

3DD-1

PALM BEACH COUNTY  
BOARD OF COUNTY COMMISSIONERS

AGENDA ITEM SUMMARY

Meeting Date: October 2, 2012       Consent       Regular  
                                                                           Workshop       Public Hearing

Department: Administration  
 Submitted By: Office of Financial Management & Budget  
 Submitted For: Supervisor of Elections

I. EXECUTIVE BRIEF

**Motion and Title:** Staff recommends motion to authorize: the Chair to sign the Certificate Regarding Matching Funds certifying that the Board of County Commissioners will provide matching funds in the amount of \$33,102.69 for the Supervisor of Elections' Federal Election Activities grant for FY 2013.

**Summary:** The 2012 Florida Legislature appropriated funds specifically for federal election activities. These funds are distributed to the Supervisors of Elections (SOE) pursuant to a formula based on active registered voters in each county. Palm Beach County's share of the State funding is \$220,684.59. The County is required to provide a 15% match of \$33,102.69 which is included in the SOE's FY 2013 budget. Countywide (DNM)

**Background and Policy Issues:** The 2012 Legislature appropriated \$3,000,000 specifically for federal election activities. Palm Beach County's share of this grant from the State is \$220,684.59 with a required 15% match of \$33,102.69. The match is included in the SOE's FY 2013 budget.

Funds received pursuant to this grant may be spent for voter education, poll worker training, standardizing election results reporting and various other federal election administration activities. It may also be spent on software or hardware technology that enhances or facilitates the delivery of absentee ballots, the casting and counting of valid votes, voting system audits or recount processes, and the certification of accurate and complete official election results.

**Attachments:** Certificate Regarding Matching Funds (two originals)  
 Memorandum from Florida Department of State

Recommended by: Elizabeth Boese      9/10/12  
 Department Director      Date

Approved By: [Signature]      9/10/12  
 Assistant County Administrator      Date

## II. FISCAL IMPACT ANALYSIS

### A. Five Year Summary of Fiscal Impact:

Fiscal Years:	2013	2014	2015	2016	2017
Capital Expenditures					
Operating Costs	33,103				
External Revenues	( 220,685)				
Program Income (County)					
In-Kind Match (County)					
<b>NET FISCAL IMPACT</b>	(187,582)	N/A	N/A	N/A	N/A

# ADDITIONAL FTE POSITIONS (Cumulative) \_\_\_\_\_

Is Item Included In Current Budget?    Yes  X     No \_\_\_\_\_

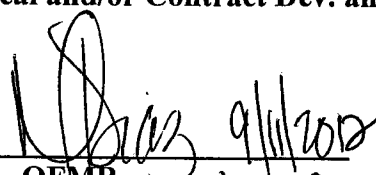
Budget Account No: 0001-180-1109-9021

### B. Recommended Sources of Funds/Summary of Fiscal Impact:

The County match is included in the FY 2013 budget.

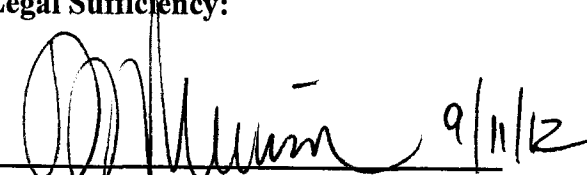
## III. REVIEW COMMENTS

### A. OFMB Fiscal and/or Contract Dev. and Control Comments:

  
 \_\_\_\_\_  
 OFMB  
 SN 9/11/2012  
 9/10/12 PM  
 9-10-12

  
 \_\_\_\_\_  
 Contract Dev. and Control

### B. Legal Sufficiency:

  
 \_\_\_\_\_  
 County Attorney

### C. Other Department Review:

\_\_\_\_\_  
Department Director

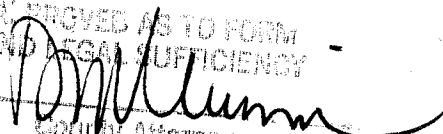
ATTACHMENT A-2 of MOA 2012-2013-0001

**Certificate Regarding Matching Funds**

I, \_\_\_\_\_, Chairman of the Board of County Commissioners of Palm Beach County, Florida, do hereby certify that the Board of County Commissioners will provide matching funds for the Federal Election Activities grant in county FY 2012-2013 to the Supervisor of Elections in an amount equal to at least 15% of the amount to be received from the state, which for Palm Beach County is \$33,102.69. I understand that if the Board fails to appropriate the required matching funds, all funds received from the state for this grant during the 2012-2013 state fiscal year will be required to be returned to the Department of State.

\_\_\_\_\_  
Chairman, Board of County Commissioners

\_\_\_\_\_  
Date

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY  
BY   
COUNTY ATTORNEY

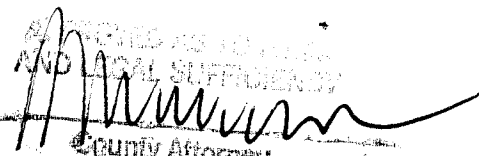
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\_\_\_\_\_  
Chairman, Board of County Commissioners

\_\_\_\_\_  
Date

BY   
County Attorney



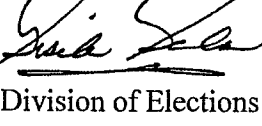
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**FLORIDA DEPARTMENT OF STATE**

**RICK SCOTT**  
Governor

**KEN DETZNER**  
Secretary of State

**MEMORANDUM**

**To:** Supervisors of Elections   
**From:** Dr. Gisela Salas, Director, Division of Elections  
**Date:** July 16, 2012  
**Subject:** FY 2012-13 Federal Election Activities Funds

The 2012 Legislature appropriated \$3,000,000 specifically for federal election activities. These funds will be distributed to the Supervisors of Elections pursuant to a formula based on active registered voters in each county as of the 2012 Presidential Preference Primary.

Funds received pursuant to this Agreement may be spent for any of the following purposes relating to federal election activities:

- Voter education;
- Poll worker training;
- Standardizing election results reporting; or
- Other federal election administration activities, as approved by the Department of State, such as implementing and maintaining the provisions of the Military and Overseas Voter Empowerment (MOVE) Act and the Uniformed and Overseas Citizens Absentee Voting Act (UOCAVA); or
- Any software or hardware technology, including but not limited to any emerging technology, that enhances or facilitates the delivery of absentee ballots, the casting and counting of valid votes, voting system audits or recount processes, and the certification of accurate and complete official election results. Such technology or any pilot program that uses such technology must first be certified or approved, whichever is applicable, by the Department of State.

These are the acceptable uses for the funds under the categories listed above:

- Mailing or publishing sample ballots *which must include additional information on voting procedures, voting rights or voting technology;*



Division of Elections  
R.A. Gray Bldg., Rm. 316 • 500 S Bronough St. • Tallahassee, Florida 32399-0250  
Telephone: (850) 245-6200 • Facsimile: (850) 245-6217 elections.myflorida.com  
Commemorating 500 years of Florida history www.fl500.com



- Voter information cards *which must include additional voter education information on voting procedures, voting rights or voting technology;*
- Advertising or publications outlining voting procedures, voting rights or voting technology;
- Voting System demonstrations;
- Poll worker *training* stipends;
- Training materials for poll workers;
- Voter guides, *which must include voter education information concerning voting procedures, voting rights, or voting technology but shall not contain elected officials' contact information other than the supervisor's contact information;* or
- Maintaining online or web-based absentee ballot request and ballot tracking and precinct-finder system as relates to use in federal elections and for the costs for upgrades and future license fees and maintenance fees for the MOVE Act and other UOCAVA expenditures.
- Any software or hardware technology, including but not limited to any emerging technology, that enhances or facilitates the delivery of absentee ballots, the casting and counting of valid votes, voting system audits or recount processes, and the certification of accurate and complete official election results. Such technology or any pilot program that uses such technology must first be certified or approved, whichever is applicable, by the Department of State.

These funds must be used to support election activities related only to federal elections (that is, elections in which a federal candidate is on the ballot). If any of the funds are used for an election in which a federal candidate is not on the ballot, the cost must be pro-rated for the portion of the expenditure that is allocable to federal elections. Any of these funds can be used for the 2012 Presidential Preference Primary, Primary Election and General Election.

In order to receive the funds, the Legislature has required that the Supervisor of Elections provide the Department of State with a detailed description of the programs that will be implemented in the Supervisor's federal election activities plan. The Supervisor shall identify the source of funds (federal funds, county matching funds, other county funds/local) being used for each federal election activity set forth in the plan. *Samples of any documents and/or publications that you plan to produce as part of these activities must be provided along with the plan.*

The Division has enclosed a federal election activities plan form, required to be used when submitting the plan. It will simplify the preparation of your plan, and it will expedite the Division's review and allow your check to be mailed to you more quickly. Simply place an X in the box for the programs that you plan to carry out this fiscal year, and place an X in the box for the topics that apply to each activity. Please also put an X in the appropriate boxes indicating which funds will be used for each activity.

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FY 2012-2013 Federal Election Activities Funds  
July 16, 2012  
Page 3 of 3

There is no need to enter specific dollar amounts on the plan. The dollar amounts will be addressed when you submit your annual financial report due December 31, 2012.

Please also note, the 2012 Legislature included the following requirement in the appropriation. ***Supervisors shall also report to the Department any unspent funds remaining on June 30, 2013***. We will send out the reporting form in mid-July this year. If you need to make any changes to your original plan, the revised plan must be submitted in advance, in writing and approved by the Department of State.

As a reminder, the Chairman of the Board of County Commissioners will be required to provide written certification that the county will match the state funds with a 15% county match. If the county governing body fails to appropriate the matching funds, the Supervisor must return or repay to the State a portion of the funds for which the matching funds applied. Both the federal funds and the county matching funds must be held in a separate interest bearing account to be used solely for federal election activities purposes.

Enclosed are the following documents:

- 1. Memorandum of Agreement, Receipt and Use of HAVA Funds for Federal Election Administration Activities, MOA #2012-2013-0001 (required to be signed by the Supervisor of Elections);
2. Attachment A, Compliance Requirements;
- 3. Attachment A-1, Federal Election Activities Plan, form DS-DE 126 (required to be completed and returned by the Supervisor of Elections);
4. Attachment A-2, Certificate Regarding Matching Funds, form DS-DE 127 (required to be signed by the Chairman of the Board of County Commissioners);
- 5. Attachment A-3, Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion Lower Tier Covered Transactions, ED form GCS-009 (required to be signed by the Supervisor of Elections);
6. Attachment B, FY 2012-13 Federal Election Activities Funds Spreadsheet.

Please return all of these documents to the Division of Elections. You will be provided a copy of the agreement upon execution by the Division.

If you have any questions, please don't hesitate to contact me or the HAVA team.

GS/jd/ma

Enclosures

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**MEMORANDUM OF AGREEMENT**  
**RECEIPT AND USE OF HAVA FUNDS**  
**FOR FEDERAL ELECTION ADMINISTRATION ACTIVITIES**

This agreement is between the State of Florida, Department of State, Division of Elections ("Department"), R.A. Gray Building, 500 South Bronough Street, Tallahassee, FL 32399-0250 and The Honorable Susan Bucher, Supervisor of Elections ("Supervisor"), on behalf of Palm Beach County, P.O. Box 22309, West Palm Beach, FL 33416-2309. This agreement is effective as of the date fully executed by the parties.

**I. GOVERNING LAW**

The Department is authorized pursuant to specific appropriation 3134 of the 2012-2013 General Appropriations Act (see section 6, chapter 2012-118 Laws of Florida), to disburse a total of \$3,000,000 from the Federal Grants Trust Fund (HAVA Account # 261011) to the county supervisors of elections for the fiscal year 2012-2013 ("FY 2012-2013 funds"). Therefore, funds are made available through section 251 of the Help America Vote Act of 2002 (HAVA) and the Catalog of Federal Domestic Assistance (CFDA) 90.401, Help America Vote Act Requirements Payments for improving the administration of federal elections.

**II. SCOPE OF USE AND RESTRICTIONS**

As more specifically set forth in **paragraph 1 of Attachment A**, which is hereby incorporated by reference, the funds granted shall be used for federal election administration activities.

- These funds shall be used to support election activities related only to federal elections (that is, elections in which a federal candidate is on the ballot). If any of these funds are used for an election in which a federal candidate is not on the ballot, the cost must be pro-rated for the portion of the expenditure that is allocable to a federal election. These funds shall not be used to support state or federal lobbying activities but this does not affect the right, or that of any other organization to petition Congress, or any other level of Government, through the use of other resources.
- Prior to receiving FY 2012-2013 funds, the Supervisor must first submit in accordance with **paragraph 2 of Attachment A**: 1) A Federal Election Activities plan (DS-DE 126, Revised 7/5/2011) that details the planned use of the funds; 2) Certification from the county governing body to provide matching funds equal to 15% of the HAVA funds received, [DS-DE 127, Revised 7/5/2011; and 3) Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion Lower Tier Covered Transactions form. Any change, modification or deviation from the activities or expenses initially provided in the plan for use of the funds must be reviewed and approved by the Department prior to expenditure.
- The FY 2012-2013 funds shall be placed in a separate interest bearing account in a qualified public depository as set out in section 280.03, Florida Statutes, and in



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accordance with accounting requirements as set forth in paragraphs 3 and 4 of **Attachment A**.

- The Supervisor shall report and account for expenditures in accordance with this agreement and specifically paragraphs 5 and 6 of **Attachment A**.

### **III. DISBURSEMENT**

The Department shall distribute to each eligible county supervisor of elections an amount equal to the funding level per voter multiplied by the number of active registered voters in the county for the 2012 Presidential Preference Primary. The Department shall determine the funding level per voter in the state based on that information. The Supervisor shall receive a sum certain as outlined in **Attachment B**, incorporated by reference.

### **IV. MONITORING, AUDITS, AND REPORTING**

The administration of resources awarded to the Supervisor is subject to monitoring, audits, and reporting as described herein.

#### **A. Monitoring**

In addition to reviews of audits conducted in accordance with OMB Circular A-133 (as revised), the Department may provide additional monitoring including on-site visits, and/or other procedures permitted under federal and state law. The Supervisor shall comply and cooperate with any monitoring procedures/processes the Department deems appropriate.

The Department shall closely monitor the Supervisors' annual expenditure reports required by paragraph 5 of **Attachment A** to ensure that the Supervisors expend HAVA funds in accordance with approved plans and will require reimbursement for all expenditures not approved or otherwise authorized. Also, the Department shall ensure that Supervisors report the expenditures made with HAVA funds separately from expenditures made with county funds.

#### **B. Audits**

##### *1. Federal audit/OMB Circular A-133 (as revised)*

If the Supervisor expends \$500,000 (\$300,000 for fiscal years ending before December 31, 2003) or more in federal awards in its fiscal year, a single or program-specific audit must be conducted in accordance with the provisions of OMB Circular A-133 (as revised). This may be satisfied by an audit of the Supervisor of Elections conducted by the Auditor General in accordance with OMB Circular A-133 (as revised). In determining the federal awards expended in its fiscal year, the Supervisor shall consider all sources of federal awards. **Attachment A** indicates federal resources are being awarded under this Agreement. The determination of amounts of federal awards expended shall be in accordance with the guidelines established by OMB Circular A-133 (as revised). In connection with an audit herein, the Supervisor shall fulfill the requirements relative to auditee responsibilities as provided in Subpart C of OMB Circular A-133 (as revised).

If the Supervisor expends less than \$500,000 (\$300,000 for fiscal years ending before December 31, 2003) in federal awards in its fiscal year, an audit pursuant to OMB Circular A-133 (as revised), is optional. If the Supervisor elects to have an audit conducted in accordance with the provisions of OMB Circular A-133 (as revised), the cost of the audit must be paid from non-federal resources (i.e., from sources other than federal entities).

**2. Other audits**

The Department may conduct a limited scope audit of federal funds as defined by OMB Circular A-133 (as revised) or other financial analysis or review of federal funds as permitted by federal law. In the event the Department determines that such audit analysis, or review is appropriate, the Supervisor agrees to comply with any additional instructions provided by Department staff to the Supervisor regarding such process. If the Department determines that federal funds received under this Agreement were used for any unauthorized purpose or that the Supervisor did not comply with this agreement or state or federal requirements for receipt, expenditure, or accounting, the Supervisor must return or repay these federal funds in an amount sufficient to ensure or obtain compliance, including expenses for any corrective or remedial action. Additionally, the Department may withhold funds, otherwise due, in an amount sufficient to cover any costs associated with the limited scope audit or financial analysis or review to determine or ensure compliance.

The Supervisor further agrees to comply and cooperate with any inspections, reviews, investigations, or audits of federal funds deemed necessary by the Department of State, Chief Financial Officer (CFO) or Auditor General.

*For additional guidance to state and federal monitoring and auditing requirements, refer to: <http://election.dos.state.fl.us/hava/index.shtml> and <http://www.eac.gov>.*

**C. Reporting**

Copies of financial reporting packages as described in section .320(c), OMB A-133 (as revised) for audits conducted by or on behalf of the Supervisor pursuant to Section IV.B.1 of this agreement, shall be submitted as required by sections .320(d) of such circular to:

<i>Department of State</i>	<i>Department of State</i>	<i>Auditor General's Office</i>	<i>Federal Audit</i>
<i>Division of Elections</i>	<i>Office of Inspector General</i>	<i>Room 401, Pepper Bldg</i>	<i>Clearinghouse</i>
<i>R.A. Gray Building, Ste 316</i>	<i>R.A. Gray Bldg., Rm 114A</i>	<i>111 West Madison St.</i>	<i>Bureau of the Census</i>
<i>500 S. Bronough St.</i>	<i>500 S. Bronough Street</i>	<i>Tallahassee, FL</i>	<i>1201 East 10<sup>th</sup> St.</i>
<i>Tallahassee, FL 32399-0250</i>	<i>Tallahassee, FL 32399-0250</i>	<i>32399-1450</i>	<i>Jeffersonville, IN 47132</i>

*Other Federal agencies and pass-through entities in accordance with Sections .320 (e) and (f), OMB Circular A-133 (as revised).*

Any reports, management letter, or other required information shall be submitted timely in accordance with OMB Circular A-133 (as revised), the Florida Single Audit Act, and Chapters 10.550 (local governmental entities) or 10.650 (nonprofit and for-profit organizations), Rules of the Auditor General, as applicable. When submitting financial reporting packages to the Department for audits conducted in accordance with the aforementioned circular or Rules of the Auditor General, the Supervisor shall include within the information the date the Supervisor received the reporting package.

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**V. RECORD RETENTION**

The Supervisor shall keep and maintain accurate and detailed records (e.g., invoices, receipts, and other documentation) sufficient to identify how and whether expenditures were used for authorized purposes, to support financial reporting, and to conduct audits as may be required or requested. The Supervisor shall retain these records for five fiscal years in accordance with the guidelines of the Department of Financial Services and the Office of the Auditor General, or three years after the date an audit report is issued, whichever is later. The Supervisor shall allow the Department or its designee, CFO, or Auditor General access to such records, including the audit working papers upon request.

Failure to provide adequate documentation shall result in a request to return the funds to the Department.

**VI. ENTIRETY OF THE AGREEMENT**

All terms and conditions of this agreement are fully set forth in this document and attachments incorporated by reference and shall be governed by the laws of the State of Florida regardless of any conflict of laws provisions. In any proceeding or action brought under this section, the parties agree that the prevailing party will be entitled to its reasonable attorney's fees from the other party. The parties agree that proper venue will be in Leon County, Florida.

IN WITNESS THEREOF, the parties have caused this Agreement to be executed by their undersigned officials as duly authorized.

County Supervisor of Elections:  
By: Suzan Bucher  
SUPERVISOR OF ELECTIONS  
Printed name and title  
Sandra G. Hupp  
Witness  
8/31/12  
Date

Department of State, Division of Elections  
By: \_\_\_\_\_  
\_\_\_\_\_  
Printed name and title  
\_\_\_\_\_  
Witness  
\_\_\_\_\_  
Date

**Please complete, sign & return the Memorandum of Agreement, Federal Election Activities plan, Certificate Regarding Matching Funds signed by the county governing body, & Certification Regarding Debarment and Suspension to:**

Joyce Durbin, HAVA Funds Coordinator, Florida Department of State, Division of Elections, R.A. Gray Building, Room 316, 500 South Bronough Street, Tallahassee, Florida 32399-0250

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ATTACHMENT A to MOA # 2012-2013-0001

Federal Program: Federal Help America Vote Act—Catalog of Federal Domestic Assistance (CFDA) § 90.401 Help America Vote Act Requirements Payments

**Compliance requirements applicable to the federal resources awarded under this agreement are as follows:**

1. The Supervisor shall only use the FY 2012-2013 Funds (amount specified in Attachment B) for one or more of the following federal election administration activities:

- Voter education;
- Poll worker training;
- Standardizing election results reporting;
- Other federal election administration activities, as approved by the Department of State, such as implementing and maintaining the provisions of the Military and Overseas Voter Empowerment (MOVE) Act and the Uniformed and Overseas Citizens Absentee Voting Act (UOCAVA); or
- Any software or hardware technology, including but not limited to any emerging technology, that enhances or facilitates the delivery of absentee ballots, the casting and counting of valid votes, voting system audits or recount processes, and the certification of accurate and complete official election results. Such technology or any pilot program that uses such technology must first be certified or approved, whichever is applicable, by the Department of State.

These are the acceptable uses for the funds under the categories listed above:

- Mailing or publishing sample ballots **which must include additional information on voting procedures, voting rights or voting technology;**
- Voter information cards **which must include additional voter education information on voting procedures, voting rights or voting technology;**
- Advertising or publications outlining voting procedures, voting rights or voting technology;
- Voting System demonstrations;
- Poll worker **training** stipends;
- Training materials for poll workers;
- Voter guides **which must include voter education information concerning voting procedures, voting rights, or voting technology but shall not contain elected officials' contact information other than the supervisor's contact information;** or
- Maintaining online or web-based absentee ballot request and ballot tracking and precinct-finder system as relates to use in federal elections and for the costs for

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upgrades and future license fees and maintenance fees for the MOVE Act and other UOCAVA expenditures.

2. Prior to receipt of FY 2012-2013 funds under this Agreement, the Supervisor must submit to the Department:

- A federal election activities plan (DS-DE 126, Revised 9/15/2011) that contains a detailed description of the Supervisor's plan to use the funds for federal election administration activities and include the source of funds (federal, county matching funds and other county funds (local) being used for each federal election activity set forth in the plan. This form is attached hereto as **Attachment A-1**.
- A written certification from the county governing body (e.g. Board of County Commissioners) (DS-DE 127, Revised 7/5/2011) that the county will provide matching funds in the amount of 15%. This form is attached hereto as **Attachment A-2**. If the county governing body fails to appropriate the matching funds, the Supervisor must return or repay to the State the portion of the funds for which the matching funds applied.
- A completed ED Form GCAS-009 (6/88), entitled "Certification Regarding Debarment, Suspension, Ineligibility, and Voluntary Exclusion Lower Tier Covered Transactions". The form is attached hereto as **Attachment A-3**. [Executive Order 12549, Debarment and Suspension, 45 CFR 1183.35, prohibits the disbursement of federal funds to the intended recipient of such funds or to any sub-recipient thereunder unless such recipient and each sub-recipient, if any, certify that they are not excluded or disqualified from receiving federal funds by any federal department or agency.]

3. The Supervisor must establish and maintain the FY 2012-2013 funds in an interest bearing account in a **"qualified public depository" as required by section 280.03, Florida Statutes**. The Supervisor must segregate funds for federal election administration activities and required county matching dollars in a separate account established to hold only those funds. Any funds remaining at the end of the fiscal year shall remain in the account to be used for the same purposes for subsequent years or until such funds are fully expended.

Please note that separate public depository requirements apply under chapter 280, Florida Statutes, but are outside the scope of enforcement of this agreement. You will be required to execute and retain in your records a "Public Deposit Identification and Acknowledgment Form" (DFS-JI-11295) and to submit a Public Depositor Annual Report (DFS-J1-2009) to the Public Deposits Program, Florida Department of Financial Services. Refer to <http://www.fltreasury.org/> for forms; and for more information, contact the program administrator at: 850-413-3383 or 850-413-3324.

4. The Supervisor shall maintain separate accounting records for each of the funding sources identified under its plan submitted pursuant to paragraph #2.

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5. The Supervisor shall submit the following written financial reports to the Department:

- **Annual report: On or before December 31, 2012** all actual expenditures from the date of receipt through September 30, 2012. Report forms will be provided by the Department (DS-DE 128, Revised 7/5/11). The report must include documentation (such as appropriation statement, committee meeting minutes approving appropriation, or account statement) that the county governing body appropriated matching funds as certified under paragraph 2. Failure to appropriate the matching funds must be reported to the Department.
- **Remaining balance report: On or before each and every July 31** after 2012, all actual expenditures for preceding period of October 1 through September 30, and the amount of FY 2012-2013 funds unspent as of June 30 of the year being reported. The report form will be provided by the Department (DS-DE 129, Revised 7/5/11). Such annual reporting is required until such funds are fully expended.

Each financial report shall include the billing or itemized receipts in support of the expenditures for the services or products used to provide voter education concerning voting procedures, voting rights or voting technology. If deemed necessary after review of a financial report, you may be asked and will be required to provide any requested supplemental documentation. For products, that may include a copy of or the actual product or publication and an indication of how many individual items were produced or printed, or for services, that may include a copy of or the actual newspaper article, audio recording, or video clip and/or template or transcript thereof, and an indication of how many times it was published, aired, or accessed, or a copy of the graphics template and content layout for a special created webpage.

6. Copies of any reports or other submissions required by paragraphs 2 and 5 of this Attachment shall be submitted by or on behalf of the Supervisor directly to: Department of State, Division of Elections, R.A. Gray Building, 500 S. Bronough Street, Tallahassee, Florida 32399-0250.

**State Resources Awarded to the Supervisor Under this Agreement Consist of the Following:** N/A

**Matching Resources for Federal Programs:** N/A

**Subject to section 215.97, Florida Statutes (Florida Single Audit Act):** N/A

**Compliance requirements applicable to state resources awarded pursuant to this Agreement are as follows:** N/A

Attachment A-3 to MOA 2012-2013-000 **FILE COPY**

**CERTIFICATION REGARDING  
DEBARMENT, SUSPENSION, INELIGIBILITY AND VOLUNTARY EXCLUSION  
LOWER TIER COVERED TRANSACTIONS**

This certification is required by the regulations implementing Executive Order 12549, Debarment and Suspension, 45 CFR 1183.35, Participants' responsibilities. The regulations were published as Part VII of the May 26, 1988 Federal Register (pages 19160-19211). Copies of the regulations may be obtained by contacting the person to which this proposal is submitted.

**(BEFORE COMPLETING CERTIFICATION, READ INSTRUCTIONS ON REVERSE)**

(1) The prospective lower tier participant certifies, by submission of this proposal, that neither it nor its principals are presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any federal department or agency.

(2) Where the prospective lower tier participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

Susan Bucher, Supervisor of Elections - Palm Beach County  
Name and Title of Authorized Representative

Susan Bucher  
Signature

8/31/12  
Date

## INSTRUCTIONS FOR CERTIFICATION

1. By signing and submitting this proposal, the prospective lower tier participant is providing the certification set out below.
2. The certification in this clause is a material representation of fact upon which reliance was placed when this transaction was entered into. If it is later determined that the prospective lower tier participant knowingly rendered an erroneous certification, in addition to other remedies available to the federal government, the department or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment.
3. The prospective lower tier participant shall provide immediate written notice to the person to which this proposal is submitted if at any time the prospective lower tier participant learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.
4. The terms "covered transaction," "debarred," "suspended," "ineligible," "lower tier covered transaction," "participant," "person," "primary covered transaction," "principal," "proposal," and "voluntarily excluded," as used in this clause, have the meanings set out in the Definitions and Coverage sections of rules implementing Executive Order 12549. You may contact the person to which this proposal is submitted for assistance in obtaining a copy of those regulations.
5. The prospective lower tier participant agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency with which this transaction originated.
6. The prospective lower tier participant further agrees by submitting this proposal that it will include the clause titled "Certification Regarding Debarment, Suspension, Ineligibility, and Voluntary Exclusion-Lower Tier Covered Transactions," without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions.
7. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant may decide the method and frequency by which it determines the eligibility of its principals. Each participant may, but is not required to, check the Nonprocurement List (Telephone Number).
8. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.
9. Except for transactions authorized under paragraph 5 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the federal government, the department or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment.



Funds will be held in an interest bearing account until disbursed or expended.

Please provide SAMPLES of all voter education printed documents & transcripts of audio and video recordings or clips.

Federal Election Activities Plan  
 COUNTY NAME: PALM BEACH  
 State Fiscal Year 2012-2013

NOTE: Put an X in all funding boxes that apply and in all boxes of topics that apply to each activity.  Activities and Descriptions	FY 12-13 FEDERAL ELECTION ACTIVITIES FUNDS				PRIOR YEAR FEDERAL ELECTION ACTIVITIES ROLL OVER FUNDS			PRIOR YEAR VOTER EDUCATION ROLL OVER FUNDS			PRIOR YEAR POLL WORKER TRAINING ROLL OVER FUNDS		
	Federal HAVA Funds	County Matching Funds	Other County Funds	Interest	Federal HAVA Funds	County Matching Funds	Interest	Federal HAVA Funds	County Matching Funds	Interest	Federal HAVA Funds	County Matching Funds	Interest
<b>Poll Worker Training Stipends:</b> Pay poll workers for their time to attend training classes													
<b>Poll Worker Training Materials:</b> Print tests and handouts for poll worker training classes. Examples of handouts may include the following. Additional topics may be added below.													
* Duties of the poll worker													
* Procedures to follow on election day													
* Disability and sensitivity training													
<b>Mailing or Publishing Sample Ballots:</b> Mail and/or publish sample ballots in local newspapers which include additional voter education information on voting procedures, voting rights or voting technology. Examples may include the following: Additional topics may be added below.	x	x		x									
* Election day voting procedures	x	x		x									
* Voting locations and hours of operation	x	x		x									
* Absentee voting deadline													
* Early voting information	x	x		x									
<b>Voting System Demonstrations:</b> List what funds will be spent on:													
* Mock ballots													
*													
*													

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Please provide SAMPLES of all voter education printed documents & transcripts of audio and video recordings or clips.

Federal Election Activities Plan  
 COUNTY NAME: PALM BEACH  
 State Fiscal Year 2012-2013

NOTE: Put an X in all funding boxes that apply and in all boxes of topics that apply to each activity.  Activities and Descriptions	FY 12-13 FEDERAL ELECTION ACTIVITIES FUNDS				PRIOR YEAR FEDERAL ELECTION ACTIVITIES ROLL OVER FUNDS			PRIOR YEAR VOTER EDUCATION ROLL OVER FUNDS			PRIOR YEAR POLL WORKER TRAINING ROLL OVER FUNDS		
	Federal HAVA Funds	County Matching Funds	Other County Funds	Interest	Federal HAVA Funds	County Matching Funds	Interest	Federal HAVA Funds	County Matching Funds	Interest	Federal HAVA Funds	County Matching Funds	Interest
<b>Voter Guide:</b> Print voter guides which must include information concerning voting procedures, voting rights or voting technology, but shall not contain elected officials' contact information other than the supervisor's contact information. Examples of information in the voter guide may include the following: Additional topics may be added below.													
* How to register to vote													
* Where to obtain voter registration applications													
* How to register by mail													
* How to update voter registration information													
* Dates for upcoming elections													
* Registration deadlines for the next primary and general election													
* How to obtain, vote and return an absentee ballot													
* Voter's Rights and Responsibilities													
* Polling place information including the hours that polls are open													
* What to bring to the polls including a list of acceptable ID's													
* What to expect at the polls													
* Instructions on the county's voting system													

Funds will be held in an interest bearing account until disbursed or expended.

Please provide SAMPLES of all voter education printed documents & transcripts of audio and video recordings or clips.

Federal Election Activities Plan  
 COUNTY NAME: PALM BEACH  
 State Fiscal Year 2012-2013

NOTE: Put an X in all funding boxes that apply and in all boxes of topics that apply to each activity.  Activities and Descriptions	FY 12-13 FEDERAL ELECTION ACTIVITIES FUNDS				PRIOR YEAR FEDERAL ELECTION ACTIVITIES ROLL OVER FUNDS			PRIOR YEAR VOTER EDUCATION ROLL OVER FUNDS			PRIOR YEAR POLL WORKER TRAINING ROLL OVER FUNDS		
	Federal HAVA Funds	County Matching Funds	Other County Funds	Interest	Federal HAVA Funds	County Matching Funds	Interest	Federal HAVA Funds	County Matching Funds	Interest	Federal HAVA Funds	County Matching Funds	Interest
Advertising or Publications: Examples are Print, Radio or Television Advertising to Voters (Includes Banners, Billboards & Public Transportation). Advertisements must include voter education information on voting procedures, voting rights or voting technology. Voter education topics may include the following: Additional topics may be added below.	X	X		X									
* Voter registration information													
* Acceptable forms of ID needed at the polling place													
* Absentee ballot information													
* Voter's Rights and Responsibilities													
* Election day voting procedures													
* Precinct locations	X	X		X									
* Early voting information													
Voter Information Cards: Print voter information cards which include additional voter education information on voting procedures, voting rights or voting technology. Examples may include the following: Additional items may be added below.	X	X		X									
* Information on how to update voter registration information	X	X		X									
* Information on what to bring to the polls including a list of acceptable ID's	X	X		X									
* Absentee ballot information													
* Early voting information													

Funds will be held in an interest bearing account until disbursed or expended.

Please provide SAMPLES of all voter education printed documents & transcripts of audio and video recordings or clips.

Federal Election Activities Plan  
 COUNTY NAME: PALM BEACH  
 State Fiscal Year 2012-2013

NOTE: Put an X in all funding boxes that apply and in all boxes of topics that apply to each activity.  Activities and Descriptions	FY 12-13 FEDERAL ELECTION ACTIVITIES FUNDS				PRIOR YEAR FEDERAL ELECTION ACTIVITIES ROLL OVER FUNDS			PRIOR YEAR VOTER EDUCATION ROLL OVER FUNDS			PRIOR YEAR POLL WORKER TRAINING ROLL OVER FUNDS		
	Federal HAVA Funds	County Matching Funds	Other County Funds	Interest	Federal HAVA Funds	County Matching Funds	Interest	Federal HAVA Funds	County Matching Funds	Interest	Federal HAVA Funds	County Matching Funds	Interest
<b>MOVE Act Implementation and Maintenance:</b> Maintaining online or web-based absentee ballot request and ballot tracking and precinct-finder system as relates to use in federal elections and for the costs for upgrades and future license fees and maintenance fees for the MOVE Act and other UOCAVA expenditures.													
<b>Software or Hardware Technology:</b> Any software or hardware technology, including but not limited to any emerging technology, that enhances or facilitates the items listed below. NOTE: Such technology or any pilot program that uses such technology must first be certified or approved, whichever is applicable, by the Department of State. Please indicate below which items are part of your plan.													
* delivery of absentee ballots													
* the casting and counting of valid votes													
* voting system audits or recount processes													
* the certification of accurate and complete official election results.													

## ATTACHMENT B to MOA 2012-2013-0001

DEPARTMENT OF STATE  
DIVISION OF ELECTIONS  
FEDERAL ELECTION ACTIVITIES  
FY 2012-2013

County	2012 Presidential Preference Primary Registered Voters	Federal Election Activities Funding Per County	County Matching Funds 15%
Alachua	150,951	\$ 40,285.64	\$ 6,042.85
Baker	13,801	\$ 3,683.20	\$ 552.48
Bay	104,508	\$ 27,890.98	\$ 4,183.65
Bradford	15,762	\$ 4,206.55	\$ 630.98
Brevard	359,546	\$ 95,955.25	\$ 14,393.29
Broward	1,076,716	\$ 287,352.82	\$ 43,102.92
Calhoun	8,488	\$ 2,265.27	\$ 339.79
Charlotte	109,954	\$ 29,344.41	\$ 4,401.66
Citrus	96,084	\$ 25,642.80	\$ 3,846.42
Clay	127,514	\$ 34,030.80	\$ 5,104.62
Collier	170,798	\$ 45,582.39	\$ 6,837.36
Columbia	32,844	\$ 8,765.37	\$ 1,314.81
DeSoto	16,267	\$ 4,341.32	\$ 651.20
Dixie	10,176	\$ 2,715.76	\$ 407.36
Duval	516,319	\$ 137,794.67	\$ 20,669.20
Escambia	198,291	\$ 52,919.69	\$ 7,937.95
Flagler	66,186	\$ 17,663.65	\$ 2,649.55
Franklin	7,262	\$ 1,938.07	\$ 290.71
Gadsden	28,570	\$ 7,624.73	\$ 1,143.71
Gilchrist	10,717	\$ 2,860.14	\$ 429.02
Glades	6,631	\$ 1,769.67	\$ 265.45
Gulf	9,383	\$ 2,504.13	\$ 375.62
Hamilton	7,782	\$ 2,076.85	\$ 311.53
Hardee	12,037	\$ 3,212.42	\$ 481.86
Hendry	16,537	\$ 4,413.38	\$ 662.01
Hernando	119,474	\$ 31,885.09	\$ 4,782.76
Highlands	60,147	\$ 16,051.97	\$ 2,407.80
Hillsborough	686,215	\$ 183,136.33	\$ 27,470.45
Holmes	11,159	\$ 2,978.10	\$ 446.72
Indian River	90,153	\$ 24,059.94	\$ 3,608.99
Jackson	28,167	\$ 7,517.18	\$ 1,127.58
Jefferson	9,242	\$ 2,466.50	\$ 369.97
Lafayette	4,442	\$ 1,185.48	\$ 177.82
Lake	190,888	\$ 50,943.99	\$ 7,641.60
Lee	363,445	\$ 96,995.81	\$ 14,549.37
Leon	175,298	\$ 46,783.34	\$ 7,017.50
Levy	24,516	\$ 6,542.80	\$ 981.42
Liberty	4,265	\$ 1,138.24	\$ 170.74
Madison	11,572	\$ 3,088.32	\$ 463.25
Manatee	202,437	\$ 54,026.17	\$ 8,103.93
Marion	213,970	\$ 57,104.09	\$ 8,565.61
Martin	100,827	\$ 26,908.60	\$ 4,036.29
Miami-Dade	1,214,351	\$ 324,084.70	\$ 48,612.71

DEPARTMENT OF STATE  
DIVISION OF ELECTIONS  
FEDERAL ELECTION ACTIVITIES  
FY 2012-2013

County	2012 Presidential Preference Primary Registered Voters	Federal Election Activities Funding Per County	County Matching Funds 15%
Monroe	50,854	\$ 13,571.86	\$ 2,035.78
Nassau	50,704	\$ 13,531.83	\$ 2,029.77
Okaloosa	120,761	\$ 32,228.57	\$ 4,834.29
Okeechobee	18,516	\$ 4,941.53	\$ 741.23
Orange	623,409	\$ 166,374.73	\$ 24,956.21
Osceola	144,004	\$ 38,431.63	\$ 5,764.75
Palm Beach	826,909	\$ 220,684.59	\$ 33,102.69
Pasco	296,984	\$ 79,258.77	\$ 11,888.82
Pinellas	601,314	\$ 160,478.04	\$ 24,071.71
Polk	331,671	\$ 88,516.00	\$ 13,277.40
Putnam	43,429	\$ 11,590.29	\$ 1,738.54
St. Johns	145,173	\$ 38,743.62	\$ 5,811.54
St. Lucie	168,088	\$ 44,859.15	\$ 6,728.87
Santa Rosa	110,809	\$ 29,572.59	\$ 4,435.89
Sarasota	271,332	\$ 72,412.80	\$ 10,861.92
Seminole	257,858	\$ 68,816.87	\$ 10,322.53
Sumter	69,331	\$ 18,502.98	\$ 2,775.45
Suwannee	24,454	\$ 6,526.26	\$ 978.94
Taylor	12,677	\$ 3,383.22	\$ 507.48
Union	6,950	\$ 1,854.81	\$ 278.22
Volusia	312,599	\$ 83,426.09	\$ 12,513.91
Wakulla	17,584	\$ 4,692.80	\$ 703.92
Walton	38,056	\$ 10,156.34	\$ 1,523.45
Washington	13,894	\$ 3,708.02	\$ 556.20
<b>TOTAL</b>	<b>11,241,052</b>	<b>\$ 3,000,000.00</b>	<b>\$ 450,000.00</b>

FY 2012-2013 APPROPRIATION - FEDERAL ELECTION ACTIVITIES \$3,000,000

2012 PPP - Total number of registered voters in the state 11,241,052

FUNDING LEVEL PER INDIVIDUAL VOTER \$0.2669

(Based on FY 2012-2013 appropriation for Federal Election Activities  
divided by the total number of registered voters in the state  
for the 2012 PPP Election.)