

PALM BEACH COUNTY BOARD OF COUNTY COMMISSIONERS

AGENDA ITEM SUMMARY

Meeting Date: November 16, 2021 [X] Consent [] Regular [] Ordinance [] Public Hearing Department: Palm Tran

I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to:

A) Adopt a resolution of the Board of County Commissioners of Palm Beach County, Florida, approving the submission of a Section 5311 grant application for \$353,821, as supplemented by the Coronavirus Response and Relief Supplemental Appropriations Act (CRRSAA) and American Rescue Plan Act (ARP) of 2021, and as administered by the Florida Department of Transportation (FDOT), to partially offset the operational costs for service in the Glades Region;

B) Adopt a resolution of the Board of County Commissioners of Palm Beach County, Florida, approving the submission of a Section 5310 grant application for \$1,199,741, as supplemented by the Coronavirus Response and Relief Supplemental Appropriations Act (CRRSAA) and American Rescue Plan Act (ARP) of 2021, and as administered by the Florida Department of Transportation (FDOT), to partially offset the operational costs for service in the Glades Region; and

C) Authorize the Mayor of the Board of County Commissioners to execute the grant applications, supporting documents, and assurances.

Summary: The Florida Department of Transportation (FDOT) Central Office is soliciting applications for the Federal Transit Administration's (FTA) Section 5310 and 5311 programs that have been supplemented by CRRSAA and the ARP of 2021. If awarded, the grant will partially offset the operating costs of Palm Tran's service in the Glades Region of Palm Beach County. No matching funds are required. The grant applications contain an indemnification agreement that differs from that adopted for use by the County under PPM CW-F-049. The grants require the County, to the extent permitted by law and in accordance with the provisions of Section 768.28, Florida Statutes, to indemnify, defend and hold harmless FDOT and all of its officers, agents and employees from any claim, loss, damage, cost, charge, or expense arising out of the County's non-compliance in the performance of these agreements, including that of its officers, agents or employees. An exception to the PPM has been recommended by the Risk Management Department and the County Attorney's Office, taking into consideration the County's need to provide the services, the amount of the grant awards, the County's current performance of such services and liability for its own acts, and the non-waiver of sovereign immunity beyond the statutory caps of Section 768.28, Florida Statutes. The indemnification obligation must also be passed on to contractors and/or consultants. District 6 (MM)

Background and Justification: FDOT has been designated by Florida's Governor to administer the Section 5311 and 5310 programs. The objective of the funding under Section 5311 is to support the connection between rural areas and the larger regional or national system of intercity bus service. Additionally, it provides support services to meet the intercity travel needs of residents in rural areas and supports the infrastructure of the intercity bus network. The Section 5310 program provides formula funding to states for the purpose of meeting the transportation needs of older adults and people with disabilities. Funds are apportioned based on each state's share of the population for these two groups. The program aims to improve mobility for seniors and individuals with disabilities by removing barriers to transportation service and expanding transportation mobility options.

- Attachments: 1. Resolution (Section 5311) 2. Resolution (Section 5310) 3. Section 5311 Grant Application (2 copies) 4. Section 5310 Grant Application (2 copies)

Recommended By: [Signature] Executive Director Date: 11/4/2021

Approved By: [Signature] Assistant County Administrator Date: 11/15/2021

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2022	2023	2024	2025	2026
Capital Expenditures					
Operating Costs					
External Revenues					
Program Income(County)					
In-Kind Match(County)					
NET FISCAL IMPACT					
#ADDITIONAL FTE POSITIONS (CUMULATIVE)					

Is Item Included in Current Budget? Yes No
 Does this item include the use of federal funds? Yes No

Budget Account No:
 Fund Dept Unit Object

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

This is only an application; there is no fiscal impact with this item. The budget will be amended if the grant is awarded.

C. Departmental Fiscal Review: _____
 Jeremy Baker, Director Administrative Services

III. REVIEW COMMENTS:

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

Robert Lawrence 11/3/21

 OFMB 11-3-21 8/11/21
AP 11/3/21

Don J. Jacobson 11/5/21

 Contract Dev. & Control
 11-5-21 TW

B. Legal Sufficiency

Jean-Adel Williams

 Assistant County Attorney

C. Other Department Review

 Department Director

(THIS SUMMARY IS NOT TO BE USED AS A BASIS FOR PAYMENT.)

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 FOR \$353,821, AS SUPPLEMENTED BY THE CORONAVIRUS RESPONSE AND RELIEF SUPPLEMENTAL APPROPRIATIONS ACT (CRRSAA) AND AMERICAN RESCUE PLAN ACT (ARP) OF 2021, AND AS ADMINISTERED BY THE FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT), TO PARTIALLY OFFSET THE OPERATIONAL COSTS FOR SERVICE IN THE GLADES REGION; ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, FDOT is authorized to provide funding for a mass transportation project; and

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 FDOT, as authorized by Chapter 341, Florida Statutes, and/or by the Federal Transit Administration Act of 1964, as amended;

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

1. This resolution applies to the Federal Program under 49 U.S.C. § 5311, as supplemented by Coronavirus Response and Relief Supplemental Appropriations Act (CRRSAA) and American Rescue Plan Act (ARP) of 2021.
2. The submission of the grant application, supporting documents and assurances to FDOT is hereby approved.
3. The County Administrator or Executive Director of Palm Tran is authorized to furnish such additional information as FDOT may require in connection with the project.
4. The Mayor of the Board of County Commissioners is authorized to execute the grant application, supporting documents, and assurances.
5. This Resolution shall take effect immediately upon its 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:

District 1 - Maria G. Marino	_____
District 2 - Gregg K. Weiss	_____
District 3 - Dave Kerner	_____
District 4 - Robert S. Weinroth	_____
District 5 - Maria Sachs	_____
District 6 - Melissa McKinlay	_____
District 7 - Mack Bernard	_____

The Mayor thereupon declared the resolution duly passed and adopted this _____ day of _____, 2021.

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY

By: *Jean-Adel Williams*
County Attorney

PALM BEACH COUNTY, FLORIDA
by its BOARD OF COMMISSIONERS
Joseph Abruzzo, Clerk and Comptroller

By: _____
Deputy Clerk

RESOLUTION NO. R -

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, APPROVING THE SUBMISSION OF A SECTION 5310 GRANT APPLICATION FOR \$1,199,741, AS SUPPLEMENTED BY THE CORONAVIRUS RESPONSE AND RELIEF SUPPLEMENTAL APPROPRIATIONS ACT (CRRSAA) AND AMERICAN RESCUE PLAN ACT (ARP) OF 2021, AND AS ADMINISTERED BY THE FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT), TO PARTIALLY OFFSET THE OPERATIONAL COSTS FOR SERVICE IN THE GLADES REGION; ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, FDOT is authorized to provide funding for a mass transportation project; and

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2. The submission of the grant application, supporting documents, and assurances to FDOT is hereby approved.
3. The County Administrator or Executive Director of Palm Tran is authorized to furnish such additional information as FDOT may require in connection with the project.
4. The Mayor of the Board of County Commissioners is authorized to execute the grant application, supporting documents, and assurances.
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The foregoing Resolution was offered by Commissioner _____, who moved its adoption. The motion was seconded by Commissioner

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- District 1 - Maria G. Marino _____
- District 2 - Gregg K. Weiss _____
- District 3 - Dave Kerner _____
- District 4 - Robert S. Weinroth _____
- District 5 - Maria Sachs _____
- District 6 - Melissa McKinlay _____
- District 7 - Mack Bernard _____

The Mayor thereupon declared the resolution duly passed and adopted this _____ day of _____, 2021.

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY

By: Sean Adel Williams
County Attorney

PALM BEACH COUNTY, FLORIDA
by its BOARD OF COMMISSIONERS
Joseph Abruzzo, Clerk and Comptroller

By: _____
Deputy Clerk



Palm Tran

Administrative Offices

3201 Electronics Way

West Palm Beach, FL 33407-4618

(561) 841-4200

FAX: (561) 841-4291

Palm Tran Connection

50 South Military Trail

Suite 101

West Palm Beach, FL 33415-3132

(561) 649-9838

FAX: (561) 656-7156

www.palmtran.org



**Palm Beach County
Board of County
Commissioners**

Dave Kerner, Mayor

Robert S. Weinroth, Vice Mayor

Maria G. Marino

Gregg K. Weiss

Maria Sachs

Melissa McKinlay

Mack Bernard

County Administrator

Verdenia C. Baker

*"An Equal Opportunity
Affirmative Action Employer"*

Official Electronic Letterhead

**STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION
GRANT APPLICATION**

Palm Beach County Board of County Commissioners (Palm Tran) submits this Application for the Section 5311 Program Grant and agrees to comply with all assurances and requirements applicable to the Section 5311 Program, as supplemented by the Coronavirus Response and Relief Supplemental Appropriations Act (CRRSAA) and American Rescue Plan Act (ARP) of 2021. Authorized representative signs below certifying that all information contained in this application is true and accurate.

Palm Beach County Board of County Commissioners (Palm Tran) further agrees, to the extent provided by law (in case of a government agency in accordance with Sections 129.07 and 768.28, Florida Statutes) to indemnify, defend and hold harmless FDOT and all of its officers, agents and employees from any claim, loss, damage, cost, charge, or expense arising out of the non-compliance by the Agency, its officers, agents or employees, with any of the assurances stated in this Application.

This Application is submitted on this 16 day of November, 2021 with an original resolution or certified copy of the original resolution authorizing the Mayor of the Board of County Commissioners to sign this Application.

Palm Beach County Board of County Commissioners
Agency Name

Signature

_____, Mayor
Typed Name and Title of Authorized Representative

November 16, 2021
Date

**APPROVED AS TO FORM
AND LEGAL SUFFICIENCY**

Jean Adel Williams
COUNTY ATTORNEY

Application for Federal Assistance SF-424		
* 1. Type of Submission: <input type="checkbox"/> Preapplication <input checked="" type="checkbox"/> Application <input type="checkbox"/> Changed/Corrected Application	* 2. Type of Application: <input checked="" type="checkbox"/> New <input type="checkbox"/> Continuation <input type="checkbox"/> Revision	* If Revision, select appropriate letter(s): _____ * Other (Specify): _____
* 3. Date Received: 11/16/2021	4. Applicant Identifier: _____	
5a. Federal Entity Identifier: _____	5b. Federal Award Identifier: _____	
State Use Only:		
6. Date Received by State: _____	7. State Application Identifier: _____	
8. APPLICANT INFORMATION:		
* a. Legal Name: Palm Beach County Board of County Commissioners		
* b. Employer/Taxpayer Identification Number (EIN/TIN): 59-6000785	* c. UEI: XL2DNFMPCR44	
d. Address:		
* Street1: 100 N. Congress Avenue	Street2: _____	
* City: Delray Beach	County/Parish: _____	
* State: FL: Florida	Province: _____	
* Country: USA: UNITED STATES	* Zip / Postal Code: 33445-4617	
e. Organizational Unit:		
Department Name: _____	Division Name: _____	
f. Name and contact information of person to be contacted on matters involving this application:		
Prefix: _____	* First Name: Claudia	
Middle Name: _____	* Last Name: Salazar	
Suffix: _____	Title: Grants & Capital Project Analyst	
Organizational Affiliation: Palm Tran, Inc.		
* Telephone Number: 561 841 4241	Fax Number: _____	
* Email: csalazar@pbcgov.org		

Application for Federal Assistance SF-424

*** 9. Type of Applicant 1: Select Applicant Type:**

B: County Government

Type of Applicant 2: Select Applicant Type:

Type of Applicant 3: Select Applicant Type:

* Other (specify):

*** 10. Name of Federal Agency:**

Federal Transit Administration

11. Catalog of Federal Domestic Assistance Number:

CFDA Title:

*** 12. Funding Opportunity Number:**

* Title:

Section 5311, as supplemented by Coronavirus Response and Relief Supplemental Appropriations Act (CRRSAA) and American Rescue Plan Act (ARP) of 2021.

13. Competition Identification Number:

Title:

14. Areas Affected by Project (Cities, Counties, States, etc.):

Add Attachment

Delete Attachment

View Attachment

*** 15. Descriptive Title of Applicant's Project:**

GRANT APPLICATION FOR \$353,821 TO PARTIALLY OFFSET THE OPERATIONAL COSTS FOR SERVICE IN THE GLADES REGION, AS ADMINISTERED BY THE FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT)

Attach supporting documents as specified in agency instructions.

Add Attachments

Delete Attachments

View Attachments

Application for Federal Assistance SF-424

16. Congressional Districts Of:

* a. Applicant

* b. Program/Project

Attach an additional list of Program/Project Congressional Districts if needed.

Add Attachment

Delete Attachment

View Attachment

17. Proposed Project:

* a. Start Date:

* b. End Date:

18. Estimated Funding (\$):

* a. Federal	<input type="text" value="353,821.00"/>
* b. Applicant	<input type="text" value="0.00"/>
* c. State	<input type="text" value="0.00"/>
* d. Local	<input type="text" value="0.00"/>
* e. Other	<input type="text" value="0.00"/>
* f. Program Income	<input type="text" value="0.00"/>
* g. TOTAL	<input type="text" value="353,821.00"/>

* 19. Is Application Subject to Review By State Under Executive Order 12372 Process?

- a. This application was made available to the State under the Executive Order 12372 Process for review on
- b. Program is subject to E.O. 12372 but has not been selected by the State for review.
- c. Program is not covered by E.O. 12372.

* 20. Is the Applicant Delinquent On Any Federal Debt? (If "Yes," provide explanation in attachment.)

- Yes
- No

If "Yes", provide explanation and attach

Add Attachment

Delete Attachment

View Attachment

21. *By signing this application, I certify (1) to the statements contained in the list of certifications** and (2) that the statements herein are true, complete and accurate to the best of my knowledge. I also provide the required assurances** and agree to comply with any resulting terms if I accept an award. I am aware that any false, fictitious, or fraudulent statements or claims may subject me to criminal, civil, or administrative penalties. (U.S. Code, Title 218, Section 1001)

** I AGREE

** The list of certifications and assurances, or an internet site where you may obtain this list, is contained in the announcement or agency specific instructions.

Authorized Representative:

Prefix: * First Name:
Middle Name:
* Last Name:
Suffix:

* Title:

* Telephone Number: Fax Number:

* Email:

* Signature of Authorized Representative:

* Date Signed:

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

Jean-Adel Williams
COUNTY ATTORNEY

FDOT Certification and Assurances

Palm Beach County Board of County Commissioners certifies and assures to the Florida Department of Transportation regarding its Application under U.S.C. Section 5311 Coronavirus Response and Relief Supplemental Appropriations Act (CRRSAA) and American Rescue Plan Act (ARP) OF 2021 dated 16 day of November, 2021

- 1 It shall adhere to all Certifications and Assurances made to the federal government in its Application.
- 2 It shall comply with Florida Statutes:
 - Section 341.051–Administration and financing of public transit and intercity bus service programs and projects
 - Section 341.061 (2)–Transit Safety Standards; Inspections and System Safety Reviews
 - Section 252.42 – Government equipment, services and facilities: In the event of any emergency, the division may make available any equipment, services, or facilities owned or organized by the state or its political subdivisions for use in the affected area upon request of the duly constituted authority of the area or upon the request of any recognized and accredited relief agency through such duly constituted authority.
- 3 It shall comply with Florida Administrative Code:
 - Rule Chapter 14-73–Public Transportation
 - Rule Chapter 14-90–Equipment and Operational Safety Standards for Bus Transit Systems
 - Rule Chapter 14-90.0041–Medical Examination for Bus System Driver
 - Rule Chapter 41-2–Commission for the Transportation Disadvantaged
- 4 It shall comply with FDOT's:
 - Bus Transit System Safety Program Procedure No. 725-030-009 (Does not apply to Section 5310 only recipients)
 - Public Transit Substance Abuse Management Program Procedure No. 725-030-035
 - Transit Vehicle Inventory Management Procedure No. 725-030-025
 - Public Transportation Vehicle Leasing Procedure No. 725-030-001
 - Guidelines for Acquiring Vehicles
 - Procurement Guidance for Transit Agencies Manual
- 5 It has the fiscal and managerial capability and legal authority to file the application.
- 6 Local matching funds will be available to purchase vehicles/equipment at the time an order is placed.
- 7 It will carry adequate insurance to maintain, repair, or replace project vehicles/equipment in the event of loss or damage due to an accident or casualty.

- 8 It will maintain project vehicles/equipment in good working order for the useful life of the vehicles/equipment.
- 9 It will return project vehicles/equipment to FDOT if, for any reason, they are no longer needed or used for the purpose intended.
- 10 It recognizes FDOT's authority to remove vehicles/equipment from its premises, at no cost to FDOT, if FDOT determines the vehicles/equipment are not used for the purpose intended, improperly maintained, uninsured, or operated unsafely.
- 11 It will not enter into any lease of project vehicles/equipment or contract for transportation services with any third party without prior approval of FDOT.
- 12 It will notify FDOT within **24 hours** of any accident or casualty involving project vehicles/ equipment, and submit related reports as required by FDOT.
- 13 It will notify FDOT and request assistance if a vehicle should become unserviceable.
- 14 It will submit an annual financial audit report to FDOT (FDOTSingleAudit@dot.state.fl.us), if required.
- 15 It will undergo a triennial review and inspection by FDOT to determine compliance with the baseline requirements. If found not in compliance, it must send a progress report to the local FDOT District office on a quarterly basis outlining the agency's progress towards compliance.

Date

Signature of Authorized Official

Name and Title of Authorized Official

**APPROVED AS TO FORM
AND LEGAL SUFFICIENCY**

Jean-Adel Williams
COUNTY ATTORNEY

Standard Lobbying Certification

The undersigned **Palm Beach County Board of County Commissioners** 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 of the form can be obtained from **FDOT's website**) 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 sub-awards at all tiers (including subcontracts, sub-grants, and contracts under grants, loans, and cooperative agreements) and that all sub-recipients 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 **Palm Beach County Board of County Commissioners**, certifies or affirms the truthfulness and accuracy of each statement of its certification and disclosure, if any. In addition, the Contractor understands and agrees that the provisions of 31 U.S.C. A 3801, et seq., apply to this certification and disclosure, if any.

November 16, 2021 Date

Signature of Authorized Official

Name and Title of Authorized Official

**APPROVED AS TO FORM
AND LEGAL SUFFICIENCY**

Sean-Addel Williams

COUNTY ATTORNEY

FTA Section 5333 (b) Assurance

(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 (see FTA Circular C 9040.IG, Chapter VIII (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 certifies 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.

November 16, 2021

Date

**APPROVED AS TO FORM
AND LEGAL SUFFICIENCY**

Name and title of authorized representative

Sean-Adel Williams
COUNTY ATTORNEY

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, UNIONS OF SUB-RECIPIENTS, AND LABOR ORGANIZATIONS REPRESENTING EMPLOYEES OF SUCH PROVIDERS, IF ANY

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 Beach County Board of County Commissioners	SECTION 5311 CORONAVIRUS RESPONSE AND RELIEF SUPPLEMENTAL APPROPRIATIONS ACT (CRRSAA) AND AMERICAN RESCUE PLAN ACT (ARP) OF 2021	None	ATU Local 1577

Certification of Equivalent Service

CERTIFICATION OF EQUIVALENT SERVICE

Palm Beach County Board of County Commissioners certifies that its demand responsive service offered to individuals with disabilities, including individuals who use wheelchairs, is equivalent to the level and quality of service offered to individuals without disabilities. Such service, when viewed in its entirety, is provided in the most integrated setting feasible and is equivalent with respect to:

- 1 Response time;
- 2 Fares;
- 3 Geographic service area;
- 4 Hours and days of service;
- 5 Restrictions on trip purpose;
- 6 Availability of information and reservation capability; and
- 7 Constraints on capacity or service availability.

In accordance with 49 CFR Part 37, public entities operating demand responsive systems for the general public which receive financial assistance under 49 U.S.C. 5310 and 5311 of the Federal Transit Administration (FTA) funds must file this certification with the appropriate state program office before procuring any non-accessible vehicle. Such public entities not receiving FTA funds shall also file the certification with the appropriate state office program. Such public entities receiving FTA funds under any other section of the FTA Programs must file the certification with the appropriate FTA regional office. This certification is valid for no longer than one year from its date of filing. Non-public transportation systems that serve their own clients, such as social service agencies, are required to complete this form.

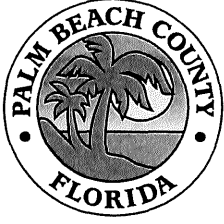
Executed this 16 day of November, 2021

Name and title of authorized representative

Signature of authorized representative

**APPROVED AS TO FORM
AND LEGAL SUFFICIENCY**

Jean-Adel Williams
COUNTY ATTORNEY



Palm Tran

Administrative Offices

3201 Electronics Way
West Palm Beach, FL 33407-4618
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Palm Tran Connection

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West Palm Beach, FL 33415-3132
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**Palm Beach County
Board of County
Commissioners**

- Dave Kerner, Mayor
- Robert S. Weinroth, Vice Mayor
- Maria G. Marino
- Gregg K. Weiss
- Maria Sachs
- Melissa McKinlay
- Mack Bernard

County Administrator

Verdenia C. Baker

*"An Equal Opportunity
Affirmative Action Employer"*

Official Electronic Letterhead

**STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION
GRANT APPLICATION**

Palm Beach County Board of County Commissioners (Palm Tran) submits this Application for the Section 5310 Program Grant and agrees to comply with all assurances and requirements applicable to the Section 5310 Program, as supplemented by the Coronavirus Response and Relief Supplemental Appropriations Act (CRRSAA) and American Rescue Plan Act (ARP) of 2021. Authorized representative signs below certifying that all information contained in this application is true and accurate.

Palm Beach County Board of County Commissioners (Palm Tran) further agrees, to the extent provided by law (in case of a government agency in accordance with Sections 129.07 and 768.28, Florida Statutes) to indemnify, defend and hold harmless FDOT and all of its officers, agents and employees from any claim, loss, damage, cost, charge, or expense arising out of the non-compliance by the Agency, its officers, agents or employees, with any of the assurances stated in this Application.

This Application is submitted on this 16 day of November, 2021 with an original resolution or certified copy of the original resolution authorizing the Mayor of the Board of County Commissioners to sign this Application.

Palm Beach County Board of County Commissioners
Agency Name

Signature

_____, Mayor
Typed Name and Title of Authorized Representative

November 16, 2021
Date

**APPROVED AS TO FORM
AND LEGAL SUFFICIENCY**

Jean-Adel Williams
COUNTY ATTORNEY

Application for Federal Assistance SF-424

* 1. Type of Submission: <input type="checkbox"/> Preapplication <input checked="" type="checkbox"/> Application <input type="checkbox"/> Changed/Corrected Application	* 2. Type of Application: <input checked="" type="checkbox"/> New <input type="checkbox"/> Continuation <input type="checkbox"/> Revision	* If Revision, select appropriate letter(s): _____ * Other (Specify): _____
--	--	--

* 3. Date Received: 11/15/2021	4. Applicant Identifier: _____
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5a. Federal Entity Identifier: _____	5b. Federal Award Identifier: _____
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State Use Only:

6. Date Received by State: _____	7. State Application Identifier: _____
----------------------------------	--

8. APPLICANT INFORMATION:

* a. Legal Name: Palm Beach County Board of County Commissioners

* b. Employer/Taxpayer Identification Number (EIN/TIN): 59-6000785	* c. UEI: XL2DNFMPCR44
---	---------------------------

d. Address:

* Street1: 100 N. Congress Avenue
Street2: _____
* City: Delray Beach
County/Parish: _____
* State: FL: Florida
Province: _____
* Country: USA: UNITED STATES
* Zip / Postal Code: 33445-4617

e. Organizational Unit:

Department Name: _____	Division Name: _____
---------------------------	-------------------------

f. Name and contact information of person to be contacted on matters involving this application:

Prefix: _____ * First Name: Claudia
Middle Name: _____
* Last Name: Salazar
Suffix: _____

Title: Grants & Capital Project Analyst

Organizational Affiliation:

* Telephone Number: 561.841.4241 Fax Number: _____

* Email: csalazar@pbcgov.org

Application for Federal Assistance SF-424

*** 9. Type of Applicant 1: Select Applicant Type:**

B: County Government

Type of Applicant 2: Select Applicant Type:

Type of Applicant 3: Select Applicant Type:

* Other (specify):

*** 10. Name of Federal Agency:**

Federal Transit Administration

11. Catalog of Federal Domestic Assistance Number:

CFDA Title:

*** 12. Funding Opportunity Number:**

5310

* Title:

5310 Coronavirus Response and Relief Supplemental Appropriations Act (CRRSAA) and American Rescue Plan Act (ARP) of 2021

13. Competition Identification Number:

Title:

14. Areas Affected by Project (Cities, Counties, States, etc.):

Add Attachment

Delete Attachment

View Attachment

*** 15. Descriptive Title of Applicant's Project:**

Palm Beach County Section 5310 Coronavirus Response and Relief Supplemental Appropriations Act (CRRSAA) and American Rescue Plan Act (ARP) of 2021 Grant Application for \$1,199,741 to partially offset

Attach supporting documents as specified in agency instructions.

Add Attachments

Delete Attachments

View Attachments

Application for Federal Assistance SF-424

16. Congressional Districts Of:

* a. Applicant

* b. Program/Project

Attach an additional list of Program/Project Congressional Districts if needed.

17. Proposed Project:

* a. Start Date:

* b. End Date:

18. Estimated Funding (\$):

* a. Federal	<input type="text" value="1,199,741.00"/>
* b. Applicant	<input type="text" value="0.00"/>
* c. State	<input type="text" value="0.00"/>
* d. Local	<input type="text" value="0.00"/>
* e. Other	<input type="text" value="0.00"/>
* f. Program Income	<input type="text" value="0.00"/>
* g. TOTAL	<input type="text" value="1,199,741.00"/>

*** 19. Is Application Subject to Review By State Under Executive Order 12372 Process?**

- a. This application was made available to the State under the Executive Order 12372 Process for review on
- b. Program is subject to E.O. 12372 but has not been selected by the State for review.
- c. Program is not covered by E.O. 12372.

*** 20. Is the Applicant Delinquent On Any Federal Debt? (If "Yes," provide explanation in attachment.)**

- Yes
- No

If "Yes", provide explanation and attach

21. *By signing this application, I certify (1) to the statements contained in the list of certifications** and (2) that the statements herein are true, complete and accurate to the best of my knowledge. I also provide the required assurances** and agree to comply with any resulting terms if I accept an award. I am aware that any false, fictitious, or fraudulent statements or claims may subject me to criminal, civil, or administrative penalties. (U.S. Code, Title 218, Section 1001)

** I AGREE

** The list of certifications and assurances, or an internet site where you may obtain this list, is contained in the announcement or agency specific instructions.

Authorized Representative:

Prefix: * First Name:
Middle Name:
* Last Name:
Suffix:

* Title:

* Telephone Number: Fax Number:

* Email:

* Signature of Authorized Representative:

* Date Signed:

APPROVED AS TO FORM AND LEGAL SUFFICIENCY

Sean-adel Williams

Coordinated Public Transit-Human Service Transportation Plan

The projects selected for funding under the Section 5310 program must be included in a locally developed, coordinated public transit-human services transportation plan (Coordinated Plan) that was "developed through a process that includes representatives of public, private, and non-profit transportation and human services providers and participation by members of the public."

Reference: FTA C 9070.1G Chapter V

Certification

Palm Beach County Board of County Commissioners certifies and assures to the Florida Department of Transportation regarding its application for assistance under 49 U.S.C. 5310 that this grant request is included in a coordinated plan compliant with Federal Transit Administration Circular FTA C 9070.1G.

(a) The name of this coordinated plan:

Palm Beach County Transportation Disadvantaged Service Plan

(b) The agency that adopted this coordinated plan:

Palm Beach County Transportation Disadvantaged Local Coordinating Board

(c) The date the coordinated plan was adopted:

October 30, 2019

(d) Section and page in the coordinated plan that identifies the project or need your agency is fulfilling:

**Appendix H: Goals, Objectives, Strategies, and Implementation Schedule.
Goal 8: Ensure Vehicles are Replaced in a Timely Manner Before the Vehicle Life Expiration.**

8.1 Strategy: Palm Tran Connection has developed a vehicle replacement plan to retire these vehicles and purchase new vehicles, with the goal of maintaining the Paratransit fleet in a state of good repair.

Signature

Date

Typed Name and Title of Authorized Representative

**APPROVED AS TO FORM
AND LEGAL SUFFICIENCY**

Tegan Adel Williams
COUNTY ATTORNEY

FDOT Certification and Assurances

Palm Beach County Board of County Commissioners certifies and assures to the Florida Department of Transportation regarding its Application under U.S.C. Section 5310 dated 16 day of November, 2021

- 1 It shall adhere to all Certifications and Assurances made to the federal government in its Application.
- 2 It shall comply with Florida Statutes:
 - Section 341.051–Administration and financing of public transit and intercity bus service programs and projects
 - Section 341.061 (2)–Transit Safety Standards; Inspections and System Safety Reviews
 - Section 252.42 – Government equipment, services and facilities: In the event of any emergency, the division may make available any equipment, services, or facilities owned or organized by the state or its political subdivisions for use in the affected area upon request of the duly constituted authority of the area or upon the request of any recognized and accredited relief agency through such duly constituted authority.
- 3 It shall comply with Florida Administrative Code (**Does not apply to Section 5310 only recipients**):
 - Rule Chapter 14-73–Public Transportation
 - Rule Chapter 14-90–Equipment and Operational Safety Standards for Bus Transit Systems
 - Rule Chapter 14-90.0041–Medical Examination for Bus System Driver
 - Rule Chapter 41-2–Commission for the Transportation Disadvantaged
- 4 It shall comply with FDOT's:
 - Bus Transit System Safety Program Procedure No. 725-030-009 (**Does not apply to Section 5310 only recipients**)
 - Transit Vehicle Inventory Management Procedure No. 725-030-025
 - Public Transportation Vehicle Leasing Procedure No. 725-030-001
 - Guidelines for Acquiring Vehicles
 - Procurement Guidance for Transit Agencies Manual
- 5 It has the fiscal and managerial capability and legal authority to file the application. Local matching funds will be available to purchase vehicles/equipment at the time an order is placed.
- 6 It will carry adequate insurance to maintain, repair, or replace project vehicles/equipment in the event of loss or damage due to an accident or casualty.

- 7 It will maintain project vehicles/equipment in good working order for the useful life of the vehicles/equipment.
- 8 It will return project vehicles/equipment to FDOT if, for any reason, they are no longer needed or used for the purpose intended.
- 9 It recognizes FDOT's authority to remove vehicles/equipment from its premises, at no cost to FDOT, if FDOT determines the vehicles/equipment are not used for the purpose intended, improperly maintained, uninsured, or operated unsafely.
- 10 It will not enter into any lease of project vehicles/equipment or contract for transportation services with any third party without prior approval of FDOT.
- 11 It will notify FDOT within **24 hours** of any accident or casualty involving project vehicles/equipment and submit related reports as required by FDOT.
- 12 It will notify FDOT and request assistance if a vehicle should become unserviceable.
- 13 It will submit an annual financial audit report to FDOT (FDOTSingleAudit@dot.state.fl.us), if required.
- 14 It will undergo a triennial review and inspection by FDOT to determine compliance with the baseline requirements. If found not in compliance, it must send a progress report to the local FDOT District office on a quarterly basis outlining the agency's progress towards compliance.
- 15 Executive Order 20-44: If agency is required by the Internal Revenue Code to file IRS Form 990 and is named in statute. Agencies (sub-recipients) shall submit an Annual Report to the Department, including the most recent IRS Form 990, detailing the total compensation for each member of the agency's executive leadership team. Total compensation shall include salary, bonuses, cashed-in leave, cash equivalents, severance pay, retirement benefits, deferred compensation, real-property gifts, and any other payout. Agency shall inform the Department of any changes in total executive compensation during the period between the filing of Annual Reports within 60 days of any change taking effect. Annual Reports shall be in the form approved by the Department and shall be submitted to the Department at fdotsingleaudit@dot.state.fl.us within 180 days following the end of each tax year of the agency receiving Department funding.

_____ Date

_____ Signature of Authorized Representative

_____ Typed Name and Title of Authorized Representative

**APPROVED AS TO FORM
AND LEGAL SUFFICIENCY**

Sean-Adel Williams

COUNTY ATTORNEY

Standard Lobbying Certification

The undersigned **Palm Beach County Board of County Commissioners** 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 of the form can be obtained from **FDOT's website**) 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 sub-awards at all tiers (including subcontracts, sub-grants, and contracts under grants, loans, and cooperative agreements) and that all sub-recipients 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 **Palm Beach County Board of County Commissioners**, certifies or affirms the truthfulness and accuracy of each statement of its certification and disclosure, if any. In addition, the Contractor understands and agrees that the provisions of 31 U.S.C. A 3801, et seq., apply to this certification and disclosure, if any.

_____ Date

_____ Signature of Authorized Official

_____ Typed Name and Title of Authorized Official

**APPROVED AS TO FORM
AND LEGAL SUFFICIENCY**

Jean-Adel Williams
COUNTY ATTORNEY

Certification of Equivalent Service

CERTIFICATION OF EQUIVALENT SERVICE

Palm Beach County Board of County Commissioners certifies that its demand responsive service offered to individuals with disabilities, including individuals who use wheelchairs, is equivalent to the level and quality of service offered to individuals without disabilities. Such service, when viewed in its entirety, is provided in the most integrated setting feasible and is equivalent with respect to:

- 1 Response time;
- 2 Fares;
- 3 Geographic service area;
- 4 Hours and days of service;
- 5 Restrictions on trip purpose;
- 6 Availability of information and reservation capability; and
- 7 Constraints on capacity or service availability.

In accordance with 49 CFR Part 37, public entities operating demand responsive systems for the general public which receive financial assistance under 49 U.S.C. 5310 and 5311 of the Federal Transit Administration (FTA) funds must file this certification with the appropriate state program office before procuring any inaccessible vehicle. Such public entities not receiving FTA funds shall also file the certification with the appropriate state office program. Such public entities receiving FTA funds under any other section of the FTA Programs must file the certification with the appropriate FTA regional office. This certification is valid for no longer than one year from its date of filing. Non-public transportation systems that serve their own clients, such as social service agencies, are required to complete this form.

Executed this 16 day of November, 2021

Typed Name and Title of Authorized Representative

Signature of Authorized Representative

**APPROVED AS TO FORM
AND LEGAL SUFFICIENCY**

Jean-Adel Williams
COUNTY ATTORNEY