

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION
PUBLIC TRANSPORTATION
AMENDMENT TO THE PUBLIC TRANSPORTATION
GRANT AGREEMENT

Form 725-000-03
 STRATEGIC
 DEVELOPMENT
 OGC 07/22

Financial Project Number(s): <small>(item-segment-phase-sequence)</small> 452576-1-94-23	Fund(s): Work Activity Code/Function: 215	DU	FLAIR Category: 088774
	Federal Number/Federal Award Identification Number (FAIN) – Transit only: 1001-2024-3		Object Code: 780000
			Org. Code: 55301000943
Contract Number: G2151	Federal Award Date:		Vendor Number: F596000346014
CFDA Number: 20.526	SAM/UEI Number: WU3FVVKJNKX1		Amendment No.: 1
CFDA Title: Section 5339: Rural Bus & Facilities			
CSFA Number: N/A			
CSFA Title: N/A			

THIS AMENDMENT TO THE PUBLIC TRANSPORTATION GRANT AGREEMENT (“Amendment”) is made and entered into on _____, by and between the State of Florida, Department of Transportation (“Department”), and City of Key West - Department of Transportation, (“Agency”), collectively referred to as the “Parties.”

RECITALS

WHEREAS, the Department and the Agency on 3/21/2024 (date original Agreement entered) entered into a Public Transportation Grant Agreement (“Agreement”).

WHEREAS, the Parties have agreed to modify the Agreement on the terms and conditions set forth herein.

NOW THEREFORE, in consideration of the mutual covenants in this Amendment, the Agreement is amended as follows:

1. **Amendment Description.** The project is amended No Cost Change Amendment. DU funding moved to Rehab/Renovation Maintenance Facility for roof repair project.
2. **Program Area.** For identification purposes only, this Agreement is implemented as part of the Department program area selected below (select all programs that apply):

- Aviation
- Seaports
- Transit
- Intermodal
- Rail Crossing Closure
- Match to Direct Federal Funding (Aviation or Transit)
- (Note: Section 15 and Exhibit G do not apply to federally matched funding)
- Other

3. **Exhibits.** The following Exhibits are updated, attached, and incorporated into this Agreement:

- Exhibit A: Project Description and Responsibilities
- Exhibit B: Schedule of Financial Assistance
- *Exhibit B1: Deferred Reimbursement Financial Provisions
- *Exhibit B2: Advance Payment Financial Provisions
- *Exhibit C: Terms and Conditions of Construction
- Exhibit D: Agency Resolution
- Exhibit E: Program Specific Terms and Conditions
- Exhibit F: Contract Payment Requirements
- *Exhibit G: Financial Assistance (Single Audit Act)
- *Exhibit H: Audit Requirements for Awards of Federal Financial Assistance

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___ *Exhibit I: Certification of Disbursement of Payment to Vehicle and/or Equipment Vendor
___ *Additional Exhibit(s):

4. Project Cost.

The estimated total cost of the Project is ___ increased/ ___ decreased by \$0 bringing the revised total cost of the project to \$174,750.

The Department's participation is ___ increased/ ___ decreased by \$0. The Department agrees to participate in the Project cost up to the maximum amount of \$174,750, and, additionally the Department's participation in the Project shall not exceed 100.00% of the total eligible cost of the Project.

Except as modified, amended, or changed by this Amendment, all of the terms and conditions of the Agreement and any amendments thereto shall remain in full force and effect.

IN WITNESS WHEREOF, the Parties have executed this Amendment on the day and year written above.

AGENCY City of Key West -
Department of Transportation

STATE OF FLORIDA, DEPARTMENT OF TRANSPORTATION

By: _____
Name: _____
Title: _____

By: _____
Name: Kim Holland
Title: Assistant Secretary for Strategic Development

RR

STATE OF FLORIDA, DEPARTMENT OF TRANSPORTATION

Legal Review: _____

EXHIBIT A

Project Description and Responsibilities

A. Project Description (description of Agency's project to provide context, description of project components funded via this Agreement (if not the entire project)): This agreement provides FTA Section 5339 capital funds for the capital purchase as identified in the Agency's application on file with the Department

B. Project Location (limits, city, county, map): City of Key West - Department of Transportation/Key West, FL/Monroe

C. Project Scope (allowable costs: describe project components, improvement type/service type, approximate timeline, project schedule, project size): This agreement provides Federal Transit Administration (FTA) Section 5339

Capital Assistance related to purchasing the capital equipment listed below in the amount not to exceed that identified in Exhibit B of the agreement or as amended.

Miscellaneous Equipment Acquisition

Shop Equipment Acquisition

Rehab/Renovation Maintenance Facility

The agency is responsible for purchasing the awarded equipment in accordance with the Procurement Guidance for Transit Agencies Handbook. If the procurement procedures in this handbook are not followed, the agency will not be eligible for reimbursement.

The agency will also provide procurement documentation prior to the purchase of project equipment and will submit to the Department documentation of purchase, delivery, and/or installation for all items.

The match for this agreement is being covered by Toll Revenue Credits (TRCs). However, if actual costs are greater than the estimated total cost, it will be the responsibility of the agency to provide the difference. If actual costs are less than the estimated total cost, the difference will remain in the Department's general program fund and will be used to advance any remaining grant requests.

D. Deliverable(s): The agency will provide appropriate documentation to support the costs being billed.

The project scope identifies the ultimate project deliverables. Deliverables for requisition, payment and invoice purposes will be the incremental progress made toward completion of project scope elements. Supporting documentation will be quantifiable, measurable, and verifiable, to allow for a determination of the amount of incremental progress that has been made, and provide evidence that the payment requested is commensurate with the accomplished incremental progress and costs incurred by the Agency.

E. Unallowable Costs (including but not limited to): Any costs not specifically outlined in the project description and scope will not be eligible for reimbursement.

F. Transit Operating Grant Requirements (Transit Only):

Transit Operating Grants billed as an operational subsidy will require an expenditure detail report from the Agency that matches the invoice period. The expenditure detail, along with the progress report, will be the required deliverables for Transit Operating Grants. Operating grants may be issued for a term not to exceed three years from execution. The original grant agreement will include funding for year one. Funding for years two and three will be added by amendment as long as the grantee has submitted all invoices on schedule and the project deliverables for the year have been met.

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EXHIBIT B

Schedule of Financial Assistance

FUNDS AWARDED TO THE AGENCY AND REQUIRED MATCHING FUNDS PURSUANT TO THIS AGREEMENT CONSIST OF THE FOLLOWING:

A. Fund Type and Fiscal Year:

Financial Management Number	Fund Type	FLAIR Category	State Fiscal Year	Object Code	CSFA/CFDA Number	CSFA/CFDA Title or Funding Source Description	Funding Amount
452576-1-94-23	DU	088774	2024	780000	20.526	Bus and Bus Facilities	\$13,000.00
452576-1-94-23	DU	088774	2024	780000	20.526	Bus and Bus Facilities	\$154,750.00
452576-1-94-23	DU	088774	2024	780000	20.526	Bus and Bus Facilities	\$7,000.00
Total Financial Assistance							\$174,750.00

B. Estimate of Project Costs by Grant Phase:

Phases*	State	Local	Federal	Totals	State %	Local %	Federal %
Land Acquisition	\$0.00	\$0.00	\$0.00	\$0.00	0.00	0.00	0.00
Planning	\$0.00	\$0.00	\$0.00	\$0.00	0.00	0.00	0.00
Environmental/Design/Construction	\$0.00	\$0.00	\$0.00	\$0.00	0.00	0.00	0.00
Capital Equipment/ Preventative Maintenance	\$0.00	\$0.00	\$174,750.00	\$174,750.00	0.00	0.00	100.00
Match to Direct Federal Funding	\$0.00	\$0.00	\$0.00	\$0.00	0.00	0.00	0.00
Mobility Management (Transit Only)	\$0.00	\$0.00	\$0.00	\$0.00	0.00	0.00	0.00
Totals	\$0.00	\$0.00	\$174,750.00	\$174,750.00			

*Shifting items between these grant phases requires execution of an Amendment to the Public Transportation Grant Agreement.

Scope Code and/or Activity Line Item (ALI) (Transit Only)	11.42.06:114-00;11.42.20:114-00; 11.44.02:114-00
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BUDGET/COST ANALYSIS CERTIFICATION AS REQUIRED BY SECTION 216.3475, FLORIDA STATUTES:

I certify that the cost for each line item budget category (grant phase) has been evaluated and determined to be allowable, reasonable, and necessary as required by Section 216.3475, Florida Statutes. Documentation is on file evidencing the methodology used and the conclusions reached.

Erin Schepers

Department Grant Manager Name

Signature

Date

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EXHIBIT D

AGENCY RESOLUTION

PLEASE SEE ATTACHED

RESOLUTION NO. 24-050

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, APPROVING THE ATTACHED "PUBLIC TRANSPORTATION GRANT AGREEMENT" (PTGA) BETWEEN THE FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT) AND THE CITY OF KEY WEST FOR SFY2024 FTA SECTION 5339 RURAL BUS AND BUS FACILITY CAPITAL FUNDS IN AN AMOUNT NOT TO EXCEED \$174,750.00; AUTHORIZING THE CITY MANAGER TO EXECUTE NECESSARY DOCUMENTS AND NECESSARY BUDGET AMENDMENTS; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, in Resolution 23-113, the City Commission authorized certain City staff to apply for grant funding and to execute and submit grant documentation through the Federal Transit Administration (FTA) and Florida Department of Transportation (FDOT); and

WHEREAS, funding through the FDOT Section 5339 Rural Bus and Bus Facility Capital funds, provides Capital assistance for the purchase of support equipment for buses and transit facility; and

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, AS FOLLOWS:

Section 1: That the attached "Public Transportation Grant Agreement" (FM #452576-1-94-23) is hereby approved, between FDOT and the City, for Section 5339 Rural Bus and Bus Facility Capital funds to purchase support equipment for

buses and transit facility in an amount not to exceed to \$174,750.00.

Section 2: That the City Manager is authorized to effectuate any necessary budget transfers in accordance with such grant, and to execute any necessary documents.

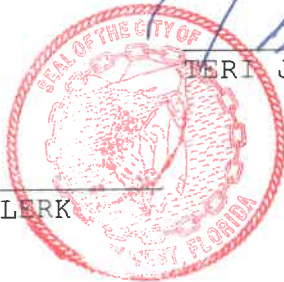
Section 3: That this Resolution shall go into effect immediately upon its passage and adoption and authentication by the signature of the Presiding Officer and the Clerk of the Commission.

Passed and adopted by the City Commission at a meeting held this 14th day of March, 2024.

Authenticated by the Presiding Officer and Clerk of the Commission on 14th day of March, 2024.

Filed with the Clerk on March 14, 2024.

Mayor Teri Johnston	<u>Yes</u>
Vice Mayor Sam Kaufman	<u>Yes</u>
Commissioner Lissette Carey	<u>Yes</u>
Commissioner Mary Lou Hoover	<u>Yes</u>
Commissioner Clayton Lopez	<u>Yes</u>
Commissioner Billy Wardlow	<u>Yes</u>
Commissioner Jimmy Weekley	<u>Yes</u>



Teri Johnston
TERI JOHNSTON, MAYOR

ATTEST:

Keri O'Brien
KERI O'BRIEN, CITY CLERK

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EXHIBIT H

AUDIT REQUIREMENTS FOR AWARDS OF FEDERAL FINANCIAL ASSISTANCE

FEDERAL RESOURCES AWARDED PURSUANT TO THIS AGREEMENT ARE AS FOLLOWS:

CFDA No.: 20.526
CFDA Title: Section 5339: Rural Bus & Facilities

***Award Amount:** \$174,750
Awarding Agency: Florida Department of Transportation
Indirect Cost Rate: 0
****Award is for R&D:** No

*The federal award amount may change with amendments
**Research and Development as defined at 2 CFR §200.87

**FEDERAL RESOURCES AWARDED PURSUANT TO THIS AGREEMENT ARE SUBJECT TO THE FOLLOWING
AUDIT REQUIREMENTS:**

2 CFR Part 200 – Uniform Administrative Requirements, Cost Principles & Audit Requirements for Federal Awards
www.ecfr.gov

**FEDERAL RESOURCES AWARDED PURSUANT TO THIS AGREEMENT MAY ALSO BE SUBJECT TO THE
FOLLOWING:**

Title 23 – Highways, United States Code
<http://uscode.house.gov/browse.xhtml>

Title 49 – Transportation, United States Code
<http://uscode.house.gov/browse.xhtml>

Infrastructure Investment and Jobs Act (IIJA) (Public Law 117-58, also known as the “Bipartisan Infrastructure Law”)
<https://www.congress.gov/117/bills/hr3684/BILLS-117hr3684enr.pdf>

Federal Highway Administration – Florida Division
www.fhwa.dot.gov/fldiv

Federal Funding Accountability and Transparency Act (FFATA) Sub-award Reporting System (FSRS)
www.fsr.gov
