

**PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS**

AGENDA ITEM SUMMARY

Meeting Date: August 22, 2023

Consent

Regular

Department: Palm Tran

Ordinance

Public Hearing

I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to approve:

A) The Program of Projects (POP) and Grant Application 1098-2023-2 for Section 5307 (CFDA 20.507) and Section 5339 (CFDA 20.526) GY2023 grant allocations from the Federal Transit Administration (FTA). The Palm Beach County Board of County Commissioners (BCC) was allocated \$25,411,374, of which \$23,415,291 are Section 5307 funds and \$1,996,083 are Section 5339 funds; This is a cost reimbursable agreement that will become effective upon FTA Award and with an anticipated end date of May 31, 2029; and

B) The filing of Standard Form LLL - Disclosure of Lobbying Activities;

C) The Authorization for the County Administrator or designee to execute on behalf of the BCC, and to transmit electronically the BCC's approval of the Grant Application, award and the resulting grant agreement; that do not substantially change the scope of work, terms or conditions of the agreement.

D) A Budget Transfer of \$11,501,606, in Palm Tran's Operations Fund 1340, to increase the transfer from Palm Tran's Grant Fund 1341 and reduce the transfer from the General Fund 0001;

E) A Budget Transfer of \$11,501,606, in the General Fund 0001 to reduce the transfer to Palm Tran's Operating Fund 1340 and increase Contingency Reserves; and

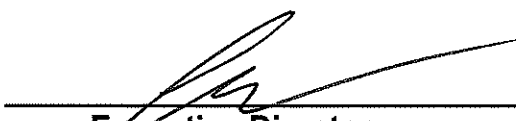
F) An upward Budget Amendment of \$25,411,374, in Palm Tran's Grant Fund 1341 to recognize the actual grant allocation for GY2023 as detailed in grant application 1098-2023-2.

Summary: The FTA distributes Section 5307 and 5339 grant funds to provide capital and operating assistance for public transportation projects. The GY2023 allocation will fund items necessary for the continued operations of the Palm Tran system. The FTA encourages the submittal of multi-source funding (Super-Grant) grant applications to consolidate allocations for Fixed Route capital projects. This allocation includes the following: \$10,000,000 to replace fixed-route buses that have reached their useful life; \$2,000,000 to replace paratransit vehicles that have reached their useful life; \$1,000,000 for General Planning Consulting contracts; \$500,000 for tires; \$409,768 for safety and security projects; \$2,114,901 for operating Paratransit service, and \$9,386,705 for Preventive Maintenance.

The GY2023 allocations have a **match requirement of \$6,352,843 or 20%** of the total project cost. The source of the matching funds comes from Toll Revenue Credits provided by the Florida Department of Transportation (FDOT). The grant application also requires the execution of the Disclosure of Lobbying Activities, Form LLL. No County funds are required. **Countywide** (MM)

Background and Policy Issues: Execution of the FTA award represents the County's legal affirmation to abide by FTA and other federal requirements as described in The Master Agreement FTA MA (30) November 2, 2022, approved by the BCC on January 24, 2023 (item 3-AA1). The Master Agreement is incorporated by reference and made a part of each FTA grant award, and amendment thereto. The Standard Form LLL is an FTA requirement when lobbying services are procured with non-federal funds.

- Attachment(s):**
- 1. Grant Application 1098-2023-2
 - 2. GY2023 Section 5307-5339 Program of Projects (POP)
 - 3. Standard Form LLL – Disclosure of Lobbying Activities
 - 4. Notice of Public Hearing
 - 5. Budget Transfers (2)
 - 6. Budget Amendment (1)

Recommended By:  7/28/2023
Executive Director Date

Approved By:  8/15/2023
Assistant County Administrator Date

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2023	2024	2025	2026	2027
Capital Expenditures	\$12,409,768				
Operating Costs	\$13,001,606				
External Revenues	(\$25,411,374)				
Program Income (County)					
In-Kind Match (County)					
NET FISCAL IMPACT	(0)				
#ADDITIONAL FTE POSITIONS (CUMULATIVE)					

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

Budget Account No:
 Fund 1341 Department 542 Unit 5565 Object VAR

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

C. Departmental Fiscal Review: 
 Lyne Johnson, Director of Admin Services

III. REVIEW COMMENTS:

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

 8/3/2023
 OFMB JA 7/25
 7/25 AMF 7/26

 8/10/23
 Contract Dev. & Control
 MJA 8/10/23

B. Legal Sufficiency

 8/14/2023
 Assistant County Attorney

C. Other Department Review

 Department Director

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

DOT

FTA

U.S. Department of Transportation

Federal Transit Administration

Application

Federal Award Identification Number (FAIN)	1098-2023-2
Temporary Application Number	1098-2023-2
Award Name	FY23 Section 5307-5339 - Capital Assistance_UZA 120740
Application Status	In-Progress
Application Budget Number	0

Period of Performance Start Date	N/A
Original Period of Performance End Date	5/31/2029
Current Period of Performance End Date	N/A Revision #: N/A

Part 1: Recipient Information

Name: COUNTY OF PALM BEACH

Recipient ID	Recipient OST Type	Recipient Alias	UEI	DUNS
1098	County Agency	PALM BEACH CO BD OF COMMISSIONERS - PALM BEACH CO TRANSIT AUTHORITY	XL2DNFMPCR44	078470481

Location Type	Address	City	State	Zip
Headquarters	301 N OLIVE AVE FRNT	WEST PALM BEACH	FL	33401
Physical Address	301 N OLIVE AVE	WEST PALM BEACH	FL	33401
Mailing Address	P O BOX 4036	WEST PALM BEACH	FL	33402

Union Information

Union Name	AMALGAMATED TRANSIT UNION
Address 1	10000 New Hampshire Avenue
Address 2	Legal Department
City	Silver Spring
State	MD
Zipcode	20903
Contact Name	Katherine Andrews
Telephone	(301) 431-7100
Fax	(301) 431-7116
E-mail	13c@atu.org
Website	

Part 2: Application Information

Title: FY22 Section 5307-5339 - Capital Assistance_UZA 120740

FAIN	Application Status	Award Type	Application Cost Center	Date Created	Last Updated Date	From TEAM?
1098-2023-2	In-Progress	Grant	Region 4	6/15/2023	6/15/2023	No

Application Executive Summary

This application contains more than one funding source, Palm Beach County is applying for FY2023 allocations of Section 5307, and Section 5339 funds. Total Application amount is \$25,411,374.

Federal Share Cost:

Section 5307 Funds FY23 \$23,415,291

Section 5339 Funds FY23 \$1,996,083

Non-Federal Share: Transportation Development Credits (TDC) have been approved by the Florida Department of Transportation (FDOT), allocated to this application are \$6,352,843.

Does this application include funds for research and/or development activities?

This award does not include research and development activities.

Pre-Award Authority

This award is using Pre-Award Authority.

Does this application include sub allocation funds?

Recipient organization is the Designated Recipient and can apply for and receive these apportioned funds.

Will this Grant be using Lapsing Funds?

No Selection Made

Will indirect costs be applied to this application?

This award does not include an indirect cost rate.

Indirect Rate Details: N/A

Requires E.O. 12372 Review

No, this application does not require E.O. 12372 Review.

Delinquent Federal Debt

No, my organization does not have delinquent federal debt.

Award Description

Purpose

Palm Beach County is obligating the FY2023 Allocation of Section 5307 and 5339 funds for capital projects that will continue to enhance the provision of public transit in the service area.

Activities to be performed:

The Program of Projects for these funds include:

Replace fixed-route buses that have reached their useful life; replace paratransit vehicles that have reached their useful life; General Planning Consulting contracts; tire lease (PM); Safety and Security projects; 10% of 5307 for Operating Paratransit Service, and Preventive Maintenance.

Expected outcomes:

Investments in public transportation have potential traffic safety, air quality, active transportation, and accessibility benefits, thus improving associated personal health outcomes.

Intended beneficiaries:

The residents and visitors of Palm Beach County Florida, Palm Tran's mission is to provide access to opportunity for everyone, safely, efficiently and courteously.

Subrecipient Activities:

Palm Beach County does not have any sub-recipients for FTA funds.

Application Point of Contact Information

First Name	Last Name	Title	E-mail Address	Phone
Claudia	Salazar	Grants & Capital Project Analyst	csalazar@pbcgov.com	561-841-4241

Application Budget

ACTIVITY CODE	FINANCIAL PROGRAM CODE	DESCRIPTION	ORIGINAL BUDGET	CURRENT BUDGET
11.12.01	5307	BUY REPLACEMENT 40-FT BUS	\$ 8,003,917.00	\$ 8,003,917.00
11.12.04	5307	BUY REPLACEMENT <30-FT BUS	\$ 2,000,000.00	\$ 2,000,000.00
11.32.07	5307	ACQUIRE - SURVEIL/SECURITY EQUIPMENT	\$ 234,153.00	\$ 234,153.00
11.42.20	5307	MISCELLANEOUS EQUIPMENT	\$ 175,615.00	\$ 175,615.00
11.71.11	5307	OTHER 3RD PARTY CONTRACTUAL SERVICES	\$ 1,000,000.00	\$ 1,000,000.00
11.7A.00	5307	PREVENTIVE MAINTENANCE	\$ 9,386,705.00	\$ 9,386,705.00
11.7A.00	5307	PREVENTIVE MAINTENANCE (TIRES)	\$ 500,000.00	\$ 500,000.00
11.7C.00	5307	NON FIXED ROUTE ADA PARATRANSIT	\$ 2,114,901.00	\$ 2,114,901.00
11.12.01	5339	BUY REPLACEMENT 40-FT BUS	\$ 1,996,083.00	\$ 1,996,083.00
			\$ 25,411,374.00	\$ 25,411,374.00

Discretionary Allocations

This application does not contain discretionary allocations.

Part 3: Project Information

Palm Tran, Inc. provides public transit service in Palm Beach County, Florida. Palm Tran has several facilities located throughout Palm Beach County that include administrative services; bus, relief vehicles, employee parking; and maintenance operations. Maintenance Facilities are located in the cities of West Palm Beach, Delray Beach and Belle Glade. There are 39 incorporated municipalities within Palm Beach County including Boca Raton, Jupiter and the largest City being West Palm Beach. The County has a total area of 2,383 square mile, Palm Beach County borders Martin County to the north, the Atlantic Ocean to the east, Broward County to the south, Hendry County to the west, and extends into Lake Okeechobee in the northwest.

The FY2023 allocation of \$24,411,374, of which \$23,415,291 are Section 5307 funds and \$1,996,083 are Section 5339 funds; will fund items necessary for the continued operations of the Palm Tran system. This application includes \$10,000,000 to replace fixed-route buses that have reached their useful life; \$2,000,000 to replace paratransit vehicles that have reached their useful life; \$1,000,000 for General Planning Consulting contracts; \$500,000 for tires; \$409,768 for safety and security projects; \$2,114,901 for operating Paratransit service, and \$9,386,705 for Preventive Maintenance.

Palm Tran – FY 2023 Section 5307 – 5339 Project Summary

- Grantor: Federal Transit Administration
- Amount: \$25,411,374

Program of Projects (POP)

Please Note: The following Proposed Program of Projects for the application of FY2023 Sections 5307 and Section 5339 funds will be the final application for this program unless amended by the BCC on their Public Hearing Meeting on July 11, 2023.

5307 FY 2023 Grant Allocation Summary of Projects

1) Replace Fixed-Route Buses that have reached useful life	\$8,003,917
2) Replace Paratransit vehicles that have reached useful life	\$2,000,000
3) Paratransit Service Operating	\$2,114,901
4) 3 rd Party Contracts	\$1,000,000
5) Preventive Maintenance (Tires)	\$500,000
6) Security & Safety Improvements	\$409,768
7) Preventative Maintenance	\$9,386,705


5339 FY 2023 Grant Allocation Summary of Projects

1) Replace Buses that have reached useful life	\$1,996,083
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Total Section 5307 and 5339 Application	\$25,411,374
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Disclosure of Lobbying Activities

Complete this form to disclose lobbying activities pursuant to 31 U.S.C. 1352
(See reverse for public burden disclosure)

<p>1. Type of Federal Action: a. contract <input checked="" type="checkbox"/> b. grant c. cooperative agreement d. loan e. loan guarantee f. loan insurance</p>	<p>2. Status of Federal Action: <input checked="" type="checkbox"/> a. bid/offer/application b. initial award c. post-award</p>	<p>3. Report Type: <input checked="" type="checkbox"/> a. initial filing b. material change</p> <p>For material change only: Year _____ quarter _____ Date of last report _____</p>
<p>4. Name and Address of Reporting Entity: <input checked="" type="checkbox"/> Prime <input type="checkbox"/> Subawardee Tier _____, if Known:</p> <p>Palm Beach County Board of County Commissioners 301 N. Olive Ave West Palm Beach, FL 33401</p> <p>Congressional District, if known: 20, 21, 22, 23</p>	<p>5. If Reporting Entity in No. 4 is Subawardee, Enter Name and Address of Prime:</p> <p>N/A</p> <p>Congressional District, if known:</p>	
<p>6. Federal Department/Agency:</p> <p>U.S. Department of Transportation Federal Transit Administration</p>	<p>7. Federal Program Name/Description: Urbanized Area Formula Program Grants Section 5307 – 5339</p> <p>CFDA Number, if applicable: 20.507-20.526</p>	
<p>8. Federal Action Number, if known: 1098-2023-2</p>	<p>9. Award Amount, if Known: \$25,411,374</p>	
<p>10. a. Name and Address of Lobbying Registrant (if individual, last name, first name, MI): <i>Two Companies, see Attachment A for this information.</i></p>	<p>b. Individuals Performing Services (including address if different from No. 10a) (last name, first name, MI): <i>See Attachment A</i></p>	
<p>11. Information requested through this form is authorized by title 31 U.S.C. section 1352. This disclosure of lobbying activities is a material representation of fact upon which reliance was placed by the tier above when this transaction was made or entered into. This disclosure is required pursuant to 31 U.S.C. 1352. This information will be available for public inspection. Any person who fails to file the required disclosure shall be subject to a civil penalty or not more than \$10,000 and not more than \$100,000 for each such failure.</p>	<p>Signature: _____</p> <p>Print Name: <u>Gregg K. Weiss</u> Authorized Representative</p> <p>Title: <u>Mayor</u> of Authorized Representative</p> <p>Telephone No.: <u>561-355-2202</u> Date: <u>8/22/2023</u></p>	
<p>Federal Use Only</p>	<p>Authorized for Local Reproduction Standard Form - LLL (Rev. 7-97)</p> <p>APPROVED AS TO FORM AND LEGAL SUFFICIENCY</p> <p>BY  County Attorney</p>	



Palm Tran

Administrative Offices

100 N. Congress Avenue
Delray Beach, FL 33445
(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**

Gregg K. Weiss, Mayor
Maria Sachs, Vice Mayor
Maria G. Marino
Michael A. Barnett
Marci Woodward
Sara Baxter
Mack Bernard

County Administrator

Verdenia C. Baker

*"An Equal Opportunity
Affirmative Action Employer"*

Official Electronic Letterhead

**Disclosure of Lobbying Activities
Standard Form – LLL**

Attachment A

Palm Beach County Board of County Commissioners
FTA Recipient ID 1098

Federal Action Number:

10a. Name and Address of Lobbying Registrant:
(2 companies selected)

1. Becker and Poliakoff, P.A.
Omar Franco
1275 K Street, N.W., Suite 850
Washington, DC 20005
2. Thorn Run Partners
James Davenport
100 M Street, SE-Ste.750
Washington, DC 20003

NOTICE OF PUBLIC HEARING

RE: APPLICATION FOR FEDERAL CAPITAL ASSISTANCE GRANTS

Notice is hereby given that the Palm Beach County Board of Commissioners (BCC) intends to apply for FY2023 Section 5307, and Section 5339 Capital Assistance Grant from the Federal Transit Administration (FTA) as generally described below. A Public Hearing has been scheduled for the purpose of receiving comments regarding these projects. The Public Hearing will be held as follows:

DATE: Tuesday, August 22, 2023
 TIME: 9:30 a.m.
 LOCATION: Jane Thompson Memorial Chambers
 6th Floor, Robert Weisman Governmental Center
 301 North Olive Avenue
 West Palm Beach, FL 33401

A. DESCRIPTION OF PROPOSED PROJECTS

Please Note: The following Proposed Program of Projects for the application of Section 5307 and 5339 will be the final application for this program unless amended by the BCC on August 22, 2023.

<u>CAPITAL ASSISTANCE</u>	<u>FEDERAL SHARE</u>
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5307 FY 2023 Grant Allocation Summary of Projects

1) Replace Fixed-Route Buses that have reached useful life	\$8,003,917
2) Replace Paratransit vehicles that have reached useful life	\$2,000,000
3) Paratransit Service Operating	\$2,114,901
4) 3 rd Party Contracts	\$1,000,000
5) Preventive Maintenance (Tires)	\$500,000
6) Security & Safety Improvements	\$409,768
7) Preventative Maintenance	\$9,386,705

5339 FY 2023 Grant Allocation Summary of Projects

1) Replace Buses that have reached useful life	\$1,996,083
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B. RELOCATION

No persons, families or businesses will be displaced by the projects.

C. ENVIRONMENT

The projects will allow Palm Tran to continue providing public transportation services within Palm Beach County that will continue to reduce exhaust emissions from automobiles and reduce air pollution traffic congestion and conserve energy.

D. COMPREHENSIVE PLANNING

The projects are in conformance with comprehensive land use and transportation planning in the area. The projects are included in the Five Year Transportation Improvement Program (TIP) adopted by the Palm Beach County Metropolitan Planning Organization (MPO).

E. ELDERLY AND HANDICAPPED

Reduced fares for the elderly and handicapped will continue to be in effect at all times of operation.

At the hearing BCC will afford the opportunity for interested parties or agencies to be heard with respect to the social economic and environmental aspects of the projects including requirements under the Clean Air Act the Federal Water Pollution Control Act and other applicable Federal Environmental Statues and consistency with the goals of local urban planning. Interested persons may submit orally or in writing evidence and recommendations with respect to said projects.

Written comments will be received at Palm-Comments@pbcgov.org or at Palm Tran, 100 N. Congress Avenue, 2nd Floor, Delray Beach, FL 33445, until Friday August 18, 2023. Voice comments will be accepted at 561-841-4360 until 5:00 p.m. Friday, August 18, 2023.

A draft copy of the Project Application will be available for public inspection at the Palm Tran offices located at 100 N. Congress Avenue, 2nd Floor, Delray Beach, FL 33445 and Palm Tran's Website www.PalmTran.org

To request information in a language other than English, or to request assistance for individuals with disabilities please contact the comment line at: 561-841-4360.

Para solicitar información en idiomas distintos al inglés, si requiere un intérprete en la audiencia pública, o para solicitar asistencia para una persona con discapacidades, por favor déjenos un mensaje en el (561) 841-4360, o nos puede contactar en palm-comments@pbcgov.org

Pou mande enfòmasyon sa a nan yon lang ki pa angle, oswa si ou bezwen akomodasyon espesyal anba Lwa sou Ameriken ak Andikap tanpri kontakte liy kòmantè a nan: 561-841-4360 oswa palm-comments@pbcgov.org

(To be published on August 11, 2023)

23-0830

BGEX 542 072023*1591

BOARD OF COUNTY COMMISSIONERS
PALM BEACH COUNTY
BUDGET TRANSFER

FUND 0001 General Fund

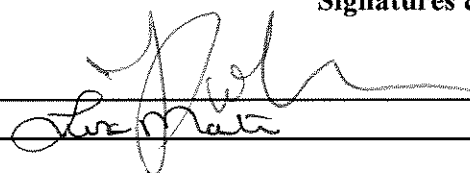
ACCOUNT NUMBER	ACCOUNT NAME	ORIGINAL BUDGET	CURRENT BUDGET	INCREASE	DECREASE	ADJUSTED BUDGET	EXPEND/ENC As of 7/19/2023	REMAINING BALANCE
EXPENDITURES								
820-9900-9901	Contingency Reserves	20,000,000	17,291,650	11,501,606	0	28,793,256	0	28,793,256
820-9100-9063	Tr to Palm Tran Operations Fd 1340	69,731,375	69,991,291		11,501,606	58,489,685	38,074,355	20,415,330
	Total Appropriations & Expenditures			<u>11,501,606</u>	<u>11,501,606</u>			

Signatures & Dates

Palm Tran

INITIATING DEPARTMENT/DIVISION

Administration/Budget Department Approval
OFMB Department - Posted



 Steve Maitz 8/1/2023

By Board of County Commissioners
At Meeting of August 22, 2023

Deputy Clerk to the
Board of County Commissioners

23-0831

BGRV 800*072023*538

BOARD OF COUNTY COMMISSIONERS
PALM BEACH COUNTY
BUDGET TRANSFER

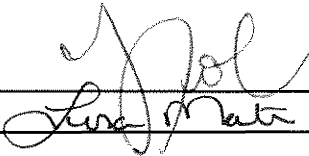
FUND 1340 PALM TRAN OPERATIONS

ACCOUNT NUMBER	ACCOUNT NAME	ORIGINAL BUDGET	CURRENT BUDGET	INCREASE	DECREASE	ADJUSTED BUDGET	EXPEND/ENC As of 7/19/2023	REMAINING BALANCE
REVENUE								
800 8000 8000	Tr Fr General Fund Fd 0001	69,043,143	67,404,503		11,501,606	55,902,897		
800 5003 8064	Tr Fr Palm Tran Grants Fd 1341	0	0	2,114,901	0	2,114,901		
800-5140-8064	Tr Fr Palm Tran Grants Fd 1341	0	9,386,705	9,386,705		18,773,410		
Total Receipts & Balances				<u>11,501,606</u>	<u>11,501,606</u>			

Signatures & Dates

Palm Tran

INITIATING DEPARTMENT/DIVISION
Administration/Budget Department Approval
OFMB Department - Posted



 8/1/2023

By Board of County Commissioners
At Meeting of August 22, 2023

Deputy Clerk to the
Board of County Commissioners

23-0832

BGRV 542 071923*537
 BGEX 542 071923*1589

BOARD OF COUNTY COMMISSIONERS
 PALM BEACH COUNTY, FLORIDA
 BUDGET AMENDMENT

FUND 1341 PALM TRAN GRANTS

ACCOUNT NUMBER	ACCOUNT NAME	ORIGINAL BUDGET	CURRENT BUDGET	INCREASE	DECREASE	ADJUSTED BUDGET	EXPEND/ENC As of 7/19/2023	REMAINING BALANCE
REVENUES								
542-5565-3142	Federal Transit Admin Assist	0	0	25,411,374	0	25,411,374		
	Total Receipts & Balances	55,579,798	71,553,067	25,411,374	0	96,964,441		
EXPENDITURES								
542-5565-6401	Machinery & Equipment	0	0	12,409,768	0	12,409,768	0	12,409,768
542-5565-3401	Other Contractual Services	0	0	1,000,000	0	1,000,000	0	1,000,000
542-5565-5213	Tires	0	0	500,000	0	500,000	0	500,000
820-5565-9063	Tr To Palm Tran Operations Fd	0	0	11,501,606		11,501,606	0	11,501,606
	Total Appropriations & Expenditures	55,579,798	71,553,067	25,411,374	0	96,964,441		

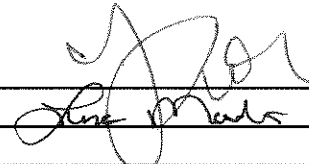
Signatures & Dates

Palm Tran

By Board of County Commissioners
 At Meeting of August 22, 2023

INITIATING DEPARTMENT/DIVISION

Administration/Budget Department Approval
 OFMB Department - Posted



8/11/2023

Deputy Clerk to the
 Board of County Commissioners