PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS
AGENDA ITEM SUMMARY

Meeting Date: April 06, 2021
Department: Administration
Submitted By: Office of Financial Management & Budget
Submitted For: Supervisor of Elections

I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to receive and file:

A) Memorandum of Agreement between the Supervisor of Elections and the State of Florida, Department of State, Division of Elections in the amount of $121,999.90 for the purchase of goods and services for the continuation of cybersecurity initiatives and improvements at the local level in preparation for the 2020 Presidential Election for the period of July 1, 2019 through May 30, 2020; and

B) Memorandum of Agreement between the Supervisor of Elections and the State of Florida, Department of State, Division of Elections in the amount of $1,254,836 for COVID-19 election-related expenses for the period of March 28, 2020 through December 31, 2020; and

C) Grant Agreement between Supervisor of Elections and the Center for Tech and Civic Life in the amount of $6,808,977.94 to be used exclusively for the public purpose of planning and operationalizing safe and secure election administration in Palm Beach County in 2020 for the period of June 15, 2020 through December 31, 2020; and

D) Time Extension for the Grant Agreement with the Center for Tech and Civic Life to extend the grant period 6 months until June 30, 2021 for the public purpose of improving and ensuring the safety of elections in 2021.

Summary: The 2019 Florida Legislature appropriated funds specifically for the continuation of cybersecurity initiatives and improvements at the local level in preparation for the 2020 Presidential Election. The Catalog of Federal Domestic Assistance (CFDA) number is 90.401 and the County is required to provide a 15% match of $18,299.99. On March 09, 2020 under executive order 20-52 the State was distributed funds under the Coronavirus Aid, Relief and Economic Security (cont’d pg. 3)

Attachments:
1. Memorandum from Florida Department of State – CARES
2. Memorandum from Florida Department of State – Cybersecurity
3. Grant Agreement with the Center for Tech and Civic Life
4. Time Extension for Grant Agreement with the Center for Tech and Civic Life

Recommended by: ___________________________ 3/25/2021
Department Director

Approved By: _______________________________ 3/29/2021
County Administrator
II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

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# ADDITIONAL FTE POSITIONS (Cumulative) ________ ________ ________ ________ ________

Is Item Included in Current Budget? Yes X No
Does this item include the use of Federal Funds? 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 SOE's budget.

III. REVIEW COMMENTS

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

[Signature]
OFMB
[Date]

Contract Dev. and Control
[Signature]
[Date]

B. Legal Sufficiency:

[Signature]
County Attorney
[Date]

C. Other Department Review:

[Signature]
Department Director

This summary is not to be used as a basis for payment.
Summary cont'd: (CARES) Act for COVID-19 related expenses for the 2020 Federal Election. The CFDA# is 90.404 and the County is required to provide a 20% match of $250,967. On September 30, 2020 The Center for Tech and Civil Life (CTCL), a nonprofit organization, awarded a grant to support the work of the Palm Beach County Supervisor of Elections (SOE). There is no associated CFDA# or Catalog of State Financial Assistance (CFSA) number and there is no match requirement. Match requirements are included in the SOE’s budget. Countywide (DB)

Background and Justification: Funds received pursuant to these grants may be spent for (1) Cybersecurity - allowable goods and services as specified in the SOE’s Election Security Improvement Plan; (2) CARES - expenses to prevent, prepare for, and respond to Coronavirus, domestically or internationally, for the 2020 Federal election cycle; and (3) CTCL - exclusively for the public purpose of planning and operationalizing safe and secure election administration in Palm Beach County in 2020.
MEMORANDUM OF AGREEMENT FOR FEDERAL FUNDS
Coronavirus Aid, Relief and Economic Security (CARES) Act

This agreement is between the State of Florida, Department of State, Division of Elections ("Department"), an agency of the State of Florida, and Supervisor of Elections for Palm Beach County, Florida. This agreement governs the receipt and use of federal funds as specified herein.

I. Governing Law

As authorized by Congress, the funds awarded to the States under the Coronavirus Aid, Relief and Economic Security (CARES) Act (Public Law 116-136), are available solely to "prevent, prepare for, and respond to coronavirus, domestically or internationally, for the 2020 Federal election cycle." Florida was allocated a total of $20,253,853. The State's non-federal match requirement for this award is $4,050,771 (20% of the federal funds) and must be met no later than March 27, 2022. On March 9, 2020 the Governor issued Executive Order 20-52 (Emergency Management - COVID-19 Public Health Emergency) in response to the Novel Coronavirus (COVID-19) outbreak. By approval of BA20-21-01C the Department is authorized to distribute among Florida's 67 county Supervisors of Elections ("Sub-recipients" hereinafter) a sum total of $20,253,853 in non-recurring funds for COVID-19 election related expenses for the 2020 Federal Elections. Attachment A provides the distribution amount by county and match amount required. CARES funds authorization is made pursuant to the Consolidated Appropriations Act of 2020 and its supplemental appropriation, the CARES Act, and under section 101 of the Help America Vote Act of 2002 (HAVA) (Public Law 107-252). The Catalog of Federal Domestic Assistance (CFDA) number is 92.040.

II. Scope of Work, Deliverables, Restrictions

A. Scope of Work

Funds may be awarded as a reimbursement and/or advance for allowable expenses. Allowable expenses include but are not limited to those listed in Attachment B during the period of March 28, 2020 through December 31, 2020. Allowable expenses must be reasonable, necessary and allocable to the grant. Further details are set forth in subsections B, C, and D.

B. Deliverables, Minimum Levels of Service, and Financial Consequences

| Deliverables | Apply funds solely for COVID-19 election-related expenses (expenses to prevent, prepare for, and respond to coronavirus, domestically or internationally, for the 2020 Federal election cycle) during the allowable expense period of March 28, 2020, through December 31, 2020. |

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MOA #2020-001-_______  Page 1 of 5
Grant deadline (see subsection C): Sub-recipient has until Friday, December 31, 2020, to submit a request for the grant.

Detailed expense plan: At the time of grant application, Sub-recipient shall provide a detailed plan of allowable expenses for the 2020 Federal Election Cycle that have been expended and/or will be expended for which reimbursement or advance is sought, respectively.

Deadline to encumber and/or expend funds: No later than Friday, December 31, 2020, sub-recipient shall have expended and/or encumbered for services and/or products to be used or implemented.

Final expenditure report (see subsection D): Sub-recipient shall submit a final expenditure report due no later than Monday, February 1, 2021, that also includes documentation evidencing the services and/or products purchased, used and/or implemented for the 2020 Federal Election Cycle.

Minimum Level of Service

Financial Consequences through Friday, December 31, 2020.

A county who does not submit an application for funds by Friday, December 31, 2020 is no longer eligible for the grant.

Any funds, including interests accrued, remaining after Friday, December 31, 2020, or not otherwise encumbered for services and/or products received or provided on or before Friday, December 31, 2020 must be returned to the Department, no later than Monday, February 1, 2021, and include the final expenditure report.

C. Amount of Award, Request and Disbursement Process

The Department shall distribute to each eligible Sub-recipient upon request and submission of a completed grant application. Each county is allocated a minimum base of fifty thousand dollars ($50,000) of the total grant. In addition, each county is allocated an amount derived from the remainder of the grant which is divided by the total number of registered voters as of book closing in the 2020 Presidential Preference Primary Election and then multiplied by the respective county’s number of registered voters as book closing for that county. The maximum amount that each eligible Sub-recipient may receive is set forth in Attachment A.

In order to receive funds, the Sub-recipient shall return this complete contract package no later than Friday, December 31, 2020. Additionally, before the Sub-recipient may receive funds, the Sub-recipient must submit the following:

1. A completed ED Form GCAS-009 (6/88), entitled “Certification Regarding Debarment, Suspension, Ineligibility, and Voluntary Exclusion Lower Tier Covered Transactions”, and attached hereto as Attachment C. [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.]

D. Final Expenditure Report

The Sub-recipient must provide a final expenditure report (see Attachment D) including supporting documentation evidencing allowable expenses no later than Monday, February 1, 2021. Supporting documentation shall include invoices, canceled checks, purchase orders, vendor contracts, and other records that detail the services or products provided and the costs of such services and/or products.

Failure to submit the report may result in immediate forfeiture of all funds, including any interest accrued.

Any funds determined not to be expended in accordance with this agreement shall be forfeited and

MOA #2020-001-_______

Page 2 of 5
E. Restrictions
Sub-recipient shall not use any funds received hereunder to support lobbying activities to influence proposed or pending federal or state legislation or appropriations, but this does not affect the right of the Sub-recipient, or that of any other organization to petition Congress, or any other level of Government, through the use of other resources.

If the Sub-recipient expends any funds on expenses that are not allowable, the Sub-recipient must reimburse immediately the Department the funds, not otherwise expended for allowable costs, including any interest earned during the term of this agreement.

If the Sub-recipient receives advanced funds, the Sub-recipient must establish and maintain these public funds in an interest bearing account in a "qualified public depository" as defined by section 280.02(26), Florida Statutes. The Sub-recipient must segregate the funds in a separate account established to hold only such funds. Sub-recipient must comply with the applicable requirements of chapter 280, including but not limited to:

- The execution and retention in your official records of a Public Deposit Identification and Acknowledgement Form.

- Additional reporting requirement: The submission each year by November 30th of a Public Depository Annual Report to the Chief Financial Officers (DFS-J3-1009)

For more information refer to the Department of Financial Services Collateral Management for Governmental Units webpage or contact the Program Administrator at 850-413-3167.

III. Payments
The Sub-recipient shall receive payment through the electronic funds transfer (EFT) if it has already been set up. If EFT has already been set up for your organization, you do not need to submit another authorization form unless you have changed bank accounts. All Sub-recipients wishing to receive funds through electronic funds transfer must submit a Direct Deposit Authorization form to the Florida Department of Financial Services. Otherwise payment will be by warrant.

IV. Monitoring, Audits, and Audit Reporting
The administration of resources awarded to the Sub-recipient, as indicated on Attachment E-Exhibit 1, may be subject to monitoring, audits and reporting requirements herein.

A. Monitoring
In addition to reviews of audits conducted in accordance with OMB Circular A-133, as revised, and Section 215.97, F.S., (see Part B "Audits") monitoring procedures may include, but not be limited to, on-site visits by Department staff, limited scope audits as defined by OMB Circular A-133, as revised, and/or other procedures. (see Attachment E) By entering into this agreement, the Sub-recipient agrees to comply and cooperate with any monitoring procedures/processes the Department deems appropriate.

B. Audits
1. Federally Funded Audits (OMB Circular A-133, as revised in supplemental 2017.)

In the event that the Sub-recipient spends $750,000 or more in Federal awards in its fiscal year, the Sub-recipient is required to have a single or program-specific audit conducted in accordance with the provisions of OMB Circular A-133, as revised. In determining the Federal awards expended in its fiscal year,
the Sub-recipient shall consider all sources of Federal awards, including Federal resources received from
the Department. The determination of amounts of Federal awards expended should be in accordance with
the guidelines established by OMB Circular A-133, as revised. An audit conducted by the Auditor General
must satisfy the requirements of Subpart E of OMB Circular A-133, as revised. In connection with the audit
requirements the Sub-recipient shall fulfill the responsibilities of an auditee as provided in Subpart C of
OMB Circular A-133, as revised.

If the Sub-recipient expends less than $750,000 in Federal awards in its fiscal year, an audit is not
required. The Sub-recipient, however, must make records available for review or audit upon request by
appropriate officials of U.S. Election Assistance Commission, the Department, and the General Accounting
Office (GAO). If the Sub-recipient 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.,
resources obtained from 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 a limited scope audit or other type of audit of the Sub-recipient is
appropriate, the Sub-recipient agrees to comply with any additional instructions provided by Department
staff to the Sub-recipient regarding such audit. If the Department determines that federal funds received
under this Agreement were used for any unauthorized purpose or that the Sub-recipient did not comply
with this agreement or state or federal requirements for receipt, expenditure, or
accounting, the Sub-recipient must return or repay these federal funds in an amount sufficient to ensure or
obtain compliance, including expenses for any corrective or remedial action.

The Sub-recipient further agrees to comply and cooperate with any inspections, reviews, investigations, or
audits deemed necessary by the Department of State, Chief Financial Officer (CFO) or Auditor General.
Additional guidance to state and federal monitoring and auditing requirements may be found at

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

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<th>Department of State</th>
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<th>Federal Audit Clearinghouse</th>
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<td>R.A. Gray Bldg., Rm 406</td>
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Any reports, management letter, or other information required to be submitted to the Department
pursuant to this agreement shall be submitted timely and in accordance with OMB Circular A-133, the
Florida Statutes, and/or Chapter 10.550 (local governmental entities) of the Rules of the Auditor
General, whichever is applicable. The correspondence accompanying the financial reporting package
forwarded to the Department must include the date the Sub-recipient received the reporting package.

V. Record Retention
The Sub-recipient shall keep and maintain accurate and detailed records sufficient to demonstrate its
compliance with the terms of this agreement. The Sub-recipient shall retain these records for five fiscal

MOA #2020-001-__________
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 Sub-recipient shall allow the Department or its designee, CFO, or Auditor General access to such records, including access to the audit working papers upon request.

VI. Entirety of the Agreement
All terms and conditions of this agreement are fully set forth in this document and its attachments 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. This agreement is effective as of the date it is fully executed.

The parties have caused this Agreement to be executed by their undersigned officials as duly authorized.

By County Supervisor of Elections
/Sub-recipient

Signature:
Printed name:
Title:
Address:

By Department of State, Division of Elections

Signature:
Printed name:
Title:
Address:

County FEID/FEIN:
Date:

74-3196272
12/17/2020

MOA #2020-001-_________  Page 5 of 5
## Attachment A - HAVA CARES Fund Grant 2020 Allocation by County

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<th>Total Subgrant Award (Columns B + E)</th>
<th>Match Requirement (20%)</th>
<th>Total Subgrant Award and Match</th>
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<td>77,663</td>
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<tr>
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<tr>
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Total Grant: $20,253,853
## Attachment A - HAVA CARES Fund Grant 2020 Allocation by County

<table>
<thead>
<tr>
<th>County</th>
<th>Base Total</th>
<th>Remainder</th>
<th>Remainder Bookclosing (PPP)</th>
<th>Registered Voters - Bookclosing (Columns C x D)</th>
<th>Total Subgrant Award (Columns B + E)</th>
<th>Match Requirement (20%)</th>
<th>Total Subgrant Award and Match</th>
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<td>Nassau</td>
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<td><strong>Totals</strong></td>
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### Equipment/Tools

<table>
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<th>Amount</th>
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<tbody>
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<td>Ballot boxes</td>
<td>$14,690.54</td>
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<tr>
<td>Voting machines</td>
<td>$9,742.24</td>
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<tr>
<td>Total</td>
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### Software

<table>
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<td>$10,000.00</td>
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<tr>
<td>Total</td>
<td>$10,000.00</td>
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</table>

### Footnotes

- Ballot boxes are crucial for ensuring an accurate and fair voting process. They store ballots securely until the election day.
- Voting machines automate the voting process, reducing the risk of human error and speeding up the counting process.

---

### Conclusion

The county has taken necessary precautions to ensure that the election process is transparent, secure, and accessible to all voters. The allocation of funds will go a long way in enhancing the overall voting experience and maintaining public trust in the democratic process.
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.

Wendy Sartory Link, Supervisor of Elections
Name and Title of Authorized Representative

Signature ___________________________ Date 12/17/2020

ED Form GCS-009, 6/88
### Elections CARES Grant Final Expenditure Report

<table>
<thead>
<tr>
<th>Category/Sub-Category</th>
<th>Good or Service Purchased</th>
<th>Cost</th>
<th>Funds Expended</th>
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</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Totals</strong></td>
<td></td>
<td>$0.00</td>
<td>$0.00</td>
</tr>
</tbody>
</table>

Report must include documentation such as billing, Itemized receipts, invoices, bank statements, canceled checks, etc. in support of the figures. Number the supporting documentation in accordance with the list above. Insert additional rows if needed.

**ATTACHMENT D to MOA 2020-001...**
AUDIT REQUIREMENTS FOR AWARDS OF STATE AND FEDERAL FINANCIAL ASSISTANCE


The administration of resources awarded by the Department of State to the Sub-recipient may be subject to audits and/or monitoring by the Department of State as described in this section.

MONITORING

In addition to reviews of audits conducted in accordance with 2 CFR 200, Subpart F - Audit Requirements, and section 215.97, Florida Statutes (F.S.), as revised (see AUDITS below), monitoring procedures may include, but not be limited to, on-site visits by Department of State staff, limited scope audits as defined by 2 CFR §200.425, or other procedures. By entering into this agreement, the recipient agrees to comply and cooperate with any monitoring procedures or processes deemed appropriate by the Department of State. In the event the Department of State determines that a limited scope audit of the recipient is appropriate, the recipient agrees to comply with any additional instructions provided by Department of State staff to the recipient regarding such audit. The recipient further agrees to comply and cooperate with any inspections, reviews, investigations, or audits deemed necessary by the Chief Financial Officer (CFO) or Auditor General.

AUDITS

Part I: Federally Funded

This part is applicable if the recipient is a state or local government or a nonprofit organization as defined in 2 CFR §200.90, §200.64, and §200.70.

1. A recipient that expends $750,000 or more in federal awards in its fiscal year must have a single or program-specific audit conducted in accordance with the provisions of 2 CFR 200, Subpart F - Audit Requirements. EXHIBIT 1 to this form lists the federal resources awarded through the Department of State by this agreement. In determining the federal awards expended in its fiscal year, the recipient shall consider all sources of federal awards, including federal resources received from the Department of State. The determination of amounts of federal awards expended should be in accordance with the guidelines established in 2 CFR §200.502-503. An audit of the recipient conducted by the Auditor General in accordance with the provisions of 2 CFR §200.514 will meet the requirements of this Part.

2. For the audit requirements addressed in Part I, paragraph 1, the recipient shall fulfill the requirements relative to auditee responsibilities as provided in 2 CFR §200.508-512.

3. A recipient that expends less than $750,000 in federal awards in its fiscal year is not required to have an audit conducted in accordance with the provisions of 2 CFR 200, Subpart F - Audit Requirements. If the recipient expends less than $750,000 in federal awards in its fiscal year and elects to have an audit conducted in accordance with the provisions of 2 CFR 200, Subpart F - Audit Requirements,
the cost of the audit must be paid from non-federal resources (i.e., the cost of such an audit must be paid from recipient resources obtained from other than federal entities).

Part II: State Funded

Note: This part is applicable if the recipient is a nonstate entity as defined by section 215.97(2), F.S.

1. In the event that the recipient expends a total amount of state financial assistance equal to or in excess of $750,000 in any fiscal year of such recipient (for fiscal years ending June 30, 2017, and thereafter), the recipient must have a state single or project-specific audit for such fiscal year in accordance with section 215.97, F.S.; Rule Chapter 691-5, F.A.C., State Financial Assistance; and Chapters 10.550 (local governmental entities) and 10.650 (nonprofit and for-profit organizations), Rules of the Auditor General. EXHIBIT 1 to this form lists the state financial assistance awarded through the Department of State by this agreement. In determining the state financial assistance expended in its fiscal year, the recipient shall consider all sources of state financial assistance, including state financial assistance received from the Department of State, other state agencies, and other nonstate entities. State financial assistance does not include federal direct or pass-through awards and resources received by a nonstate entity for federal program matching requirements.

2. For the audit requirements addressed in Part II, paragraph 1, the recipient shall ensure that the audit complies with the requirements of section 215.97(8), F.S. This includes submission of a financial reporting package as defined by section 215.97(2), F.S., and Chapters 10.550 (local governmental entities) and 10.650 (nonprofit and for-profit organizations), Rules of the Auditor General.

3. If the recipient expends less than $750,000 in state financial assistance in its fiscal year (for fiscal years ending June 30, 2017, and thereafter), an audit conducted in accordance with the provisions of section 215.97, F.S., is not required. If the recipient expends less than $750,000 in state financial assistance in its fiscal year and elects to have an audit conducted in accordance with the provisions of section 215.97, F.S., the cost of the audit must be paid from the nonstate entity’s resources (i.e., the cost of such an audit must be paid from the recipient’s resources obtained from other than state entities).

Part III: Report Submission

1. Copies of reporting packages for audits conducted in accordance with 2 CFR 200, Subpart F - Audit Requirements, and required by Part I of this form shall be submitted, when required by 2 CFR §200.512, by or on behalf of the recipient directly to the Federal Audit Clearinghouse (FAC) as provided in 2 CFR §200.36 and §200.512.

The FAC’s website provides a data entry system and required forms for submitting the single audit reporting package. Updates to the location of the FAC and data entry system may be found at the OMB website.

2. Copies of financial reporting packages required by Part II of this form shall be submitted by or on behalf of the recipient directly to each of the following:

   a. The Department of State at the following addresses:

      Department of State, Division of Elections
      R.A. Gray Building, Ste 316
      500 S. Bronough St.
      Tallahassee, FL 32399-0250
AUDIT REQUIREMENTS FOR AWARDS OF STATE AND FEDERAL FINANCIAL ASSISTANCE

Department of State; Office of Inspector General
R.A. Gray Bldg., Rm. 406
500 S. Bronough Street
Tallahassee, FL
32399-0250

b. The Auditor General’s Office at the following address:

Auditor General
Local Government Audits/342
Claude Pepper Building, Room 401
111 West Madison Street
Tallahassee, Florida 32399-1450


c. The Federal Audit Clearinghouse designated in OMB Circular A-133, as revised (the number of copies required by Sections .320 (d)(1) and (2), OMB Circular A-133, as revised, should be submitted to the Federal Audit Clearinghouse), at the following address:

Federal Audit Clearinghouse
Bureau of the Census
1201 East 10th Street
Jeffersonville, IN 47132

3. Copies of reports required by Part III of this form shall be submitted by or on behalf of the recipient directly to:

Department of State
Division of Elections
R.A. Gray Building, Ste 316
500 S. Bronough St.
Tallahassee, FL 32399-0250

4. Any reports, management letters, or other information required to be submitted to the Department of State pursuant to this agreement shall be submitted timely in accordance with 2 CFR §200.512, section 215.97, F.S., and Chapters 10.550 (local governmental entities) and 10.650 (nonprofit and for-profit organizations), Rules of the Auditor General, as applicable.

5. Recipients, when submitting financial reporting packages to the Department of State for audits done in accordance with 2 CFR 200, Subpart F - Audit Requirements, or Chapters 10.550 (local governmental entities) and 10.650 (nonprofit and for-profit organizations), Rules of the Auditor General, should indicate the date that the reporting package was delivered to the recipient in correspondence accompanying the reporting package.

Part V: Record Retention

The recipient shall retain sufficient records demonstrating its compliance with the terms of the award(s) and this agreement for a period of 5 fiscal years from the date the audit report is issued, and shall allow the Department of State, or its designee, the CFO, or Auditor General access to such records upon request. The recipient shall ensure that audit working papers are made available to the Department of State, or its designee, the CFO, or Auditor General upon request for a period of 5 fiscal years from the date the audit report is issued, unless extended in writing by the Department of State.
AUDIT REQUIREMENTS FOR AWARDS OF
STATE AND FEDERAL FINANCIAL ASSISTANCE

EXHIBIT 1

Federal Resources Awarded to the Recipient
Pursuant to this Agreement Consist of the Following:

1. Federal Help America Vote Act—Catalog of Federal Domestic Assistance (CFDA) § 90.404 HAVA
   Election Security Grants
   Federal Program: Section 101 of the Help America Vote Act of 2002
   Federal Agency: U.S. Election Assistance Commission
   CFDA No./Title: 90.404 Election Security Grants
   Award Amount: See Attachment A

2. Federal Help America Vote Act—Catalog of Federal Domestic Assistance (CFDA) § 90.401 HAVA
   Requirements Payments
   Federal Program: Section 251 of the Help America Vote Act of 2002
   Federal Agency: U.S. Election Assistance Commission
   CFDA No./Title: 90.401 Requirements Payments
   Award Amount: See Attachment A

Compliance Requirements Applicable to the Federal Resources
Awarded Pursuant to this Agreement are as Follows:

1. CFDA Number 90.404, HAVA Election Security Grants
   Part I of Subtitle D of Title II (Sections 251-258) and Title III of Public Law 107-252, the Help
   America Vote Act of 2002, Sections 301-305, and Sections 902 and 906. EAC has determined that
   the following Office of Management and Budget guidelines apply: Cost Principles for State, Local,
   and Indian Tribal Governments, 2 § CFR Part 225; Uniform Administrative Requirements for Grants
   and Cooperative Agreements to State and Local Governments, OMB Circular A-110 (amended
   9/30/99).

Federal Program: Sections 101 and 251 of the Help America Vote Act of 2002 and Consolidated
Appropriations Act, 2018 (Public Law 115-141)
List applicable compliance requirements as follows:

2. See Florida’s HAVA State Plan, as updated in 2009. https://dos.myflorida.com/elections/laws-
rules/help-america-vote-act/
3. See Allowable Expenses in Attachment A to Memorandum of Agreement

NOTE: Section .400(d) of OMB Circular A-133, as revised, and Section 215.97(5), Florida Statutes,
require that the information about Federal Programs and State Projects included in Exhibit 1 be
provided to the recipient.

State Resources Awarded to the Recipient Pursuant to this Agreement Consist of the Following:

Matching Resources for Federal Programs: N/A
Subject to Section 215.97, F.S.: N/A

Compliance Requirements Applicable to State Resources Awarded Pursuant to this Agreement Are as
Follows: N/A
MEMORANDUM OF AGREEMENT
FOR FEDERAL ELECTION CYBERSECURITY INITIATIVES

This agreement is between the State of Florida, Department of State, Division of Elections ("Department"), an agency of the State of Florida, and Wendy S. Sartor Line Supervisor of Elections ("Sub-recipient") for Palm Beach County, Florida. This agreement governs the receipt and use of federal funds as specified herein.

I. Governing Law

Grant funds are made available pursuant to Specific Appropriation 3160, Chapter 2019-115, Laws of Florida:

Funds provided in Specific Appropriation 3160, shall be distributed to county Supervisors of Elections for the continuation of cybersecurity initiatives and improvements made by Supervisors of Elections at the local level and in preparation for the 2020 Presidential Election.

County Supervisors of Elections will receive funds only after providing the Department of State a detailed description of the programs that will be implemented. Funds distributed to county Supervisors of Elections require a certification from the county that matching funds will be provided in an amount equal to fifteen percent of the amount to be received from the state.

The Department of State is authorized to distribute to Sub-recipients a sum total of two million, eight hundred thousand dollars ($2,800,000) in non-recurring funds for fiscal year 2019-2020 from the Federal Grants Trust Fund, pursuant to sections 101 and 251 of the Help America Vote Act of 2002 (HAVA) and the Catalog of Federal Domestic Assistance (CFDA) 90.401 ("Requirements Payments") and 90.404 ("Help America Vote Act Election Security Funds").

II. Scope of Work, Deliverables, Restrictions

A. Scope of Work

Funds provided under this agreement shall be used for either advance payment, reimbursement, or a combination of advance payment and reimbursement for the purchase of goods and services for the continuation of cybersecurity initiatives and improvements at the local level in preparation for the 2020 Presidential Election. The allowable goods and services are specified in each Sub-recipient’s Individual Election Security Improvement Plan (Attachment A).

B. Timeline

The grant agreement shall be in effect for the period of 7/1/2019 – 5/30/2020.

<table>
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<tr>
<th>Date</th>
<th>Event</th>
</tr>
</thead>
<tbody>
<tr>
<td>7/1/2019</td>
<td>Beginning of period in which expenditures can qualify for reimbursement</td>
</tr>
<tr>
<td>2/14/2020</td>
<td>Deadline for Sub-recipient to apply for grant</td>
</tr>
<tr>
<td>5/1/2020</td>
<td>Deadline for Sub-recipient to expend advance funds for allowable goods and services End of period in which expenditures can qualify for reimbursement</td>
</tr>
<tr>
<td>5/30/2020</td>
<td>Deadline for Sub-recipient to submit Fiscal report, election security post-assessment, and return any unspent advance funds End of grant period</td>
</tr>
</tbody>
</table>

MOA # 2019-2020-0001-
C. Deliverables, Minimum Levels of Service, and Financial Consequences

<table>
<thead>
<tr>
<th>Deliverables</th>
<th>Minimum Level of Service</th>
<th>Financial Consequences</th>
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<tbody>
<tr>
<td>1. Election Security Remediation Plan</td>
<td>Sub-recipient shall, to the Department’s satisfaction, submit an election security remediation plan. The plan shall be securely transmitted to the Department in a format provided by the Department prior to submission of grant agreement.</td>
<td>If a Sub-recipient does not have an election security remediation plan on file with the Department upon submission of grant agreement, no funds shall be released.</td>
</tr>
<tr>
<td>2. Grant Agreement Including Election Security Improvement Plan (Attachment A)</td>
<td>Sub-recipient shall, with the assistance of the Department’s cyber navigator, develop an election security improvement plan (Attachment A) that is in accordance with the Sub-recipient’s Election Security Remediation plan. The improvement plan shall list the specific goods and services to be purchased to improve election security. The agreement and plan shall be securely transmitted to the Department in a format provided by the Department no later than February 14, 2020.</td>
<td>If Sub-recipient does not transmit an executed grant agreement, including an Election Security Improvement Plan to the Department, no funds shall be released.</td>
</tr>
<tr>
<td>3. Election Security Post-Assessment Report and Fiscal Report (Attachment D)</td>
<td>No later than May 30, 2020, Sub-recipient shall transmit to the Department an Election Security Grant Post-Assessment and Fiscal Report (Attachment D) that lists how improvements in the Sub-recipient’s election security were effectuated by the grant funds, and accounts for all funds provided under this agreement.</td>
<td>If the Election Security Grant Post-Assessment and Fiscal report is not provided to the Department by May 30, 2020, the Sub-recipient shall return all funds previously advanced, and shall forfeit the opportunity to seek reimbursement, under this agreement.</td>
</tr>
</tbody>
</table>

D. Application

Each eligible Sub-recipient is entitled to request up to the maximum amount shown on the Sub-recipient’s Election Security Improvement Plan (Attachment A). The amount allocated to each Sub-recipient is based on the assessed election security needs of the Sub-recipient.

Additionally, as part of the application, the Sub-recipient must submit the following:

1. A completed ED Form GCAS-009 (6/88), entitled "Certification Regarding Debarment, Suspension, Ineligibility, and Voluntary Exclusion Lower Tier Covered Transactions", (Attachment B). 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.

2. Except for counties designated by the Department of Economic Opportunity as an Economically Distressed Rural Community, a completed "Certification Regarding County Matching Funds" (DS-DE

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1 The Department of Economic Opportunity has designated the following counties: Baker, Bradford, Calhoun, Columbia, DeSoto, Dixie, Flagler, Franklin, Gadsden, Gilchrist, Glades, Gulf, Hamilton, Hardee, Hendry, Highlands,

MOA # 2019-2020-0001-
The form certifies that the county governing body shall provide additional funds to match an amount equal to or more than fifteen percent (15%) of the amount to be received from the state. If the county governing body fails to appropriate the matching funds, all funds received must be returned.

E. Post-Assessment and Fiscal Reporting

The Sub-recipient must submit a report using the Election Security Grant Post-Assessment and Fiscal Report Template (Attachment D) along with supporting documentation evidencing allowable expenses no later than May 30, 2020. Supporting documentation shall include invoices, canceled checks, purchase orders, vendor contracts, and other records that detail the services or products purchased and the costs of such services and/or products. Documentation must account for all expenditures made from grant funds awarded under this agreement. Documentation must also provide details regarding matching funds, if applicable, and any interest earned. Along with the report, Sub-recipient shall return any unspent advanced funds.

Any funds determined not to be expended in accordance with this agreement shall be returned, including any interest earned, to the Department within 30 days of written notice. All funds returned shall revert to the Federal Grants Trust Fund.

F. Restrictions

Sub-recipient shall not use any funds received hereunder to support lobbying activities to influence proposed or pending federal or state legislation or appropriations, but this does not affect the right of the Sub-recipient, or that of any other organization to petition Congress, or any other level of Government, through the use of other resources.

If the Sub-recipient expends any funds on expenses that are not allowable, the Sub-recipient must reimburse immediately the funds to the Department, not otherwise expended for allowable costs, including any interest earned during the term of this agreement.

The Sub-recipient must establish and maintain the grant funds in an interest bearing account in a "qualified public depository" as defined by section 280.02(26), Florida Statutes. The Sub-recipient must segregate the funds in a separate account established to hold only such funds. Sub-recipient must comply with the applicable requirements of chapter 280, including but not limited to:

- The execution and retention in your official records of a Public Deposit Identification and Acknowledgement Form.
- The submission each year by November 30th of a Public Depositor Annual Report to the Chief Financial Officer (DFS-J-1009)

For more information refer to the Department of Financial Services Collateral Management for Governmental Units webpage or contact the Program Administrator at 850-413-3167.

III. Payments

A. Advance Payment


MOA # 2019-2020-0001-
Upon successful completion of the second deliverable, the Department shall render advance funds to the Sub-recipient, up to the amount of the grant award, as specified in the Sub-recipient’s election security improvement plan (Attachment A). The window for the expenditure of advance funds begins on the day funds are received by the sub-recipient and expires on 5/1/2020.

B. Reimbursement

Upon successful completion of the third deliverable, the Department shall render reimbursement funds to the Sub-recipient, up the amount of the grant award, as specified in the Sub-recipient’s election security improvement plan (Attachment A). The window in which expenditures can qualify for reimbursement begins on 7/1/2019 and expires on 5/1/2020.

C. Electronic Funds Transfer

The Sub-recipient is encouraged to use electronic funds transfer (EFT) to receive payment as an alternative to receipt of payment by warrant. All Sub-recipients wishing to receive funds through electronic funds transfer must submit a Direct Deposit Authorization form to the Florida Department of Financial Services. If EFT has already been set up for your organization, you do not need to submit another authorization form unless you have changed bank accounts.

IV. Monitoring, Audits, and Audit Reporting

The administration of resources awarded to the Sub-recipient may be subject to monitoring, audits and reporting requirements, as indicated on Attachment E and Exhibit 1 to Attachment E.

A. Other audits

The Department may conduct a limited scope audit of federal funds or other financial analysis or review of federal funds as permitted by federal law. In the event the Department determines that a limited scope audit or other type of audit of the Sub-recipient is appropriate, the Sub-recipient agrees to comply with any additional instructions provided by Department staff to the Sub-recipient regarding such audit. If the Department determines that federal funds received under this Agreement were used for any unauthorized purpose or that the Sub-recipient did not comply with this agreement or state or federal requirements for receipt, expenditure, or accounting, the Sub-recipient must return or repay these federal funds in an amount sufficient to ensure or obtain compliance, including expenses for any corrective or remedial action.

The Sub-recipient further agrees to comply and cooperate with any inspections, reviews, investigations, or audits deemed necessary by the Department, Chief Financial Officer (CFO) or Auditor General.

Additional guidance to state and federal monitoring and auditing requirements may be found at https://www.eac.gov.

B. Audit Report Submission

Copies of financial reporting packages shall be submitted as described in Part III of Attachment E. Any reports, management letter, or other information required to be submitted to the Department

MOA # 2019-2020-0001-_______

4
pursuant to this agreement shall be submitted timely with federal requirements, the Florida Statutes, and/or Chapter 10.550 (local governmental entities) of the Rules of the Auditor General, whichever is applicable. The correspondence accompanying the financial reporting package forwarded to the Department must include the date the Sub-recipient received the reporting package.

V. Record Retention

Documentation associated with this grant may contain sensitive and/or confidential information that is exempt from public records disclosure pursuant to Florida and federal laws including but not limited to Section 282.318, F.S., Cybersecurity Information Sharing Act (CISA), and based on the U.S. Department of Homeland Security's designation of elections as a critical infrastructure as of January 2017.

The Sub-recipient shall retain accurate and detailed records sufficient to demonstrate its compliance with the terms of this agreement for five fiscal years from the date an audit report is issued, and shall allow the Department, the Chief Financial Officer or Auditor General access to such records upon request. The Sub-recipient shall allow the Department or its designee, CFO, or Auditor General access to such records, including access to the audit working papers upon request for a period of five fiscal years from date of audit report is issued, unless extended by the Department.

VI. Entirety of the Agreement

All terms and conditions of this agreement are fully set forth in this document and its attachments and shall be governed by the laws of the State of Florida. The parties agree that proper venue will be in Leon County, Florida. This agreement is effective as of the date it is fully executed.

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

By County Supervisor of Elections/Sub-recipient By Department of State, Division of Elections

<table>
<thead>
<tr>
<th>Signature</th>
<th>Signature</th>
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<table>
<thead>
<tr>
<th>Name and Title</th>
<th>Name and Title</th>
</tr>
</thead>
<tbody>
<tr>
<td>Wendy Sortey Lin</td>
<td>Maria Matthews, Director, Division of Elections</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Address</th>
<th>Address</th>
</tr>
</thead>
<tbody>
<tr>
<td>PBC SOB</td>
<td>R.A. Gray Building, Ste. 316</td>
</tr>
<tr>
<td>240 S. Macfarland Blvd W, WPB, FL 33407</td>
<td>500 S. Bronough Street, Tallahassee, Florida 32399</td>
</tr>
</tbody>
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<tr>
<th>County FEID</th>
<th>County FEID</th>
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<td>74-31969272</td>
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<th>Witness</th>
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<tr>
<td>Elvin</td>
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<tr>
<th>Date</th>
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<tbody>
<tr>
<td>5-1-2020</td>
<td>7/1/2020</td>
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</table>

MOA # 2019-2020-0001-
## Election Security Improvement Plan

<table>
<thead>
<tr>
<th>County</th>
<th>Palm Beach</th>
</tr>
</thead>
<tbody>
<tr>
<td>Funds Allocated to County</td>
<td>$121,999.90</td>
</tr>
<tr>
<td>County Match Requirement</td>
<td>$18,299.99</td>
</tr>
</tbody>
</table>

Advances: $0  
Reimbursement: $136,864.77  

<table>
<thead>
<tr>
<th>Specific Goods or Services to be Purchased (or reimbursed for prior purchase)</th>
<th>Cost</th>
<th>Advance or Reimbursement</th>
</tr>
</thead>
</table>

As supervisor of elections for the above named county, I acknowledge that grant funds shall be used only for the continuation of cybersecurity initiatives and improvements.

[Signature]

Supervisor of Elections: [Signature]  
Date: 7/15/2020
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.

Wendy Sartory Link
Name and Title of Authorized Representative

Signature

Date

ED Form GCS-009, 6/88
Reporting County Matching Funds

County: Palm Beach

Total Match Amount: $18,299.99

Select one that applies:  Non-Federal Funds Cash: ☐  In-Kind: ☒

If selected cash match, please provide a copy of a bank statement showing the match that has been allocated. This amount cannot be cash received through another federal grant program.

If In-Kind, please provide a description below of each item that is being allocated toward match. The items that are provided cannot have been paid for by prior federal funds received or before July 1, 2019.

Security fencing for warehouse inside the location to secure the tabulation area and ballots; security officers and Sheriff deputies for security and bomb threat sweeps; computer hardware and software upgrades

Wendy Sartory Link
Supervisor of Elections
## Election Security Grant Post-Assessment and Fiscal Report

### Expenses

<table>
<thead>
<tr>
<th>Document Number</th>
<th>Improvement Plan Category</th>
<th>Has Security Issue Been Remediated?</th>
<th>Good or Service Purchased</th>
<th>Cost per Improvement Plan</th>
<th>Funds Expended</th>
</tr>
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<tbody>
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**Total:** $51,600

Report must include documentation such as billing, contracts, reciepts, bank statements, cancelled checks, etc. in support of the figures. Number the supporting documentation in accordance with the list above. Insert additional rows if needed.

**ATTACHMENT D to MOA 2019-20:1.0-0001**
AUDIT REQUIREMENTS FOR AWARDS OF
STATE AND FEDERAL FINANCIAL ASSISTANCE


The administration of resources awarded by the Department of State to the Sub-recipient may be subject to audits and/or monitoring by the Department of State, as described in this section.

MONITORING

In addition to reviews of audits conducted in accordance with 2 CFR 200, Subpart F - Audit Requirements, and section 215.97, Florida Statutes (F.S.), as revised (see AUDITS below), monitoring procedures may include, but not be limited to, on-site visits by Department of State staff, limited scope audits as defined by 2 CFR §200-425, or other procedures. By entering into this agreement, the recipient agrees to comply and cooperate with any monitoring procedures or processes deemed appropriate by the Department of State. In the event the Department of State determines that a limited scope audit of the recipient is appropriate, the recipient agrees to comply with any additional instructions provided by Department of State staff to the recipient regarding such audit. The recipient further agrees to comply and cooperate with any inspections, reviews, investigations, or audits deemed necessary by the Chief Financial Officer (CFO) or Auditor General.

AUDITS

Part I: Federally Funded

This part is applicable if the recipient is a state or local government or a nonprofit organization as defined in 2 CFR §200.90, §200.64, and §200.70.

1. A recipient that expends $750,000 or more in federal awards in its fiscal year must have a single or program-specific audit conducted in accordance with the provisions of 2 CFR 200, Subpart F - Audit Requirements. EXHIBIT 1 to this form lists the federal resources awarded through the Department of State by this agreement. In determining the federal awards expended in its fiscal year, the recipient shall consider all sources of federal awards, including federal resources received from the Department of State. The determination of amounts of federal awards expended should be in accordance with the guidelines established in 2 CFR §§200.502-503. An audit of the recipient conducted by the Auditor General in accordance with the provisions of 2 CFR §200.514 will meet the requirements of this Part.

2. For the audit requirements addressed in Part I, paragraph 1, the recipient shall fulfill the requirements relative to auditee responsibilities as provided in 2 CFR §§200.508-512.

3. A recipient that expends less than $750,000 in federal awards in its fiscal year is not required to have an audit conducted in accordance with the provisions of 2 CFR 200, Subpart F - Audit Requirements. If the recipient expends less than $750,000 in federal awards in its fiscal year and elects to have an audit conducted in accordance with the provisions of 2 CFR 200, Subpart F - Audit Requirements,
AUDIT REQUIREMENTS FOR AWARDS OF
STATE AND FEDERAL FINANCIAL ASSISTANCE

the cost of the audit must be paid from non-federal resources (i.e., the cost of such an audit must be
paid from recipient resources obtained from other than federal entities).

Part II: State Funded

Note: This part is applicable if the recipient is a nonstate entity as defined by section 215.97(2), F.S.

1. In the event that the recipient expends a total amount of state financial assistance equal to or in excess
of $750,000 in any fiscal year of such recipient (for fiscal years ending June 30, 2017, and thereafter),
the recipient must have a state single or project-specific audit for such fiscal year in accordance with
section 215.97, F.S.; Rule Chapter 691-5, F.A.C., State Financial Assistance; and Chapters 10.550
(local governmental entities) and 10.650 (nonprofit and for-profit organizations), Rules of the
Auditor General. EXHIBIT 1 to this form lists the state financial assistance awarded through the
Department of State by this agreement. In determining the state financial assistance expended in its
fiscal year, the recipient shall consider all sources of state financial assistance, including state
financial assistance received from the Department of State, other state agencies, and other nonstate
entities. State financial assistance does not include federal direct or pass-through awards and
resources received by a nonstate entity for federal program matching requirements.

EXHIBIT

1 to this form lists the state financial assistance awarded through the
Department of State by this agreement. In determining the state financial assistance expended in its
fiscal year, the recipient shall consider all sources of state financial assistance, including state
financial assistance received from the Department of State, other state agencies, and other nonstate
entities. State financial assistance does not include federal direct or pass-through awards and
resources received by a nonstate entity for federal program matching requirements.

2. For the audit requirements addressed in Part II, paragraph 1, the recipient shall ensure that the audit
complies with the requirements of section 215.97(8), F.S. This includes submission of a financial
reporting package as defined by section 215.97(2), F.S., and Chapters 10.550 (local governmental
entities) and 10.650 (nonprofit and for-profit organizations), Rules of the Auditor General.

3. If the recipient expends less than $750,000 in state financial assistance in its fiscal year (for fiscal
years ending June 30, 2017, and thereafter), an audit conducted in accordance with the provisions of
section 215.97, F.S., is not required. If the recipient expends less than $750,000 in state financial
assistance in its fiscal year and elects to have an audit conducted in accordance with the provisions
of section 215.97, F.S., the cost of the audit must be paid from the nonstate entity’s resources (i.e., the
cost of such an audit must be paid from the recipient’s resources obtained from other than state
entities).

Part III: Report Submission

1. Copies of reporting packages for audits conducted in accordance with 2 CFR 200, Subpart F—Audit
Requirements, and required by Part I of this form shall be submitted, when required by 2 CFR
§200.512, by or on behalf of the recipient directly to the Federal Audit Clearinghouse (FAC) as
provided in 2 CFR §200.36 and §200.512.

The FAC’s website provides a data entry system and required forms for submitting the single audit
reporting package. Updates to the location of the FAC and data entry system may be found at the
OMB website.

2. Copies of financial reporting packages required by Part II of this form shall be submitted by or on
behalf of the recipient directly to each of the following:

a. The Department of State at the following addresses:
Department of State, Division of Elections
R.A. Gray Building, Ste 316
500 S. Bronough St.
Tallahassee, FL 32399-0250
AUDIT REQUIREMENTS FOR AWARDS OF
STATE AND FEDERAL FINANCIAL ASSISTANCE

Department of State, Office of Inspector General
R.A. Gray Bldg., Rm. 406
500 S. Bronough Street
Tallahassee, FL
32399-0250

b. The Auditor General’s Office at the following address:

Auditor General
Local Government Audits/342
Claude Pepper Building, Room 401
111 West Madison Street
Tallahassee, Florida 32399-1450

c. The Federal Audit Clearinghouse designated in OMB Circular A-133, as revised (the number of copies required by Sections .320 (d)(1) and (2), OMB Circular A-133, as revised, should be submitted to the Federal Audit Clearinghouse), at the following address:

Federal Audit Clearinghouse
Bureau of the Census
1201 East 10th Street
Jeffersonville, IN 47132

3. Copies of reports required by Part III of this form shall be submitted by or on behalf of the recipient directly to:

Department of State
Division of Elections
R.A. Gray Building, Ste 316
500 S. Bronough St.
Tallahassee, FL 32399-0250

4. Any reports, management letters, or other information required to be submitted to the Department of State pursuant to this agreement shall be submitted timely in accordance with 2 CFR §200.512, section 215.97, F.S., and Chapters 10.550 (local governmental entities) and 10.650 (nonprofit and for-profit organizations), Rules of the Auditor General, as applicable.

5. Recipients, when submitting financial reporting packages to the Department of State for audits done in accordance with 2 CFR 200, Subpart F - Audit Requirements, or Chapters 10.550 (local governmental entities) and 10.650 (nonprofit and for-profit organizations), Rules of the Auditor General, should indicate the date that the reporting package was delivered to the recipient in correspondence accompanying the reporting package.

Part V: Record Retention
The recipient shall retain sufficient records demonstrating its compliance with the terms of the award(s) and this agreement for a period of 5 fiscal years from the date the audit report is issued, and shall allow the Department of State, or its designee, the CFO, or Auditor General access to such records upon request. The recipient shall ensure that audit working papers are made available to the Department of State, or its designee, the CFO, or Auditor General upon request for a period of 5 fiscal years from the date the audit report is issued, unless extended in writing by the Department of State.
Federal Resources Awarded to the Recipient
Pursuant to this Agreement Consist of the Following:

1. Federal Help America Vote Act—Catalog of Federal Domestic Assistance (CFDA) § 90.404 HAVA Election Security Grants
   Federal Program: Section 101 of the Help America Vote Act of 2002
   Federal Agency: U.S. Election Assistance Commission
   CFDA No./Title: 90.404 Election Security Grants
   Award Amount: See Attachment A

2. Federal Help America Vote Act—Catalog of Federal Domestic Assistance (CFDA) § 90.401 HAVA Requirements Payments
   Federal Program: Section 251 of the Help America Vote Act of 2002
   Federal Agency: U.S. Election Assistance Commission
   CFDA No./Title: 90.401 Requirements Payments
   Award Amount: See Attachment A

Compliance Requirements Applicable to the Federal Resources Awarded Pursuant to this Agreement are as Follows:

1. CFDA Number 90.404, HAVA Election Security Grants
   Part 1 of Subtitle D of Title II (Sections 251-258) and Title III of Public Law 107-252, the Help America Vote Act of 2002, Sections 301-305, and Sections 902 and 906. EAC has determined that the following Office of Management and Budget guidelines apply: Cost Principles for State, Local, and Indian Tribal Governments, 2 § CFR Part 225; Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments, OMB Circular A-110 (amended 9/30/99).

State Resources Awarded to the Recipient Pursuant to this Agreement Consist of the Following:

Matching Resources for Federal Programs:
N/A

Subject to Section 215.97, F.S.:
N/A

Compliance Requirements Applicable to State Resources Awarded Pursuant to this Agreement Are as Follows:
N/A
September 30, 2020

Palm Beach County, Florida
Supervisor of Elections
240 South Military Trail
West Palm Beach, FL 33415

Dear Wendy Sartory Link,

I am pleased to inform you that based on and in reliance upon the information and materials provided by Palm Beach County, and the special circumstances Palm Beach County faces administering elections in 2020, the Center for Tech and Civic Life ("CTCL"), a nonprofit organization tax-exempt under Internal Revenue Code ("IRC") section 501(c)(3), has decided to award a grant to support the work of the Palm Beach County Supervisor of Elections ("Grantee").

The following is a description of the grant:

**AMOUNT OF GRANT:** $6,808,977.94 USD

**PURPOSE:** The grant funds must be used exclusively for the public purpose of planning and operationalizing safe and secure election administration in Palm Beach County in 2020 ("Purpose").

Before CTCL transmits these funds to Grantee, CTCL requires that Grantee review and sign this agreement ("Grant Agreement") and agree to use the grant funds in compliance with the Grant Agreement and with United States tax laws and the laws and regulations of your state and jurisdiction ("Applicable Laws"). Specifically, by signing this letter Grantee certifies and agrees to the following:

1. Grantee is a local government unit or political subdivision within the meaning of IRC section 170(c)(1).
2. This grant shall be used only for the Purpose described above, and for no other purposes.

3. Due to special circumstances Grantee faces administering elections in 2020, Grantee has produced a plan for safe and secure election administration in 2020, including an assessment of election administration needs and budget estimates for such assessment ("Safe Voting Plan"). The Safe Voting Plan is attached to this agreement. Grantee shall expend the total amount of grant funds listed in the Safe Voting Plan as detailed in the Safe Voting Plan, but may reallocate funds between budget items listed in the Safe Voting Plan or to any other permissible public purpose listed in the online grant application with notice by electronic mail to CTCL. Such reallocation does not require the permission of CTCL.

4. Grantee shall not use any part of this grant to make a grant to another organization, except in the case where the organization is a local government unit or political subdivision within the meaning of IRC section 170(c)(1) or a nonprofit organization tax-exempt under IRC section 501(c)(3), and the subgrant is intended to accomplish the Purpose of this grant. Grantee shall take reasonable steps to ensure that any such subgrant is used in a manner consistent with the terms and conditions of this Grant Agreement, including requiring that subgrantee agrees in writing to comply with the terms and conditions of this Grant Agreement.

5. The grant project period of June 15, 2020 through December 31, 2020 represents the dates between which covered costs may be applied to the grant. The Grantee shall expend the amount of this grant for the Purpose by December 31, 2020.

6. Grantee is authorized to receive this grant from CTCL and certifies that (a) the receipt of these grant funds does not violate any Applicable Laws, and (b) Grantee has taken all required, reasonable and necessary steps to receive, accept and expend the grant in accordance with the Purpose and Applicable Law.

7. The Grantee shall produce a brief report explaining and documenting how grant funds have been expended in support of the activities described in paragraph 3. This report shall be sent to CTCL no later than January 31, 2021 in a format approved by CTCL and shall include with the report a signed certification by Grantee that it has complied with all terms and conditions of this Grant Agreement.

8. This grant may not supplant previously appropriated funds. The Grantee shall not reduce the budget of the Supervisor of Elections ("the Election Department") or fail to appropriate or provide previously budgeted funds to the Election Department for the term of this grant. Any amount supplanted, reduced or not provided in contravention of this paragraph shall be repaid to CTCL up to the total amount of this grant.

9. CTCL may discontinue, modify, withhold part of, or ask for the return all or part of the grant funds if it determines, in its sole judgment, that (a) any of the above terms and conditions of this grant have not been met, or (b) CTCL is required to do so to comply with applicable laws or regulations.
10. The grant project period of June 15, 2020 through December 31, 2020 represents the
dates between which covered costs for the Purpose may be applied to the grant.

Your acceptance of and agreement to these terms and conditions and this Grant Agreement is
indicated by your signature below on behalf of Grantee. Please have an authorized
representative of Grantee sign below, and return a scanned copy of this letter to us by email
at grants@techandciviclife.org.

On behalf of CTCL, I extend my best wishes in your work.

Sincerely,

Tiana Epps Johnson
Executive Director
Center for Tech and Civic Life

GRANTEE

By: [Signature]

Title: Supervisor of Elections

Date: 9/30/2020
Hello from the CTCL team,

Thank you for submitting your extension request and for your patience throughout the review process. We are pleased to share that CTCL has approved your request for a 6-month extension to the extent that your proposed expenditures fall within the below criteria.

This extension provides you until June 30, 2021 to expend the remaining $1346731.76 of your grant.

Please note the following criteria for your approved extension request:

1. Funds must be used exclusively for the public purpose of planning and operationalizing safe and secure election administration in your jurisdiction. Additionally remaining funds can only be used for:

   • Staffing or administrative costs for continuing expenses relating to the November 2020 general election, including any associated runoffs. These continuing expenses may include:
     1. Cleanup, closing out vote history or reconciling poll lists.
     2. Responding to media or public information requests relating to the November 2020 election.
     3. Any equipment necessary to conduct any of these tasks safely in a pandemic.

   • Payment of invoices or expenses incurred or arising from the November 2020 general election, including any associated runoffs, even if the expenses are paid in 2021.

   • Expenses related to the safe administration of elections taking place in 2021 during a pandemic, for which an election department is unable to use supplemental federal funds that Congress approved in 2020 (or where federal funds are unavailable).

*Please note that we understand that you may adjust your plans for expending remaining funds based on this criteria. You are not required to resubmit an "Additional Information Form" proposed 2021 budget.
2. A final report is to be submitted no later than July 31, 2021. Please submit via the reporting portal.

3. Grantees will be required to return any unspent funds at the time of final reporting.
   - Any remaining funds that are not able to be spent on the above categories of expenditures must be returned to CTCL via check by **August 7, 2021**.
     - **Payable to:** Center for Tech and Civic Life
     - **Mailing address:** 233 N Michigan Ave, Suite 1800, Chicago, IL 60601
     - **Attn:** Nareth Phin, Operations Director

Thank you for all your hard work! And as always, let us know if you have any other questions by contacting us at grants@techandciviclife.org.

Best,

The CTCL team