

PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS

AGENDA ITEM SUMMARY

Meeting Date: January 26, 2016 ☒ Consent ☐ Regular
☐ Ordinance ☐ Public Hearing
 Department: Palm Tran

I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to adopt: a Resolution of the Board of County Commissioners of Palm Beach County, Florida, approving the submission of a Section 5311 Grant Application, total project cost of \$615,070 for Operating and/or Capital Assistance under U.S.C. Section 5311(f), Intercity Bus Service Program, as administered by the Florida Department of Transportation (FDOT).

Summary: FDOT has been designated by Florida's Governor to administer the Section 5311(f) Program. One objective of the funding for intercity bus service under Section 5311 is to support the connection between rural areas and the larger regional or national system of intercity bus service. FDOT has notified Palm Tran that an allocation of Section 5311 funds in the amount of \$307,535, equal to the current award, is available for non-urbanized areas for mass transit operating assistance. If the Grant application is approved, it is staff's recommendation to partially offset the operating costs of Palm Tran's fixed route service in the Glades Region of Palm Beach County. The Grant Application is for a total project cost of \$615,070 which requires a 50% local match (\$307,535 Local Funds, \$307,535 FDOT Funds) for the period of July 1, 2016 through June 30, 2017. Palm Beach County will provide the local match funding from the local option gas tax. The Grant match will be included in the FY 2017 Proposed Budget. District 6 (DR)

Background and Justification: In Florida, intercity bus service is a vital link between otherwise isolated rural communities and the rest of the nation. In the 1980's and more recently, major intercity bus carriers abandoned many less productive routes. Patronage generated in rural areas, appears to be important to the continuing viability of the remaining intercity routes. Objectives of the funding for intercity bus service under Section 5311, is to support the connection between rural areas and the larger regional or national system of intercity bus service, support services to meet the intercity travel needs of residents in rural areas, an also support the infrastructure of the intercity bus network through planning and marketing assistance and capital investment in facilities. FTA encourages Florida to use the funding under 49 U.S.C. 5311(f) to support these national objectives.

Attachments:

1. Resolution (3 copies)
2. Section 5311 Grant Application – Standard Form 424

Recommended By: _____ Date: 12/31/15
 Executive Director

Approved By: _____ Date: 1/16/16
 Assistant County Administrator

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2016	2017	2018	2019	2020
Capital					
Expenditures					
Operating Costs		\$615,070			
External Revenues		(\$307,535)			
Program Income (County)					
In-Kind Match (County)					
NET FISCAL IMPACT		\$307,535			
No. ADDITIONAL FTE POSITIONS (Cumulative)		0			

Is Item Included In Budget? Yes No X
 Budget Account No.: Fund 1341 Dep't. 542 Unit 5101
 Object Various Reporting Category

B. Recommended Sources of Funds/Summary of Fiscal Impact:
Match expenses will be met from 1340-540-5110/5140.

C. Departmental Fiscal Review: 
Finance Manager

III. REVIEW COMMENTS

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

Sherry B. [Signature]
12/3/55 OFMB 11/4/16.

J. J. Jacobus 47116
Contract Dev. and Control
BeOhead- 1-7-16

B. Legal Sufficiency:


Assistant County Attorney 1/8/16

C. Other Department Review:

Department Director

RESOLUTION NO. R -

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, APPROVING THE SUBMISSION OF A SECTION 5311 GRANT APPLICATION, TOTAL PROJECT COST OF \$615,070 FOR OPERATING AND/OR CAPITAL ASSISTANCE UNDER U.S.C. SECTION 5311(F), INTERCITY BUS SERVICE PROGRAM, AS ADMINISTERED BY THE FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT).

WHEREAS, the Palm Beach County Board of Commissioners has the authority to apply for and accept grants and make purchases and/or expend funds pursuant to grant awards made by the Florida Department of Transportation as authorized by Chapter 341, Florida Statutes and/or by the Federal Transit Administration Act of 1964, as amended; and

WHEREAS, FDOT requires that grant applicants submit a Resolution showing the applicant's intention to apply for a federally funded grant under 49 U.S.C. Section 5311.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that:

1. The Board of County Commissioners does hereby approve the submission of a Grant Application, for a project in the amount of \$615,070, consisting of Federal funds totaling \$307,535 to be passed through FDOT for non-urbanized (rural) Palm Beach County, and other related supporting documents and assurance(s) to FDOT.
2. That the Palm Beach County Administrator, the Executive Director and the Assistant Director of Palm Tran are each authorized to furnish such additional information or documentation that FDOT may require in connection with the project.
3. The Board of County Commissioners acknowledges that the grant will require a 50% match by Palm Beach County in the amount of \$307,535.
4. The Mayor is authorized to sign the application, and to execute and file with such application any assurances or other documents required by the Florida Department of Transportation effectuating the purposes of Title VI of the Civil Rights Act of 1964.
5. This Resolution shall take effect upon adoption.

The foregoing Resolution was offered by Commissioner _____, who moved its adoption. The motion was seconded by Commissioner _____, and upon being put to a vote, the vote was as follows:

Commissioner Mary Lou Berger, Mayor	_____
Commissioner Hal R. Valeche, Vice Mayor	_____
Commissioner Paulette Burdick	_____
Commissioner Shelley Vana	_____
Commissioner Steven L. Abrams	_____
Commissioner Melissa McKinlay	_____
Commissioner Priscilla A. Taylor	_____

The Mayor thereupon declared the Resolution duly passed and adopted this _____ day of _____, 2016.

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY

PALM BEACH COUNTY, FLORIDA,
by its BOARD OF COMMISSIONERS
Sharon R. Bock, Clerk and Comptroller

By: _____
County Attorney

By: _____
Deputy Clerk

APPLICATION FOR
FEDERAL ASSISTANCE

1. TYPE OF SUBMISSION Application <input type="checkbox"/> Construction <input checked="" type="checkbox"/> Non-Construction		Pre-application <input type="checkbox"/> Construction <input type="checkbox"/> Non-Construction	2. DATE SUBMITTED January 2016		Applicant Identifier	
			3. DATE RECEIVED BY STATE		State Application Identifier	
			4. DATE RECEIVED BY FEDERAL AGENCY		Federal Identifier	
5. APPLICANT INFORMATION						
Legal Name: Palm Beach County Board of Commissioners				Organizational Unit		
Organizational DUNS: 078470481				Department: Palm Tran		
Address:				Division:		
Street: 3201 Electronics Way				Name and telephone number of person to be contacted on matters involving this application (give area code)		
City: West Palm Beach				Prefix:	First Name: Claudia	
County: Palm Beach				Middle Name:		
State: Florida				Last Name: Salazar		
Zip Code: 33407		Suffix:				
Country: USA				Email: csalazar@pbcbgov.org		
6. EMPLOYER IDENTIFICATION NUMBER (EIN) 5 9 - 6 0 0 0 7 8 5				Phone Number (give area code) 561-841-4241		
8. TYPE OF APPLICATION: <input checked="" type="checkbox"/> New <input type="checkbox"/> Continuation <input type="checkbox"/> Revision If Revision, enter appropriate letter(s) in box(es) (See back of form for description of letters.) Other (specify)				Fax Number (give area code) 561-656-7443		
				7. TYPE OF APPLICANT: (See back of form for Application Types) B. County Other (specify)		
				9. NAME OF FEDERAL AGENCY: Federal Transit Administration		
10. CATALOG OF FEDERAL DOMESTIC ASSISTANCE NUMBER 2 0 5 0 9				11. DESCRIPTIVE TITLE OF APPLICANT'S PROJECT: FDOT 2015 Section 5311 Operating Assistance for Rural Areas		
12. AREAS AFFECTED BY PROJECT (Cities, Counties, States, etc.): Palm Beach County, Florida						
13. PROPOSED PROJECT				14. CONGRESSIONAL DISTRICTS OF:		
Start Date: 7/1/2016		Ending Date: 6/30/2017		a. Applicant 18, 20, 21 and 22	b. Project 18, 20, 21 and 22	
15. ESTIMATED FUNDING:				16. IS APPLICATION SUBJECT TO REVIEW BY STATE EXECUTIVE ORDER 12372 PROCESS?		
a. Federal	\$307,535		a. Yes <input type="checkbox"/>			
b. Applicant	\$307,535		b. No <input type="checkbox"/>			
c. State	\$		THIS PREAPPLICATION/APPLICATION WAS MADE AVAILABLE TO THE STATE EXECUTIVE ORDER 12372 PROCESS FOR REVIEW ON DATE:			
d. Local	\$		PROGRAM IS NOT COVERED BY E. O. 12372			
e. Other	\$		<input checked="" type="checkbox"/> OR PROGRAM HAS NOT BEEN SELECTED BY STATE FOR REVIEW			
f. Program Income	\$		17. IS THE APPLICANT DELINQUENT ON FEDERAL DEBT?			
g. TOTAL	\$615,070		<input type="checkbox"/> Yes If "Yes" attach an explanation. <input checked="" type="checkbox"/> No			
18. TO THE BEST OF MY KNOWLEDGE AND BELIEF, ALL DATA IN THIS APPLICATION/PREAPPLICATION ARE TRUE AND CORRECT. THE DOCUMENT HAS BEEN DULY AUTHORIZED BY THE GOVERNING BODY OF THE APPLICANT AND THE APPLICANT WILL COMPLY WITH THE ATTACHED ASSURANCES IF THE ASSISTANCE IS AWARDED.						
a. Authorized Representative						
Prefix	First Name Mary Lou		Middle Name			
Last Name Berger		Suffix				
b. Title Mayor, Palm Beach County Board of Commissioners		c. Telephone Number (give area code) 561-355-2005				
					e. Date Signed	

EXHIBIT J
Standard Lobbying Certification Form

NOTE: All grant awards issued to a recipient in the amount of \$100,000 or more must include a signed standard lobbying form.

The undersigned [Palm Beach County] certifies, to the best of his or her knowledge and belief, that:

(1) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of an agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.

(2) If any funds other than Federal appropriated funds have been paid or will be paid to any person for making lobbying contacts to an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form--LLL, "Disclosure Form to Report Lobbying," (a copy the form can be obtained from <http://www.dot.state.fl.us/transit/Pages/grantsadministration.shtm>) in accordance with its instructions [as amended by "Government wide Guidance for New Restrictions on Lobbying," 61 Fed. Reg. 1413 (1/19/96). Note: Language in paragraph (2) herein has been modified in accordance with Section 10 of the Lobbying Disclosure Act of 1995 (P.L. 104-65, to be codified at 2 U.S.C. 1601, *et seq.*)]

(3) The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by 31, U.S.C. § 1352 (as amended by the Lobbying Disclosure Act of 1995). Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

[Note: Pursuant to 31 U.S.C. § 1352(c)(1)-(2)(A), any person who makes a prohibited expenditure or fails to file or amend a required certification or disclosure form shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such expenditure or failure.]

The undersigned [Palm Beach County], certifies or affirms the truthfulness and accuracy of each statement of its certification and disclosure, if any. In addition, the County understands and agrees that the provisions of 31 U.S.C. A 3801, *et seq.*, apply to this certification and disclosure, if any.

Dated _____

(Name of Title of Authorized Representative)

(Signature of Authorized Representative)

PALM BEACH COUNTY BOARD OF COUNTY COMMISSIONERS
PALM TRAN
5311
EXHIBIT K
FTA Section 5333 (b) Assurance

Single Audit Act

(Note By signing the following assurance, the recipient of Section 5311 and/or 5311(f) assistance assures it will comply with the labor protection provisions of 49 U.S.C. 5333(b) by one of the following actions: (1) signing the Special Warranty for the Rural Area Program; (2) agreeing to alternative comparable arrangements approved by the Department of Labor (DOL); or (3) obtaining a waiver from the DOL.)

The Palm Beach County Board Of County Commissioners (hereinafter referred to as the "Recipient") HEREBY ASSURES that the "Special Section 5333 (b) Warranty for Application to the Small Urban and Rural Program" has been reviewed and certified to the Florida Department of Transportation that it will comply with its provisions and all its provisions will be incorporated into any contract between the recipient and any sub-recipient which will expend funds received as a result of an application to the Florida Department of Transportation under the FTA Section 5311 Program.

Dated _____

(Name of Title of Authorized Representative)

(Signature of Authorized Representative)

Note: All applicants must complete the following form and submit it with the above Assurance.

**LISTING OF RECIPIENTS, OTHER ELIGIBLE SURFACE TRANSPORTATION PROVIDERS, AND
LABOR ORGANIZATIONS REPRESENTATIVES EMPLOYEES OF SUCH PROVIDERS, IF ANY
(See Appendix for Example)**

1 Identify Recipients of Transportation Assistance under this Grant.	2 Site Project by Name, Description, and Provider (e.g. Recipient, other Agency, or Contractor)	3 Identify Other Eligible Surface Transportation Providers (Type of Service)	4 Identify Unions (and Providers) Representing Employees of Providers in Columns 1, 2, and 3.
Palm Tran	5311 Operating Funds Non-Urbanized Palm Beach County	None	ATU Local 1577