget Form
4. Agreement with Vero Beach Hotel and Spa for Local Match Contribution

APPROVED AGENDA ITEM:
FOR:
BY: <i>Joseph A. Bauriel</i>

Indian River Co,	Approved	Date
Admin.	<i>[Signature]</i>	6-3-15
Legal	<i>[Signature]</i>	6-3-15
Budget	<i>[Signature]</i>	6/3/15
Dept.	<i>[Signature]</i>	6/2/15
Risk Mgr.		



Florida Department of Transportation

RICK SCOTT
GOVERNOR

3400 West Commercial Boulevard
Fort Lauderdale, FL 33309

ANANTH PRASAD, P.E.
SECRETARY

December 24, 2014

Brian Freeman,
Senior Transportation Planner
Indian River County
1801 27th Street
Building A
Vero Beach, FL 32960



Subject: **FM No.:** **407190-4-84-01**
 Contract No.: **ARQ56**
 Description: **New JPA**

Dear Mr. Freeman:

Enclosed are two (2) fully executed Joint Participation Agreements (SJPA) for the above referenced project. Please keep this office advised of the progress on this project as required by the JPA.

In accordance with Paragraph 18.00, the expiration date of the JPA agreement is **December 31, 2019**. At expiration, any unused funds will be unencumbered and the contract will be canceled. If the contract needs to be extended, please notify us in writing at least 60 days prior to the expiration date. In addition, paragraph 18.10 requires final invoicing within 120 days after the contract expiration date.

Should you have any questions regarding this Agreement, please call me at (954) 777-4573.

Sincerely,

Wibet Hay
Transit Coordinator
Office of Modal Development

encl

cc: File

Exhibit A

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

725-030-07
PUBLIC TRANSPORTATION
6/11
Page 1 of 3

Number 2

Financial Project No.: <u>407190-4-84-01</u> <small>(item-segment-phase-sequence)</small>	Fund: <u>DPTO</u>	FLAIR Approp.: <u>088774</u>
Contract No.: <u>ARQ56</u>	Function: <u>215</u>	FLAIR Obj.: <u>751000</u>
CFDA Number: _____	Federal No.: _____	Org. Code: <u>55042010429</u>
	DUNS No.: <u>80-939-7102</u>	Vendor No.: <u>F596000674007</u>
	CSFA Number: <u>55.010</u>	

THIS AGREEMENT, made and entered into this 29 day of November, 2014
by and between the STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION, an agency of the State of Florida,
hereinafter referred to as the Department, and Indian River County Board of County Commissioners
1801 27th Street Vero Beach, FL 32960
hereinafter referred to as Agency.

WITNESSETH:

WHEREAS, the Department and the Agency heretofore on the 29th day of December, 2014
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 \$ 1,349,692.00
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
Provide Operating funding for public transportation thru Block Grant.

AR056 2/3

8E

INDIAN RIVER COUNTY, FLORIDA

MEMORANDUM

TO: Joseph A. Baird; County Administrator

DEPARTMENT HEAD CONCURRENCE:

Stan Boling
Stan Boling, AICP; Community Development Director

THROUGH: Phil Matson, AICP; MPO Staff Director *PM*

FROM: Brian Freeman, AICP; Senior Transportation Planner *BSF*

DATE: October 9, 2014

SUBJECT: Request for the Board of County Commissioners to Enter into a Public Transportation Joint Participation Agreement (JPA) with the Florida Department of Transportation (Public Transportation Block Grant)

It is requested that the information herein presented be given formal consideration by the Board of County Commissioners at its regular meeting of October 21, 2014.

DESCRIPTION & CONDITIONS

For the past several years, Indian River County has applied for and received mass transit operating assistance through the Florida Department of Transportation (FDOT) Public Transportation Block Grant program. Each year, the County combines Block Grant funds with local funds as a match towards federal transit operating assistance received under 49 USC Ch. 53, Section 5307 (also known as the Urbanized Area Formula Grant program) and Section 5311 (also known as the Rural Area Formula Grant program). These state and federal grant funds are passed through to the Senior Resource Association (SRA), Indian River County's designated transit service provider. SRA operates the GoLine (fixed-route) and the Community Coach (demand response) transit services.

For FY 2014/15, \$457,662 has been allocated through the state Block Grant program to the county. Because the Block Grant has a 50% match requirement, the county is required to provide a local match of \$457,662. As was the case in previous years, matching funds will come from the County's normal transit allocation. Together, the Block Grant funds and local funds will be applied as a local/state match towards \$915,324 in federal operating assistance through the Section 5307 program (\$843,381) and the Section 5311 program (\$71,943). As a result, the county will receive \$1,372,986 in combined federal and state transit operating assistance.

Exhibit A

In terms of transit, the County receives most of its funding through the federal Section 5307 grant program. To obtain those federal Section 5307 funds, the County must complete an application and follow a process that includes several steps. For FY 2014/15, the first step is to apply for state Block Grant funds. Subsequent steps include applying for federal capital and operating assistance and applying for Florida toll revenue credits for use as a soft match for federal capital assistance.

According to state regulations, Block Grant funds may be used for both eligible capital and operating costs of public transit providers. Because the local match requirement for the capital portion of the County's FY 2014/15 Section 5307 grant may be met by soft-match rather than cash-match funds (which effectively provides for 100% federal funding of capital expenses), the entire FY 2014/15 Block Grant is proposed as a partial match for Section 5307 operating funds.

Pursuant to state regulations, Block Grant funds may not exceed 50% of the nonfederal share of total eligible operating expenses of transit service provision. Also, activities funded with Block Grant funds must be consistent with applicable approved local government comprehensive and transit plans. To receive the Block Grant funds, the County must enter into a Joint Participation Agreement with FDOT, a copy of which is attached to this staff report (Attachment #2).

ANALYSIS

As with the FTA Section 5307 grant program, only public agencies may be designated recipients of Block Grant funds, although the funds may be passed through to a nonprofit provider. Under these restrictions, SRA has requested that the Board of County Commissioners apply for state Block Grant funds on its behalf.

The attached Joint Participation Agreement (JPA) is an agreement between FDOT and Indian River County specifying the requirements which the County must meet in order to receive Block Grant funds. One of the most important of these requirements is that the County prepare and approve an annual update to its Transit Development Plan (TDP).

The attached resolution (Attachment #1) authorizes the Chairman of the Board of County Commissioners to execute the JPA for Public Transportation Block Grant funds. Upon the Board's adoption of the resolution and the Chairman's execution of the JPA, County staff will transmit the JPA to FDOT. Once the JPA has been executed by FDOT, the funds will be transmitted to the County and passed along to the Senior Resource Association (SRA), the County's public transportation provider, so that the SRA can continue providing fixed route and demand-response transit service. The provision of such service is consistent with the findings of the MPO's adopted 10-year Transit Development Plan and 2035 Long Range Transportation Plan.

FUNDING

Funding in the amount of \$457,662 is budgeted and available in the General Fund/Community Transportation Coordinator account (Account Number 00111041-088230). These funds are part of the allocation given to the Senior Resource Association to provide transit service in the county.

RECOMMENDATION

Staff recommends that the Board of County Commissioners approve the attached Public Transportation Joint Participation Agreement and adopt the attached resolution authorizing the Chairman to sign the agreement.

ATTACHMENTS

1. Authorizing Resolution for the Execution of a Public Transportation Joint Participation Agreement
2. FDOT Public Transportation Joint Participation Agreement
3. Grant Budget Form

APPROVED AGENDA ITEM:
FOR: October 21, 2014
BY: Joseph A. Baurd





Indian River Co,	Approved	Date
Admin.		10/16/14
Legal		10-14-14
Budget		10/14/14
Dept.		10/13/14
Risk Mer.		

Exhibit A

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

725-030-07
PUBLIC TRANSPORTATION
B/11
Page 1 of 2

Number 01

Financial Project No.: <u>435846-1-84-01</u> <small>(item-segment-phase-sequence)</small>	Fund: <u>DPTO</u> Function: <u>215</u> Federal No.: _____ DUNS No.: <u>80-939-7102</u>	FLAIR Approp.: <u>088774</u> FLAIR Obj.: <u>751000</u> Org. Code: <u>55042010429</u> Vendor No.: <u>VF596000674029</u>
Contract No.: <u>ARE86</u> CFDA Number: _____	CSFA Number: <u>55.013</u>	

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 Indian River County
1801 27th Street, Vero Beach, FL 32960
 hereinafter referred to as Agency.

WITNESSETH

WHEREAS, the Department and the Agency heretofore on the 22 nd day of May, 2014
 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 \$ 401,549.00
 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 include supplemental operating funds for regional express transit service

ARE86 1/4

Exhibit A

2.00 Project Cost:

Paragraph 3.00 of said Agreement is increased decreased by \$ 195,543.00
bringing the revised total cost of the project to \$ 401,549.00

Paragraph 4.00 of said Agreement is increased decreased by \$ 195,543.00
bringing the Department's revised total cost of the project to \$ 401,549.00

3.00 Amended Exhibits:

Exhibit(s) B of said Agreement is amended by Attachment "A".

4.00 Contract Time:

Paragraph 18.00 of said Agreement 4/30/2019

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.

ARE86 2/4

CONSENT AGENDA

ARE 86 \$401,549

INDIAN RIVER COUNTY, FLORIDA

MEMORANDUM

TO: Joseph A. Baird; County Administrator

DEPARTMENT HEAD CONCURRENCE:

Stan Boling
Stan Boling, AICP; Community Development Director

THROUGH: Phil Matson, AICP; MPO Staff Director

FROM: Brian Freeman, AICP; Senior Transportation Planner *BF*

DATE: May 27, 2016

SUBJECT: Request for Approval to Enter into a Public Transportation Supplemental Joint Participation Agreement (SJPA) with the Florida Department of Transportation (FDOT) to Continue Bus Service to the Indian River State College Main Campus (Fort Pierce)

It is requested that the information herein presented be given formal consideration by the Board of County Commissioners at its regular meeting of June 7, 2016.

DESCRIPTION & CONDITIONS

For the past several years, the county has applied for and received transit operating assistance under the Florida Department of Transportation (FDOT) Corridor Grant program. These grant funds have been passed through to the Senior Resource Association (SRA), Indian River County's transit service provider.

FDOT Corridor Grant funds may be used for improving transit operations, such as realigning routes or increasing coverage areas. On May 22, 2014, the county was approved for an FDOT Corridor Grant which provided funding for hourly intercounty transit service to the Indian River State College (IRSC) Main Campus in Fort Pierce. This service is provided through GoLine Route 15, which connects with three other GoLine routes (Routes 6, 7, and 14) at the Oslo Plaza shopping center. With a simple transfer, riders coming from the IRSC Mueller Campus, the Main Transit Hub, the Indian River Mall, Vero Beach Highlands, and other locations may travel to the IRSC Main Campus in Fort Pierce.

Through this grant, intercounty transit service to St. Lucie County is 100% funded by FDOT with no local contribution. When the grant was initially approved in 2014, FDOT provided \$206,006 in

ARE 86 3/4

Exhibit A

funding for the intercounty transit service. At this time, FDOT is allocating an additional \$195,543 to the county. Additional FDOT funding will be available in FY 2016/17. FDOT has also agreed to extend the grant two additional years, with a new expiration date of April 30, 2019. In order to receive these funds, the BCC must enter into a Supplemental Joint Participation Agreement (SJPA) with FDOT, a copy of which is attached to this staff report (Attachment #2).

ANALYSIS

The attached resolution (Attachment #1) authorizes the Chairman to execute the SJPA for Corridor Grant funds. Upon the Board's adoption of the resolution and the Chairman's execution of the SJPA, MPO staff will transmit the SJPA to FDOT.

As with the FTA Section 5307 grant program, only public agencies may be designated recipients of state Corridor Grant funds. With respect to the Corridor Grant program, the county receives the grant funds and transfers those funds to the county's Community Transportation Coordinator and transit provider, the Senior Resource Association (SRA). The SRA, in turn, provides the service as directed by the county and as identified in the SJPA. In this case, the funds are to be used to provide intercounty service to the IRSC Main Campus in St. Lucie County.




RECOMMENDATION

Staff recommends that the Board of County Commissioners approve the attached Public Transportation Supplemental Joint Participation Agreement and adopt the attached resolution authorizing the Chairman to sign the agreement.

ATTACHMENTS

1. Authorizing Resolution for the Execution of a Public Transportation Supplemental Joint Participation Agreement
2. FDOT Public Transportation Supplemental Joint Participation Agreement
3. Grant Budget Form

APPROVED AGENDA ITEM:
FOR: <u>June 7, 2016</u>
BY: <u>Joseph A. Baur</u>

Indian River Co,	Approved	Date
Admin.		6/2/16
Legal		5/31/16
Budget	MS	6-1-16
Dept.		5/31/16
Risk Mgr.		

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

Number 01

Financial Project No.: <u>435841-1-94-01</u> <small>(item-segment-phase-sequence)</small>	Fund: <u>DU</u>	FLAIR Approp.: <u>088774</u>
Contract No.: <u>ARE87</u>	Function: <u>215</u>	FLAIR Obj.: <u>780000</u>
CFDA Number: <u>20.526</u>	Federal No.: <u>N/A</u>	Org. Code: <u>55042010429</u>
	DUNS No.: <u>80-939-7102</u>	Vendor No.: <u>VF596000674029</u>
	CSFA Number: <u>N/A</u>	

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 Indian River County Board of County Commissioners
1801 27th Street, Vero Beach, FL 32960
 hereinafter referred to as Agency.

WITNESSETH:

WHEREAS, the Department and the Agency heretofore on the 22 nd day of May, 2014
 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 \$ 612,567.00
 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
 Additional funds for Bus Purchase

ARE87 1/4

Exhibit A

2.00 Project Cost:

Paragraph 3.00 of said Agreement is increased decreased by \$ 196,717.00
bringing the revised total cost of the project to \$ 612,567.00

Paragraph 4.00 of said Agreement is increased decreased by \$ 196,717.00
bringing the Department's revised total cost of the project to \$ 612,567.00

3.00 Amended Exhibits:

Exhibit(s) B of said Agreement is amended by Attachment "A".

4.00 Contract Time:

Paragraph 16.00 of said Agreement 4/30/2018.

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.

ARE87 2/4

INDIAN RIVER COUNTY, FLORIDA

MEMORANDUM

TO: Jason E. Brown; County Administrator

THROUGH: Stan Boling, AICP; Community Development Director
Phillip J. Matson, AICP; MPO Staff Director

FROM: Brian Freeman, AICP; Senior Transportation Planner

DATE: April 6, 2017

SUBJECT: Approval of a Public Transportation Supplemental Joint Participation Agreement (SJPA) with the Florida Department of Transportation (FDOT) for Section 5339 Public Transportation Capital Funds

It is requested that the information herein presented be given formal consideration by the Board of County Commissioners at its regular meeting of April 18, 2017.

DESCRIPTION & CONDITIONS

Funding for most of the capital costs associated with Indian River County's public transportation system comes from the federal Section 5307 grant program. MAP-21, the federal transportation bill enacted by Congress in 2012, created an additional program to provide funding for public transportation capital expenses. That new program is known as Section 5339, or the Bus and Bus Facilities Program.

According to federal regulations, Section 5339 program grants may be used for the purchase of capital items such as buses, shelters, and other equipment. As with capital expenses in the Section 5307 program, the required 20% nonfederal share can be provided through a soft match (which effectively provides for 100% federal funding of capital expenses). In Florida, state toll revenue credits are utilized as a soft match to provide the required nonfederal share. The use of a soft match eliminates the need for the county to provide a cash outlay for capital expenses.

At this time, \$196,717 in Section 5339 funds is being allocated to the county. Those federal funds were originally allocated during FY 2015. While Section 5339 funds are federal grant funds, the Florida Department of Transportation (FDOT) has administered the Section 5339 program within the state of Florida through FY 2015. In order to receive these funds, the BCC must enter into a Joint Participation Agreement (JPA) with FDOT, a copy of which is attached to this staff report (Attachment #2).

Exhibit A

At the request of FDOT, this SJPA replaces the one approved by the Board on October, 18, 2016. That version of the SJPA included funds from FY 2015 and FY 2016, while the revised SJPA contains funds from only FY 2015. Beginning with the FY 2016 allocation, the County will apply directly to the Federal Transit Administration (FTA) for Section 5339 program funds. At this time, FDOT and FTA are establishing the process for obtaining Section 5339 funding for FY 2016 and later years. County staff expect it will be similar to the Section 5307 application process.

ANALYSIS

The attached resolution (Attachment #1) authorizes the Chairman to execute the JPA for Section 5339 program funds. Upon the Board's adoption of the resolution and the Chairman's execution of the JPA, MPO staff will transmit the JPA to FDOT.

As with the FTA Section 5307 grant program, only public agencies may be designated recipients of Section 5339 funds. With respect to the Section 5339 program, the county receives the grant funds and transfers those funds to the county's Community Transportation Coordinator and transit provider, the Senior Resource Association (SRA). The SRA, in turn, provides the service as directed by the county and as identified in the JPA. In this case, the funds are to be used to purchase buses for the GoLine fixed route public transportation system.

FUNDING

No local match is required for this grant. State toll revenue credits are utilized as a soft match to provide the required nonfederal share. The use of a soft match eliminates the need for the county to provide a cash outlay for capital expenses.

RECOMMENDATION

Staff recommends that the Board of County Commissioners approve the attached Public Transportation Supplemental Joint Participation Agreement and adopt the attached resolution authorizing the Chairman to sign the agreement.

ATTACHMENTS

1. Authorizing Resolution for the Execution of a Public Transportation Joint Participation Agreement
2. FDOT Public Transportation Joint Participation Agreement
3. Grant Budget Form



Florida Department of Transportation

RICK SCOTT
GOVERNOR

3400 West Commercial Boulevard
Fort Lauderdale, FL 33309

JIM BOXOLD
SECRETARY

January 6, 2015

Brian Freeman
Senior Transportation Planner
Indian River County
1801 27th Street,
Building A
Vero Beach, FL 32960



Subject: **FM No.:** **407182-284-01**
 Contract No.: **ARQ46**
 Description: **New JPA**

Dear Mr. Freeman:

Enclosed are two (2) fully executed Joint Participation Agreements (JPA) for the above referenced project. Please keep this office advised of the progress on this project as required by the JPA.

In accordance with Paragraph 18.00, the expiration date of the agreement is **December 31, 2019**. At expiration, any unused funds will be unencumbered and the contract will be canceled. If the contract needs to be extended, please notify us in writing at least 60 days prior to the expiration date. In addition, paragraph 18.10 requires final invoicing within 120 days after the contract expiration date.

Should you have any questions regarding this Agreement, please call me at (954) 717-2253.

Sincerely,

Wibet Hay
Transit Coordinator
Office of Modal Development

encl

cc: File

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

Number 2

Financial Project No.: <u>407182-2-84-01</u> <small>(item-segment-phase-sequence)</small>	Fund: <u>DU</u>	FLAIR Approp.: <u>088774</u>
Contract No.: <u>ARQ46</u>	Function: <u>215</u>	FLAIR Obj.: <u>780000</u>
CFDA Number: <u>20.509</u>	Federal No.: _____	Org. Code: <u>55042010429</u>
	DUNS No.: <u>80-939-7102</u>	Vendor No.: <u>596000674007</u>
	CSFA Number: _____	

THIS AGREEMENT, made and entered into this 28 day of November 2016
 by and between the STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION, an agency of the State of Florida,
 hereinafter referred to as the Department, and Indian River County Board of County Commissioners
1801 27th Street Vero Beach, FL 32960
 hereinafter referred to as Agency.

WITNESSETH:

WHEREAS, the Department and the Agency heretofore on the 29th day of December, 2014
 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 \$ 203,830.00

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

Provide funding for public transportation in the non-urbanized area Section 5311

ARQ46 2/4

INDIAN RIVER COUNTY, FLORIDA

MEMORANDUM

TO: Joseph A. Baird; County Administrator

DEPARTMENT HEAD CONCURRENCE:

Stan Boling
Stan Boling, AICP; Community Development Director

THROUGH: Phil Matson, AICP; MPO Staff Director *am*

FROM: Brian Freeman, AICP; Senior Transportation Planner *BF*

DATE: February 27, 2015

SUBJECT: Request for Authorization to Submit an Application for 49 USC CH. 53, Section 5311 Transit Operating Assistance Funds for FY 2015/16

It is requested that the information herein presented be given formal consideration by the Board of County Commissioners at its regular meeting of March 10, 2015.

DESCRIPTION & CONDITIONS

For the past several years, the County has applied for and received transit operating assistance under 49 USC Ch. 53, Section 5311 (also known as the Formula Grants for Rural Areas program) through the Florida Department of Transportation (FDOT). These grant funds have been passed through to the Senior Resource Association (SRA), Indian River County's designated transit service provider.

According to federal regulations, Formula Grants for Rural Areas (Section 5311) funds may be used to provide transit service to rural or small urban areas. Such transit service includes fixed route service (GoLine Route #10) and demand-response service (Community Coach), both of which are operated by the Senior Resource Association (SRA).

SB 465303
For FY 2015/16, \$65,214 in Section 5311 funds is allocated to the county. In this case, the grant has a 50% nonfederal match requirement for operating assistance. Matching funds will consist of \$32,607 from the state Public Transportation Block Grant and \$32,607 from the County's normal transit allocation. No additional local funds are necessary.

While Section 5311 funds are federal grant funds, FDOT administers the Section 5311 program within the state of Florida. To apply for Section 5311 funds, the Board of County Commissioners

Exhibit A

must adopt the attached resolution (Attachment #1), authorizing staff to submit the attached grant application to FDOT. A copy of the grant application is attached to this staff report (Attachment #2).

ANALYSIS

For FY 2015/16, the SRA has requested that the County apply for federal Section 5311 funds on the SRA's behalf so that the SRA can provide for the continuation and expansion of its GoLine/Community Coach fixed route and demand response services in rural areas of Indian River County. The provision of such service is consistent with the findings of the MPO's adopted 10-year Transit Development Plan and 2035 Long Range Transportation Plan.

The County receives most of its transit funding through the federal Section 5307 (Urban Area) grant program. Because a portion of Indian River County is designated as rural, the County is also eligible to receive transit funding through the Section 5311 (Rural Areas) grant program. As indicated in the attached grant application, the total proposed budget amount is \$130,428. Of that amount, the federal portion is \$65,214. The match will consist of \$32,607 in state Public Transportation Block Grant funds and \$32,607 in local funds. In this case, the County's contribution consists of previously approved general fund monies budgeted specifically for this purpose.

FUNDING

Funding in the amount of \$32,607 is budgeted and available in the General Fund / Community Transportation Coordinator account. Funding for this expenditure is part of the allocation given to the Senior Resource Association to provide transit service in the county.

RECOMMENDATION

Staff recommends that the Board of County Commissioners adopt the attached resolution authorizing the filing of the attached FY 2015/16 Section 5311 grant application.

ATTACHMENTS

1. Authorizing Resolution for the Submission of a Section 5311 (Formula Grants for Rural Areas) application for FY 2015/16
2. Section 5311 Grant Application for FY 2015/16
3. Grant Budget Form

APPROVED AGENDA ITEM:
FOR: March 10, 2015
BY: Joseph A. Bova

Indian River Co,	Approved	Date
Admin.		3/5/15
Legal		3-3-15
Budget		3/4/15
Dept.		3/2/15
Risk Mgr.		

affirms this FTA Award, and enters into this Grant Agreement with FTA. The following documents are incorporated by reference and made part of this Grant Agreement:

- (1) "Federal Transit Administration Master Agreement," FTA MA(19), October 1, 2013, <http://www.fta.dot.gov/documents/20-Master.pdf>
- (2) The Certifications and Assurances applicable to the Project that the Grantee has selected and provided to FTA, and
- (3) Any Award notification containing special conditions or requirements, if issued.

FTA OR THE FEDERAL GOVERNMENT MAY WITHDRAW ITS OBLIGATION TO PROVIDE FEDERAL ASSISTANCE IF THE GRANTEE DOES NOT EXECUTE THIS GRANT AGREEMENT WITHIN 90 DAYS FOLLOWING THE DATE OF THIS FTA AWARD SET FORTH HEREIN.

FTA AWARD

FTA hereby awards a Federal grant as follows:

Project No: FL-90-X838-00

Grantee: INDIAN RIVER COUNTY BOARD OF COUNTY COMMISSIONERS

Citation of Statute(s) Authorizing Project: 49 USC 5307 - Urbanized Area Formula (FY2013 and forward)

Estimated Total Eligible Cost (in U.S. Dollars): \$2,967,175

Maximum Total FTA Amount Awarded (in U.S. Dollars): \$1,967,175

Amount of This FTA Award (in U.S. Dollars): \$1,967,175

Maximum Percentage(s) of FTA Participation:

Percentages of Federal participation are based on amounts included in the Approved Project Budget, modified as set forth in the text following the Project Description.

U.S. Department of Labor Certification of Public Transportation Employee Protective Arrangements:

Original Project Certification Date: 7/29/2014

Project Description:

FY 2014 Capital & Operating Assistance

The Project Description includes information describing the Project within the Project Application submitted to FTA, and the Approved Project Budget, modified by any additional statements displayed in this Grant Agreement, and, to the extent FTA concurs, statements in other documents including Attachments entered into TEAM-Web.

A letter is attached to TEAM dated 5/12/2014 from FDOT confirming toll revenue credits in the amount of \$241,794 for this application.

Awarded By:
Yvette Taylor
Regional Administrator
FEDERAL TRANSIT ADMINISTRATION
U.S. DEPARTMENT OF TRANSPORTATION
08/01/2014

X 838 1/4

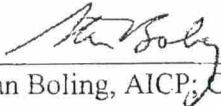
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INDIAN RIVER COUNTY, FLORIDA


MEMORANDUM

TO: Joseph A. Baird; County Administrator

DEPARTMENT HEAD CONCURRENCE:


Stan Boling, AICP; Community Development Director

THROUGH: Phil Matson, AICP; MPO Staff Director 

FROM: Brian Freeman, AICP; Senior Transportation Planner 

DATE: March 7, 2014

SUBJECT: Request for Authorization to Submit an FY 2014 Grant Application for 49 USC Ch. 53, Section 5307 Mass Transit Capital and Operating Assistance

It is requested that the information herein presented be given formal consideration by the Board of County Commissioners at its regular meeting of March 18, 2014.

DESCRIPTION & CONDITIONS

For the past several years, Indian River County has applied for and received grant funds under 49 USC Ch. 53, Section 5307. Those funds have been passed through to the Senior Resource Association (SRA), Indian River County's designated transit service provider. SRA operates the GoLine (fixed route) and the Community Coach (demand response) transit services.

According to federal regulations, Section 5307 program grants may be used for the planning, acquisition, construction, improvement, and operating costs of facilities, equipment, and associated capital maintenance items used in mass transportation service. While operating expenses require a 50% nonfederal match, capital expenses require only a 20% nonfederal soft match (which effectively provides for 100% federal funding of capital expenses).

In Indian River County, state toll revenue credits are utilized as a soft match to provide the required nonfederal share for the capital expenses portion of the Section 5307 grant. The use of a soft match eliminates the need for the County to provide a cash outlay for capital expenses. According to applicable regulations, toll revenue credits may be used as soft match only for the capital portion of a Section 5307 grant. For operating expenses, however, the nonfederal share is provided through a combination of local funds and Florida Department of Transportation (FDOT) public transportation grant funds.

Exhibit A

ANALYSIS

For FY 2014, the SRA has requested that the County apply for federal Section 5307 funds on the SRA's behalf so that the SRA can provide for the continuation and expansion of its GoLine/Community Coach fixed route and demand response bus services. As proposed, the grant will allow the Senior Resource Association to leverage local and state funds to continue and expand needed public transportation services within Indian River County.

A copy of the County's proposed FY 2013 Section 5307 grant application is provided in Attachment #1. As required by Federal Transit Administration (FTA) regulations, the attached grant application was prepared using FTA's Transportation Electronic Award and Management (TEAM) software. As it has in the past, the FTA requires grantees to utilize its TEAM software in the development, submittal, modification, and management of Section 5307 grants.

As indicated in the attached grant application, the total proposed budget amount is \$4,120,000. Of that amount, the federal portion is \$3,120,000. That includes both capital and operating grant funds.

Overall, the federal share of the proposed budget consists of \$2,120,000 in capital expenditures and \$1,000,000 in operating expenditures. For the nonfederal share of capital expenditures (\$530,000), the County will use toll revenue credits as a soft match. Because a soft match is non-cash, this amount is not included in the project total. For the nonfederal share of operating expenditures (50%), the match will consist of \$500,000 in FDOT grants and \$500,000 from Indian River County. In this case, the County's contribution consists of previously approved general fund monies budgeted specifically for this purpose.

According to Section 5307 grant application requirements, the designated recipient (Indian River County) must hold a public hearing to obtain the views of citizens on the proposed grant application. In keeping with that requirement, staff has published a notice of the March 18th meeting and has scheduled this item as a public hearing.

As a necessary prerequisite for submittal of this Section 5307 application, the MPO has included the proposed Section 5307 funding in its FY 2014-2018 Transportation Improvement Program (TIP). The proposed grant application is also consistent with the MPO's adopted ten year Transit Development Plan and 2035 Long Range Transportation Plan.

To apply for Section 5307 funds, the Board of County Commissioners must adopt the attached resolution (Attachment #2), authorizing staff to submit the attached grant application. The resolution has been reviewed and approved by the County Attorney's Office.

FUNDING

Funding in the amount of \$500,000 is budgeted and available in the General Fund / Community Transportation Coordinator account (Account Number 00111041-088230). These funds are part of the allocation given to the Senior Resource Association to provide transit service in the county.

Exhibit A





RECOMMENDATION

Staff recommends that the Board of County Commissioners adopt the attached resolution authorizing the filing of the attached FY 2014 Section 5307 grant application.

ATTACHMENTS

1. Indian River County FY 2014 Grant Application for 49 USC Ch. 53, Section 5307 Mass Transit Capital and Operating Assistance
2. Resolution Authorizing the Filing of a 49 USC Ch. 53, Section 5307 FY 2014 Mass Transit Capital and Operating Assistance Grant Application
3. Grant Budget Forms

APPROVED AGENDA ITEM:
FOR: March 18, 2014
BY: Joseph A. Board

Indian River Co,	Approved	Date
Admin.		
Legal		3-12-14
Budget		3/12/14
Dept.		3/11/14
Risk Mgr.		

Comment By:	Richelle N Gosman
Date Created:	Nov. 02, 2015
Date Updated:	None Specified
Ref Section:	Unknown
Comment:	This grant application is for vehicle purchase and other capital items. Please review this application for labor certification in accordance with DOL Section 5333(b) Certification. The grantee contact is Brian Freeman and can be reached at 772-226-1990.

Part 8: Results of Reviews

The reviewer did not find any errors

Part 9: Agreement

**UNITED STATES OF AMERICA
 DEPARTMENT OF TRANSPORTATION
 FEDERAL TRANSIT ADMINISTRATION**

**GRANT AGREEMENT
 (FTA G-21, October 1, 2014)**

On the date the authorized U.S. Department of Transportation, Federal Transit Administration (FTA) official's electronic signature is entered for this Grant Agreement, FTA has Awarded Federal assistance in support of the Project described below. Upon Execution of this Grant Agreement by the Grantee named below, the Grantee affirms this FTA Award, and enters into this Grant Agreement with FTA. The following documents are incorporated by reference and made part of this Grant Agreement:

- (1) "Federal Transit Administration Master Agreement," FTA MA(21), October 1, 2014, <http://www.fta.dot.gov/documents/21-Master.pdf>,
- (2) The Certifications and Assurances applicable to the Project that the Grantee has selected and provided to FTA, and
- (3) Any Award notification containing special conditions or requirements, if issued.

FTA OR THE FEDERAL GOVERNMENT MAY WITHDRAW ITS OBLIGATION TO PROVIDE FEDERAL ASSISTANCE IF THE GRANTEE DOES NOT EXECUTE THIS GRANT AGREEMENT WITHIN 90 DAYS FOLLOWING THE DATE OF THIS FTA AWARD SET FORTH HEREIN.

FTA AWARD

FTA hereby awards a Federal grant as follows:

Project No: FL-90-X888-00

Grantee: INDIAN RIVER COUNTY BOARD OF COUNTY COMMISSIONERS

Citation of Statute(s) Authorizing Project: 49 USC 5307 - (MAP 21) Urbanized Area Formula (FY2013 and forward)

Estimated Total Eligible Cost (in U.S. Dollars): \$3,584,987

Maximum Total FTA Amount Awarded (in U.S. Dollars): \$2,384,987

888 1/5

Amount of This FTA Award (in U.S. Dollars): \$2,384,987

Maximum Percentage(s) of FTA Participation:

Percentages of Federal participation are based on amounts included in the Approved Project Budget, modified as set forth in the text following the Project Description.

U.S. Department of Labor Certification of Public Transportation Employee Protective Arrangements:

Original Project Certification Date: 11/20/2015

Project Description:

FY 2015 Capital & Operating Assistance

The Project Description includes information describing the Project within the Project Application submitted to FTA, and the Approved Project Budget, modified by any additional statements displayed in this Grant Agreement, and, to the extent FTA concurs, statements in other documents including Attachments entered into TEAM-Web.

A letter is attached to TEAM dated 9/21/15 from FDOT confirming toll revenue credits in the amount of \$296,247 for this application.

Awarded By:
Yvette Taylor
Regional Administrator
FEDERAL TRANSIT ADMINISTRATION
U.S. DEPARTMENT OF TRANSPORTATION
11/23/2015

EXECUTION OF GRANT AGREEMENT

Upon full execution of this Grant Agreement by the Grantee, the Effective Date will be the date FTA or the Federal Government awarded Federal assistance for this Grant Agreement.

By executing this Grant Agreement, the Grantee intends to enter into a legally binding agreement in which the Grantee:

- (1) Affirms this FTA Award,
- (2) Adopts and ratifies all of the following information it has submitted to FTA:
 - (a) Statements,
 - (b) Representations,
 - (c) Warranties,
 - (d) Covenants, and
 - (e) Materials,
- (3) Consents to comply with the requirements of this FTA Award, and
- (4) Agrees to all terms and conditions set forth in this Grant Agreement.

By executing this Grant Agreement, I am simultaneously executing any Supplemental Agreement that may be required to effectuate this Grant Agreement.

Executed by:
Phillip J Matson
Director

888 2/5

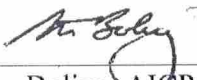
INDIAN RIVER COUNTY, FLORIDA

10A2

M E M O R A N D U M

TO: Joseph A. Baird; County Administrator

DEPARTMENT HEAD CONCURRENCE:


 Stan Boling, AICP; Community Development Director

THROUGH: Phil Matson, AICP; MPO Staff Director *PM*

FROM: Brian Freeman, AICP; Senior Transportation Planner *BF*

DATE: April 24, 2015

SUBJECT: Request for Authorization to Submit an FY 2015 Grant Application for 49 USC Ch. 53, Section 5307 Mass Transit Capital and Operating Assistance

It is requested that the information herein presented be given formal consideration by the Board of County Commissioners at its regular meeting of May 5, 2015.

DESCRIPTION & CONDITIONS

For the past several years, Indian River County has applied for and received grant funds under 49 USC Ch. 53, Section 5307. Those funds have been passed through to the Senior Resource Association (SRA), Indian River County's designated transit service provider. SRA operates the GoLine (fixed route) and the Community Coach (demand response) transit services.

According to federal regulations, Section 5307 program grants may be used for the planning, acquisition, construction, improvement, and operating costs of facilities, equipment, and associated capital maintenance items used in mass transportation service. While operating expenses require a 50% nonfederal match, capital expenses require only a 20% nonfederal soft match (which effectively provides for 100% federal funding of capital expenses).

In Indian River County, state toll revenue credits are utilized as a soft match to provide the required nonfederal share for the capital expenses portion of the Section 5307 grant. The use of a soft match eliminates the need for the County to provide a cash outlay for capital expenses. According to applicable regulations, toll revenue credits may be used as soft match only for the capital portion of a Section 5307 grant. For operating expenses, however, the nonfederal share is provided through a combination of local funds and Florida Department of Transportation (FDOT) public transportation grant funds.

ANALYSIS

For FY 2015, the SRA has requested that the County apply for federal Section 5307 funds on the SRA's behalf so that the SRA can provide for the continuation and expansion of its GoLine/Community Coach fixed route and demand response bus services. As proposed, the grant will allow the Senior Resource Association to leverage local and state funds to continue and expand needed public transportation services within Indian River County.

A copy of the County's proposed FY 2015 Section 5307 grant application is provided in Attachment #1. As required by Federal Transit Administration (FTA) regulations, the attached grant application was prepared using FTA's Transportation Electronic Award and Management (TEAM) software. As it has in the past, the FTA requires grantees to utilize its TEAM software in the development, submittal, modification, and management of Section 5307 grants.

As indicated in the attached grant application, the total proposed budget amount is \$4,200,000. Of that amount, the federal portion is \$3,000,000. That includes both capital and operating grant funds.

Overall, the federal share of the proposed budget consists of \$1,800,000 in capital expenditures and \$1,200,000 in operating expenditures. For the nonfederal share of capital expenditures (\$450,000), the County will use toll revenue credits as a soft match. Because a soft match is non-cash, this amount is not included in the project total. For the nonfederal share of operating expenditures (50%), the match will consist of \$600,000 in FDOT grants and \$600,000 from Indian River County. In this case, the County's contribution consists of previously approved general fund monies budgeted specifically for this purpose.

According to Section 5307 grant application requirements, the designated recipient (Indian River County) must hold a public hearing to obtain the views of citizens on the proposed grant application. In keeping with that requirement, staff has published a notice of the May 5th meeting and has scheduled this item as a public hearing.

As a necessary prerequisite for submittal of this Section 5307 application, the MPO has included the proposed Section 5307 funding in its FY 2015-2019 Transportation Improvement Program (TIP). The proposed grant application is also consistent with the MPO's adopted ten year Transit Development Plan and 2035 Long Range Transportation Plan.

To apply for Section 5307 funds, the Board of County Commissioners must adopt the attached resolution (Attachment #2), authorizing staff to submit the attached grant application. The resolution has been reviewed and approved by the County Attorney's Office.

FUNDING

Funding in the amount of \$600,000 is budgeted and available in the General Fund / Community Transportation Coordinator account (Account Number 00111041-088230). These funds are part of the allocation given to the Senior Resource Association to provide transit service in the county.

Exhibit A



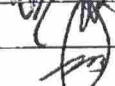
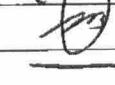
RECOMMENDATION

Staff recommends that the Board of County Commissioners adopt the attached resolution authorizing the filing of the attached FY 2015 Section 5307 grant application.

ATTACHMENTS

1. Indian River County FY 2015 Grant Application for 49 USC Ch. 53, Section 5307 Mass Transit Capital and Operating Assistance
2. Resolution Authorizing the Filing of a 49 USC Ch. 53, Section 5307 FY 2015 Mass Transit Capital and Operating Assistance Grant Application
3. Grant Budget Forms

APPROVED AGENDA ITEM:
FOR: May 5, 2015
BY: Joseph A. Baird

Indian River Co,	Approved	Date
Admin.		4/30/15
Legal		4-28-15
Budget		4/29/15
Dept.		4/27/15
Risk Mgr.		

Part 6: Agreement

UNITED STATES OF AMERICA
DEPARTMENT OF TRANSPORTATION
FEDERAL TRANSIT ADMINISTRATION

GRANT AGREEMENT
(FTA G-22, October 1, 2015)

On the date the authorized U.S. Department of Transportation, Federal Transit Administration (FTA) official signs this Grant Agreement, FTA has obligated and awarded federal assistance as provided below. Upon execution of this Grant Agreement by the Recipient named below, the Recipient affirms this FTA Award, enters into this Grant Agreement with FTA, and binds its compliance with the terms of this Grant Agreement.

The following documents are incorporated by reference and made part of this Grant Agreement:

- (1) "Federal Transit Administration Master Agreement," FTA MA(22), October 1, 2015, <http://www.fta.dot.gov>,
- (2) The Certifications and Assurances applicable to the FTA Award that the Recipient has selected and provided to FTA, and
- (3) Any Award notification containing special conditions or requirements, if issued.

WHEN THE TERM "FTA AWARD" OR "AWARD" IS USED, EITHER IN THIS GRANT AGREEMENT OR THE APPLICABLE MASTER AGREEMENT, "AWARD" ALSO INCLUDES ALL TERMS AND CONDITIONS SET FORTH IN THIS GRANT AGREEMENT

FTA OR THE FEDERAL GOVERNMENT MAY WITHDRAW ITS OBLIGATION TO PROVIDE FEDERAL ASSISTANCE IF THE GRANTEE DOES NOT EXECUTE THIS GRANT AGREEMENT WITHIN 90 DAYS FOLLOWING THE DATE OF THIS FTA AWARD SET FORTH HEREIN.

FTA AWARD

Federal Transit Administration (FTA) hereby awards a Federal grant as follows:

Recipient Information

Recipient Name: Indian River, County Of

Recipient ID: 5630

DUNS No: 079208989

Award information

Federal Award Identification Number: FL-2016-033-00

Award Name: FY 2016 Capital & Operating Assistance

033 1/5

Exhibit A

Total Eligible Cost	\$2,400,000
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U.S. Department of Labor Certification of Public Transportation Employee Protective Arrangements:

Original Certification Date: 9/8/2016 1:48 PM EDT

TERMS AND CONDITIONS

Special Conditions

There are no special conditions.

Awarded By:
Yvette Taylor
Supervisor
FEDERAL TRANSIT ADMINISTRATION
U.S. DEPARTMENT OF TRANSPORTATION
Contact Info: Yvette.Taylor@dot.gov
Award Date: 9/22/2016 4:32 PM EDT

EXECUTION OF THE GRANT AGREEMENT

Upon full execution of this Grant Agreement by the Recipient, the Effective Date will be the date FTA or the Federal Government awarded Federal assistance for this Grant Agreement.
By executing this Grant Agreement, the Recipient intends to enter into a legally binding agreement in which the Recipient:

- (1) Affirms this FTA Award,
- (2) Adopts and ratifies all of the following information it has submitted to FTA:
 - (a) Statements,
 - (b) Representations,
 - (c) Warranties,
 - (d) Covenants, and
 - (e) Materials,
- (3) Consents to comply with the requirements of this FTA Award, and
- (4) Agrees to all terms and conditions set forth in this Grant Agreement.

Executed By:
Phillip Matson
Director
Indian River, County Of
9/23/2016 9:20 AM EDT

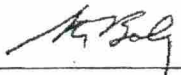
033 2/5

INDIAN RIVER COUNTY, FLORIDA

M E M O R A N D U M

TO: Joseph A. Baird; County Administrator

DEPARTMENT HEAD CONCURRENCE:


 Stan Boling, AICP; Community Development Director

THROUGH: Phil Matson, AICP; MPO Staff Director *PM*

FROM: Brian Freeman, AICP; Senior Transportation Planner *BF*

DATE: April 8, 2016

SUBJECT: Request for Authorization to Submit an FY 2016 Grant Application for 49 USC Ch. 53, Section 5307 Mass Transit Capital and Operating Assistance

It is requested that the information herein presented be given formal consideration by the Board of County Commissioners at its regular meeting of April 19, 2016.

DESCRIPTION & CONDITIONS

For the past several years, Indian River County has applied for and received grant funds under 49 USC Ch. 53, Section 5307. Those funds have been passed through to the Senior Resource Association (SRA), Indian River County's designated transit service provider. SRA operates the GoLine (fixed route) and the Community Coach (demand response) transit services.

According to federal regulations, Section 5307 program grants may be used for the planning, acquisition, construction, improvement, and operating costs of facilities, equipment, and associated capital maintenance items used in mass transportation service. While operating expenses require a 50% nonfederal match, capital expenses require only a 20% nonfederal soft match (which effectively provides for 100% federal funding of capital expenses).

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ANALYSIS

For FY 2016, the SRA has requested that the County apply for federal Section 5307 funds on the SRA's behalf so that the SRA can provide for the continuation and expansion of its GoLine/Community Coach fixed route and demand response bus services. As proposed, the grant will allow the Senior Resource Association to leverage local and state funds to continue and expand needed public transportation services within Indian River County.

A copy of the County's proposed FY 2016 Section 5307 grant application is provided in Attachment #1. As required by Federal Transit Administration (FTA) regulations, the attached grant application was prepared using FTA's Transit Award Management System (TrAMS) software. As it has in the past, the FTA requires grantees to utilize its TrAMS software in the development, submittal, modification, and management of Section 5307 grants.

As indicated in the attached grant application, the total proposed budget amount is \$3,557,253. Of that amount, the federal portion is \$2,357,253. That includes both capital and operating grant funds.

Overall, the federal share of the proposed budget consists of \$1,157,253 in capital expenditures and \$1,200,000 in operating expenditures. For the nonfederal share of capital expenditures (\$289,314), the County will use toll revenue credits as a soft match. Because a soft match is non-cash, this amount is not included in the project total. For the nonfederal share of operating expenditures (50%), the match will consist of \$600,000 in FDOT grants and \$600,000 from Indian River County. In this case, the County's contribution consists of previously approved general fund monies budgeted specifically for this purpose.

According to Section 5307 grant application requirements, the designated recipient (Indian River County) must hold a public hearing to obtain the views of citizens on the proposed grant application. In keeping with that requirement, staff has published a notice of the May 5th meeting and has scheduled this item as a public hearing.

As a necessary prerequisite for submittal of this Section 5307 application, the MPO has included the proposed Section 5307 funding in its FY 2016-2020 Transportation Improvement Program (TIP). The proposed grant application is also consistent with the MPO's adopted ten year Transit Development Plan and 2040 Long Range Transportation Plan.

To apply for Section 5307 funds, the Board of County Commissioners must adopt the attached resolution (Attachment #2), authorizing staff to submit the attached grant application. The resolution has been reviewed and approved by the County Attorney's Office.

FUNDING

Funding in the amount of \$600,000 is budgeted and available in the General Fund / Community Transportation Coordinator account (Account Number 00111041-088230). These funds are part of the allocation given to the Senior Resource Association to provide transit service in the county.

Exhibit A

RECOMMENDATION

Staff recommends that the Board of County Commissioners adopt the attached resolution authorizing the filing of the attached FY 2016 Section 5307 grant application.

ATTACHMENTS

1. Indian River County FY 2016 Grant Application for 49 USC Ch. 53, Section 5307 Mass Transit Capital and Operating Assistance
2. Resolution Authorizing the Filing of a 49 USC Ch. 53, Section 5307 FY 2016 Mass Transit Capital and Operating Assistance Grant Application
3. Grant Budget Forms

APPROVED AGENDA ITEM:
FOR: April 19, 2016
BY: Joseph A. Baur



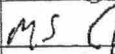

Indian River Co.	Approved	Date
Admin.		4/14/16
Legal		4-12-16
Budget		4/13/16
Dept.		4/12/16
Risk Mgr.		

EXHIBIT B

[From policy adopted by Indian River County Board Of County Commissioners on February 19, 2002]

“D. Nonprofit Agency Responsibilities After Award of Funding

Indian River County provides funding to all nonprofit agencies on a reimbursement basis only.

All reimbursable expenses must be documented by an invoice and/or a copy of the canceled check or credit card payment. Any expense not documented properly to the satisfaction of the Office of Management & Budget and/or the County Administrator may not be reimbursed.

If an agency repeatedly fails to provide adequate documentation, this may be reported to the Board of Commissioners. In the event an agency provides inadequate documentation on a consistent basis, funding may be discontinued immediately. Additionally, this may adversely affect future funding requests.

Expenditures may only be reimbursed from the fiscal year for which funding was awarded. For example, no expenditures prior to October 1st may be reimbursed with funds from the following year. Additionally, if any funds are unexpended at the end of a fiscal year, these funds are not carried over to the next year unless expressly authorized by the Board of Commissioners.

All requests for reimbursement at fiscal year end (September 30th) must be submitted on a timely basis. Each year, the Office of Management & Budget will send a letter to all nonprofit agencies advising of the deadline for reimbursement requests for the fiscal year. This deadline is typically early to mid October, since the Finance Department does not process checks for the prior fiscal year beyond that point.

Each reimbursement request must include a summary of expenses by type. These summaries should be broken down into salaries, benefits, supplies, contractual services, etc. If Indian River County is reimbursing an agency for only a portion of an expense (e.g. salary of an employee), then the method for this portion should be disclosed on the summary. The Office of Management & Budget has summary forms available.

Indian River County will not reimburse certain types of expenditures. These expenditure types are listed below.

- a. Travel expenses for travel outside the County including but not limited to; mileage reimbursement, hotel rooms, meals, meal allowances, per Diem, and tolls. Mileage reimbursement for local travel (within Indian River County) is allowable.
- b. Sick or Vacation payments for employees. Since agencies may have various sick and vacation pay policies, these must be provided from other sources.
- c. Any expenses not associated with the provision of the program for which the County has awarded funding.
- d. Any expense not outlined in the agency's funding application.

The County reserves the right to decline reimbursement for any expense as deemed necessary.”

EXHIBIT C
STANDARD TERMS FOR GRANT CONTRACT

1. Venue; Choice of Law: The validity, interpretation, construction, and effect of this Contract shall be in accordance with and governed by the laws of the State of Florida, only. The location for settlement of any and all claims, controversies, or disputes, arising out of or relating to any part of this Contract, or any breach hereof, as well as any litigation between the parties, shall be Indian River County, Florida for claims brought in state court, and the Southern District of Florida for those claims justifiable in federal court.
2. Entirety of Agreement: This Contract incorporates and includes all prior and contemporaneous negotiations, correspondence, conversations, agreements, and understandings applicable to the matters contained herein and the parties agree that there are no commitments, agreements, or understandings concerning the subject matter of this Contract that are not contained herein. Accordingly, it is agreed that no deviation from the terms hereof shall be predicated upon any prior representations or agreements, whether oral or written. It is further agreed that no modification, amendment or alteration in the terms and conditions contained herein shall be effective unless contained in a written document signed by both parties.
3. Severability: In the event any provision of this Contract is determined to be unenforceable or invalid, such unenforceability or invalidity shall not affect the remaining provisions of this Contract, and every other term and provision of this Contract shall be deemed valid and enforceable to the extent permitted by law. To that extent, this Contract is deemed severable.
4. Captions and Interpretations: Captions in this Contract are included for convenience only and are not to be considered in any construction or interpretation of this Contract or any of its provisions. Unless the context indicates otherwise, words importing the singular number include the plural number, and vice versa. Words of any gender include the correlative words of the other genders, unless the sense indicates otherwise.
5. Independent Contractor. The Subrecipient is and shall be an independent contractor for all purposes under this Contract. The Subrecipient is not an agent or employee of the County, and any and all persons engaged in any of the services or activities funded in whole or in part performed pursuant to this Contract shall at all times and in all places be subject to the Subrecipient's sole direction, supervision, and control.
6. Assignment. This Contract may not be assigned by the Subrecipient without the prior written consent of the County.