



RON DESANTIS
GOVERNOR

Florida Department of Transportation

KEVIN J. THIBAUT, P.E.
SECRETARY

March 16, 2021

NOTICE OF GRANT AWARD FFY 2020

SECTION 5339 Bus and Bus Facilities

Congratulations, based on your application for federal assistance under the Federal Transit Administration's 49 U.S.C. Section 5339 Program, the Florida Department of Transportation (Department) hereby makes the following federal grant award to:

Name of Entity:	Levy County BOCC
Address:	970 E Hathaway Avenue, Bronson, Florida 32621
FEIN:	596000717
DUNS:	082643511
Entity's Fiscal Period (Start/End Date):	October 1, 2020/September 31, 2021
FM#:	439255-2-94-17
Federal Award Identification Number (FAIN):	1001-2019-14
Vendor number: (as registered in My Florida Marketplace)	596000717063
Federal Award Date:	11/30/2020

Below are the *estimated*, not actual, project costs of your federal award:

Capital Item Description	Estimated Federal Share
Bus less than 30 Ft.	\$87,675
Totals:	\$87,675

Florida Department of Transportation

Award Approved by: _____ Date: _____

Name and Title: Doreen Joyner-Howard, D2 Freight, Logistics and Passenger Operations Manager

FDOT will purchase all vehicles awarded to successful applicants per FDOT's *Guidelines for Acquiring Vehicles*.

The agency is responsible for purchasing awarded equipment in accordance with the Procurement Guidance for Transit Agencies Handbook (overview in **Exhibit 3**). If the procurement procedures in this handbook are not followed, the agency will not be eligible for reimbursement.

Initial Here to Acknowledge: _____

If actual costs are greater than the estimated total cost, it will be the responsibility of your 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.

Initial Here to Acknowledge: _____

Please contact the FDOT Contractor, Lazara Stinnette, at 813-974-0695 or lstinnette@cutr.usf.edu to arrange purchase of the above items. All orders must be placed by May 15th following the execution of the NOGA.

The value of this Federal award for a passenger vehicle(s) and/or equipment should be considered noncash assistance. As a sub-recipient of this Federal award your Agency may be subject to the single audit requirements established by OMB Circular A-133, for fiscal years beginning before December 26, 2014, and the requirements of 2 CFR Part 200, Subpart F – Audit Requirements, for fiscal years beginning on or after December 26, 2014.

Exhibit 1 and **Exhibit 2** to this Notice of Grant Award provide the required Federal award identification and information needed to comply with the single audit requirements. When determining amounts of Federal awards expended in a fiscal year your Agency must consider all sources of Federal awards, including noncash contributions.

ACCEPTANCE OF GRANT AWARD

(To be completed and signed by the person authorized to accept Grant Awards. Please return to FDOT District Office Project Manager).

The undersigned accepts the above described award and:

_____(Initial Here) a. Reaffirms its assurances to FTA and FDOT as stated in Exhibits D, FDOT Certifications and Assurances, and G, Federal Certifications and Assurances, of its application.

_____(Initial Here) b. Requests purchase of the vehicles/equipment in _____ month / _____ year.

Agency: Levy County BOCC

Accepted by: _____ Date: _____

Printed Name and Title: Levy County Board of County Commissioners

**EXHIBIT 1 – FEDERAL FINANCIAL ASSISTANCE (SINGLE AUDIT ACT)
FEDERAL RESOURCES AWARDED PURSUANT TO THIS AGREEMENT ARE AS
FOLLOWS:**

CFDA No.: 20.526

CFDA Title: Bus and Bus Facilities Formula Program

Award Amount: Refer to the Vehicle/Equipment delivery notice package for actual purchase price

Awarding Agency: Florida Department of Transportation

Indirect Cost Rate: Not Applicable

****Award is for R&D:** Not Applicable

**Research and Development as defined at §200.87, 2 CFR Part 200

**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:**

49 USC 5339: Grants for buses and bus facilities

<http://uscode.house.gov/browse.xhtml>

FTA Circular 5100.1: Bus and Bus Facilities Formula Program: Guidance and Application
Instructions

[FTA Circular 5100.1](#)

Federal Funding Accountability and Transparency Act (FFATA) Sub-award Reporting System
(FSRS)

www.fsrs.gov

EXHIBIT 2 – SINGLE AUDIT REQUIREMENTS

The administration of resources awarded through the Department to the Levy County BOCC by this Agreement may be subject to audits and/or monitoring by the Department. The following requirements do not limit the authority of the Department to conduct or arrange for the conduct of additional audits or evaluations of Federal awards or limit the authority of any State agency inspector general, the State of Florida Auditor General or any other State official. The Levy County BOCC shall comply with all audit and audit reporting requirements as specified below.

- a. In addition to reviews of audits conducted in accordance with 2 CFR Part 200, Subpart F – Audit Requirements, monitoring procedures may include but not be limited to on-site visits by Department staff and/or other procedures including, reviewing any required performance and financial reports, following up, ensuring corrective action, and issuing management decisions on weaknesses found through audits when those findings pertain to Federal awards provided through the Department by this Agreement. By entering into this Agreement, the Levy County BOCC agrees to comply and cooperate fully with any monitoring procedures/processes deemed appropriate by the Department. The Levy County BOCC further agrees to comply and cooperate with any inspections, reviews, investigations or audits deemed necessary by the Department, State of Florida Chief Financial Officer (CFO) or State of Florida Auditor General.
- b. The Levy County BOCC, a non-Federal entity as defined by 2 CFR Part 200, Subpart F – Audit Requirements, as a subrecipient of a Federal award awarded by the Department through this Agreement is subject to the following requirements:
 - i. In the event the Levy County BOCC expends a total amount of Federal awards equal to or in excess of the threshold established by 2 CFR Part 200, Subpart F – Audit Requirements, the Levy County BOCC must have a Federal single or program-specific audit for such fiscal year conducted in accordance with the provisions of 2 CFR Part 200, Subpart F – Audit Requirements. **Exhibit 1** to this Agreement provides the required Federal award identification information needed by the Levy County BOCC to further comply with the requirements of 2 CFR Part 200, Subpart F – Audit Requirements. In determining Federal awards expended in a fiscal year, the Levy County BOCC must consider all sources of Federal awards based on when the activity related to the Federal award occurs, including the Federal award provided through the Department by this Agreement. The determination of amounts of Federal awards expended should be in accordance with the guidelines established by 2 CFR Part 200, Subpart F – Audit Requirements. An audit conducted by the State of Florida Auditor General in accordance with the provisions of 2 CFR Part 200, Subpart F – Audit Requirements, will meet the requirements of this part.
 - ii. In connection with the audit requirements, the Levy County BOCC shall fulfill the requirements relative to the auditee responsibilities as provided in 2 CFR Part 200, Subpart F – Audit Requirements.

- iii. In the event the Levy County BOCC expends less than the threshold established by 2 CFR Part 200, Subpart F – Audit Requirements, in Federal awards, the Levy County BOCC is exempt from Federal audit requirements for that fiscal year. However, the Levy County BOCC must provide a single audit exemption statement to the Department at FDOTSingleAudit@dot.state.fl.us no later than nine months after the end of the Levy County BOCC's audit period for each applicable audit year. In the event the Levy County BOCC expends less than the threshold established by 2 CFR Part 200, Subpart F – Audit Requirements, in Federal awards in a fiscal year and elects to have an audit conducted in accordance with the provisions of 2 CFR Part 200, Subpart F – Audit Requirements, the cost of the audit must be paid from non-Federal resources (i.e., the cost of such an audit must be paid from the Levy County BOCC's resources obtained from other than Federal entities).
- iv. The Levy County BOCC must electronically submit to the Federal Audit Clearinghouse (FAC) at <https://harvester.census.gov/facweb/> the audit reporting package as required by 2 CFR Part 200, Subpart F – Audit Requirements, within the earlier of 30 calendar days after receipt of the auditor's report(s) or nine months after the end of the audit period. The FAC is the repository of record for audits required by 2 CFR Part 200, Subpart F – Audit Requirements, and this Agreement. However, the Department requires a copy of the audit reporting package also be submitted to FDOTSingleAudit@dot.state.fl.us within the earlier of 30 calendar days after receipt of the auditor's report(s) or nine months after the end of the audit period as required by 2 CFR Part 200, Subpart F – Audit Requirements.
- v. Within six months of acceptance of the audit report by the FAC, the Department will review the Levy County BOCC's audit reporting package, including corrective action plans and management letters, to the extent necessary to determine whether timely and appropriate action on all deficiencies has been taken pertaining to the Federal award provided through the Department by this Agreement. If the Levy County BOCC fails to have an audit conducted in accordance with 2 CFR Part 200, Subpart F – Audit Requirements, the Department may impose additional conditions to remedy noncompliance. If the Department determines that noncompliance cannot be remedied by imposing additional conditions, the Department may take appropriate actions to enforce compliance, which actions may include but not be limited to the following:
1. Temporarily withhold cash payments pending correction of the deficiency by the Agency or more severe enforcement action by the Department;
 2. Disallow (deny both use of funds and any applicable matching credit for) all or part of the cost of the activity or action not in compliance;
 3. Wholly or partly suspend or terminate the Federal award;

4. Initiate suspension or debarment proceedings as authorized under 2 C.F.R. Part 180 and Federal awarding agency regulations (or in the case of the Department, recommend such a proceeding be initiated by the Federal awarding agency);
5. Withhold further Federal awards for the Project or program;
6. Take other remedies that may be legally available.

- vi. As a condition of receiving this Federal award, the Levy County BOCC shall permit the Department, or its designee, the CFO or State of Florida Auditor General access to the Levy County BOCC's records including financial statements, the independent auditor's working papers and project records as necessary. Records related to unresolved audit findings, appeals or litigation shall be retained until the action is complete or the dispute is resolved.
- vii. The Department's contact information for requirements under this part is as follows:

Office of Comptroller, MS 24
605 Suwannee Street
Tallahassee, Florida 32399-0450
FDOTSingleAudit@dot.state.fl.us

- c. The Levy County BOCC shall retain sufficient records demonstrating its compliance with the terms of this Agreement for a period of five years from the date the audit report is issued and shall allow the Department, or its designee, the CFO or State of Florida Auditor General access to such records upon request. The Levy County BOCC shall ensure that the audit working papers are made available to the Department, or its designee, the CFO, or State of Florida Auditor General upon request for a period of five years from the date the audit report is issued unless extended in writing by the Department.

EXHIBIT 3 – PROCUREMENT PROCESS OVERVIEW

This information is intended to provide guidance on the processes for procurements when using state and federal dollars. Procurements should be in accordance with Chapter 287, Florida Statutes (F.S.), Chapter 60A, Florida Administrative Code (F.A.C.) and the Federal Transit Administration (FTA) Best Practices Procurement Manual. Additionally, geographic preferences are prohibited when procurements involve federal funds [reference: 49 CFR 18.36 (c)(1)(2) and FTAC 4220.1F, Ch. VI, Section 2.a(4)(g)].

Third Party Contracts refer to a recipient's contract with a vendor or contractor, including procurement by purchase order or purchase by credit card, which is financed with Federal assistance awarded by FTA.

An agency should submit their procurement request to the District Representative for approval prior to completing the purchase. To complete the procurement request, the agency should follow these steps:

1. Determine the funding source (i.e. – federal, state, or local funds)
2. Determine type of procurement being requested (Examples are located in the Procurement Guidance for Transit Agencies Handbook)
 - Professional Services/Architectural Engineering Services
 - Operations/Management/Sub-recipients
 - Rolling Stock
 - Construction
 - Materials and Supplies
3. Determine level of procurement method
 - Micro Purchase–Procurements less than \$2,500
 - Small Purchases–Procurements greater than \$2,500 but less than \$35,000
 - Competitive Procurements–Procurements greater than \$35,000
 - Other methods listed in the Procurement Guidance for Transit Agencies Manual
4. Ensure that all potential vendors/contractors will accept the applicable federal clauses that relate to the procurement.
5. Complete the sub-recipient Procurement Checklist
6. Complete the appropriate third party checklist from the Procurement Guidance for Transit Agencies Handbook. The checklist should notate where the applicable clause can be found in the supporting documentation.

For procurements that are categorized as a “Small Purchase”, a sample Vendor Small Purchase letter is in the Procurement Guidance for Transit Agencies Handbook. Agencies may utilize this letter as a template when third party agreements/contracts are necessary. This will ensure that the third party (vendor or contractor) accepts the applicable federal clauses.

Connie Conley

From: annebrownlevy <annebrownlevy@bellsouth.net>
Sent: Friday, March 19, 2021 2:10 PM
To: Connie Conley
Cc: Susan P. Haines
Subject: Re: 2020/2021

Connie,

I reviewed the NOGA and it is legally sufficient to go on the 4/6 agenda. Please note that the date information on the page for Acceptance of Grant Award needs to be filled in before the chair initials/signs. Please provide the original to Susan prior to the agenda deadline. If it is already in our box at the Annex, she will get it on Monday. Since I will not be in the office to sign off on the NOGA itself, you can rely on this email to act as evidence of my review and finding that the NOGA is legally sufficient.

Susan, this is for the 5339 '20-'21. Please look over the 5339 '20-21 file for entries from earlier about a NOGA that was issued and processed. Those notes/entries should be linked to the 5339 '19-20 file from when we received the NOGA on that grant. Please move things to the appropriate file. Thank you.

-Anne

Anne Bast Brown
County Attorney
Levy County
612 East Hathaway
Bronson, FL 32621
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annebrownlevy@bellsouth.net

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On Thursday, March 18, 2021, 03:29:48 PM EDT, Connie Conley <conley-connie@levycounty.org> wrote:

Ms. Anne,

Attached is the Notice of Grant Award for 2020/2021 for your review and approval. If possible, I need to present to the board for approval at the April 6 meeting. I will drop off the original documents tomorrow morning.

Thanks,