

PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS

AGENDA ITEM SUMMARY

=====

Meeting Date: September 17, 2024 Consent Regular

Department: Palm Tran Ordinance Public Hearing

=====

I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to:

A) Adopt a resolution of the Board of County Commissioners (BCC), of Palm Beach County, Florida, approving the submission of the FY2025 Section 5311, Formula Grants for Rural Areas Program (CFDA 20.509) grant application in the amount of \$651,827 to partially offset the operational costs for the Go Glades, and

B) Authorize the Mayor of the Board of County Commissioners to execute the grant application, supporting documents, and assurances, that do not substantially change the scope of work, terms or conditions of the agreement.

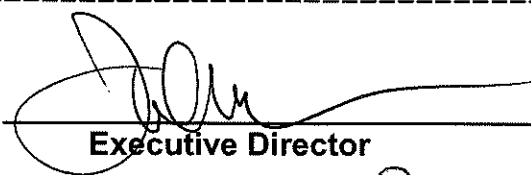
Summary: FDOT has notified Palm Tran of the availability of Section 5311 grant funds for mass transit operating assistance in non-urbanized areas. If awarded, the grant will partially offset the operating costs of Go Glades service. The application is for \$651,827 in grant funds which require a local match of 50% or \$651,827 for a total project cost of \$1,303,654. The grant match is included in Palm Tran's proposed FY 2025 Budget.


The grant application requires broader indemnification by the County than that approved by PPM CW-F-049. The resulting grant agreement will require the County and its officers, agents, or employees 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 or performance of this agreement. The indemnification obligation must also be passed on to contractors and/or consultants. The Risk Management Department and County Attorney's Office have reviewed the indemnification requirements of this grant and advised staff accordingly. Given that liability is limited to County's non-compliance or performance of this agreement and the statutory caps of Section 768.28, Florida Statutes, staff recommends Board approval. Countywide (MM)

Background and Justification: FDOT has been designated by Florida's Governor to administer the Section 5311, Formula Grants for Rural Areas Program. Objectives of the funding for intercity bus service 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. This is an annual formula-based grant.

Attachments: 1. Resolutions (2 copies)
2. Section 5311 Grant Application Packet (2)

=====

Recommended By:  _____ Date: 9/14/24
Executive Director

Approved By:  _____ Date: 9/16/24
Assistant County Administrator

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2024	2025	2026	2027	2028
Capital Expenditures					
Operating Costs	\$1,303,654				
External Revenues	(\$651,827)				
Program Income(County)					
In-Kind Match(County)					
NET FISCAL IMPACT	\$651,857				
#ADDITIONAL FTE POSITIONS (CUMULATIVE)					

Is Item Included in Current Budget? Yes No
 Is this item using Federal Funds? Yes No
 Is this item using State Funds? Yes No


Budget Account No:

Fund Dept Unit Object Program

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

If the Grant is awarded, the required match will be met using ad- valorem funded expenses in 1340-540-5050 (FDU). FDOT will issue a grant agreement that will be submitted for BCC Execution and the budget will be amended to recognize the award.

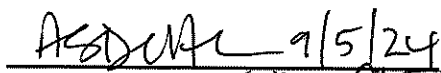
C. Departmental Fiscal Review:



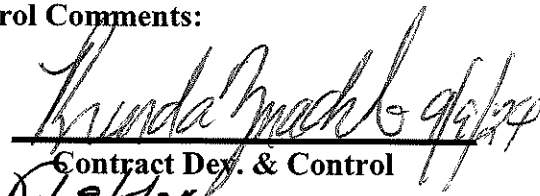
 Lyne, Director Administrative Services

III. REVIEW COMMENTS:

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



 OFMB 9/5/24
 AA 9/5
 AMF 9/5
 VS 9/5



 Contract Dev. & Control
 9/5/24

B. Legal Sufficiency



 9/10/24
 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 (BCC), OF PALM BEACH COUNTY, FLORIDA, APPROVING THE SUBMISSION OF THE FY2025 SECTION 5311, FORMULA GRANTS FOR RURAL AREAS PROGRAM (CFDA 20.509) GRANT APPLICATION IN THE AMOUNT OF \$651,827, TO PARTIALLY OFFSET THE OPERATIONAL COSTS FOR THE GO GLADES SERVICE IN THE LAKES REGION, AS ADMINISTERED BY THE FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT), 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. Section 5311(f).
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:

Commissioner Maria Sachs, Mayor	_____
Commissioner Maria G. Marino, Vice Mayor	_____
Commissioner Gregg K. Weiss	_____
Commissioner Michael Barnett	_____
Commissioner Marci Woodward	_____
Commissioner Sarah Baxter	_____
Commissioner Mack Bernard	_____

The Mayor thereupon declared the resolution duly passed and adopted this

_____ day of _____, 2024.

APPROVED AS TO FORM AND LEGAL SUFFICIENCY

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COMMISSIONERS

Joseph Abruzzo, Clerk and Comptroller

By: _____
Palm Beach County Attorney

By: _____
Deputy Clerk



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**

Maria Sachs, Mayor

Maria G. Marino, Vice Mayor

Gregg K. Weiss

Michael A. Barnett

Marci Woodward

Sara Baxter

Mack Bernard

County Administrator

Verdenia C. Baker

*"An Equal Opportunity
Affirmative Action Employer"*

Official Electronic Letterhead

**STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION
49 U.S.C Section 5311 GRANT APPLICATION FFY2025**

Palm Beach County Board of County Commissioners submits this Application for the Section 5311 Program Grant (Off-Cycle) and agrees to comply with all assurances and exhibits attached hereto and by this reference made a part thereof, as itemized in the Checklist for Application Completeness.

Palm Beach County Board of County Commissioners 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 the FDOT and all of its officers, agents and employees from any claim, loss, damage, cost, charge, or expense 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 17th day of September, 2024 with an original resolution or certified copy of the original resolution authorizing the Mayor to sign this Application.

Palm Beach County Board of County Commissioners (Palm Tran)
Agency Name

Signature (blue ink)

Maria Sachs, Mayor

Typed Name and Title of Authorized Representative

September 17, 2024
Date

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 dated **17th day of September, 2024**:

- 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.

September 17, 2024 Date

Signature of Authorized Representative

Maria Sachs, Mayor Typed Name and Title of Authorized Representative

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.

Executed this 17 day of September, 2024

Signature of Authorized Representative

Maria Sachs, Mayor

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.

September 17, 2024
Date

Maria Sachs, Mayor
Name and title of authorized representative

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	5311 Operating funds for Rural Areas, Provider Palm Tran, Inc.	None	ATU Local 1577

APPROVED AS TO FORM AND LEGAL SUFFICIENCY

By: _____

Palm Beach County Attorney

Leasing Certification

Memorandum for FTA 5311

Date: September 17, 2024

From: Maria Sachs, Mayor (Authorized Representative)

Signature: _____

Palm Beach County Board of County Commissioners

Typed or printed agency name

To: Florida Department of Transportation, District Office Modal Development Office/Public Transit

Subject: FFY20 and/or FFY 21 GRANT APPLICATION TO THE FEDERAL TRANSIT ADMINISTRATION, OPERATING OR CAPITAL GRANTS FOR RURAL AREAS PROGRAM, 49 UNITED STATES CODE SECTION 5311

Leasing:

Will the Palm Beach County Board of County Commissioners, as applicant to the Federal Transit Administration Section 5311 Program, lease the proposed vehicle(s) or equipment out to a third-party?

No

Yes

If yes, specify to whom:

NOTE: It is the responsibility of the applicant agency to ensure District approval of all lease agreements.

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 **17** day of **September, 2024**

Maria Sachs, Mayor

Name and title of authorized representative

Signature of authorized representative

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): <input type="text"/> * Other (Specify): <input type="text"/>
* 3. Date Received: 08/17/2024	4. Applicant Identifier: <input type="text"/>	
5a. Federal Entity Identifier: <input type="text"/>	5b. Federal Award Identifier: <input type="text"/>	
State Use Only:		
6. Date Received by State: <input type="text"/>	7. State Application Identifier: <input type="text"/>	
8. APPLICANT INFORMATION:		
* a. Legal Name: Palm Beach County Board of County Commissioners		
* b. Employer/Taxpayer Identification Number (EIN/TIN): 59-60000785	* c. UEI: XL2DNFMPCR44	
d. Address:		
* Street1: 301 North Olive Ave	<input type="text"/>	
Street2:	<input type="text"/>	
* City: West Palm Beach	<input type="text"/>	
County/Parish:	<input type="text"/>	
* State: FL; Florida	<input type="text"/>	
Province:	<input type="text"/>	
* Country: USA: UNITED STATES	<input type="text"/>	
* Zip / Postal Code: 33401-4705	<input type="text"/>	
e. Organizational Unit:		
Department Name: <input type="text"/>	Division Name: <input type="text"/>	
f. Name and contact information of person to be contacted on matters involving this application:		
Prefix: <input type="text"/>	* First Name: Claudia	
Middle Name: <input type="text"/>	<input type="text"/>	
* Last Name: Salazar	<input type="text"/>	
Suffix: <input type="text"/>	<input type="text"/>	
Title: Grants & Capital Project Analyst		
Organizational Affiliation: <input type="text"/>		
* Telephone Number: 561 841 4241	Fax Number: <input type="text"/>	
* Email: csalazar@pbcgov.org		

FFY2024 SFY2025 Section 5311 Grant Application - Palm Beach County - Palm Tran

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:

20.509

CFDA Title:

Formula Grants for Rural Areas

*** 12. Funding Opportunity Number:**

FFY2024_SFY2025 FTA Section 5311

*** Title:**

Section 5311 Program Formula Grants for Rural Areas

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:**

Operating Assistance for Fixed Route service in the Rural Area of Palm Beach County, Florida as provided by Palm Tran, Inc.

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="651,827.00"/>
* b. Applicant	<input type="text" value="651,827.00"/>
* 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="1,303,654.00"/>

*** 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 18, 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:

Proof of Local Match

Source	Amount
The required match is included In Palm Tran's FY2025 Proposed Budget	\$651,827
Grant Application	\$1,303,654
Required Match 50%	\$651,827
Total Project Cost	\$1,303,654

The Palm Beach County Board of County Commissioners, certifies of affirms it has allocated sufficient funds to satisfy the match requirements of this grant application.

The required match is included in the proposed budget
1343-540-6100

September 17, 2024

Date

Signature of Authorized Representative

Maria Sachs, Mayor

Typed Name of Authorized Representative