

**PUBLIC TRANSPORTATION
AMENDMENT TO THE PUBLIC TRANSPORTATION
GRANT AGREEMENT**

Financial Project Number(s): <small>(item-segment-phase-sequence)</small> 452044-1-94-22, 452044-2-94-22, 452044-3-94-22, 452044-6-94-22, 452044-7-94-22	Fund(s): Work Activity Code/Function: Federal Number/Federal Award Identification Number (FAIN) – Transit only:	DU 215 FL-2024-075-00	FLAIR Category: Object Code: Org. Code: Vendor Number: Amendment No.:	088774 780000 55301000943 F596000346014 2
Contract Number: G2S90	Federal Award Date:	9/20/2024		
CFDA Number: 20.509	SAM/UEI Number:	WU3HVNKJNKX1		
CFDA Title: Formula Grants for Rural Areas				
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 1/18/2024 (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 to update the scope and include additional capital projects with zero total cost change.
- 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

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- *Exhibit G: Financial Assistance (Single Audit Act)
- *Exhibit H: Audit Requirements for Awards of Federal Financial Assistance
- *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 \$2,551,089.

The Department's participation is increased/ decreased by \$0. The Department agrees to participate in the Project cost up to the maximum amount of \$2,551,089, 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: Brian L. Barroso
Title: City Manager

By: _____
Name: Dan Fitz-Patrick
Title: Chief Strategy Officer

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 FFY22 Section 5311 funds for the capital purchase as identified in the Agency's application on file with the Department.

B. Project Location (limits, city, county): City of Key West - Department of Transportation/Key West, FL/Monroe
 Illustration/graphic/map of project area is applicable and attached to this Exhibit A.

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) FFY22 Section 5311 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.

Bus Replacement Under 30'

Bus Replacement Over 30'

Miscellaneous Equipment Acquisition

Signal and Communication Equipment - Bus

Bus Support Equipment/Facilities

The agency is responsible for purchasing 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.

The agency will ensure that Exhibit I – Certification of Disbursement of Payment to Vehicle and/or Equipment Vendor is fully completed and provided to the Department in accordance with provisions detailed in Exhibit I.

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):

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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
452044-1-94-22	DU	088774	2024	780000	20.509	Formula Grants for Rural Areas	\$1,092,764.00
452044-2-94-22	DU	088774	2024	780000	20.509	Formula Grants for Rural Areas	\$668,725.00
452044-3-94-22	DU	088774	2024	780000	20.509	Formula Grants for Rural Areas	\$600,000.00
452044-6-94-22	DU	088774	2024	780000	20.509	Formula Grants for Rural Areas	\$80,000.00
452044-7-94-22	DU	088774	2024	780000	20.509	Formula Grants for Rural Areas	\$13,600.00
452044-8-94-22	DU	088774	2024	780000	20.509	Formula Grants for Rural Areas	\$48,000.00
452044-9-94-22	DU	088774	2024	780000	20.509	Formula Grants for Rural Areas	\$48,000.00
Total Financial Assistance							\$2,551,089.00

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	\$2,551,089.00	\$2,551,089.00	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	\$2,551,089.00	\$2,551,089.00			

*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)	111-00:11.12.03, 11.12.04, 11.12.15; 114-00:11.42.06, 11.42.20; 116-00:11.62.02
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Common Name/UZA Name (Transit Only)	
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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.

Karen Lyons

Department Grant Manager Name

Signature

Date

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EXHIBIT D

AGENCY RESOLUTION

PLEASE SEE ATTACHED

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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.: 20.509
CFDA Title: Formula Grants for Rural Areas

***Award Amount:** \$2,551,089
Awarding Agency: Florida Department of Transportation
Indirect Cost Rate: 0.00
****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)
<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

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EXHIBIT I

CERTIFICATION OF DISBURSEMENT OF PAYMENT TO VEHICLE AND/OR EQUIPMENT VENDOR

DATE:

Agreement No (PTGA):

FM#: 452044-1-94-22,452044-2-94-22,452044-3-94-22,452044-6-94-22,452044-7-94-22,452044-8-94-22,452044-9

PART I: Agency Acknowledgement Section

City of Key West - Department of Transportation, as the "Agency" for the above referenced agreement, hereby certifies that 100% of the total payment _____ for ___ has been submitted to __, on __.

Agency's failure to certify or a falsification may impact future awards and may subject the person and/or entity making the false statement to any and all civil and criminal penalties available pursuant to applicable Federal and State Law.

Agency Authorized Official Name: _____

Agency Signature: _____

PART II: Vendor Acknowledgement Section

___, having interest in the above referenced agreement has received 100% of its payment(s) for all equipment furnished under this agreement on ___ from City of Key West - Department of Transportation.

Vendor Authorized Official Name: _____

Vendor Signature: _____

Exhibit I – Certification of Disbursement of Payment to Vehicle and/or Equipment Vendor will be initiated by FDOT through DocuSign at the time payment from FDOT has been made to the Agency. The DocuSign will be routed to the Agency and the Vendor. Each party will acknowledge the certification where applicable and must be completed within 20 business days from Agency's receipt of payment from FDOT.