Application Checklist

The following information must be included in the final JARC or New Freedom application packet to be considered complete. Incomplete applications will be disqualified after the application deadline has passed. Six (6) copies of the application must be submitted on 8 ½ x 11 inch paper and bounded with a paper clip or black binder clip **and** in electronic format on a CD. Failure to provide either will disqualify project from consideration.

ALL PROJECT APPLICATIONS MUST BE **RECEIVED** AT THE SOUTH FLORIDA REGIONAL TRANSPORTATION AUTHORITY OFFICE BY **DECEMBER 21, 2012 AT 12:00 NOON EST.**

- ☒ Signed Application Checklist
- ☒ Section 1: Summary of Application
- ☒ Section 2: Applicant, Existing Services, and Service Area
- ☒ Section 3: Project Information
- ☒ Section 4: Coordination
- ☒ Section 5: Implementation and Scalability
- ☒ Section 6: Project Management and Reporting
- ☒ Section 7: Additional Information - Operating Projects Only
- ☒ Section 8: Additional Information - Capital/Mobility Management Projects Only
- ☒ Section 9: Summary of Project Cost
- ☒ Section 10: Letters of Support
- ☒ Exhibit A1: Resolution by Applicants with a Governing Board
- ☐ Exhibit A2: Certification by Applicants without a Governing Board
- ☐ Exhibit B: Public Hearing
- ☐ Exhibit C: Single Audit Act
- ☒ Exhibit D: Federal Certifications and Assurances
- ☒ Exhibit E: Civil Rights Requirements
- ☒ Exhibit F: Procurement

☒ Exhibit G: Restrictions on Lobbying

☒ Exhibit H: Milestone Information

Name: Charles Faranda
(Individual authorized to execute contracts with South Florida Regional Transportation Authority)

Signature: _____

Date: 1-31-2013

SECTION 1: SUMMARY OF APPLICATION

Application Type

Please indicate whether this is a JARC or New Freedom Application. CHECK ONLY ONE PROGRAM. If both Program boxes below are checked, the application may be deemed ineligible.

☒ Section 5316 – Job Access and Reverse Commute (JARC)
☐ Section 5317 – New Freedom

Applicant Name and Contact Information

Name of Applicant	City of Lauderhill
Contact Person	Jane Sullivan
Address	5320 NW 25 Court; Lauderhill, FL 33313
Email	jsullivan@lauderhill-fl.gov
Phone Number	786-290-6848

Organization Type

☒ Local Government Authority
☐ Private Non-Profit Organization *(please attach IRS 501(c)(3) documentation of non-profit status)*
☐ Public Operator of Public Transportation Services
☐ Private Operator of Public Transportation Services

Partnering Organization and Contact Information (Indicate N/A if not applicable)

Partnering Organization	N/A
Contact Person	
Address	
Email	
Phone Number	

Project Type (Place an X in the appropriate box). For a detailed list of eligible projects, please refer to Appendix B: JARC and NF Eligible Projects.

Capital Only	
Operating Only	X
Capital & Operating	
Mobility Management/Coordinated Planning	

Project Information

Project Name	Lauderhill Job Access & Reverse Commute Shuttle (L-JARCS) Project-
Service Area	
Start Date	October 1, 2014
Total Project Cost	
JARC/NF Funding Requested	**$729,252.00**
Number of Years for Which Funding Requested	2
Total Local Match	**$364,626.00**

IMPORTANT: Cost information provided in the above table will be used when the projects are evaluated and funding is requested for successful projects from FTA.

To the best of my knowledge, all information in this application is true and accurate. The document has been duly authorized by the governing body or authorized representative of the applicant and the applicant will comply with any certifications and assurances if the fund is awarded.

Signature of Authorized Representative	
Printed Name of Authorized Representative	Charles Faranda, City Manager
Date	1-31-2013

SECTION 2: APPLICANT, EXISTING SERVICES, AND SERVICE AREA

1) **Provide a brief description of the applicant and its background with implementing this type of project.**

Background:
The City of Lauderhill's Transportation Department had five (5) established bus routes with connectors to Broward County Transit system. Due to economic conditions and administrative constraints the City reduced operating hours to 36 hours a week. However, the City was fortunate to receive operating funds last year from JARC to increase operating hours for the five (5) routes from 36 hours a week to 60 hours a week as well as establish two (2) new routes for our annexed areas that previously did not have transporation access for work commuting.

Experience:
In 2007 the City of Lauderhill received funds from Florida Department of Transportation U.S.C. Section 5310 to purchase a bus through the Florida Vechical Procurement Program (now known as TRIPS transit research inspection procurement services) to provide transportation services for Elderly and Disabled. Since 2007 the City has provided a yearly average of 11,684 ambulatory and 5,312 non-ambulatory passenger trips for the eldernly and disabled persons.

In 2012 the City of Lauderhill received $822,182 from JARC to expand the hours of 5 existing bus routes and to add 2 new bus routes. The Agreement start date was October 1, 2012 and the ridership has significantly increased (see Attachment C).

2) **Provide a brief description of the applicant's existing services.**

The City of Lauderhill is currently operating seven (7) bus routes that include extended morning and evening hours to accommodate job access/work commute for eligible residents free of charge.

3) **Provide a brief description of the existing service area (provide demographic, economic, and geographic information).**

The existing service geographical area is the City of Lauderhill. According to the US Census, Lauderhill is 8.53 square miles with a population of 70,649 comprised of approximately 28,000 households. The City is 97% built-out with mostly residential and apartment properties and some businesses. Since 2008, The volume of vacant homes and apartments has resulted in significant financial challenges for the City. 24% of the population is below Federal Poverty Level as well as 74% of the population is low-income according to US Housing & Urban Development (HUD) income

limits for Broward County. Please refer to ATTACHMENT C for demographics broken down by Bus Route and Census Tract and ATTACHMENT G for job profile demographics.

SECTION 3: PROJECT INFORMATION

4) **Project Title:** Lauderhill Job Access & Reverse Commute Shuttle (L-JARCS) Project

5) **Specify the type of project.**
   - ☒ Continuation of an Existing JARC/NF Project
   - ☐ Expansion of an Existing Project not previously funded through JARC/NF
   - ☐ Existing fixed route service not previously funded through JARC
   - ☐ New Project

6) **Provide a description of the project.** For projects seeking operating assistance, provide details of proposed routes, schedules, and trip coordination strategies. For capital projects, explain the quantity and type of assets to be procured, use, useful life, and whether assets are expansion or replacement assets. If the project has multiple elements (i.e., operating, mobility management, capital), please include a description of how these elements relate to each other.

The City of Lauderhill is seeking funds to continue our existing JARC grant (which consists of extended operating hours for five (5) community bus routes and creation of two (2) new routes). Our grant began October 1, 2012 and has already seen an increase in ridership. (Community bus schedule is on-line at www.lauderhill-fl.gov and Attachment H is copy of schedule brochure)

Routes and Schedules
Routes 1 to 4 - serving east, central and west Lauderhill - previously ran 8 hours a day 8:00am to 4:00pm. Routes 1 to 4 have been extended an additional 4 hours per day to run 6:30am to 6:30pm.

Route 5 - serving east Lauderhill - runs counterclockwise to Route 1 and previously ran 10:30am to 6:30pm the hours have been extended to an additional 4 hours per day to run 8:30am to 8:30pm

Routes 6 and 7 - serving Lauderhill's annexed ares of West Ken Lark, Broward Estates and St. George - were newly created routes to run 8 hours per day from 7:00am to 11:00am and 3:00pm to 7:00pm. Since the beginning of the routes - October 1, 2012 - the increase in ridership has been an average of 70% thus providing a previously unmet need made possible through the JARC grant.

Coordination
Broward County Transit's (BCT) "Lauderhill Transfer Facility" (LTF) is the hub for Routes 1 and 5 as well as the newly added routes 6 and 7. From LTR riders can take BCT Route 40, which connects to Broward Central Terminal, where access to almost all of Broward County is available. Riders can also transfer at the LTF to BCT Route 18, which runs along State Road 7/US 441 from Sandlefoot boulevard in Palm Beach County to the Golden Glades Park and Ride lot. From the golden Glades Park and Ride Lot, a shuttle rider has transit options allowing connection to major employment centers, including downtown Miami, Miami International airport, and south Miami/University of Miami via the Metro Mover. From Sandalfoot Grove, a shuttle rider could transfer to Palm Tram and have access to locations throughout Palm Beach County.

7) **Identify target population(s) of the project.** Cite any studies conducted and the corresponding recommendations that contributed to the development of the project. Explain how the project will be marketed to those populations. If the project will serve others in addition to the target population, specify how you will assure that the target population will be given priority on all project activities and how the availability of service to the target population will not be compromised by the provision of services to those other than the target population.

Target Population
The population to be served is the City of Lauderhill's labor force which are predominately low-income and welfare to work individuals (ATTACHMENT C - 74%).

Marketing.
The City of Lauderhill will market in our newsletter that is mailed to all residents, Bus Schedules at BCT's Lauderhill transit Facility, Bus Schedules placed at all Parks, and Schedules placed at all Workforce One Locations. Additionally, periodic public service messages about the new bus schedules on the City's radio station and periodic inserts in the City's water bill will be conducted.

Studies
In 2010, the Broward County Commission adopted the Broward County Transportation Comprehensive Operational Analysis. The operational analysis found that almost 75% of BCT passengers were between 23 and 54 years old (i.e., the labor force population), that the typical BCT customer has a low household income with over 65% reporting less than $20,000 per year, that almost 45% do not own a car, and that the work trip (60%) was the most common purpose for BCT customers (see Attachment G). It also found that roughly half of the community bus riders earn less than $15,000 per year and over 40% do not own a vehicle. The City's L-JARCS project will assist the City in improving access to employment for low-income individuals and welfare recipients and improving access to suburban employment opportunities for residents of urbanized areas.

The Job Profile Map (ATTACHMENT G) reflects a large portion of our workforce living east of SR7/US441, which are the St. George, West Ken Lark and Broward Estate communities. These communities were annexed in 2006 and had not received community transportation services prior to annexation. Therefore, the City conducted a survey (ATTACHMENT D) showing destinations and frequency of Broward Transit ridership. Since these communities are more heavily populated with working households of low-income status (ATTACHMENT C - census tract 412 and 413 at 85% & 80%), their work commute transportation needs are under-represented.

Priority.
The City's Transportation Division monitors all 7 bus routes and collects data that includes the number of riders on an hourly basis by route and the daily number of boarding's by location. The estimated number of jobs are accessed as a result of geographic coverage of the JARC program, with access being defined as the number of jobs located within ¼ mile radius of the bus route or connection to another public transit related route. The estimated number of one-way rides provided as a result of the JARC program based on periodic rider surveys. To avoid reporting inefficiencies, the Transportation Division will use the same evaluation criterion used by Broward County in evaluating the performance of routes, that is, a minimum of 7.3 riders per hour. In addition, at least one day every three months a survey will be taken to determine the number of riders per hour using the shuttle for job access and reverse commute purposes. If the survey

shows that different hours of operation are needed, the City will make appropriate changes to the routes so as to meet the evaluation criteria.

8) Please specify the unmet needs this project is designed to meet and how those unmet needs were identified.

Unmet needs were identified through four different sources: The Broward County Transportation Disadvantaged Service Plan (TDSP), the Broward MPO Long Range Transportation Plan (LRTP), the BCT Comprehensive Operational Analysis and the City's experience in operating the community shuttle route program.

The TDSP (see Attachment I) found that based on US Census Bureau 2008 estimates, the disabled, elderly and economically disadvantaged populations comprise approximately 48 percent of Broward's population. It further found that the unmet needs of the economically disadvantaged and low-income individuals include: jobs that will provide income and benefits and transportation. Our L-JARCS project assists the city of Lauderhill in addressing the identified unmet needs of the economically disadvantaged by expanding the hours of operation within existing areas served by the City's fixed route bus service and by serving three new annexed areas, Broward Estates, West Ken Lark and St. George, with unemployment rates of 15 to 26%.

Low-income population needs:
84% of the Cities population meet the Housing & Urban Development (HUD) income guidelines for low-income. The City has extended bus shuttle hours to early morning – 6:00am – and late evening – 8:00pm to accommodate low-income persons need for transportation to and from work. The US Census Bureau shows that the majority travel time to work from our 7 bus routes is between 6:00am and 9:00am (refer to Attachment C).

For the 3 year period when the City operated 7 community shuttle routes – 2005, 2006, 2007 – the average annual ridership was 334,100 trips. The first 3 months of operation – October, November and December – with the assistance of the JARC grant received in 2012, the City has already met 18% of the previous ridership trips.

Homeowner Associations in the City's annexed areas - Broward Estates, West Ken Lark and St. George - have requested bus shuttle services in the past. With the assistance of the JARC grant received in 2012 the City was able to provide two new routes (route 6 & 7) to meet the unmet needs of these communities. The ridership count from October 1, 2012 to December 31, 2012 has grown over 70% each month. This proposal requesting an extension of the JARC funds for 2 additional years will significantly impact the City's ability to continue to meet this unmet need (see Attachment E).

9) **Does the project address at least one (1) strategy identified in the local Coordinated Plan? (The Coordinated Plans of Broward, Miami-Dade, and Palm Beach Counties can be found on the SFRTA website at www.sfrta.fl.gov/grants)**

☒ Yes
☐ No

If YES, list the strategies in the local Coordinated Plan that your project conforms with. List the name of the Coordinated Plan, conforming goal, and page number.

Broward County Disadvantaged Service Plan, November 2010: Goal 3, Page 15 Strategy #2: Utilize surveys to receive feedback from riders and to maintain quality service.

10) **Describe the geographic boundaries of the project. Applicants must attach a map (8.5 x 11) depicting the project boundaries.**

Attached are 2 maps. Attachment A represents routes 1 - 5 and Attachment B represents new routes 6 and 7.

11) **Estimate the number of low-income population (JARC) and individuals with disabilities (NF) that will be served by the project.** Provide an explanation as to how the estimate was determined.

51,257 represents the total amount of residents that will be served by the project. Please refer to Attachment C citing US Census data. The total population per census tract times the percentage of low-income households gives an estimate of the total amount of residents that will be served.

SECTION 4: COORDINATION

12) **Explain how your organization coordinated with existing public transportation providers to develop the project.** Identify other transportation providers that currently operate similar services to the target population within the project area. How do you plan to prevent the duplication of services? Discuss anticipated formal agreements, arrangements to coordinate services, joint funding initiatives, the pooling of resources and any other coordination efforts planned or already initiated.

Broward County Transit (BCT) serves as the provider of public bus service within its jurisdictional boundries. The BCT bus network is comprised of 37 local fixed-route services and 3 limited-stop "Breeze" routes, which overlay existing local service along high-volume corridors. BCT carries roughly 40 million passengers each year. BCT operates out of three terminals, one of wich is located within the City of Lauderhill at the Lauderhill Mall, located on the west side of SR-7/US

441 and north of Sunrise Boulevard. The Lauderhill Transfer Facility (LTF) services 4 BCT fixed routes – 18, 36, 40, and 81 and one limited route, the 441 Breeze. The LTF also servces as the hub for various fixed route community shuttle, including the City of Lauderdale Lakes, the City of Plantation and the Ft. Lauderdale Housing Authority.

Broward County has executed interlocal agreements with 20 municipalities to operate 46 community bus routes, including the City of Lauderhill. The City of Lauderhill's 7 fixed route shuttles provide local circulation to passengers traveling short distances, as well as provide "first-mile" and "last-mile" connections to BCT fixed routes. The formal agreement provides that the County will provide $15 per revenue hour for the operation of the community shuttles and will lease a shuttle to the City for one dollar per year.

The City of Lauderhill, through its Transportation Division operates a community shuttle program with 7 fixed routes. Routes 1, 5, 6 and 7 connect to the LTF and the Inverrary Falls Shuttle hub, which services fixed route community shuttles for the City of Lauderdale Lakes and various independent shuttle providers, such as the Forest Trace Assisted Living Facility. Routes 2 and 3 are looped routes that begin and terminate at the Inverrary Falls Shuttle hub. Route 4 connects the Inverrary Falls Shuttle hub to the Tamara Community Center, which serves the two fixed route shuttles operated by the City of Tamarac.

The City has coordinated and jointly filed its application with the City of Lauderdale Lakes, the City of Plantation, and City of Tamarac (receiving approval to use the Tamarac Community Center as a hub for City Shuttle route 4).

The City of Lauderhill has an agreement with Limosines of South, Florida, Inc. to operate the 7 community shuttle routes.

By coordinating with the County and adjoining Cities, the City has prevented duplication of services.

13) **Explain how your organization coordinated with <u>human service transportation providers and/or other private non-profit/for-profit operators to develop the project</u>.** Identify other human service transportation providers and/or other private non-profit/for-profit operators that currently operate similar services to the target population within the project area. How to you plan to prevent the duplication of services? Discuss anticipated formal agreements, arrangements to coordinate services, joint funding initiatives, the pooling of resources and any other coordination efforts planned or already initiated.

Our request for funding is to provide job access and reverse commute to low-income and Welfare-to-Work populations. There are no other human service transportation providers that provide services for this target population. TOPS of Broward County provides services for a very small amount of persons with disabilities but that is not the majority of our target population.

SECTION 5: IMPLEMENTATION AND SCALABILITY

14) **Please provide the number of months needed upon receipt of award to begin providing services to the project's target population.** Identify the activities that have been completed thus far to develop the project. Provide a schedule for project implementation and complete the Milestone Information Form provided in Exhibit H. If your service is dependent upon the purchase of vehicles, use the vehicle anticipated delivery date as your starting point to determine the number of months needed to begin initiation of service.

The City is requesting an Extension of a current JARC grant that was awarded in July of 2012 and that will be completed September 2014. If the award for continuation of services is given in July of 2013, then 15 months will be needed upon receipt of award to continue providing services starting October 1, 2014. Since this is a "continuation" the award dates will overlap with the completion dates, thus allowing for completing the original JARC requirements 9/2014 and starting new JARC requirements 10/2014 so that there will be no breaks in service.

15) **Provide evidence of financial capability to implement the project.** Please note that no advance payments will be made by SFRTA to applicants under any circumstances.

The City of Lauderhill funds our shuttle bus services from general revenues as well as partial funding (40%) from Broward County for 36 hours base operations of routes 1 to 5. With the savings afforded through this arrangement, the City can provide - through general revenue - the funds necessary to match the extended hours and 2 new bus routes.

16) **Could the project be implemented on a more limited scope with less funding?**

☐ Yes
☒ No

If YES, please describe in detail how your project could be scaled down with less funding. Please provide specific funding scenarios.

SECTION 6: PROJECT MANAGEMENT AND REPORTING

17) **How will the project be monitored and evaluated on an ongoing basis? What criteria will be used to establish the success of the project?**

The City's Transportation Division currently monitors the seven (7) community shuttle routes. The information collected includes the number of riders on an hourly basis by route and the daily number of boardings and alightings by location.

The estimated number of jobs that that can be accessed as a result of geographic or temporal coverage of the JARC program, with access being defined as the number of jobs located within ¼ mile radius of the JARC route or connection from a JARC route to another public transit related route (see Attachment F)

The estimated number of one-way rides provided as a result of the JARC program based on periodic rider surveys (see Attachment D)

To avoid reporting inefficiencies, Lauderhill's Transportation Division will use the same evaluation criterion used by Broward County in evaluating the performance of routes, that is, a minimum of 7.3 riders per hour. In addition, at least one day every three months a survey will be taken to determine the number of riders per hour using the shuttle for job access and reverse commute purposes.

Please note that the FTA requires that the following measures be reported on by program:

JARC

- *Actual or estimated number of jobs that can be accessed as a result of geographic or temporal coverage of JARC projects implemented in the current reporting year.*
- *Actual or estimated number of rides (as measured by one-way trips) provided as a result of the JARC projects implemented in the current reporting year.*

New Freedom

- *Services provided that impact availability of transportation services for individuals with disabilities as a result of the New Freedom projects implemented in the current reporting year. Examples include geographic coverage, service quality and/or service times.*
- *Additions or changes to environmental infrastructure (e.g., transportation facilities, sidewalks, etc), technology, vehicles that impact availability of transportation services as a result of the New Freedom projects implemented in the current reporting year.*
- *Actual or estimated number of rides (as measured by one-way trips) provided for individuals with disabilities as a result of New Freedom projects implemented in the current reporting year.*

18) **Does your organization have experience in administering federal grants? Your response should include the following:**
    - Details of federally funded grants that your agency has managed.
    - Procedures your organization has developed for implementing a Civil Rights Program.

Yes. The City has experience in administering federal grants:
1. US Department of Energy: "Energy Efficiency Conservation Block Grant" $595,200 Activities include: Revolving Loan Program, Purchase and Installation of Energy Efficient HVAC, LED Lighting for Construction of Performing Arts Center.
2. US Department of Agriculture "Emergency Watershed Protection Grant" (EWP) $4,173,333 Activities included fixing 3 canal's head wall to stop erosion of residents back yards due to

Hurrican Wilma. Additionally, Due to Hurricane Sandy, received another EWP grant $55,000 to fix flooding from culvert at 50th Street.

3. Department of Transportation "Job Access & Reverse Commute" Grant $822,182 for operational assistance in extending hours and adding two new routes.

4. Florida Highway Administration "Transportation Enhancement Grants" $583,390 Greenway grant

5. Florida Highway Administration three "Transportation Enhance Grants" $255,000; $448,800 and $275,925 For Bus Shelters along University Avenue; SR7/US441 and Oakland Park Boulevard

6. Department of Transportation "Local Agency Program" $678,405 to install dark sky compliant street lighting and stamped pavers on SR7/US441 and lighting and path improvements continuing from SR7 down 11th Place.

7. Department of Transportation two grants for Federal Assistance under U.S.C.5310 $98,457 and $90,000 to purchase 2 busses that provide on-demand and fixed services for elderly and disabled.

8. Department of Environmental Protection's Drinking Water State Revolving Loan Fund which 75% of loan was a grant through "American Recovery and Reinvestment Act (ARRA)" grant funds $1,689,240 for a Disfenction System Upgrade for the City's Water Treatment Plant.

9. Housing & Urban Development (HUD) Neighborhood Stabilization Program (NSP) round 1 and round 3 $4,293,288 and $1,500,609 to provide rental units, new home buyer assistance funds, and new home construction activities.

Because the City receives Federal Funds from: The Department of Transportation, Department of Environmental Protection, Federal Emergency Management Agency, US Department of Justice, US Departmetn of Energy and US Housing & Urban Development these Federal Agencies require the City has Civil Rights Plan. The City created Policy and Procedures that is reviewed periodically by these agencies for compliance. (see Attachment J for city's policy)

19) Describe your agency's ability to manage the project, including its financial and human resources, and its institutional capacity.

The City has full-time Grant, Finance, Human Resource and Transportation staff of over 12 employees that have experience in managing Bus Transportation services since 2005.

20) Describe your agency's financial management system, including accounting software and accounting system.

The Comprehensive Annual Financial Report (CAFR) of the City of Lauderhill, Florida, is submitted annually as mandated by both local ordinances and state statutes. The CAFR is prepared in conformance with the principles and standards for financial reporting set forth by the Governmental Accounting Standards Board (GASB). Audits are conducted in accordance with generally accepted auditing standards (GAAS) by a firm of licensed certified public accountants. The City adhers to FTA Circular 4220.1f for procurement policies.

SECTION 7: ADDITIONAL INFORMATION OF OPERATING PROJECTS

Questions 21 - 29 apply to projects that include an operations element. If your project does not include an operations element, please skip to question 30.

21) Indicate how the proposed service will be operated.

☐ Applicant will operate service
☒ Service will be contracted out (explain how an operator will be selected).

The City currently has contract with Limosines of South Florida.

Per City Procurement Policies, the City uses bidding process for the lowest responsible bidder for Contracts over $20,000. The City adheres to FTA Circular 4220.1F for procurement policies.

22) If the proposed project is the continuation of an existing JARC/NF funded project, is the project currently meeting its main objectives including serving target population ridership projections?

Yes the City is meeting and exceeding it's main objectives to service it's targeted population. (See Attachment E for the first quarter of our existing JARC grant – October, November & December).

23) If the proposed project is an expansion of an existing project, explain how the expanded project will differ from the current service with respect to service coverage area, hours of service, trip purpose, or level of service.

N/A

24) Explain how the project you are seeking funding for differs from other services in the area with respect to service coverage area, hours of service, trip purpose, or level of service.

Our project provides routes that are connectors to other hubs or Broward Transit routes, hence; we provide service coverages that are not provided for by other transportation systems. Our hours of service for populations are geared specifically for transportation to work and are not duplicated nor offered by any other feeder services in the area.

25) **Explain what connections the project provides to key destinations and activity centers, particularly those destinations that present opportunities for employment assistance or employment. Be as specific as possible in identifying significant destinations.**

The bus routes are scheduled to provide transportation to over 40 key desintations and activity centers that present opportunities for employment assistance or employment such as major retailers, commercial businesses and social service agencies. (See Attachment K for a list of our key destinations and activitiy centers.)

26) **Explain how this project provides access to other transportation services that go beyond the project's proposed geographic boundary.**

Attachment L shows the key destinations and activity centers that can be accessed through transportation services provided by other municipal governments or their agencies. These other transportation services are accessed from transit hubs or terminals. The list of destinations and activity centers were compiled from the "Points of Interest" shown on the respective Community Bus Service Routes and Timetables brochure. A total of 8 routes go beyond the proposed L-JARC's projects geographic boundary and that these routes allow direct connections to 6 destinations, 25 activity centers and 4 destination & activity centers. It is important to note that one route connects to the Broward Central Terminal, which allows connections to the major employment centers in Downtown and Midtown Ft. Lauderdale. From the Broward Central Terminal, one can connect to a Tri-Rail Station, which provides riders with transportation access to the major employment centers and public service agency providers in Miami-Dade County.

Attachment M shows the key destinations and activity centers that can be accessed through transportation services provided by Broward County Transit (BCT). BCT transportation services are accessed from transit hubs or terminals. It is important to note that Route 40 connects to the Broward Central Terminal, which allows connections to the major employment centers in Downtown Ft. Lauderdale. Additionally, one can connect to a Tri-Rail Station, which provides riders with transportation access to major employment centers in Miami-Dade County, Miami International Airport, and Palm Beach County.

27) **Provide the projected ridership in the table below.**

PROJECTED RIDERSHIP (12-month period)

Program	Target Population	Current Ridership (one-way trips)	Projected Ridership (one-way trips)
JARC	Low Income/Welfare	143005	213824

New Freedom	Individuals with Disabilities		
	Other	80440	96276
	TOTAL	143005	213825

Explain how the ridership was determined.

Over the past two years the average annual ridership was 223,445 trips. The US Census Bureau estimated 64 percent of the City's population was low income and that 20.4 percent were welfare recipients. Assuming that 64 percent of the average annual ridership is low income, then the current one-way ridership of low-income persons is 143,005. The other ridership would equal 80,440.

Over the 3 year period when the City operated Route 6, only 27,090 trips or 9,030 trips per year were generated. The City believes that bifurcating this route and making other improvements could result to a return to the 334,100 annual trips. Assuming that 64 percent of this average annual ridership is low income, then the projected one-way ridership of low income persons could be 213,824. The other ridership would equal 120,276.

28) Summarize operating funding request in the table below. Please round all numbers to the nearest dollar.

OPERATING FUNDING REQUEST (50%/50% Match Required)

	12-month period	24-month period (maximum allowable)
Total Operating Cost (all eligible operating costs)	$	$729252
Less Project Revenues (Fare box)	$(0)	$(0)
Net Project Cost	$	$729252
Local Share Requirement (50% of Net Project Cost)	$	$364626
Request for Operating Funding	$	$364626

If the funding request is for any other duration, clearly state the project duration.

Provide supplementary budget sheets to illustrate how the total operating cost was derived. If funding is sought for multiple routes, cost estimates must be provided for individual routes. Failure to provide necessary details to justify the project cost may result in rejection of the application.

If the funding request is for expanding an existing service that currently does not receive JARC/NF funding; only the expansion portion of the project is eligible for JARC/NF funding consideration.

Please see Attachment N for Budget Detail Description

29) Based on the projected ridership and operating cost, estimate the cost per one-way trip.

Based on a projected ridership of 334,100 annual one-way trips and an annual budget of $906,000 the estimated cost is $2.71 per one-way trip. This compares favorably with Broward County Transit (BCT) which charges $1.75 for a regular one-way trip but then subsidizes that trip in an amount equal to $1.69 for a total of $3.44.

33) For each element identified in question #32, please explain the major items that are included in the cost estimate and how the estimate was derived.

SECTION 9: SUMMARY OF PROJECT COST

Questions 34-36 apply to all projects.

34) Provide the requested information in the following table for the year you are requesting funds. Transfer the information from questions 28, 30, and 32 as appropriate for the funding request. If a request is for less than 12 months please note the funding period in terms of months. Please round all numbers to the nearest dollar.

We are respectfully requesting a two-year extension as indicated in the table below:

TOTAL FUNDING REQUEST

Eligible Project Activities		Year 1Request			Year 2 Request		
		Federal Funding	Local Match	Total Net Cost	Federal Funding	Local Match	Total Net Cost
Operating – 50% Match Required	Funds are to continue existing JARC grant for an additional 2 years	$182313	$182313	$364626	$182313	$182313	$364626
		$	$	$	$	$	$
Capital – 20% Match Required		$	$	$	$	$	$
		$	$	$	$	$	$
		$	$	$	$	$	$
		$	$	$	$	$	$
Mobility Management / Planning – 20% Match Required		$	$	$	$	$	$
	TOTAL	$182313	$182313	$364626	$182313	$182313	$364626

35) **Indicate the source of local match for each year that funding is requested.** If local match funds are being derived from an existing grant, please attach a copy of the grant agreement/contract or supporting documentation. Also, explain how stable the local match funding source is.

The sources for the match are local option gas taxes and general revenue taxes. Broward County shares the local option gax tax with municipalities. A copy of the contract is included as Attachment . The remaining costs are covered through the City's general revenues.

36) Is there a commitment of funds beyond the requested grant period? ☐ Yes ☒ No
If yes, please explain the nature of the commitment.
If no, please explain the steps you will take to attain sustainability.

The City has provided community shuttle bus services since 2005 to meet the demands of it's residents. The city will continue to allocate funding to provide the extended hours as well as the two new routes as long as there is a public demand for the services and as long as the number of riders are met and surveys indicate the hours of operation are required, the City will make any necessary adjustments. The City will continue to search for potential grant funding in future years if it becomes available.

SECTION 10: LETTERS OF SUPPORT

Letters of Support

All letters of support must be submitted with the application. Letters should indicate the nature of support (financial, participation, coordination, etc.).

Indicate if letters of support are included. ☒ Yes ☐ No

APPLICANT SIGNATURE

I certify, to the best of my knowledge, that the information in this application is true and accurate and that this organization has the necessary fiscal, data collection, and managerial capability to implement and manage the projects associated with this application.

Applicant Agency	City of Lauderhill
Project Title	Lauderhill Job Access Reverse Commute Project (L-JARC's)
Name of Signatory	Charles Faranda
Title of Signatory	City Manager

Authorized Signature

1-31-2013
Date

EXHIBIT A1: RESOLUTION BY APPLICANTS WITH A GOVERNING BOARD

Exhibit A1 (see next page) must be completed by all applicants with a Governing Board. The resolution must clearly identify the person who is authorized to enter into an agreement with SFRTA if the proposed project is awarded a JARC/NF grant. Further, the resolution must certify the availability and source of local match. Failure to provide an executed resolution along with the completed application will result in rejection.

EXHIBIT C: SINGLE AUDIT ACT

All non-Federal entities that expend $500,000 or more of Federal awards in a year are required to obtain an annual audit in accordance with the Single Audit Act as described in OMB Circular A-133. A single audit is intended to provide a cost-effective audit for non-Federal entities in that one audit is conducted in lieu of multiple audits of individual programs. The Single Audit's objective is to provide assurance to the Federal government as to the management and use of such funds by recipients. A Single Audit encompasses an examination of a recipient's financial records, financial statements, federal award transactions and expenditures, the general management of its operations, internal control systems, and federal assistance it received during the audit period.

To determine if your agency is subject to the Single Audit Act, please select the appropriate statement(s) below regarding your agency's current use of Federal funds.

A. ☐ Receives $500,000 or more for the current fiscal year from all Federal sources.
B. ☒ Does not receive $500,000 or more in Federal funds for the current fiscal year from all Federal sources combined.
C. ☐ Receives ONLY Section 5316 and/or Section 5317-funded vehicles/equipment.

If you checked option A, then your agency is subject to the Single Audit Act and the following requirements must be satisfied:

1. A copy of the applicant's most recent audit report must be submitted with the application if this was not done previously. The report should be marked "Exhibit C."
2. If the most recent audit report was previously sent to the SFRTA, the date submitted should be shown in "Exhibit C" in the application.
3. Applicants that received a Section 5316 and/or a Section 5317 award in the last fiscal year should include a copy of the pages from the annual audit that indicates the auditor specifically tested for Section 5316 and/or Section 5317 requirements and certifies compliance.

(Type name and title of authorized individual) _____ (Signature of authorized individual) _____ (Date)

If you checked option B and/or C, then your agency is not subjected to the Single Audit Act. The applicant must certify the following:

1. Will not receive $500,000 or more for the current Fiscal Year from all federal sources combined, and is, therefore, exempt from the Single Audit Act as described in OMB A-133; and
2. In the event the applicant does receive $500,000 or more in total from all federal sources during the current fiscal year, the applicant will comply with the Single Audit Act and submit to the SFRTA a copy of its most recent audit conducted in compliance with the Act.

(Type name and title of authorized individual) _____ (Signature of authorized individual) 1-31-2013 (Date)

EXHIBIT D: FEDERAL CERTIFICATIONS AND ASSURANCES

To ensure compliance with various federal requirements, sub-recipients of JARC and New Freedom funds are required to sign Federal Certifications and Assurances for FTA Assistance Programs as part of the application, and these are reviewed as part of the overall application review process. The Federal Register Notice is revised annually and is usually available around January 1 of each year. Applicants may obtain a copy of the current year document through http://www.fta.dot.gov/documents/2012_Certs_Appendix_A.pdf. If unable to access the form, applicants may contact SFRTA for assistance.

The last page (Appendix A) of the annual Federal Register Notice that applies to Federal Certifications and Assurances provides applicants with a signature page. An individual authorized by the applicant's governing board and its attorney must certify compliance with the requirements of the various Federal Transit Administration grants or cooperative agreements. The appropriate signed Federal certification/assurance form must be included in the application when it is submitted to the South Florida Regional Transportation Authority. Blue ink is suggested as it distinguishes an original signature from a photocopied signature.

The FY 2012 Certifications and Assurances for FTA Assistance Programs list 24 Groups. To make a single selection of certifications and assurances, place an "X" at the top of Appendix A next to the statement that reads: "The Applicant agrees to comply with applicable provisions of Groups 1-24."

EXHIBIT E: CIVIL RIGHTS REQUIREMENTS

As a condition of receiving Federal Transit Administration Section 5316 or 5317 program funds through the South Florida Regional Transportation Authority (SFRTA), sub-recipients must comply with the requirements of the US Department of Transportation's Title VI regulations. The purpose of Title VI is to ensure that no person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance. Sub-recipients are also responsible for ensuring compliance of each third party contractor at any tier of the project.

REQUIREMENT TO DEVELOP TITLE VI PROGRAM

All successful sub-recipients must submit a Title VI program to the SFRTA. Please refer to the Title VI circular that can be found at http://www.fta.dot.gov/documents/FTA_Title_VI_FINAL.pdf for specific information on developing a Title VI program. Below are some of the elements that should be included in your TITLE VI program.

REQUIREMENT TO DEVELOP TITLE VI COMPLAINT PROCEDURES

Sub-recipients must develop procedures for investigating and tracking Title VI complaints filed against them and make their procedures for filing a complaint available to members of the public upon request.

REQUIREMENT TO RECORD TITLE VI INVESTIGATIONS, COMPLAINTS, AND LAWSUITS

Sub-recipients must prepare and maintain a list of any active investigations conducted by entities other than FTA, lawsuits, or complaints naming the sub-recipient that allege discrimination on the basis of race, color, or national origin.

REQUIREMENT TO PROVIDE MEANINGFUL ACCESS TO LIMITED ENGLISH PROFICIENCY PERSONS

Sub-recipients must take responsible steps to ensure meaningful access to the benefits, services, information, and other important portions of their programs and activities for individuals who are Limited English Proficient (LEP). To this end sub-recipients may develop and carry out a language implementation plan. Certain sub-recipients, such as those serving very few LEP persons or those with very limited resources may choose not to develop a written LEP plan. However, the absence of a written LEP plan does not obviate the underlying obligation to ensure meaningful access by LEP persons to a recipient's program or activities. Sub-recipients electing not to prepare a written language implantation plan should consider other ways to reasonably provide meaningful access.

REQUIREMENT TO NOTIFY BENEFICIARIES OF PROTECTION UNDER TITLE VI

Sub-recipients must provide information to the public regarding their Title VI obligations and apprise members of the public of the protections against discrimination afforded to them by Title VI. Sub-recipients that provide transit service shall disseminate this information to the public through measures that can include but shall not be limited to a posting on the agency's Web site.

DISADVANTAGED BUSINESS ENTERPRISE REQUIREMENTS

It is the policy of SFRTA that Disadvantaged Business Enterprises (DBE), as defined in 49 CFR Part 26, shall have the maximum opportunity to participate in the performance of contracts. SFRTA will never exclude any person from participation in, deny any person the benefits of, or otherwise discriminate against anyone in connection with the award and performance of any contract covered by 49 CFR Part 26 on the basis of race, color, sex, or national origin.

Sub-recipients are encouraged to take all necessary and reasonable steps to ensure that DBE's have the maximum opportunity to compete for and perform services on contracts, including participation in any subsequent supplemental contracts. If the sub-recipient intends to subcontract a portion of

the services on the project, sub-recipient is encouraged to seek out and consider DBE's as potential subcontractors, by soliciting their interest, capability, and qualifications.

EXHIBIT F: PROCUREMENT

FTA has developed Circular 4220.1F "Third Party Contracting Guidance" to assist its recipients and their sub-recipients in complying with the various Federal laws and regulations that affect their FTA-assisted procurements. This document is located at www.fta.dot.gov/documents/FTA_Circular_4220.1F.pdf.

FTA C 4220.1F sets forth the requirements a sub-recipient must adhere to in the solicitation, award and administration of its third party contracts. FTA encourages sub-recipients to review their written procurement policies to ensure that they are in compliance with FTA C 4220.1F.

Applicants should also reference FTA's Best Practices Manual located at www.fta.dot.gov/grants/13054_6037.html.

EXHIBIT G: RESTRICTIONS ON LOBBYING

Pursuant to the Byrd Anti-Lobbying Amendment, 31 U.S.C. 1352, as amended by the Lobbying Disclosure Act of 1995, P.L. 104-65 [to be codified at 2 U.S.C. § 1601, et seq.] - Contractors who apply or bid for an award of $100,000 or more shall file the certification required by 49 CFR part 20, "New Restrictions on Lobbying." Each tier certifies to the tier above that it will not and has not used Federal appropriated funds to pay any person or organization for influencing or attempting to influence an officer or employee of any agency, a member of Congress, officer or employee of Congress, or an employee of a member of Congress in connection with obtaining any Federal contract, grant or any other award covered by 31 U.S.C. 1352. Each tier shall also disclose the name of any registrant under the Lobbying Disclosure Act of 1995 who has made lobbying contacts on its behalf with non-Federal funds with respect to that Federal contract, grant or award covered by 31 U.S.C. 1352. Such disclosures are forwarded from tier to tier up to the recipient.

The applicants with project value exceeding $100,000 must submit the certification regarding lobbying (see next page).

CERTIFICATION REGARDING LOBBYING

Certification for Contracts, Grants, Loans, and Cooperative Agreements
(To be submitted with each bid or offer exceeding $100,000)

The undersigned City of Lauderhill [*Firm*] 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," 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 subawards at all tiers (including subcontracts, subgrants, 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 Firm, City of Lauderhill, certifies or affirms the truthfulness and accuracy of each statement of its certification and disclosure, if any. In addition, the Firm understands and agrees that the provisions of 31 U.S.C. A 3801, et seq., apply to this certification and disclosure, if any.

_____ Signature of Firm's Authorized Official

Charles Faranda
City Manager Name and Title of Firm's Authorized Official

1-31-2013 Date

EXHIBIT H: MILESTONE INFORMATION

Use the Milestone format below for bus (vehicle) purchases. This is the required FTA format for this activity and you should not change Milestone descriptions.

Item Description or Purpose	Total Budget Amount
Bus Purchase	$
Milestone Description	*Milestone Dates*
RFP/IFB Issued	
Contract Award Date	
First Vehicle Delivery	
All Vehicles Delivered	
Contract Complete Date	

Use the format below to develop Milestones for all other budget items.

Item Description or Purpose	Total Budget Amount
	$
Milestone Description	*Milestone Dates*
RFP/IFB Issued	February 1, 2013
Contract Award Date	July 2014
Contract Complete Date	October 2016
Program Initiated	October 1, 2014
Program Review	Quarterly
Program Completed	September 30, 2016
Route Initiated	October 1, 2012
Route Review	Quarterly
Route Determination	May 1, 2013

LIST OF ATTACHMENTS AND EXHIBITS

Letters of Support:	Workforce One
	Lauderhill Central Residents Association
	Broward Estates Civic Association
	West Ken Lark Homeowners Association
Exhibit A-1	Resolution
Exhibit D	Appendix A "Certifications and Assurances for Federal Transit Administration Assistance Programs"
Attachment A	Map of Community Shuttle Bus Routes 1 through 5
Attachment B	Map of New Community Shuttle Bus Routes 6 & 7
Attachment C	Lauderhill Demographics
Attachment D	Bus Rider Survey Results
Attachment E	Lauderhill Ridership for 1st Quarter
Attachment F	Estimated Ridership for Work Commute
Attachment G	City of Lauderhill Job Profile
Attachment H	Community Shuttle Bus Brochure
Attachment I	Market Assessment from BCT Comprehensive operational Analysis
Attachment J	Civil Rights / title VI Compliance Plan
Attachment K	Lauderhill Shuttle Key Destinations
Attachment L	Other Municipal Shuttle Key Destinations
Attachment M	Broward County Transit Key Destinations
Attachment N	Budget Detail
Attachment O	Interlocal Agreement between BCT and City of Lauderhill

LETTERS OF SUPPORT

WorkForce® One
Employment Solutions

6301 NW 5th Way • Suite 3000 • Fort Lauderdale, Florida 33309
Phone 954.202.3830 Fax 954.202.3620 www.wf1broward.com

CHAIRPERSON
WorkForce One Council of Elected Officials
Mayor Jack Seiler
City of Fort Lauderdale

VICE CHAIRPERSON
WorkForce One Council of Elected Officials
Mayor Peter Bober
City of Hollywood

CHAIRPERSON PRO TEM
WorkForce One Council of Elected Officials
Commissioner Tim Ryan
Board of County Commissioners

CHAIRPERSON
Broward Workforce Development Board, Inc.
Gary Arenson

PRESIDENT/CEO
WorkForce One Employment Solutions
Mason C. Jackson

LETTER OF SUPPORT

WorkForce One and the City of Lauderhill will work together to promote participation and access to transportation services intended to increase employment outcomes for low-income and welfare-to-work individuals.

BACKGROUND

The Section 5316 Job Access Reverse Commute Program (JARC) provides local programs with funding that provides access to transportation services to employment, job training and support activities for low-income individuals and welfare recipients. The City of Lauderhill's application for this funding will provide a cost-effective employment transportation system that provides mobility to populations in underserved areas.

WorkForce One operates the three one stop career centers under the federally funded Workforce Investment Act of 1998. We also manage the work segment of welfare reform, the food stamp employment program now called SNAP and labor exchange services under the Wagner-Peyser Act. We have over 60,000 people who are looking for jobs registered in our system. We have partnered in the past with the Broward County Board of Commissioners for other Jobs Access Reverse Commute grants.

SCOPE

The City of Lauderhill's JARC application seeks to expand transportation services to meet the unmet needs of unserved and underserved populations by providing an employment transportation system responsive to their diverse mobility needs and by coordinating resources with WorkForce One to institute referral procedures that avoid duplication of services and ensure their welfare-to-work and low income clients can get to training, interviews and jobs each day.

The City of Lauderhill:

I. Will provide Bus Schedule Brochures for the central Workforce One location at 2610 Oakland Park Blvd.; Ft. Lauderdale, FL 33311

Workforce One:

I. Job Placement staff and Success Coaches will refer clients to the City of Lauderhill's transportation services.
II. Will put the availability of the services on their intranet to continually remind staff of the availability of the service
III. Will notify the city of Lauderhill for the need for more brochures.

The on-going participation of Workforce One will ensure that there is client participation in the transportation services provided by the City of Lauderhill.

Signed this 31st Day of January 2013.

Mason Jackson

Mason Jackson
President/CEO

An Equal Opportunity Employer/Program– Auxiliary aids and services are available upon request to individuals with disabilities – Florida Relay #711

Lauderhill Central Residents Association, Inc.

A Lauderhill Community

5721 NW 14th Court, Lauderhill, Florida 33313

Mr. Earl R. Hahn, AICP
Planning & Zoning Director
5581 West Oakland Park Boulevard
Suite 221
Lauderhill, Florida 33313

SUBJECT: City Job Access & Reverse Commute (JARC) Grant Application

Dear Mr. Hahn:

The City of Lauderhill Community Shuttle Route 2 serves the Lauderhill Central Residents Association neighborhood. Route 2 begins and terminates at the community shuttle transit hub at the Inverrary Falls Shopping Center on Oakland Park Boulevard/NW 60th Avenue. This route provides Lauderhill Central Residents Association residents with access to employment opportunities at said shopping center, to City Hall and to the shopping centers in proximity to City Hall. In addition, it provides access to Broward County Transit Routes 72 and 81. Route 72 connects the Sawgrass Mills Mall/Bank Atlantic Center Arena in the City of Sunrise to the Galleria Mall. Route 81 connects to both the West Regional Terminal in the City of Plantation to the Central Terminal in downtown Fort Lauderdale

As you know, due to fiscal and other constraints, the City has had to reduce from 60 to 36 hours per week the operation of these two much needed public transit service routes. According to 2009 US Bureau of Census data, the Lauderhill Central Residents Association neighborhood primarily is located within three census tract. Within Census Tract 603.02, 60.2 percent of the population is low income, 36 percent live below poverty, and 33.6 percent are welfare recipients. Further, the 2000 Census showed 34 percent have a sensory, physical or mental disability. Within Census Tract 603.03, 59.4 percent of the population is low income, 31.8 percent live below poverty, 20.4 percent are welfare recipients and the 2000 Census showed 34 percent have a sensory, physical or mental disability. Within Census Tract 603.04, 46.3 percent of the population is low income, 32.2 percent live below poverty, 29.5 percent are welfare recipients and the 2000 Census showed 33 percent have a sensory, physical or mental disability.

Mr. Hahn, in order to improve access to employment for low-income individuals and welfare recipients, to improve access to suburban employment opportunities for our residents, and to improve access to transportation services to employment, job training and support activities for welfare recipients and eligible low-income individuals, it is imperative that the City seek funding to expand the hours of operation for the public transit route serving the Lauderhill Central Residents Association neighborhood. Consequently, please accept this letter as our support for the City's JARC grant application, which would expand the hours of operation for the route providing much needed transportation services for our community during the peak hour traveling periods.

Very truly yours,

Beryl V. Collins
President

Broward Estates Civic Association, Inc.
A Lauderhill Community
621 NW 39th Avenue, Lauderhill, Florida 33311

Mr. Earl R. Hahn, AICP
Planning & Zoning Director
5581 West Oakland Park Boulevard
Suite 221
Lauderhill, Florida 33313

SUBJECT: **City Job Access & Reverse Commute (JARC) Grant Application**

Dear Mr. Hahn:

From 2005 to 2008, the City of Lauderhill operated Community Shuttle Route 6 which served, among others, the Broward Estates neighborhood. Due to fiscal and other constraints, however, the City had to discontinue providing this much needed public transit service. According to 2009 US Bureau of Census data, the Broward Estates neighborhood is located within a census tract where 49.3 percent of the population are low income, 15.6 percent live below poverty and 39.5 percent are welfare recipients. Further, the 2000 Census showed 49 percent have a sensory, physical or mental disability.

Mr. Hahn, in order to improve access to employment for low-income individuals and welfare recipients, to improve access to suburban employment opportunities for our residents, and to improve access to transportation services to employment, job training and support activities for welfare recipients and eligible low-income individuals, it is imperative that the City seek funding to re-establish a public transit route serving Broward Estates. Consequently, please accept this letter as our support for the City's JARC grant application, which would add a new route providing much needs transportation services for our community.

Very truly yours,

Jacob Greene
President

West Ken Lark Homeowners' Association, Inc.
A Lauderhill Community
1480 NW 33rd Avenue, Lauderhill, Florida 33311

Mr. Earl R. Hahn, AICP
Planning & Zoning Director
5581 West Oakland Park Boulevard
Suite 221
Lauderhill, Florida 33313

SUBJECT: City Job Access & Reverse Commute (JARC) Grant Application

Dear Mr. Hahn:

From 2005 to 2008, the City of Lauderhill operated Community Shuttle Route 6 which served, among others, the West ken Lark neighborhood. Due to fiscal and other constraints, however, the City had to discontinue providing this much needed public transit service route. According to 2009 US Bureau of Census data, the West Ken Lark neighborhood is located within a census tract where 48.2 percent of the population are low income and 26.9 percent live below poverty. Further, the 2000 Census showed 39 percent have a sensory, physical or mental disability.

Mr. Hahn, in order to improve access to employment for low-income individuals and welfare recipients, to improve access to suburban employment opportunities for our residents, and to improve access to transportation services to employment, job training and support activities for welfare recipients and eligible low-income individuals, it is imperative that the City seek funding to re-establish a public transit route serving West Ken Lark. Consequently, please accept this letter as our support for the City's JARC grant application, which would add a new route providing much needs transportation services for our community.

Very truly yours,

James Bradley
President

EXHIBITS

EXHIBIT A-1

RESOLUTION 12R-12- 269

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LAUDERHILL AUTHORIZING THE APPLICATION FOR, AND EXECUTION OF, A JOB ACCESS REVERSE COMMUTE (JARC) GRANT UNDER THE SOUTH FLORIDA REGIONAL TRANSPORTATION AUTHORITY'S GENERAL AUTHORITY FOR USE RELATED TO SHUTTLE BUSES; PROVIDING THAT THE GRANT WILL FUND 80% OF THE TOTAL COST; AUTHORIZING THE CITY TO MATCH 20% OF THE TOTAL COST; PROVIDING TERMS AND CONDITIONS; PROVIDING FOR AN EFFECTIVE DATE (REQUESTED BY CITY MANAGER, CHARLES FARANDA)

BE IT RESOLVED BY THE COMMISSION OF THE CITY OF LAUDERHILL, FLORIDA:

Section 1. The City of Lauderhill hereby authorizes the application for, and execution of, a Job Access Reverse Commute (JARC) Grant under the South Florida Regional Transportation Authority's general authority for use related to shuttle buses, a copy of which is attached hereto and incorporated herein.

Section 2. Providing that the grant will fund Eighty percent (80%) of the total costs related to shuttle buses.

Section 3. The City is hereby authorized to pay matching funds in the amount of Twenty percent (20%) of the total costs.

Section 4. The City Manager and all appropriate City officials are authorized to execute all documents necessary to fulfill the terms of this Resolution.

Section 5. This Resolution shall take effect immediately upon its adoption and passage.

DATED this 10th day of December, 2012.

PASSED AND ADOPTED on first reading this 10th day of December, 2012.

PRESIDING OFFICER

ATTEST:

DEPUTY CITY CLERK

MOTION	Bates
SECOND	Thurston
M. BATES	Yes
H. BENSON	Yes
H. BERGER	Yes
K. THURSTON	Yes
R. KAPLAN	Yes

Approved as to form

W. Earl Hall
City Attorney

City of Lauderhill, FL

Suites 141-142
5581 West Oakland Park
Blvd.
Lauderhill, FL

File Details

File Number: 12R-0251

File ID:	12R-0251	Type:	Resolution	Status:	Agenda Ready
Version:	1	Reference:		In Control:	City Manager
				File Created:	01/15/2013
File Name:	Job Access and Reverse Commute (JARC) Grant			Final Action:	

Title: RESOLUTION NO. 13R-01-18: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LAUDERHILL AUTHORIZING THE APPLICATION FOR, AND EXECUTION OF, A JOB ACCESS REVERSE COMMUTE (JARC) GRANT UNDER THE SOUTH FLORIDA REGIONAL TRANSPORTATION AUTHORITY'S GENERAL AUTHORITY REQUESTING FUNDS FOR THE CONTINUATION OF THE CITY OF LAUDERHILL'S 60-HOUR WEEKLY SERVICE WITH "NO CHARGE" FARES FOR ONE (1) ADDITIONAL YEAR; AUTHORIZING THE CITY TO PROVIDE MATCHING FUNDS IN THE AMOUNT OF $182,313.12 WHICH IS 50% OF THE TOTAL COST; PROVIDING TERMS AND CONDITIONS; PROVIDING FOR AN EFFECTIVE DATE (REQUESTED BY CITY MANAGER, CHARLES FARANDA)

Notes:

Sponsors:		Enactment Date:	
Attachments:	JARC Grant Routes1_5_2013.pdf, JARC Grant Routes6_7_2013.pdf, Grant - JARC BUS EXTEND NO FARE.pdf	Enactment Number:	
Contact:		Hearing Date:	
* Drafter:	jsullivan@lauderhill-fl.gov	Effective Date:	

History of Legislative File

Version:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:

Text of Legislative File 12R-0251

City of Lauderhill, FL

Suites 141-142
5581 West Oakland
Park Blvd.
Lauderhill, FL

Certified Copy

Resolution: 12R-0251

File Number: 12R-0251

RESOLUTION NO. 13R-01-18: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LAUDERHILL AUTHORIZING THE APPLICATION FOR, AND EXECUTION OF, A JOB ACCESS REVERSE COMMUTE (JARC) GRANT UNDER THE SOUTH FLORIDA REGIONAL TRANSPORTATION AUTHORITY'S GENERAL AUTHORITY REQUESTING FUNDS FOR THE CONTINUATION OF THE CITY OF LAUDERHILL'S 60-HOUR WEEKLY SERVICE WITH "NO CHARGE" FARES FOR ONE (1) ADDITIONAL YEAR; AUTHORIZING THE CITY TO PROVIDE MATCHING FUNDS IN THE AMOUNT OF $182,313.12 WHICH IS 50% OF THE TOTAL COST; PROVIDING TERMS AND CONDITIONS; PROVIDING FOR AN EFFECTIVE DATE (REQUESTED BY CITY MANAGER, CHARLES FARANDA)

Request Action:

A resolution asking for commission to authorize an application for and execution of a Job Access Reverse Commute Grant Application under the South Florida Regional Transportation Authorities general authority to make such grants. The application will be to continue the City's 60 hour weekly service with "no charge" fares for another year.

Need:

Job Access and reverse Commute (JARC) Grant Application rules require the City Commission adopt a resolution authorizing the City Manager to submit the application.

Summary Explanation/ Background:

On October 30, 2012 the South Florida Regional Transportation Authority (SFRTA) and the Federal Transit Administration (FTA) held a pre-application workshop for projects in the Miami Urbanized Area (i.e. Miami-Dade, Broward and Palm Beach counties) to announce the availability of $3,615,380 available for JARC and $2,084,771 for New Freedom projects. The grant application deadline is February 1, 2013 at 12:00 noon sharp.

The JARC funds are intended to improve access to employment for low-income individuals and welfare recipients and can be used for capital, operating and mobility management/coordinated planning. The New Freedom funds are to expand transportation options for persons with disabilities that go beyond American with Disability Act requirements.

This is the last year that applications will be available for the JARC Grant due to the enactment of the "Moving Ahead for Progress in the 21st Century Act (MAP-21)" signed into law by President Obama July 2012. The new act will repeal the Job Access and Reverse Commute (JARC) Grant.

December 2011, the City of Lauderhill was awarded a JARC Grant for two (2) years 2013 to 2014 to expand hours of operation for five (5) bus routes and create two (2) new routes servicing Broward Estates, St. George and West Ken Lark in order to improve access to and from employment for low-income and welfare recipients.

Based on increase in ridership on the City's seven (7) bus routes, approval to submit an application to continue the service for an additional year is being sought.

Attachments:

1. Map of Routes 1 - 5
2. Map of Routes 6 - 7

Cost Summary/ Fiscal Impact:

The grant requires a 50/50 match.

The total project cost of extended service hours for routes 1 to 5 and new routes 6 and 7 will be $364,626.24 of which SFRTA will reimburse $182,313.12 and the City will provide matching funds of $182,313.12.

The budget to be charged for this project is _____.

Estimated Time for Presentation:

Master Plan:

Goal 1: Clean, Green Sustainable Environment
[x] Increase mass transit ridership [ ] Reduce City energy consumption
[ ] Reduce water consumption

Goal 2: Safe and Secure City of Lauderhill
[ ] Crime in lower 50% in Broward [ ] Residents feel safe in neighborhood
[ ] Reduce emergency fatalities

Goal 3: Open Spaces and Active Lifestyle for all ages
[ ] Increase participation in youth sports [ ] Add new park land and amenities
[ ] Increase attendance at cultural programs and classes

Goal 4: Growing Local Economy, Employment and Quality of Commercial Areas
[ ] Increase commercial tax base [ ] Increase employment in Lauderhill businesses
[ ] Decrease noxious and blighted uses in commercial areas

Goal 5: Quality Housing at all Price Ranges and Attractive Communities
[ ] Neighborhood signs and active HOAs [ ] Housing & streets improved, litter reduced
[ ] Increase proportion of single family homes and owner occupied housing

Goal 6: Efficient and Effective City Government, Customer Focused & Values Diversity
[ ] Improves City efficiency [ ] Increase use of Information Technology

EXHIBIT D

APPENDIX A

FEDERAL FISCAL YEAR 2012 CERTIFICATIONS AND ASSURANCES FOR FEDERAL TRANSIT ADMINISTRATION ASSISTANCE PROGRAMS

(Signature page alternative to providing Certifications and Assurances in TEAM-Web)

Name of Applicant: City of Lauderhill

The Applicant agrees to comply with applicable provisions of Groups 01 – 24. ✓

OR

The Applicant agrees to comply with applicable provisions of the Groups it has selected:

Group	Description	
01.	Assurances Required For Each Applicant.	
02.	Lobbying.	
03.	Procurement Compliance.	
04.	Protections for Private Providers of Public Transportation.	
05.	Public Hearing.	
06.	Acquisition of Rolling Stock for Use in Revenue Service.	
07.	Acquisition of Capital Assets by Lease.	
08.	Bus Testing.	
09.	Charter Service Agreement.	
10.	School Transportation Agreement.	
11.	Demand Responsive Service.	
12.	Alcohol Misuse and Prohibited Drug Use.	
13.	Interest and Other Financing Costs.	
14.	Intelligent Transportation Systems.	
15.	Urbanized Area Formula Program.	
16.	Clean Fuels Grant Program.	
17.	Elderly Individuals and Individuals with Disabilities Formula Program and Pilot Program.	
18.	Nonurbanized Area Formula Program for States.	
19.	Job Access and Reverse Commute (JARC) Program.	
20.	New Freedom Program.	
21.	Paul S. Sarbanes Transit in Parks Program.	
22.	Tribal Transit Program.	
23.	TIFIA Projects	
24.	Deposits of Federal Financial Funding to a State Infrastructure Banks.	

APPENDIX A

FEDERAL FISCAL YEAR 2012 FTA CERTIFICATIONS AND ASSURANCES SIGNATURE PAGE

(Required of all Applicants for FTA funding and all FTA Grantees with an active capital or formula project)

AFFIRMATION OF APPLICANT

Name of Applicant: City of Lauderhill

Name and Relationship of Authorized Representative: Charles Faranda, City Manager

BY SIGNING BELOW, on behalf of the Applicant, I declare that the Applicant has duly authorized me to make these certifications and assurances and bind the Applicant's compliance. Thus, the Applicant agrees to comply with all Federal statutes and regulations, and follow applicable Federal directives, and comply with the certifications and assurances as indicated on the foregoing page applicable to each application it makes to the Federal Transit Administration (FTA) in Federal Fiscal Year 2012.

FTA intends that the certifications and assurances the Applicant selects on the other side of this document, as representative of the certifications and assurances, should apply, as provided, to each project for which the Applicant seeks now, or may later seek FTA funding during Federal Fiscal Year 2012.

The Applicant affirms the truthfulness and accuracy of the certifications and assurances it has made in the statements submitted with this document and any other submission made to FTA, and acknowledges that the Program Fraud Civil Remedies Act of 1986, 31 U.S.C. 3801 *et seq.*, and implementing U.S. DOT regulations, "Program Fraud Civil Remedies," 49 CFR part 31 apply to any certification, assurance or submission made to FTA. The criminal provisions of 18 U.S.C. 1001 apply to any certification, assurance, or submission made in connection with a Federal public transportation program authorized in 49 U.S.C. chapter 53 or any other statute

In signing this document, I declare under penalties of perjury that the foregoing certifications and assurances, and any other statements made by me on behalf of the Applicant are true and accurate.

Signature [signature] Date: 1-31-2013

Name Charles Faranda, City Manager
Authorized Representative of Applicant

AFFIRMATION OF APPLICANT'S ATTORNEY

For (Name of Applicant): City of Lauderhill

As the undersigned Attorney for the above named Applicant, I hereby affirm to the Applicant that it has authority under State, local, or tribal government law, as applicable, to make and comply with the certifications and assurances as indicated on the foregoing pages. I further affirm that, in my opinion, the certifications and assurances have been legally made and constitute legal and binding obligations on the Applicant.

I further affirm to the Applicant that, to the best of my knowledge, there is no legislation or litigation pending or imminent that might adversely affect the validity of these certifications and assurances, or of the performance of the project.

Signature [signature] Date: 1-31-2013

Name W. Earl Hall
Attorney for Applicant

Each Applicant for FTA funding and each FTA Grantee with an active capital or formula project must provide an Affirmation of Applicant's Attorney pertaining to the Applicant's legal capacity. The Applicant may enter its signature in lieu of the Attorney's signature, provided the Applicant has on file this Affirmation, signed by the attorney and dated this Federal fiscal year.

ATTACHMENTS

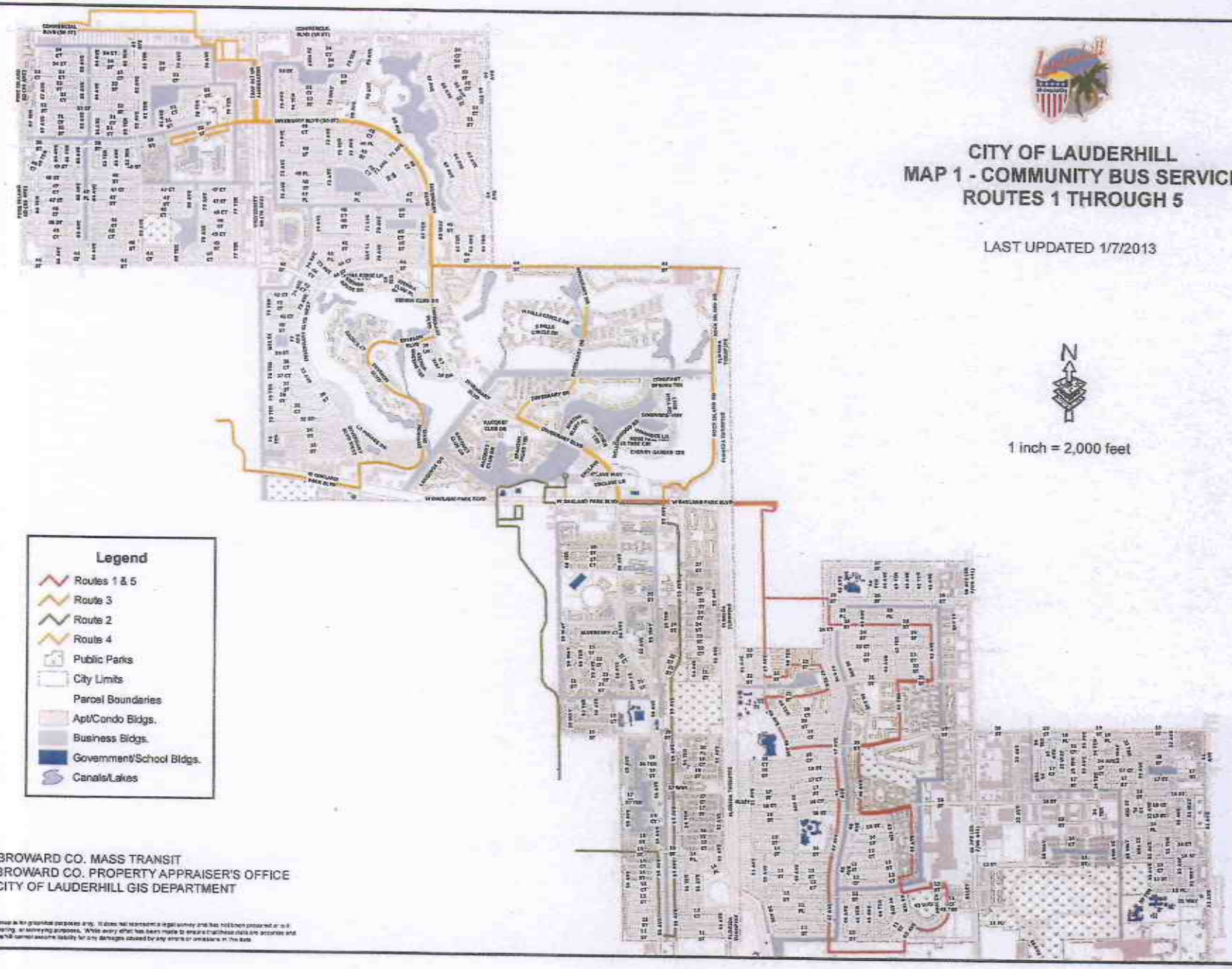
CITY OF LAUDERHILL
MAP 1 - COMMUNITY BUS SERVICE
ROUTES 1 THROUGH 5

LAST UPDATED 1/7/2013

N

1 inch = 2,000 feet

ATTACHMENT A



Legend

- Routes 1 & 5
- Route 3
- Route 2
- Route 4
- Public Parks
- City Limits
- Parcel Boundaries
- Apt/Condo Bldgs.
- Business Bldgs.
- Government/School Bldgs.
- Canals/Lakes

OURCE: BROWARD CO. MASS TRANSIT
BROWARD CO. PROPERTY APPRAISER'S OFFICE
CITY OF LAUDERHILL GIS DEPARTMENT

Information on this map is for graphical purposes only. It does not represent a legal survey and has not been prepared or suitable for legal, engineering, or surveying purposes. While every effort has been made to ensure that these data are accurate and reliable, the City of Lauderhill cannot assume liability for any damages caused by any errors or omissions in the data.

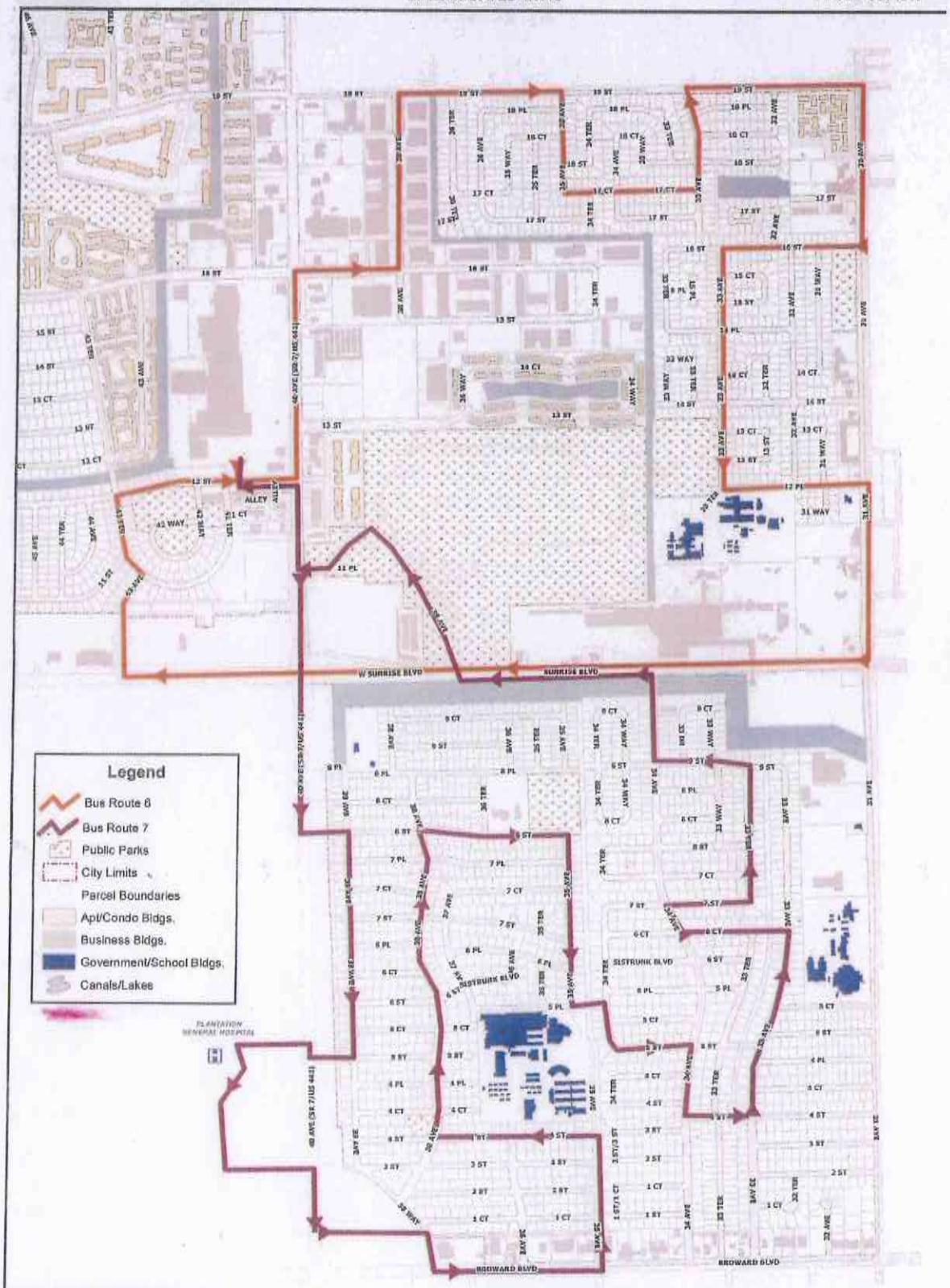
ATTACHMENT B

CITY OF LAUDERHILL
MAP 2 - COMMUNITY BUS SERVICE
ROUTES 6 & 7

DATE UPDATED 1/7/13

N

1 inch = 800 feet



SOURCE: BROWARD CO. MASS TRANSIT
BROWARD CO. PROPERTY APPRAISER'S OFFICE
CITY OF LAUDERHILL GIS DEPARTMENT

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ATTACHMENT C

LAUDERHILL DEMOGRAPHICS

U.S. CENSUS 2007-2011 Survey[1]								
Bus Route	Census Tract	Total Population	Below Poverty Level	Low Income Households	Median Income	Households on Welfare	Unemployment Rate	% Population Travel Time To Work (6:00am to 9:00am)
#1 & #5	604.1,.2 & .3	16,152	20%	72%	$33,654	20%	8%	34.0%
#2	603.2,.3 & .4	16,150	30%	91%	$27,626	27%	9%	41.0%
#3	601.23,.24 & .25; 603.5 & .6	14,602	14%	60%	$52,893	9%	8%	48.4%
#4	601.14 & .26	12,568	21%	56%	$64,291	5%	6%	41.0%
#6	412	4,409	25%	85%	$23,485	30%	14%	46.0%
#7	413	6,768	18%	80%	$25,440	11%	13%	53.0%
City of Lauderhill		70,649	24%	74%	$38,585	15%		43.0%
Estimate Low Income Population:			*51,257*					

U.S. Bureau of Labor Statistics[2]

City of Lauderhill Unemployment Rate	
2011 Annual	9.7%
2012-September	8.3%

National Unemployment Rate	
2011 Annual	8.9%
2012-September	7.8%

http://www.huduser.org/portal/datasets/il/il11/index.html

[1] US Census CP03, B08302; S1701; S1903 & S2201 www.factfinder2.census.gov and HUD 2011 Income Limits www.huduser.org/portal/datasets/il/il11/index.html

[2] Local Area Unemployment Statistics http://www.bls.gov/lau

ATTACHMENT D

Bus Ridership Survey Results
St. George and West Ken Lark
2012

West Ken Lark (12 surveys)

Destination	
Shopping	5
Medical	1
Church	0
Work	3
Other	3

Frequency Bus Usage	
Always	1
Frequently	6
Sometimes	2
Rarely	2

Times

Weekdays	
6am - 9am	3
9am - 12pm	5
12pm - 3pm	0
3pm - 6pm	4
6pm - 9pm	0
Other	
6am - 10am	1
3pm - 7pm	1
7am - 5pm	1

Weekends	
6am - 9am	2
9am - 12pm	6
12pm - 3pm	0
3pm - 6pm	4
6pm - 9pm	1

St. George (36 surveys)

Destination	
Shopping	19
Medical	10
Church	13
Work	5
Other	4

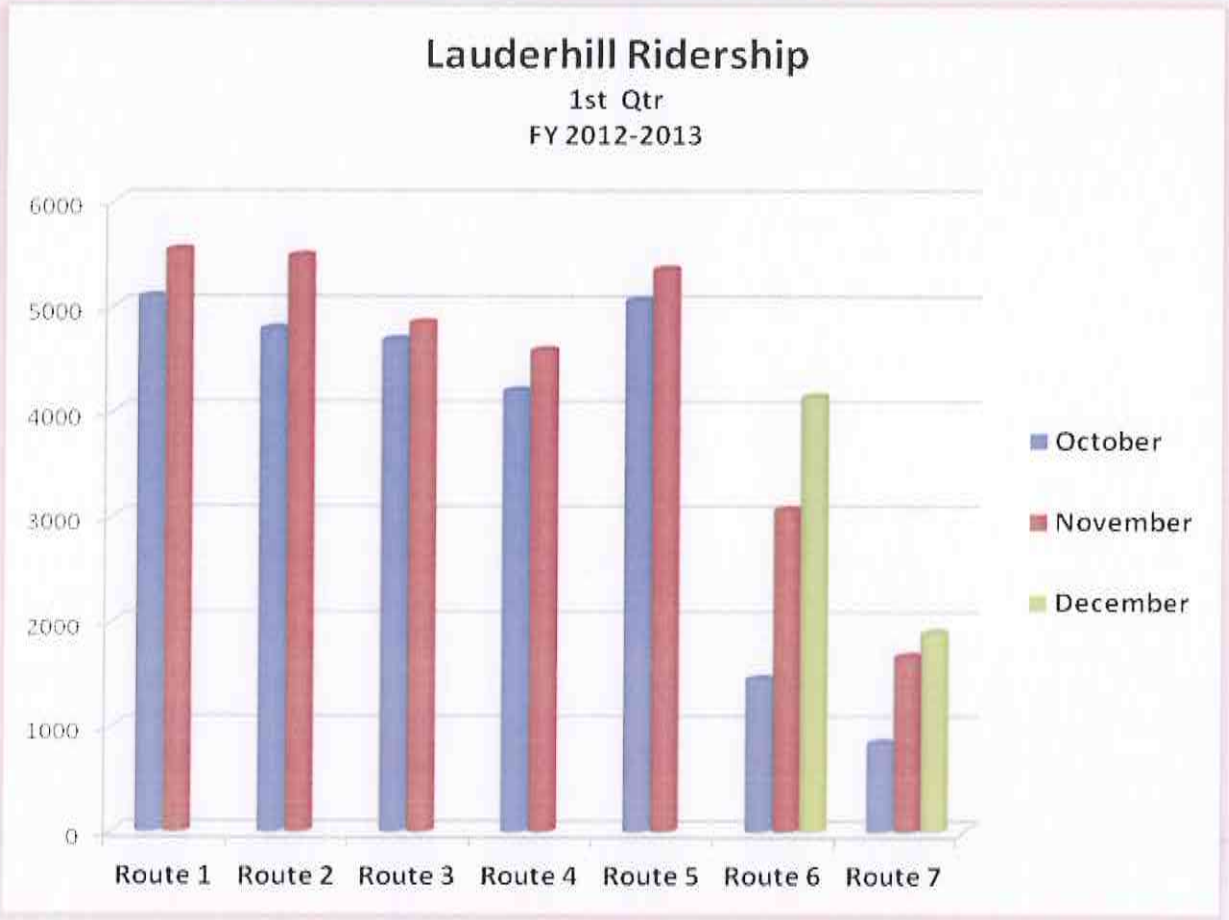
Frequency Bus Usage	
Always	4
Frequently	10
Sometimes	13
Rarely	9

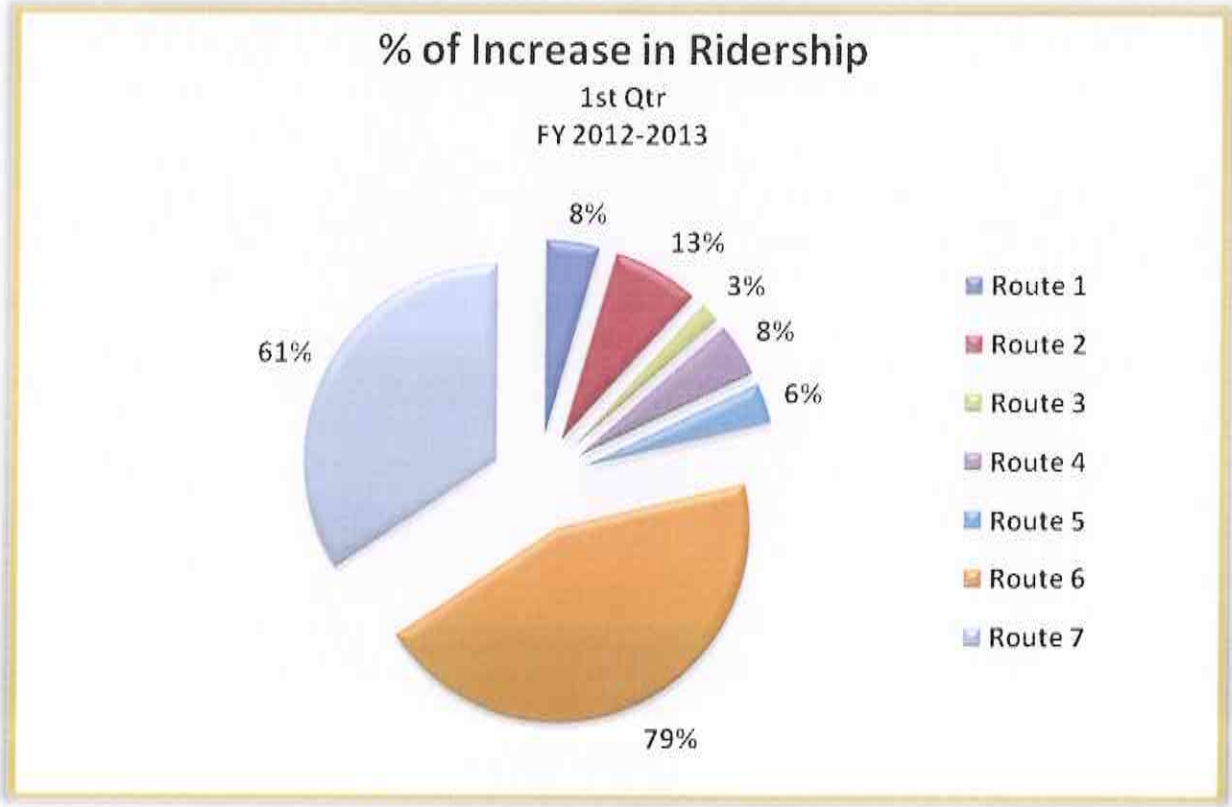
Times

Weekdays	
6am - 9am	9
9am - 12pm	11
12pm - 3pm	7
3pm - 6pm	7
6pm - 9pm	3
Other	5
1pm - 4pm	1

Weekends	
6am - 9am	3
9am - 12pm	12
12pm - 3pm	6
3pm - 6pm	3
6pm - 9pm	7

ATTACHMENT E





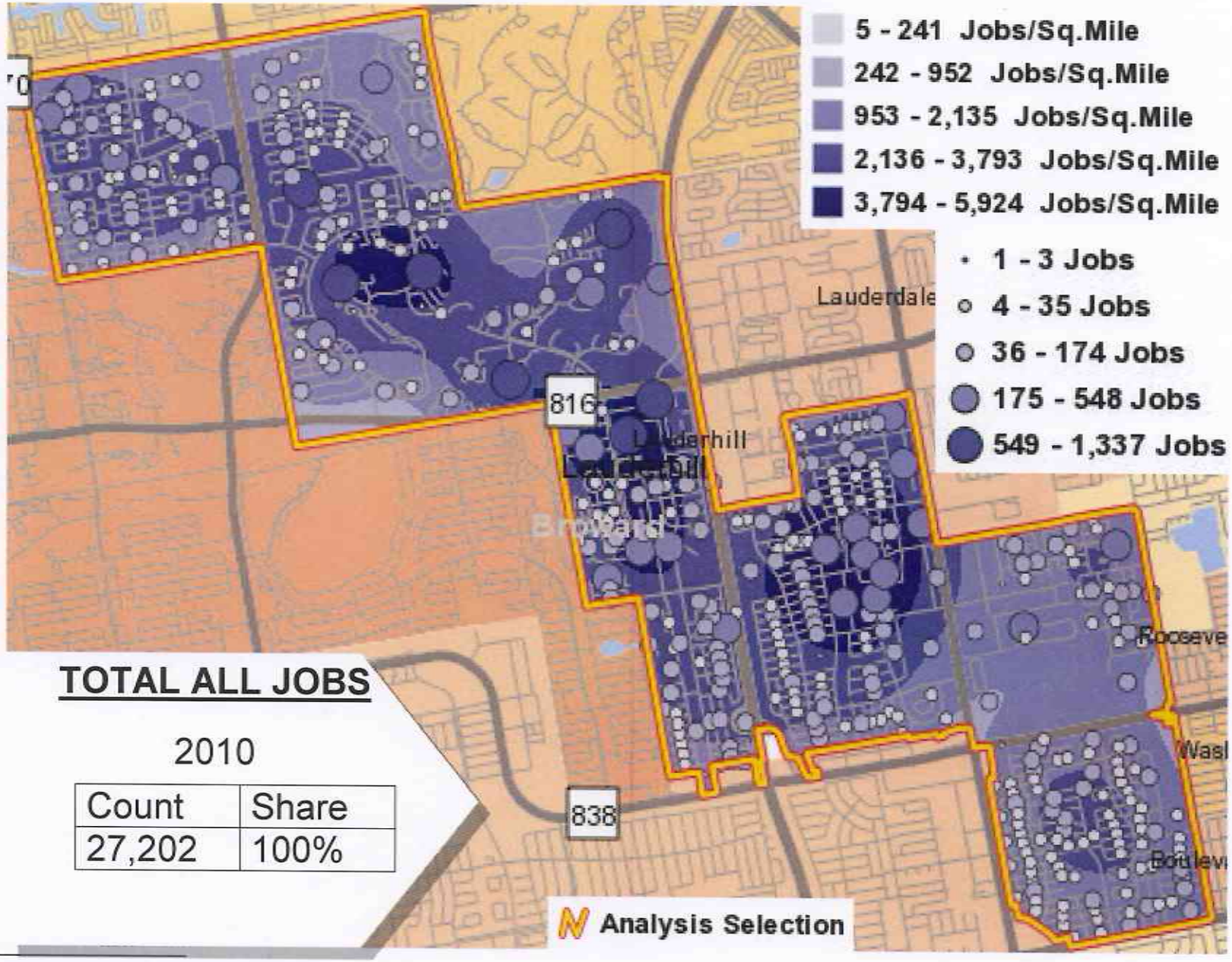
ATTACHMENT F

1st Quarter
Estimated Ridership
Work Commute

2012 Estimated number of Jobs located within ¼ mile radius of JARC funded routes: 3,200
2012 Estimated number of Companies within JARC coverage areas: 90

ATTACHMENT G

CITY OF LAUDERHILL JOB PROFILE[1]



TOTAL ALL JOBS

2010

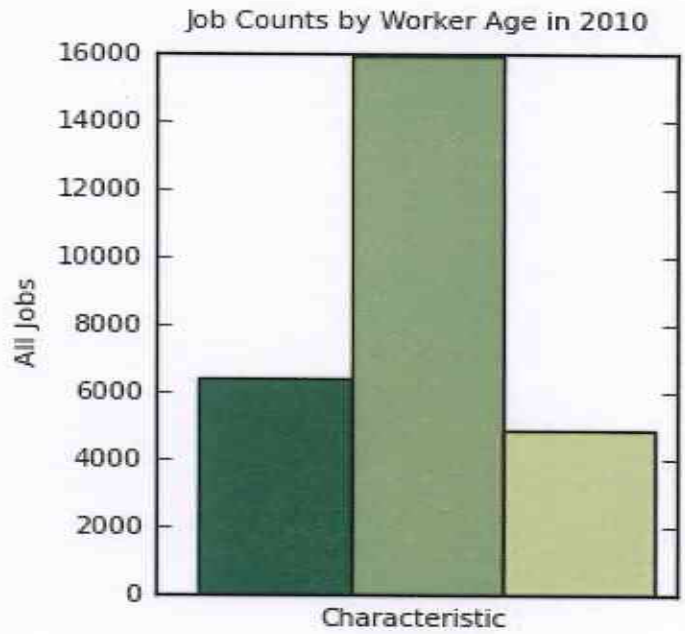
Count	Share
27,202	100%

[1] US Census data http://onthemap.ces.census.gov

ATTACHMENT G Continued

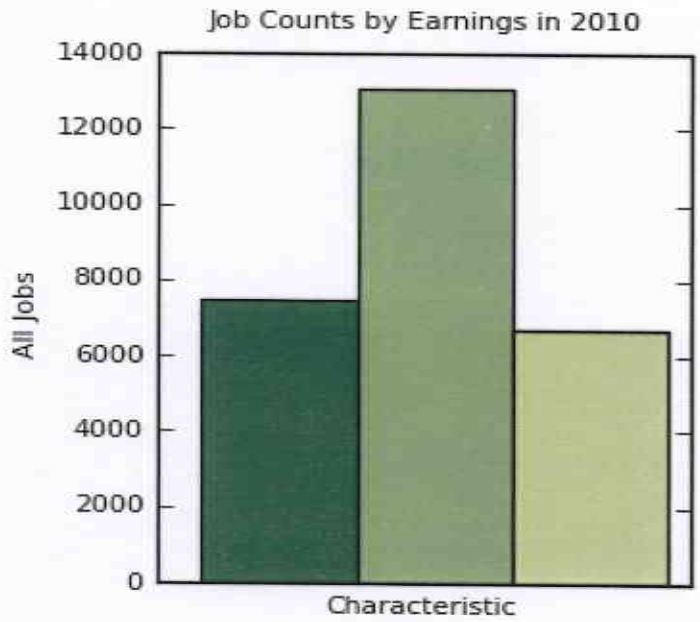
Job Counts by Worker Age

	2010 Count	2010 Share
Total All Jobs	27,202	100.0%
Age 29 or younger	6,432	23.6%
Age 30 to 54	15,913	58.5%
Age 55 or older	4,857	17.9%



Job Counts by Earnings

	2010 Count	2010 Share
Total All Jobs	27,202	100.0%
$1,250 per month or less	7,439	27.3%
$1,251 to $3,333 per month	13,083	48.1%
More than $3,333 per month	6,680	24.6%

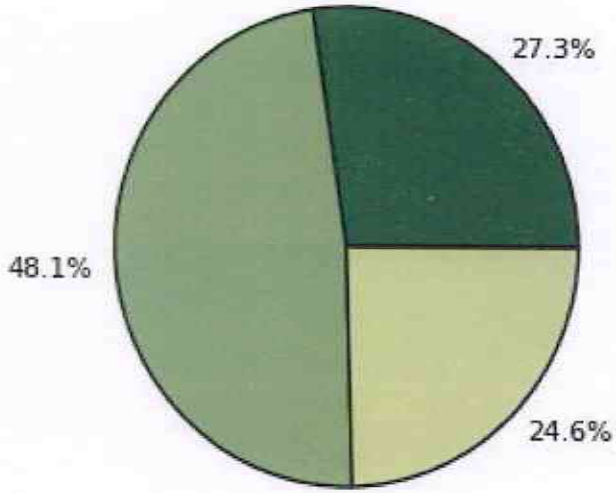


ATTACHMENT G Continued

Job Counts by Earnings

	2010 Count	2010 Share
Total All Jobs	27,202	100.0%
$1,250 per month or less	7,439	27.3%
$1,251 to $3,333 per month	13,083	48.1%
More than $3,333 per month	6,680	24.6%

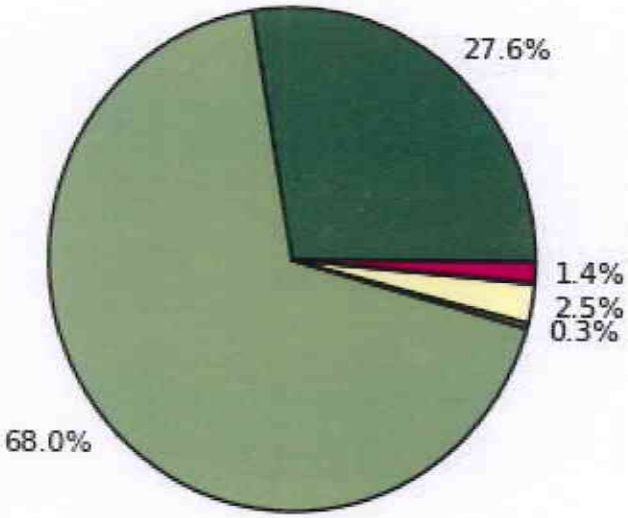
Job Counts by Earnings in 2010



Job Counts by Worker Race

	2010 Count	2010 Share
Total All Jobs	27,202	100.0%
White Alone	7,509	27.6%
Black or African American Alone	18,490	68.0%
American Indian or Alaska Native Alone	94	0.3%
Asian Alone	690	2.5%
Native Hawaiian or Other Pacific Islander Alone	48	0.2%
Two or More Race Groups	371	1.4%

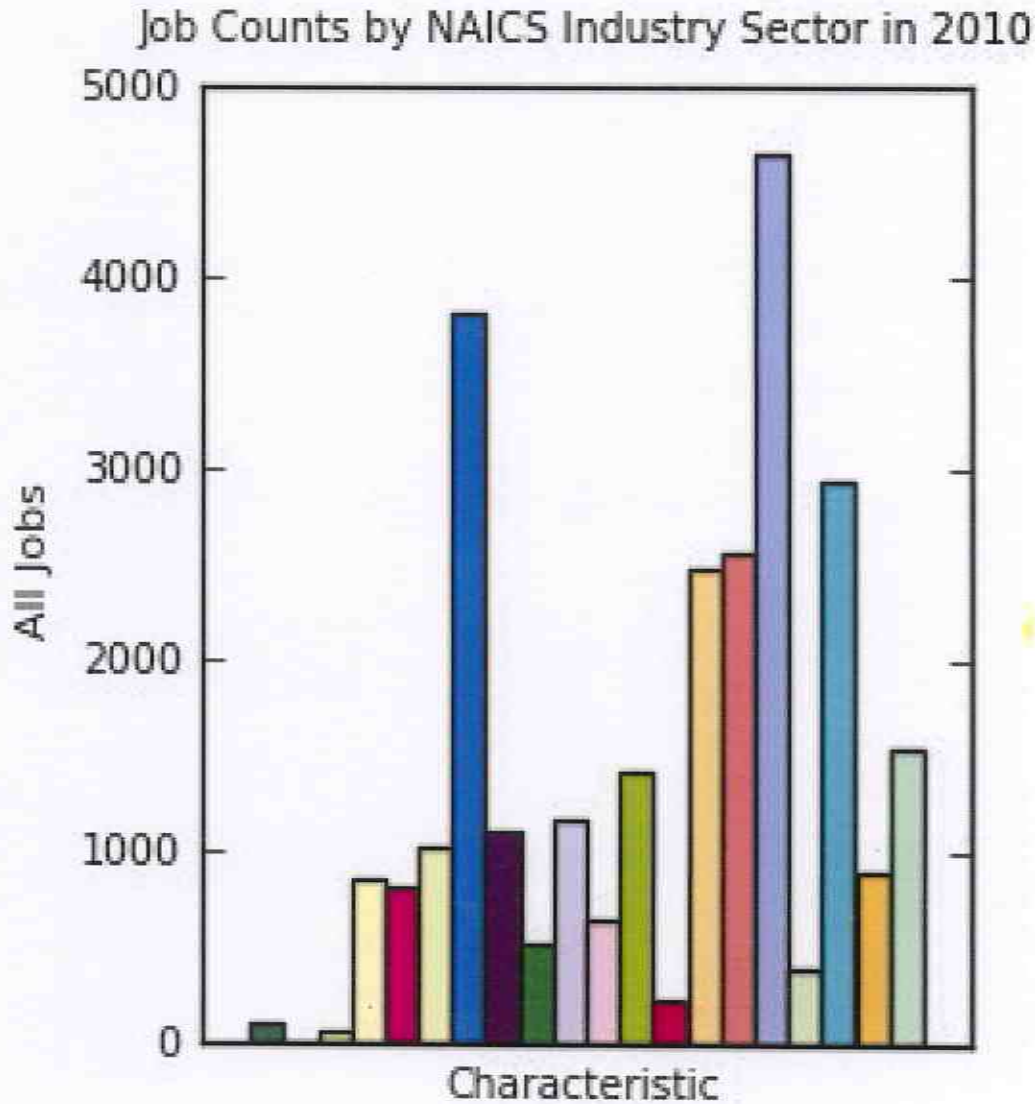
Job Counts by Worker Race in 2010



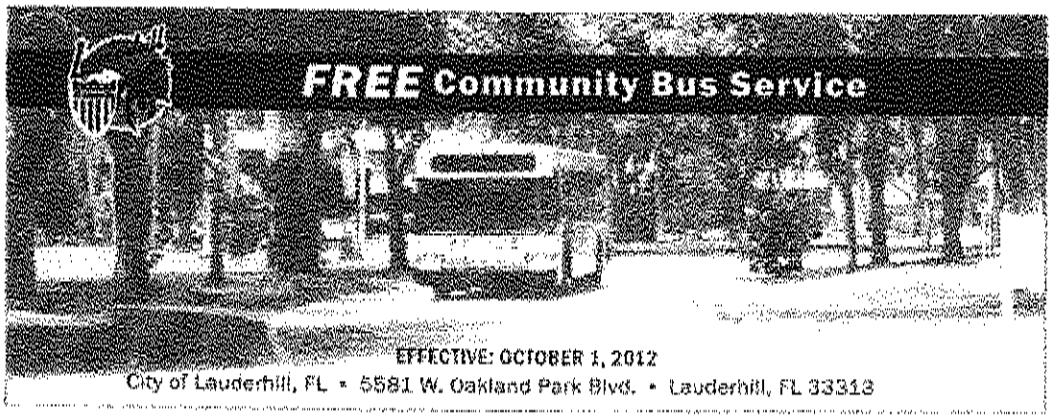
ATTACHMENT G Continued

Job Counts by NAICS Industry Sector

	Count	Share
Total All Jobs	27,202	100%
Agriculture, Forestry, Fishing & Hunting	106	0.4
Mining, Quarrying & Oil and Gas Extraction	10	0.0
Utilities	54	0.2
Construction	845	3.1
Manufacturing	818	3.0
Wholesale Trade	1,014	3.7
Retail Trade	3,816	14.0
Transportation & Warehousing	1,098	4.0
Information	529	1.9
Finance & Insurance	1,157	4.3
Real Estate & Rental/Leasing	654	2.4
Professional, Scientific & Technical Services	1,411	5.2
Management & Enterprises	230	0.8
Administration & Support, Waste Management & Remediation	2,471	9.1
Educational Services	2,565	9.4
Health Care & Social Assistance	4,643	17.1
Arts, Entertainment & Recreation	402	1.5
Accommodation & Food Services	2,935	10.8
Other Services (excluding Public Administration)	898	3.3
Public Administration	1,546	5.7



ATTACHMENT H



Beginning October 1, 2012, The City of Lauderhill will provide free community bus service during the weekdays with two additional routes added for the convenience of residents and visitors.

Routes 1 thru 4
Operates from 6:30 AM to 6:30 PM

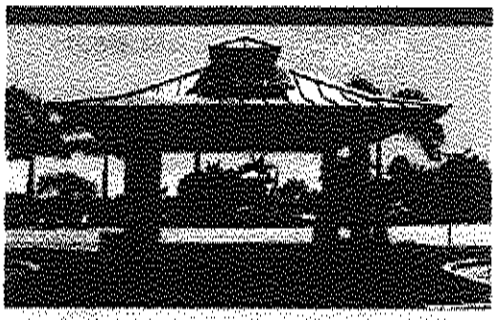
Route 5
Operates from 8:30 AM to 8:30 PM

Routes 6 and 7
Operates a split shift from
7:00 AM–11:00 AM & 3:00 PM–7:00 PM

Log onto www.lauderhill-fl.gov for bus schedules and maps for routes 1 thru 7. This service is funded through a federal grant, therefore, there is no fee to ride. However, riders making connections to Broward County Transit routes are expected to pay appropriate county fares.

Community buses are air conditioned and handicapped accessible in accordance with the Americans with Disabilities Act (ADA). The bus will start and end at the Lauderhill Mall bus depot located at 1267 N State Road 7. Severe weather or traffic conditions may affect times listed and cause the bus to arrive early or late. Please allow yourself time when traveling.

There will be no service on New Year's Day, Thanksgiving Day and Christmas Day. In addition, service will be suspended when a hurricane warning has been issued.



FREE Community Bus Service
Routes 1 thru 7
Monday — Friday
(Log on to www.lauderhill-fl.gov for times and maps)

For more information about the Community Bus Service, contact the Lauderhill Transportation Division at

954-572-2933
or visit www.lauderhill-fl.gov

For more information about additional Broward County Transit routes and connections, call BCT Rider Info at

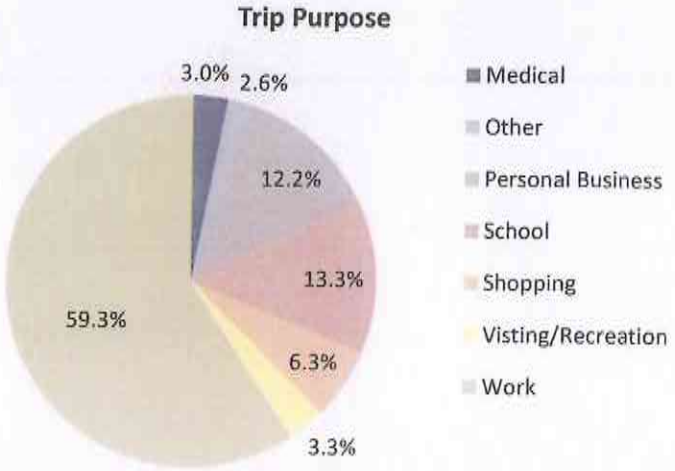
954-357-8400
or visit www.broward.org/bct

2 Market Assessment

Part of the COA project is a full system ridecheck that included a passenger survey that helps identify the primary demographics of BCT users, assess their use of the system and determine their origin and destinations utilizing the BCT system. A total of 11,800 surveys were distributed among BCT routes during the COA Ridecheck in March and April of 2009. Of the 11,800 surveys distributed, over 3,100 were completed and returned to be analyzed. The rate of return for the surveys produces just over a 98% accuracy rate. Data gathered from the passenger survey is summarized below.

1. **System Survey Findings:**

- Almost 75% of BCT passengers were between 23 and 54 years old. Around 10% were under 17 and only 7% were over 65.
- The typical BCT customer had a low household income with over 65% of passengers reporting less than $20,000 per year. Only 15% reported more than $40,000 per year.
- Almost 45% of BCT passengers did not own a car.
- Work is the most common trip purpose for BCT customers (60%), followed by school and personal business.



ATTACHMENT J

City of Lauderhill

Civil Rights/Title VI Compliance Plan

ATTACHMENT J

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I. INTRODUCTION

The City of Lauderhill's Civil Rights/Title VI Compliance Plan is a set of specific policies, procedures and programmatic efforts for City agencies that receive federal financial assistance covered by Title VI and to which the City of Lauderhill is committed to apply every good faith effort (*Table I*). The objective of these is equal opportunity in access to public services aids and/or benefits. Our written Title VI/Civil Rights Compliance Plan comprises citywide policies, procedures and programmatic efforts.

It is the policy of the City of Lauderhill to ensure full compliance with Title VI of the Civil Rights Act of 1964 and related statutes and regulations in all programs and activities.

TABLE I
Federal Financial Assistance

City Agencies	Federal Agencies						
	Environmental Protection Agency	Federal Emergency Mgt. Agency	US Housing & Urban Development	US Department of Justice	US Department of Labor	US Department of Transportation	US Department of Energy
FINANCE							
Community Development Block Grant			$				
Neighborhood Stabilization Program			$				
DEES							
SRF Drinking Water	$						
Florida Department of Transportation Local Agency Program						$	
Energy Efficiency Conservation Block							$
FIRE		$					
POLICE				$			
PALS						$	

II. DECLARATION OF POLICY

Under Section 601 of Title V1, of the Civil Rights Act of 1964, discrimination on the basis of race, color, or national origin is prohibited in programs and activities receiving federal financial assistance. The official policy of the City of Lauderhill is to ensure compliance with Title VI by providing equal opportunity access to City services, aids and/or benefits, for all persons, without regard to race, color or national origin.

III. Equal Employment Opportunity (EEO)

The City of Lauderhill is in compliance with the equal opportunity policy and standards and all applicable state and federal statutes and regulations relating to nondiscrimination in employment and service delivery. The EEO statement, procedures and discrimination complaint process are provided in the city's Policy & Procedures Manual; Policy HR-4 and a copy is attached (see Attachment 1)to this plan.

A. Dissemination of the policy is as follows:

1. The policy is included in our operating procedures manual which is permanently posted where it may be reviewed by both current clients and applicants for services.

2. The policy is reviewed annually by managers, supervisors and staff who provide direct services to clients.

3. New employees are informed of the policy as part of their orientation and sign an Acknowledgement Of Receipt form maintained by the Human Resources Department.

4. Human Resource Director has responsibility for the overall direction which includes:
   - Insurance of EEO policies, procedures, and practices and their compliance.
   - Reviewing and updating of the City's EEO complaint procedure and oversight of the direction of investigations regarding allegations.
   - Assistance to department directors, middle managers, and supervisory personnel in problem identification and resolution regarding requirements

IV. Finance Department

The City of Lauderhill's Finance Department is in compliance with the equal opportunity policy and standards and all applicable state and federal statutes and regulations relating to nondiscrimination in employment and service delivery as stated in Section III of this Plan.

A. Responsibilities. The Finance Department has the following responsibilities:

1. Community Development Block Grant (CDBG)
   - Assists Community Based Non-Profit Organizations
   - Improves Affordable Housing Opportunities
   - Provides Business Expansion Opportunities To Create Jobs
   - Implements Strategic Neighborhood Projects

2. Neighborhood Stabilization Program (NSP)
   - Provides Affordable Housing
   - Acquisition; Rehabilitation, Redevelopment and Resale of Units for Home Purchase or Rental Assistance

No otherwise qualified applicant for services or service recipient shall be excluded from participation, be denied benefits, or otherwise be subject to discrimination in any manner on the basis of race, color, national origin, sex, religion, age or disability. This policy covers eligibility for and access to service delivery, and treatment in all of our programs and activities.

All Contractors and Subcontractors will be required to comply with the policy and procedures listed in this section.

B. Service Designation:
   1. Finance Director and Human Resources handle service delivery and employment discrimination complaints respectively.
   2. Finance Director and staff disseminate equal opportunity information to provider staff and interested persons.
   3. Finance Director and staff act as equal opportunity liaison between the provider, Department and community.
   4. Finance Director and staff monitor and evaluate civil rights training for provider staff.
   5. Finance Director and staff maintain equal opportunity files and confidential records
   6. Human Resources, Finance and staff provide input to management to improve equal opportunity in employment and service delivery.

C. Access / LEP (Limited English Proficiency).Access to Services Equally Available By:

1. Providing, through project funding process and inclusion in contracts, equal access to all programs, services or activities, including but not limited to eligibility, treatment, staff assignments, outreach, intake and admissions, facilities assignments, communication of information and referrals to other services.
2. Assuring, through inclusion in contracts, physical access to the facilities by allowing persons with functional limitations to enter, leave and circulate within.

3. Providing, upon request, translators to assist applicants and clients with hearing impairments or with limited ability to read, speak or understand English; provide literature in language(s) understood by clients and/or readers.

D. Section 504/ADA

It is the policy of the City of Lauderhill to ensure full compliance with Section 504 of the Rehabilitation Act of 1973 (Section 504) 29 U.S.C § 794; 24 C.F.R Part 8 that states "No otherwise qualified disabled individual in the United States...shall, solely by his/her disability, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance." The City will make sure employment, facilities and programs are accessible to people with disabilities by:

- Advising the public, employees and job applicants that it does not discriminate on the basis of handicapped status in admission or access to or treatment or employment in its programs and activities
- Designating the Finance Director (or assigned staff) as the contact to coordinate efforts to comply with these requirements

Further, the City of Lauderhill will comply with Title II of the Americans with Disabilities Act (28 CFR Part 35, section 35.130) which specifies, "No otherwise qualified disabled individual shall, solely because of such disability, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination" in programs sponsored by a public entity.

E. Discrimination Complaint/Grievance Procedures

1. The complaint resolution procedure is publicly posted. The Finance Department follows the general City guidelines on the investigation of complaints related to employment and service provision.

2. There is confidential written documentation of all investigations conducted.

3. All participants in complaints investigations are protected from retaliation.

4. Complaints are responded to within 30 calendar days.

5. Translators, interpreters and/or readers are provided as necessary.

6. Client complaints are made aware of other avenues of redress, including the right to appeal to the appropriate federal Office for Civil Rights (depending on the source of federal funding).

F. Affordable Housing Assistance:
   1. Purpose: The City of Lauderhill's CDBG and NSP Programs encourages homeownership for HUD income-eligible homebuyers by providing financial assistance to offset the initial costs of purchasing and rehabilitation (as applicable) a housing unit.
   2. Administration: Program(s) are administered by the City of Lauderhill's Finance Department in accordance with HUD standards and all applicable City policies and any related working program agreements.
   3. Eligibility Requirements: The prospective homebuyer must meet all criteria required by the CDBG or NSP program(s).
   4. Counseling and Education: All applicants must complete the homebuyer counseling session established for the current Program(s). A certificate indicating completion of the required homebuyer counseling will be issued to the applicant and a copy retained in their file.
   5. Application Process: The applicant must provide all required documentation to support the information in the application. The City reserves the right to request any additional documentation or information needed to make a sound underwriting decision including the first mortgage lender or other sources, i.e.: complete copy of underwriting documents obtained by the lender, an appraisal, credit report, employment verification and financial information. All documents required for compliance by HUD, the City and other funding sources must be in the applicants file.
   6. Grievance or Complaint: The Finance Director and/or staff will handle any grievance or complaint as outlined in section IV; D of this plan.

G. Affordable Housing Affirmatively Furthering Fair Housing Policy:
   It is the policy of the City of Lauderhill to ensure The Fair Housing Act, as amended in 1988, prohibiting housing discrimination on the basis of race, color, religion, sex, disability, familial status, and national origin. Its coverage includes private housing, housing that receives Federal financial assistance, and State and local government housing.

   Complaints of Fair Housing Act violations may be filed with the U.S. Department of Housing and Urban Development. For more information or to file a complaint, contact:

   Office of Program Compliance and Disability Rights
   Office of Fair Housing and Equal Opportunity
   U.S. Department of Housing and Urban Development
   451 7th Street, S.W. , Room 5242
   Washington, D.C. 20410

ATTACHMENT J

1. Action steps to overcome impediments to fair housing choice identified in our jurisdictions Analysis of Impediments (AI) to Fair housing choice:
   - Impediments
     The existence of a strongly segregated housing market in the City of Lauderhill creates barriers to housing choice, regardless of whether discrimination is occurring, because it requires home seekers to overcome powerful personal and community expectations that they live in neighborhood with people like themselves.

     Segregated housing patterns are being confirmed, rather than diluted by redevelopment in the City.

     The lack of a formal cooperative structure by entitlement jurisdictions in Broward County discourages area-wide solutions to fair housing problems.

     City officials may not be sufficiently familiar with the fair housing laws and how those laws affect (or should affect) the performance of their duties.

   - Specific Steps to Overcome:
     Provide fair housing education and training to housing providers to insure compliance with fair housing laws; continue to provide fair housing education for the community to help consumers identify and challenge housing discrimination.

     Acknowledge the need for county-wide cooperation to eliminate barriers to fair housing choice, and actively support the development of specific inter-jurisdictional cooperative mechanisms to make fair and equal access to housing a reality.

     Disseminate a fair housing media campaign utilizing PSA in local TV/newspapers, local municipal TV channels highlighting national, statewide, and local fair housing news/information.

     Ensure the continued availability comprehensive fair housing enforcement/education & outreach services to address discrimination in all forms of housing and housing related activities.

     Identify categories of City employees that fair housing training should be mandatory and provide fair housing training for all City employees

     Convince elected officials of the need for area-wide cooperation to eliminate barrier to housing choice and support the development of cooperative measures necessary to make open housing a reality.

   - Impediments:

Disparities to Fair and Equal Lending in predominantly Hispanic and Non-Hispanic Black minority areas.

- Specific Steps to Overcome:
  Provide support to the "Predatory Lending Initiative" for Broward County. To educate homeowners and potential homeowners in Broward County how to identify predatory lending practices and where to receive assistance if victimized by predatory lending practices.

  Identify the City of Lauderhill lenders and compare FHA and sub-prime use and loan decisions made by race/ethnicity and income that supports the conclusion that there are differences standards that are related to race and ethnicity.

  Stop doing business with the Identified lenders.

  Implement a publicity campaign to make residents aware of various loan opportunities. A variety of outreach efforts should be utilized to reach targeted audiences. Brochures and other educational materials (in English, Spanish, and Creole) should be produced and distributed. Door-to-door canvassing will be conducted using volunteers.

  Implement a mass media campaign that will include print ads, public service announcements, and community forums on public radio and television (including the county and municipal television channels).

  Reduce the large differences in the market penetration rates for different racial and ethnic areas for refinance loans, which results in the higher levels of sub-prime lending in Hispanic and African-American minority areas.

  Implement a plan to reduce the overall level of FHA lending which is higher in minority Hispanic areas than in predominantly white areas and also higher in non-Hispanic Black areas.

- Impediments:
  A Severe Shortage of Affordable Housing

- Specific Steps to Overcome

  Require all developers utilizing public funds to develop and implement affirmative marketing plans which reach and appeal to all segments of the community.

  Support pre-purchase counseling and down payment assistance programs designed to improve home ownership opportunities for low and moderate income buyers.

- Impediments:

  There is no area-wide corporative effort to providing affordable housing, because of this, the majority of housing choices for low and moderate income families are limited to the urban cities.

- Specific Steps to Overcome:

  Support continued fair housing education to ensure that housing providers utilizing using public funds for development understand their responsibilities.

  Emphasize mixed income housing in all neighborhoods being targeted for redevelopment (including the downtown area), to create racially, ethnic and economically diverse neighborhoods.

  Provide financial incentives for homebuyers who make pro-integrative moves.

- Impediments:

  An insufficient number of accessible housing units are available to meet the needs of persons with disabilities in the City.

- Specific Steps to Overcome:

  Make the City a leader in the effort to increase housing accessibility by making a highly visible public commitment to enhancing accessibility in housing.

- Impediments:

  Housing providers are not making the accommodations and modifications necessary to make housing available to persons with disabilities.

- Specific Steps to Overcome:

  Undertake affirmative measures to ensure Increased Educational Programs designed to inform government/municipal officials, community advocates, residents, professional community, as well as, to Private Housing Industry developers, real estate brokers, property managers, Condo Associations, financial institutions, and the Media/Advertising industry with the most current information necessary to fully comply with fair housing laws, Community Reinvestment Act regulations, and affirmative marketing requirements.

  Provide financial support for education and enforcement of fair housing laws to ensure that people with disabilities have access to housing.

Support an intensive effort to educate and encourage housing providers using City funds to use universal design features in new construction and rehabilitation whenever possible.

- Impediments:

Advertising practices in Broward County do little to emphasize that housing is available on an equal basis and to encourage housing choice.

- Specific Steps to Overcome:

Provide continued support for enforcement and education to ensure compliance with fair housing laws.

Develop advertising reflects and appeals to a diverse community.

Institute an annual award, to be given jointly by the entitlement jurisdictions within Broward County, for the advertisement which most successfully market the strengths of a diverse community.

Appoint a committee to interact with the media to discuss racial/ethnic issues and monitor the release of information that would increase Race and Ethnic based tensions.

Enhance the City's ability to defuse racial or ethnic tension before they become serious problems in various ways, such as providing translation services to improve job opportunities for applicants for jobs that require job related communication in different languages and support multi-cultural events.

- Impediments:

Public and assisted housing tends to segregate residents by race/ethnicity/income, depriving lower income families the access to the opportunities available in more diverse neighborhoods. Historically, public and assisted housing available Broward County is segregated by race and ethnicity.

- Specific Steps to Overcome

Encourage adoption of zoning ordinances to ensure that multi-family developments are an approved use in a variety of neighborhoods throughout the metropolitan area.

Encourage mixed-income and mixed tenure (Homeownership and rental) developments, especially when tax credits or other public subsidies are used.

Support the establishment of a consolidated waiting list for assisted housing, in which applications could be made to one central repository and encourage applicants to consider a variety of options.

Require comprehensive affirmative marketing program to a diverse community by all developers using public funds.

Provide information and counseling to current certificate and voucher holders about the full range of their housing options.

2. Remedy discrimination in housing

GOAL 1: Reduce Incidence of Discrimination In The Sale or Rental of Housing

- Specific Steps to Remedy:

Continue to provide fair housing education and outreach activities to individuals in the community as well as the housing industry throughout the county

Contract with local fair housing agency for professional services. Disseminate FH information via TV/News Media

Provide fair housing counseling and referral services to individuals with complaints of discrimination for appropriate enforcement actions

Provide training for contract or professional services who develop housing regarding fair housing and affirmative marketing requirements and follow-up with technical assistance.

Ensure subsidy recipients of fair housing laws, discriminatory practices and enforcement procedures.

GOAL 2: Reduce Discrimination In Lending

- Specific Steps to Remedy:

Establish fair lending partnership

Contract with local fair housing agency to identify discriminatory practices, increase in the number of complaints, and action taken to address findings

Support Broward County's Predatory Lending Initiative

Implement a fair housing media campaign

Partner with community for annual homeownership fair(s)

GOAL 3: Fight Discrimination In Homeowners' Insurance

- Specific Steps to Remedy:

  Hold community forum to review concerns of homeowners' insurance rates and its effect on home purchase

  Contract with local fair housing agency, for professional services to identify and rectify discriminatory practices in the provision of homeowners' insurance

3. Promote fair housing rights and fair housing choice

   Goal 1: Promote Fair Housing Rights

   - Specific Steps to Promote:

     Contract with local fair housing agency, Disseminate FH information via TV/News Media to provide fair housing education and outreach activities

     Monitor affirmative marketing plans and efforts of housing developers receiving CDBG and HOME funding

     Provide training for pre-purchase counseling programs

     Select neighborhoods being targeted for redevelopment and Emphasize mixed income housing in the neighborhoods

     Provide information and technical assistance on housing Programs

   Goal 2: Fair Housing Choice to increase Number of Accessible Housing Units

   - Specific Steps to Promote:

     Designate appropriate staff or contract with local fair housing agency to increase housing accessibility

     Provide training for providers to use universal design features in new construction

     Foster the development and maintenance of housing affordable to target income households, as well as those with special needs. Provide referrals for extremely low-income households to the Housing Choice Voucher (Section 8) Program Encourage local landlords to participate in the program and accept Housing Choice Vouchers.

     Select appropriate staff, community members and reps. from housing industry to serve on committee to Support the improvement in the Tri-County regional transportation system in order to better link housing, jobs and services, Thus Expanding Individuals' Housing Choices

H. MBE/DBE (Minority Business Enterprise/Disadvantaged Business Enterprise)

ATTACHMENT J

Pursuant to Section 281 of the National Affordable Housing Act, it is the policy of the City of Lauderhill that Minority business and disadvantaged Business Enterprises shall have maximum opportunity to participate in the performance of contracts to facilitate the provision of affordable housing authorized under this Act or any other applicable federal housing law.

1. The terms minority or disadvantaged business enterprise's are a small business concern of at least 51% owned by one or more socially and economically disadvantaged individuals or, in the case of any publicly owned business, at least 51% of the stock is owned by one or more socially and economically disadvantaged individuals; and whose management and daily business operations are controlled by one or more of the socially and economically disadvantaged individuals who own it.

2. The City of Lauderhill will use affirmative action techniques to facilitate MBE/DEB's participation in public construction contracts of $25,000 or more to include:

   - Provide information about the City, its contract documents and information about upcoming contractual needs.

   - Offer instructions and clarifications on bid specifications, the City's procurement process and general bidding requirements.

   - Permit review of successful bid documents from past procurement/contracts.

   - Provide firms with information on future procurement and contracting schedules.

   - Provide instructions about job performance requirements.

   - Place bid notices in local media and periodicals of interest to the disadvantaged community.

   - Utilize State of Florida's Biznet to verify qualified MBE/DBEs as well as Broward County's MBE/DBE directory of certified firms.

   - Hold pre-bid conferences to provide firms with an opportunity to inquire about the MBE/DBE requirements.

3. Percentage goals MBE/DBE's
   The City of Lauderhill will adopt the State of Florida's participation rate goals at 9% and will review on an annual basis.

Upon submission of bid proposals, bidders must submit required documentation, to demonstrate attempts to meet established goals. This documentation will be reviewed and verified by the Purchasing Manager or Finance staff.

After contract award Finance Director or assigned staff will monitor activities involving MBE/DBE subcontractors to insure that the prime contractor is in compliance with applicable federal, state and local regulations (wages, equal employment opportunities, etc.) as well as monitoring of goal achievement by contractors.

4. Good Faith Effort to Meet MBE/DBE goals.
   As a condition for receiving a contract, competitors will be required to submit MBE/DBE participation information.
   - Name and address of each MBE/DBE
   - Description of work to be pereformed
   - Dollar value of the work of the contract
   - Failure to achieve goals must be substantiated by documentation demonstrating good faith efforts were attempted.

5. Prime Contractor and Subcontractor Compliance
   - Finance Director and assigned staff will require monthly records of all progress payments. Prime contractors must contact the City prior to terminating a MBE/DBE for any reason.
   - The Prime Contractor shall establish and maintain records and submit regular reports, as required, which will identify and assess progress in achieving MBE/DBE subcontract goals and other MBE/DBE affirmative action efforts.

I. Section 3

Section 3 of the Housing and Urban Development Act of 1968 [12 U.S.C. 1701u and 24 CFR Part 135] is HUD's legislative directive for providing preference to low- and very low-income residents of the local community (regardless of race or gender), and the businesses that substantially employ these persons, for new employment, training, and contracting opportunities resulting from HUD-funded projects.

The City of Lauderhill has established the Section 3 policy to ensure that the employment and other economic opportunities generated by Federal financial assistance for housing and community development programs shall to the greatest extent feasible, be directed toward low-and very low-income persons, particularly those who are recipients of government assistance for housing and businesses that employ these persons, in compliance with the requirements of Section 3 annually pursuant to 24 CFR 570.607(b).

1. All projects/activities involving housing construction, demolition, rehabilitation, or other public construction -- i.e. roads, sewers, community centers, etc. that are completed with covered funding exceeding $200,000 are subject to the requirements of Section 3.

2. Contractors or subcontractors that receive contracts in excess of $100,000 for Section 3 covered projects/activities are required to comply with the Section 3 regulations in the same manner as the direct recipient that provided funding to them.

3. Every effort will be made to attempt to reach the Section 3 minimum numerical goals found at 24 CFR Part 135.30 by: 1) Awarding 10 percent of the total dollar amount of all covered construction contracts to Section 3 businesses; and 2) Hiring Section 3 residents for 30 percent of new employment opportunities.

4. The City will not enter into a contract with any contractor after notification to the recipient by HUD that the contractor has been found in violation of the regulations in 24 CFR part 135.

5. Section 3 annual reports will be submitted whether or not the requirements of Section 3 have not been triggered.

6. Procedures:

    a. All covered solicitations and contracts will incorporate the Section 3 Clause pursuant to 24 CFR Part 135.38

    b. Finance staff will advise contractors or potential contractors working on Section 3 covered projects of their responsibilities

    c. Finance staff will provide training to ensure contractors and subcontractors are in compliance with Section 3

    d. Finance staff will monitor and document subrecipients' performance with respect to meeting the requirements of Section 3.

    e. Finance staff will notify businesses and residents about contracting and employment opportunities generated by Section 3 covered projects by:

        - Notifying contractors from City's vendor list; contacting business assistance agencies, minority contractors associations; HUD Youthbuild programs and community organizations
        - Coordinate pre-bid meetings to inform Section 3 business concerns of upcoming contracting and subcontracting opportunities and advise of assistance programs to obtain bonding, lines of credit, financing or insurance
        - Publishing Ad in local media; trade publications and community bulletin media
        - Posting Signs

- Contacting resident organizations to notify residents of training and employment opportunities
- Contacting local Workforce to post and coordinate with employment agencies
- Contact local Workforce board to provide training programs for Section 3 residents in the building trades.
- Advertise training and employment by flyers in community and resident associations
- Post training and employment positions in housing common areas
- Sponsor Job Fair with Workforce board for residents within the covered project area to include conducting job interviews and completing job applications
- Advertise jobs through local media and City's newsletter
- Contact local educational institutions for related programs

7. Complaint Procedures

   Who can file a complaint: (a) any Section 3 resident on behalf of himself or herself, or as a representative of persons similarly situated, seeking employment, training or other economic opportunities generated from the expenditure of section 3 covered assistance with a recipient or contractor, or by a representative who is not a section 3 resident but who represents one or more section 3 residents; (b) Any section 3 business concern on behalf of itself, or as a representative of other section 3 business concerns similarly situated, seeking contract personally or through an authorized representative, file with the Assistant Secretary a complaint alleging noncompliance with section 3: opportunities generated from the expenditure of section 3 covered assistance from a recipient or contractor, or by an individual representative of section 3 business concerns.

   Where to file a complaint. A complaint must be filed with the Assistant Secretary for Fair Housing and Equal Opportunity, Department of Housing and Urban Development, Washington, DC, 20410.

J. Davis-Bacon.

It is the policy of the City of Lauderhill to ensure the Davis-Bacon Act, Copeland Act, and Contract Works Hours & Safety Standards Act complies with:

Statutory Provision, Section 110:

(a) All laborers and mechanics employed by contractors and subcontractors in the performance of construction work financed in whole or in part with assistance received under this title shall be paid wages at rates not less than those prevailing on similar construction in the locality as determined by the Secretary of Labor in accordance with the Davis-Bacon Act, as amended (40 U.S.C. 276a—276a--5); *Provided,* That this section shall apply to the rehabilitation of residential property only if such property contains not less than 8 units. The Secretary of Labor shall have, with respect to such labor standards, the authority and

functions set forth in Reorganization Plan Numbered 14 of 1950 (15 F.R. 3176; 64 Stat. 1267) and section 2 of the Act of June 13, 1934, as mended (48 Stat. 948; 40 U.S.C. 276(c)).

(b) Subsection (a) shall not apply to any individual that—

(1) performs services for which the individual volunteered;

(2)(a) does not receive compensation for such services; or (b) is paid expenses, reasonable benefits, or a nominal fee for such services; and

(3) is not otherwise employed at any time in the construction work

1. Procedures.
   A. Construction contracts will be subject to Davis-Bacon labor standard requirements and must contain labor standards clauses and a Davis-Bacon wage decision. The clauses will describe the responsibilities of the contractor concerning wages and obligate the contractor to comply.
   B. Wage decision rates established by the Department of Labor will be listed in the contract.
   C. The principal contractor (prime contractor) is responsible for the full compliance of all employers, sole proprietors, subcontractors and lower-tier subcontractors with the labor standards provisions applicable to the project.
   D. The Finance Director (or staff designee) will be responsible for administration and enforcement of Davis-Bacon requirements.
      - Monitors labor standard compliance
      - Ensures proper DOL work classification wage rates are listed in contract
      - Conducts on-site interviews with construction workers
      - Reviews payroll reports for accuracy by checking pay rate compliance with contract DOL work classification wage rate, calculations are correct for fringe benefits and overtime
      - Ensures wage rates are posted at job-site
      - Prepares all reports

ATTACHMENT J

V. Department of Environmental & Engineering Services

The City of Lauderhill's Department of Environmental & engineering Services (DEES) is in compliance with the equal opportunity policy and standards and all applicable state and federal statutes and regulations relating to nondiscrimination in employment and service delivery as stated in Section III of this Plan.

A. Responsibilities. DEES has the following responsibilities:

1. Department of Environmental Protection State Revolving Loan Fund through the American Recovery & Reinvestment Act (ARRA) Grant.
   - Provides ARRA funds for disinfection of Water Treatment Plant

2. Federal Highway Administration and Florida Department of Transportation Local Agency Program (LAP) and Enhancement Grants provide funds for:
   - Construction of bike path/greenway
   - Construction of pedestrian path/greenway
   - Construction of Bus Facilities

3. Department of Energy's Energy Efficiency & Conservation Block Grant (EECBG) provide funds for:
   - Revolving Loan Fund
   - CFL Light Bulbs to residents
   - Retrofitting Performing Arts Center to LEED Gold Standard

B. Service Designation:

1. DEES Director and Human Resources handle service delivery and employment discrimination complaints respectively.
2. DEES Director and staff disseminate equal opportunity information to provider staff and interested persons.
3. Capital Projects Manager and staff act as equal opportunity liaison between the provider, Department and community.
4. Capital Projects Manager and staff monitor and evaluate civil rights training for provider staff.
5. Capital Projects Manager and staff maintain equal opportunity files and confidential records
6. Human Resources, DEES and staff provide input to management to improve equal opportunity in employment and service delivery.
7. Capital Projects Manager and Grants Manager provide compliance for DBE, Davis-Bacon and ADA.

C. Access / LEP (Limited English Proficiency).Access to Services Equally Available By:

1. Providing, through project funding process and inclusion in contracts, equal access to all programs, services or activities, including but not limited to eligibility, treatment, staff assignments, outreach, intake and admissions, facilities assignments, communication of information and referrals to other services.

2. Assuring, through inclusion in contracts, physical access to the facilities by allowing persons with functional limitations to enter, leave and circulate within.

3. Providing, upon request, translators to assist applicants and clients with hearing impairments or with limited ability to read, speak or understand English; provide literature in language(s) understood by clients and/or readers; provide interpreters – the City of Lauderhill has a large Caribbean population that speak Creole and an adequate number of full-time employees that can interpret as needed.

D. Title VI Policy Statement

The City of Lauderhill assures the Florida Department of Transportation that no person shall be on the basis of race, color, national origin, sex, age, disability, family or religious status, as provided by Title VI of the Civil rights Act of 1964, the Civil Rights Restoration Act of 1987 and the Florida Civil Rights Act of 1992 be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination or retaliation under any program or activity.

1. The Director of Human Services and the Capital Improvement Manager will act as liaison and has direct access to the City Manager.
2. See "Attachment 4" Local Agency Certification Qualification Agreement for staff assigned as Liaison(s) for DBE/TitleVI and ADA.
3. All of Form FHWA 1273 (see Attachment 5) clauses will be inserted in every contract subject to the Acts and the Regulations.
4. Contractors will provide their Affirmative Action and Equal Employment Opportunity procedures in Bid documents. It can be used by primes for their subcontractors on Federal-Aid projects of $10,000.00 or more. Prime contractors must review for completeness and compliance of each subcontractor's self analysis upon receipt. Prime contractors will verify not less than annually that all subcontractors' EEO Self-Analysis forms are a factual representation of their practices and procedures and maintain the results of said review on file for possible audit(s) conducted by FDOT or FHWA. The prime must attempt to reconcile all instances where EEO Noncompliance has been identified.
5. The City will designate three staff to participate in FDOT training offered on Title VI and other nondiscrimination requirements.
6. If reviewed by FDOT or USDOT, the City will take affirmative actions to correct any deficiencies found within a reasonable time period, not to exceed ninety (90) calendar days.
7. The City will collect racial and ethnic data on persons impacted by LAP programs for reporting to FDOT.
8. The City will disseminate nondiscrimination information to the general public via job applications, employee handbook, all job advertisements, and include in bid and specifications.
9. Complaint process. DEES will:
   (a) Follow general City guidelines on the investigation of complaints related to employment and service provision.

(b) Maintain discrimination compliant log and confidential written documentation of all investigations conducted
(c) Respond to complaints within 30 calendar days.
(d) Provide translators, interpreters and/or readers as necessary.
(e) Assure client complaints are made aware of other avenues of redress, including the right to appeal to the appropriate federal Office for Civil Rights (depending on the source of federal funding).

E. Section 504 and Americans With Disabilities Act of 1990 (ADA)
The City of Lauderhill's Section 504 and ADA policy will comply with Title II of the Americans With Disabilities Act of 1990 (ADA) which specifies, "No otherwise qualified disabled individual shall, solely because of such disability, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination" in programs sponsored by a public entity. The City will generally, upon request to the City Clerk, provide appropriate aids and services lending to effective communication for qualified persons with disabilities.

1. Complaint Process.
   - Anyone who wishes to file a complaint alleging discrimination on the basis of disability in the provision of services by or access to activities, programs or facilities of the Florida Department of Transportation may do so by:
     - Submit in writing to; City of Lauderhill, City Clerk, 5581 West Oakland Park Boulevard, Lauderhill, Florida 33311, the information about the alleged discrimination such as name, address, phone number of complainant and location, date and description of the problem.
     - Complaint should be submitted as soon as possible but no later than 60 calendar days after the alleged violation.
     - Complainant may also submit the written information to:
       H. Dean Perkins, Architect, ADA Coordinator; Florida Department of Transportation; 605 Suwannee Street; MS-33; Tallahassee, Florida 32399-0450; Phone 850-414-4359; email dean.perkins@dot.state.fl.us.
     - Within 15 calendar days after receipt of the complaint, the ADA Coordinator or designee will contact the complainant to discuss the complaint and possible resolutions. Within 15 calendar days of the meeting, the ADA Coordinator or designee will respond to the complainant. The response will explain the position of the Florida Department of Transportation and offer options for substantive resolution of the complaint.
     - Attached are two forms (see Attachment 2 and 3) that may be used to provide some specific information related to accessibility on the State Road System. Also, the forms may be down-loaded from the FDOT Web site at:
       www.dot.state.fl.us/structures/ada/adaforms.htm.

F. Cost Management FDOT Projects

It is the policy of the City of Lauderhill to include in all contracts, aided through Federal funds, the following:

1. Bidder will certify that prices, terms and conditions will be firm for acceptance for period of (90) days from the date of Bid opening, unless otherwise stated by the City. There will be no escalator clauses unless specified by the City. Bids may not be withdrawn before the expiration of ninety (90) days.
2. All increases in costs or time of project(s) will require contractor to submit a change order request to the Capital Improvement Manager.
3. Change orders must be approved by the City Manager that decrease or increase the cost of the contract to the city with the exception of increases over 10% of the contract price to also be approved by City Commission.
4. Upon City Manager or City Commission approval of Change Orders, they must then be presented for acceptance to either Florida Department of Transportation or Florida Department of Environmental Protection, respectively.

G. Time Management

The Capital Improvement Manager and assigned team of staff will review the baseline project schedule, submit to FDOT for approval; and after acceptance the team will be involved in reviewing the monthly updates submitted by the contractor. In cases where discrepancies are identified in construction activities, the team will communicate and coordinate the proper updates of this document with the contractor.

The team will be responsible for attending weekly progress meetings with the project inspection team, the contractor, stakeholders and FDOT representatives. During the progress meetings, the our team will review the Critical Task checklist for the project, identifying complicated or large dollar items and seek resolutions while the parties are present. These items will be the foundation for our discussions with the Contractor, City of Lauderhill representatives and third party representatives throughout the progress information sessions. The emphasis of our team is to make sure each stakeholder is aware of their respective requirements, and identify the impact each will have on the project's completion.

The team will monitor contractor activities as well as material testing requirements on a daily basis to ensure that quality control requirements are maintained. Inspection of materials testing performed by the contractor will be handled by all project personnel and verification tests will also be performed as needed.

Field documentation will be processed daily utilizing FDOT forms. The team will supply accurate project documentation including the identification of project impacts, work activities listed, payment procedures maintained and the Final Estimates Package updated accordingly throughout the entire life of the project. Special attention will be given to events that could result in impacts to the contractor related to time or money.

The team will review monthly pay requests based on the contractor's construction activities completed during that month period; quantities will be verified between our construction inspection team and the contractor prior to releasing monthly payments. Our inspectors are responsible for tracking the contract quantities on a daily basis; these quantities will be recorded on daily project documentations such as dailies, ledgers, field books, computation books, etc. Discrepancies pertaining to contract quantities will be resolved by the project administrator or contract support specialist utilizing contract documents such as FDOT specifications, standard index and basis of estimates.

H. Quality Management

DEES Director, Capital Improvement Manager and City Engineer will inspect day-to-day production, verification of findings and project level testing.

The contractor and CEI shall utilize the FDOT's Sampling, Testing and Reporting Guide (STRG) and submit to FDOT for approval prior to commencement of project.

I. MBE/DBE (Minority Business and Disadvantaged Business Enterprise (DBE)

Pursuant to the U. S. Department of Transportation (USDOT), 49 CFR Part 26 it is the policy of the City of Lauderhill to ensure that DBE's have an equal opportunity to receive and participate in USDOT-assisted contracts.

The City of Lauderhill agrees to adopt the MBE/DBE Program goal that has been established by Florida Department of Transportation. FDOT's DBE Program is a race-neutral program which means that individual goals are not assigned to each contract. A DBE goal is established each year and submitted to the Federal Highway Administration (FHWA) for approval. This overall goal is expected to be achieved over the federal fiscal year (October 1 to September 30) through the normal competitive procurement process.

The City will require consultant or contractor to include DBE language in their contracts.

* SAMPLE LANGAUGE: Contract Assurance: *The contractor, sub-recipient, or subcontractor shall not discriminate on the basis of race, color, national origin, or sex in the performance of this contract. The contractor shall carry out applicable requirements of 49 CFR Part 26 in the award and administration of DOT assisted contracts. Failure by the contractor to carry out these requirements is a material breach of this contract, which may result in the termination of this contract or such other remedy as the recipient deems appropriate.*

The City will use affirmative action techniques to facilitate MBE/DBE's participation to include:

- Provide information about the City, its contract documents and information about upcoming contractual needs.
- Offer instructions and clarifications on bid specifications, the City's procurement process and general bidding requirements.
- Permit review of successful bid documents from past procurement/contracts.
- Provide firms with information on future procurement and contracting schedules.
- Provide instructions about job performance requirements.
- Place bid notices in local media and periodicals of interest to the disadvantaged community.
- Utilize State of Florida's Biznet to verify qualified MBE/DBEs as well as Broward County's MBE/DBE directory of certified firms. (Contractors wishing to use minority or women owned companies should encourage them to complete a certification application available at: https://www3.dot.state.fl.us/EqualOpportunityOffice/biznet/mainmenu.asp.)
- Hold pre-bid conferences to provide firms with an opportunity to inquire about the MBE/DBE requirements.

J. Buy American

Section 1605 of the American Recovery and Reinvestment Act states that:
"*None of the funds appropriated or otherwise made available by this Act may be used for a project for the construction, alteration, maintenance, or repair of a public building or public work unless all of the iron, steel, and manufactured goods used in the project are produced in the United States.*"
To meet this requirement, the City of Lauderhill hereby certifies that all of the material, equipment and accessories which are to be incorporated into contracts to be partially funded by monies from the American Recovery and Reinvestment Act, has been manufactured from domestic construction material as defined by 40 CFR 35.936-13(D).

K. Davis-Bacon

It is the policy of the City of Lauderhill to ensure the Davis-Bacon Act, Copeland Act, and Contract Works Hours & Safety Standards Act complies with:

Statutory Provision, Section 110:

(a) All laborers and mechanics employed by contractors and subcontractors in the performance of construction work financed in whole or in part with assistance received under this title shall be paid wages at rates not less than those prevailing on similar construction in the locality as determined by the Secretary of

Labor in accordance with the Davis-Bacon Act, as amended (40 U.S.C. 276a—276a–5); *Provided,* That this section shall apply to the rehabilitation of residential property only if such property contains not less than 8 units. The Secretary of Labor shall have, with respect to such labor standards, the authority and functions set forth in Reorganization Plan Numbered 14 of 1950 (15 F.R. 3176; 64 Stat. 1267) and section 2 of the Act of June 13, 1934, as mended (48 Stat. 948; 40 U.S.C. 276(c)).

(b) Subsection (a) shall not apply to any individual that—

(1) performs services for which the individual volunteered;

(2)(a) does not receive compensation for such services; or (b) is paid expenses, reasonable benefits, or a nominal fee for such services; and

(3) is not otherwise employed at any time in the construction work

2. Procedures.

A. Construction contracts will be subject to Davis-Bacon labor standard requirements and must contain labor standards clauses and a Davis-Bacon wage decision. The clauses will describe the responsibilities of the contractor concerning wages and obligate the contractor to comply.

B. Wage decision rates established by the Department of Labor will be listed in the contract.

C. The principal contractor (prime contractor) is responsible for the full compliance of all employers, sole proprietors, subcontractors and lower-tier subcontractors with the labor standards provisions applicable to the project.

D. The Finance Director (or staff designee) will be responsible for administration and enforcement of Davis-Bacon requirements.

- Monitors labor standard compliance
- Ensures proper DOL work classification wage rates are listed in contract
- Conducts on-site interviews with construction workers
- Reviews payroll reports for accuracy by checking pay rate compliance with contract DOL work classification wage rate, calculations are correct for fringe benefits and overtime
- Ensures wage rates are posted at job-site
- Prepares all reports

ATTACHMENT J

ATTACHMENT 1

Administrative Policies & Procedures Manual		Subject HUMAN RESOURCES DISCRIMINATION AND HARASSMENT, INCLUDING SEXUAL HARASSMENT	
Number: HR-4	Revisions: 3	Effective Date: 08/25/08	Page: 1 of 6
Supersedes: 06/97, 10/04, 02/04/05		Approved By: Charles Faranda, Jr., City Manager	

HR-4.0 PURPOSE:

The purpose of this directive is to establish a definitive policy on prohibiting discrimination and harassment of any kind, including sexual harassment, in the workplace.

HR-4.1 POLICY:

It is the policy of the City of Lauderhill that discrimination and harassment in the workplace will never be tolerated. The United States Equal Employment Opportunity Commission (EEOC) has issued guidelines on harassment, including sexual harassment, in the workplace. The guidelines treat harassment as a violation of Title VII of the Civil Rights Act of 1964. Federal, state, and local law prohibit employment discrimination on the basis of sex, race, color, age, religion, national origin, handicap or disability, marital status, and sexual orientation. Furthermore, federal, state, and local law grant employees the right to work in an environment free from discriminatory intimidation, ridicule, and insult.

The City of Lauderhill believes that employees should be afforded the opportunity to work in an environment free of discrimination and harassment, including sexual harassment, and that no employee, male or female, should be subjected verbally or physically to unsolicited and unwelcome sexual overtures or conduct or harassment based on any protected grounds.

The City of Lauderhill is strongly opposed to discrimination and harassment and such conduct is strictly prohibited. All employees of the City, including but not limited to Department Heads, supervisors, non-supervisory personnel, and appointed and elected officials are required to abide by the stated intention of this policy.

It is the intention of the City to set a high standard of conduct and discourage all inappropriate behavior. While the City may discipline an employee for any violation of this policy, it is not the intention of the City that a violation of this policy will be rendered actionable if it is not otherwise actionable under applicable law.

ATTACHMENT J

Policies & Procedures
HR-4 – Discrimination and Harassment, Including Sexual Harassment

HR-4.2 **SEXUAL HARASSMENT DEFINED:**

The City of Lauderhill has adopted, and its policy is based on, the definition of sexual harassment set forth by the EEOC. The EEOC defines sexual harassment as unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature when:

- submission to such conduct is made explicitly or implicitly a term or condition of the employee's employment;
- submission to or rejection of such conduct by the employee is used as the basis for employment decisions affecting the employee; or
- such conduct has the purpose or effect of unreasonably interfering with the employee's work performance or creating an intimidating, hostile or offensive working environment.

This includes, but is not limited to, harassment from customers, union representatives or members, co-workers, supervisors, Department Heads and appointed and elected officials.

HR-4.3 **EXAMPLES OF PROHIBITED BEHAVIOR (SEXUAL HARASSMENT):**

Prohibited sexual harassment includes unsolicited and unwelcome contact that has sexual overtones. This includes but is not limited to the following:

- written contact, such as sexually suggestive or obscene letters, notes, invitations, e-mail, posters, etc.;
- verbal contact, such as sexually suggestive or obscene comments, threats, slurs, epithets, jokes about gender-specific traits, sexual propositions;
- physical contact, such as intentional touching, pinching, brushing against another's body, impeding or blocking movement, assault, coercing sexual intercourse;
- visual contact, such as leering or staring at another's body, gesturing, displaying sexually suggestive objects or pictures, cartoons, posters, magazines or screensavers;
- abusing the dignity of an employee through insulting or degrading remarks or conduct;
- threats, demands, or suggestions that an employee's work status is contingent upon the employee's tolerance of or acquiescence to sexual advances; or
- retaliation against employees for complaining about the behaviors described above.

Sexual harassment also includes continuing to express sexual or social interest after being informed directly that the interest is unwelcome and using sexual behavior to control, influence or affect the career, salary or work environment of another employee.

ATTACHMENT J

Policies & Procedures
HR-4 – Discrimination and Harassment, Including Sexual Harassment

HR-4.4 **DISCRIMINATION AND OTHER HARASSMENT DEFINED:**

The term discrimination includes any offensive or unwelcome physical, written, or spoken conduct which is premised on any of the protected grounds listed above. Such prohibited conduct includes, but is not limited to, jokes or comments relating to any protected category; the display or circulation of printed materials that reflect mockery, disapproval, stereotypes, hostility, anger or violence based on any protected grounds; or the assignment of work, discipline, or benefits based on any protected grounds. Such conduct may constitute harassment when engaged in by a City employee who is in a position to influence employment decisions when (1) submission or acquiescence to such conduct is made either expressly or implicitly a condition of continued employment of another employee; or (2) submission to or rejection of such conduct is used as a basis for employment decisions affecting another employee. Harassment may also be any discrimination by any employee that substantially interferes with an individual's performance or creates what a reasonable person could consider to be an intimidating, hostile, abusive, or offensive working environment.

HR -4.5 **PROCEDURE:**

A. DEPARTMENT HEADS & MANAGEMENT RESPONSIBILITY

Management at all levels is responsible for preventing discrimination and harassment, including sexual harassment, in the workplace, for taking immediate corrective action to stop discrimination and harassment and for promptly investigating any allegation of work-related discrimination and harassment. Each Department Head has an affirmative duty to maintain his or her workplace free of discrimination, harassment and intimidation. In order to rebut any apparent liability, a Department Head must show he or she took immediate and appropriate corrective action, including, but not limited to the following:

1. Discuss this policy in detail with their employees and assure them that they can work in security and dignity, and are not required to endure insulting, degrading, or exploitive treatment.

2. Immediately report to the Human Resources Director or designee any complaints received from their employees concerning sexual harassment, and cooperate fully in his or her investigations of the allegations.

B. EMPLOYEES

An employee who believes that he or she has been subjected to discrimination or harassment, including sexual harassment, by anyone is encouraged to:

1. Promptly tell the person that the conduct is unwelcome and ask the person to stop. A person receiving such request must immediately comply with it and must not retaliate against the employee for rejecting the conduct.

2. Immediately report the incident to their direct supervisor or Department Head. If, for any reason, the employee feels uncomfortable in reporting such conduct to their supervisor or Department Head, the employee may report the action to the Human Resources Director or the City Manager.

All complaints shall be investigated immediately and the investigation shall be conducted impartially and as promptly as the circumstances allow. To the extent possible, under state law, the employee's confidentiality and that of any witness and the alleged harasser will be protected against unnecessary disclosure. After the investigation has been completed, a determination will be made by the appropriate management personnel regarding the resolution of the case. If warranted, disciplinary action, up to and including termination will be imposed. The City shall promptly take whatever action it deems appropriate to correct the discrimination or harassment pending the outcome of the investigation.

C. HUMAN RESOURCES DIRECTOR

All employees with complaints of discrimination and harassment should take these complaints either to their Department Head or directly to the Human Resources Director at 954-730-3093 (office) or 954-854-7163 (cell). The Human Resources Director or designee will be responsible for processing all complaints of discrimination and harassment. He or she shall assess each situation by holding fact finding conferences, obtaining statements, etc. The Director of Human Resources shall report these findings to the City Manager and make recommendations concerning the disposition of each case. If an employee believes that he or she has been discriminated against or harassed by the Human Resources Director or designee, he or she should take his or her complaint directly to the City Manager who will be responsible for conducting the investigation.

D. CITY MANAGER

After reviewing all of the evidence, the City Manager shall make a determination as to whether reasonable grounds exist to believe that discrimination or harassment has occurred. If such grounds are found, the City Manager shall take the appropriate action within the EEOC guidelines and other law. The employee who is found guilty of discrimination or harassment shall be subject to disciplinary action, up to and including termination. If the investigation conducted by the Human Resources Department or the City Manager reveals that there is no basis whatsoever for the employee's accusation, there will be no ramifications against the employee nor will there be retaliation. However, if the investigation conducted by the Human Resources Department or the City Manager reveals that the accusations of sexual harassment are completely unfounded in every respect and were made solely for the purpose of harassing

the person accused, then the employee making the accusation will be subject to disciplinary action.

HR-4.6 **RETALIATION:**

This policy prohibits retaliation against employees who bring complaints of discrimination or harassment, including sexual harassment, or who assist in investigating such complaints. Any employee bringing a complaint of discrimination or harassment or assisting in the investigation will not be adversely affected in terms and conditions of employment. Nor shall any employee take any action against a complainant that is intended to discourage the complaint. Retaliation by any employee against the complainant could result in disciplinary action, up to and including termination. Depending on the circumstances, it may also result in criminal prosecution.

ACKNOWLEDGEMENT OF RECEIPT

All employees are required to read, and comply with the foregoing policy. All employees are required to sign the Acknowledgement of Receipt acknowledging receipt of the policy (See Page 6). The Acknowledgement of Receipt will be retained in the Human Resources Department's employee file.

ATTACHMENT J

Policies & Procedures
HR-4 – Discrimination and Harassment, Including Sexual Harassment

ACKNOWLEDGEMENT OF RECEIPT

I hereby acknowledge that I have read and understood the foregoing policy, rules and conditions governing the use of the City of Lauderhill's **Discrimination and Harassment, including Sexual Harassment Policies & Procedures**. I understand that a violation of the Policy **(HR-4)** or any Human Resources policy may result in disciplinary action, including possible termination, and/or legal action.

_____
Signature

_____
Print Name

_____
Date

_____
Human Resources

_____
Date

ATTACHMENT J

ATTACHMENT 2

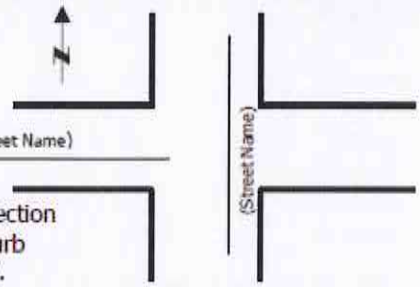
625-020-05
PRODUCTION SUPPORT
12/03

CONSTITUENT CURB RAMP REQUEST
Florida Department of Transportation
ADA / Accessibility Program

Please provide a written description or sketch of the location(s) where Curb Ramps would make your travel more safe and convenient.

LOCATION: NE NW SE SW ALL Corner(s) of the intersection
(Please circle appropriate locations)

between _____ and _____
(Please list intersecting streets above)



Please Provide Below:
Comments, Suggestions or other information that may assist us in providing a better service for you!

Please mark intersection corners needing Curb Ramps with an "**X**".

REPORTED BY: Name:_____ Day phone:_____
Address:_____ Date:_____
(City, State, Zip)

Please return to: Florida Department of Transportation
ADA/Accessibility Program
605 Suwannee Street, MS-33
Tallahassee, FL 32399-0450

For more information, Contact:
Dean Perkins, ADA Coordinator
Ph: 850-414-4359, FAX: 850-414-4955
E-mail: dean.perkins@dot.state.fl.us

ATTACHMENT J

ATTACHMENT 3

625-020-06
PRODUCTION SUPPORT
12/03

STATE OF FLORIDA
DEPARTMENT OF TRANSPORTATION

CONSTITUENT ACCESSIBLE ROUTE REQUEST
Florida Department of Transportation
ADA / Accessibility Program

Contact Information:

Name:_____

Address:_____
(City, State, Zip)

Day phone:_____

E-mail:_____

Description of Disability (if any):_____

Type of Assistive Technology (if any):_____

Location of Route:_____

_____

If you are not able to answer YES to a question, check as many problems as are applicable. In addition, please note the approximate locations you encountered each problem.

1. Did you have enough room to walk safely?

☐ Yes ☐ Some problems:

- ▫ No sidewalk exists
- ▫ Sidewalks started and stopped
- ▫ Sidewalks are too narrow
- ▫ Sidewalks are blocked with poles, signs or other obstacles
- ▫ Sidewalks are blocked by branches or other vertical obstacles
- ▫ Adequate passing space is not provided
- ▫ Other:_____

_____

_____

Location of Problems:_____

_____

_____

_____

Please return to: Florida Department of Transportation
ADA/Accessibility Program
605 Suwannee Street, MS-33
Tallahassee, FL 32399-0450

For more information, Contact:
Dean Perkins, ADA Coordinator
Ph: 850-414-4359, FAX: 850-414-4955
E-mail: dean.perkins@dot.state.fl.us

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ATTACHMENT J

2. Could you easily negotiate the sidewalk grades and cross-slopes?

☐ Yes ☐ Some problems:

- ☐ Sidewalks are excessively steep
- ☐ Sidewalks have severe cross-slopes
- ☐ Adequate rest areas and/or level areas are not provided
- ☐ Other:_____

Location of Problems:_____

3. Was the surface easy to walk on?

☐ Yes ☐ Some problems:

- ☐ Sidewalks surfaces are not firm
- ☐ Sidewalks are covered with leaves or other debris
- ☐ Sidewalks are broken or cracked
- ☐ Gratings for trees and drainage are not avoidable
- ☐ Other:_____

Location of Problems:_____

4. Were the curb ramps easy to use?

☐ Yes ☐ Some problems:

- ☐ Curb ramps were not provided
- ☐ Curb ramps needed repair
- ☐ Puddles or debris collected at the bottom of the curb ramp
- ☐ Detectable warnings were not provided
- ☐ Curb ramps were too steep
- ☐ Curb ramps did not have landings
- ☐ Extreme street slope made entering or leaving the curb ramp difficult
- ☐ Obstacle such as poles or gratings blocked the curb ramps
- ☐ Curb ramps were exposed to traffic
- ☐ Other:_____

Location of Problems:_____

ATTACHMENT J

5. Was it easy to cross streets?

☐ Yes ☐ Some problems:

- ☐ Difficult to differentiate between the sidewalk and the street
- ☐ Road was too wide to cross on one signal phase
- ☐ Traffic signals made you wait too long
- ☐ Traffic signals did not give you enough time to cross
- ☐ Pedestrian controls were difficult to locate
- ☐ Pedestrian controls were difficult to activate
- ☐ Parked cars blocked your view of traffic
- ☐ Trees or plants blocked your view of traffic
- ☐ Other:_____

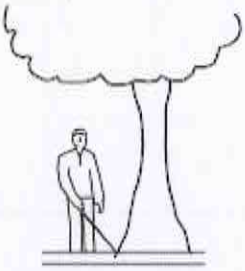
Location of Problems:_____

6. Was your walk pleasant?

☐ Yes ☐ Some problems:

- ☐ Needs more grass, plants, or trees
- ☐ Too much exposure to traffic
- ☐ Suspicious activity
- ☐ Not well lit
- ☐ Dirty; lots of litter or trash
- ☐ Other:_____

Location of Problems:_____



Please return to: Florida Department of Transportation
ADA/Accessibility Program
605 Suwannee Street, MS-33
Tallahassee, FL 32399-0450

For more information, Contact:
Dean Perkins, ADA Coordinator
Ph: 850-414-4359, FAX: 850-414-4955
E-mail: dean.perkins@dot.state.fl.us

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ATTACHMENT 4

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION

LOCAL AGENCY CERTIFICATION QUALIFICATION AGREEMENT

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LOCAL AGENCY City of Lauderhill

The noted Local Agency hereby agrees to comply with the following requirements when developing all projects on and off the Federal-aid Highway System:

1. The *Local Agency Program (LAP) Manual* and all policies and guidelines promulgated by the State of Florida Department of Transportation (Department) which accomplish the policies and objectives set forth in Title 23, U.S.C., Highways and the Regulations issued pursuant thereto.

2. The overall approval authorities and conditions will be as follows:

   a. The project design will be reviewed and approved by the following State of Florida registered Professional Engineer (s).

      City Engineer
      Position Title (s) Only

   b. The hearing's findings (if required) will be reviewed and approved by the following official(s).

      Director, Department of Engineering & Environmental Services and City Attorney
      Position Title(s) Only

   c. The contract plans, specifications, and estimate of cost will be reviewed and approved by the following State of Florida registered Professional Engineer (s).

      City Engineer
      Position Title (s) Only

   d. Agreements will be signed by the following responsible local official(s).

      (1) Railroad — City Manager
      Position Title (s) Only

      (2) Utility — City Manager
      Position Title (s) Only

      (3) Consultant — City Manager or Director, DEES
      Position Title (s) Only

      (4) Technical Services — City Manager or Director, DEES
      Position Title (s) Only

   e. The award of contract will be signed by the following responsible official.

      City Manager
      Position Title (s) Only

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STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION

LOCAL AGENCY CERTIFICATION QUALIFICATION AGREEMENT

f. The following person or persons will be the Disadvantage Business Enterprise (DBE) Liaison Officer, Title VI Officer, Equal Employment Opportunity(EEO)/Affirmative Action Officer, and Americans with Disabilities Act (ADA) Coordinator.
One person may serve in all four positions or a separate person in each position.

Name	Position Title	Contact Information
Indar Maharaj	Capital Projects Manager	954-730-4225 / indarmaharaj@lauderhill-fl.gov
Inder Maharaj	Capital Projects Manager	954-730-4225 / indarmaharaj@lauderhill-fl.gov
Indar Maharaj	Capital Projects Manager	954-730-4225 / indarmaharaj@lauderhill-fl.gov
Indar Maharaj	Capital Projects Manager	954-730-4225 / indarmaharaj@lauderhill-fl.gov

g. All projects will be designed and constructed in accordance with the requirements of the *LAP Manual*.

h. The Contract Administration will be supervised by the following State of Florida registered Professional Engineer.

City Engineer
Position Title Only

i. Construction Administration and Material Sampling and Testing will be accomplished in accordance with the requirements of the *LAP Manual*.

3. The Local Agency agrees that it has the means to provide adequate expertise and will have support staff available to perform the functions being subdelegated. The support staff may include consultant or State services.

4. The Local Agency agrees to submit the names of the approving authorities noted in Section 2 above with each project prospectus.

5. All projects under Local Agency Certification shall be available for review by the Federal Highway Administration (FHWA) and the Department at any time. All project documents shall be retained and available for inspection during the plan development and construction stages and for a three-year period following acceptance of the project by FHWA.

6. The Department's District LAP Administrator's approval of the Local Agency Certification may be rescinded at any time upon request by the Local Agency or if in the Department's District LAP Administrator's opinion, it is necessary to do so. The rescission may be applied to all or part of the functional areas or projects approved in the Local Agency Certification.

7. The Local Agency must receive a Recertification of Qualification after a period of three years of inactivity or at the discretion of the Department's District LAP Administrator. Failure to receive a Recertification of Qualification and/or unsatisfactory performance by the Local Agency will result in a Decertification of Qualification.

Mayor or Chairman or Designee

6/30/2009
Date

ATTACHMENT J

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION

LOCAL AGENCY CERTIFICATION QUALIFICATION AGREEMENT

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STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION

The Local Agency is certified in the following functional areas: ☒ Planning ☒ Environmental Documentation

☒ Design ☒ Consultant Selection ☒ Bid and Award Project ☒ Construction Administration

☒ Right of Way Documentation

Approved By: _____ _____

District Secretary or Designee Date

ATTACHMENT J

ATTACHMENT 5

FEDERAL HIGHWAY ADMINISTRATION

FORM 1273

REQUIRED CONTRACT PROVISIONS
FEDERAL-AID CONSTRUCTION CONTRACTS

I. General
II. Nondiscrimination
III. Nonsegregated Facilities
IV. Davis-Bacon and Related Act Provisions
V. Contract Work Hours and Safety Standards Act Provisions
VI. Subletting or Assigning the Contract
VII. Safety: Accident Prevention
VIII. False Statements Concerning Highway Projects
IX. Implementation of Clean Air Act and Federal Water Pollution Control Act
X. Compliance with Governmentwide Suspension and Debarment Requirements
XI. Certification Regarding Use of Contract Funds for Lobbying

ATTACHMENTS

A. Employment and Materials Preference for Appalachian Development Highway System or Appalachian Local Access Road Contracts (included in Appalachian contracts only)

I. GENERAL

1. Form FHWA-1273 must be physically incorporated in each construction contract funded under Title 23 (excluding emergency contracts solely intended for debris removal). The contractor (or subcontractor) must insert this form in each subcontract and further require its inclusion in all lower tier subcontracts (excluding purchase orders, rental agreements and other agreements for supplies or services).

The applicable requirements of Form FHWA-1273 are incorporated by reference for work done under any purchase order, rental agreement or agreement for other services. The prime contractor shall be responsible for compliance by any subcontractor, lower-tier subcontractor or service provider.

Form FHWA-1273 must be included in all Federal-aid design-build contracts, in all subcontracts and in lower tier subcontracts (excluding subcontracts for design services, purchase orders, rental agreements and other agreements for supplies or services). The design-builder shall be responsible for compliance by any subcontractor, lower-tier subcontractor or service provider.

Contracting agencies may reference Form FHWA-1273 in bid proposal or request for proposal documents, however, the Form FHWA-1273 must be physically incorporated (not referenced) in all contracts, subcontracts and lower-tier subcontracts (excluding purchase orders, rental agreements and other agreements for supplies or services related to a construction contract).

2. Subject to the applicability criteria noted in the following sections, these contract provisions shall apply to all work performed on the contract by the contractor's own organization and with the assistance of workers under the contractor's immediate superintendence and to all work performed on the contract by piecework, station work, or by subcontract.

3. A breach of any of the stipulations contained in these Required Contract Provisions may be sufficient grounds for withholding of progress payments, withholding of final payment, termination of the contract, suspension / debarment or any other action determined to be appropriate by the contracting agency and FHWA.

4. Selection of Labor: During the performance of this contract, the contractor shall not use convict labor for any purpose within the limits of a construction project on a Federal-aid highway unless it is labor performed by convicts who are on parole, supervised release, or probation. The term Federal-aid highway does not include roadways functionally classified as local roads or rural minor collectors.

II. NONDISCRIMINATION

The provisions of this section related to 23 CFR Part 230 are applicable to all Federal-aid construction contracts and to all related construction subcontracts of $10,000 or more. The provisions of 23 CFR Part 230 are not applicable to material supply, engineering, or architectural service contracts.

In addition, the contractor and all subcontractors must comply with the following policies: Executive Order 11246, 41 CFR 60, 29 CFR 1625-1627, Title 23 USC Section 140, the Rehabilitation Act of 1973, as amended (29 USC 794), Title VI of the Civil Rights Act of 1964, as amended, and related regulations including 49 CFR Parts 21, 26 and 27; and 23 CFR Parts 200, 230, and 633.

The contractor and all subcontractors must comply with: the requirements of the Equal Opportunity Clause in 41 CFR 60-1.4(b) and, for all construction contracts exceeding $10,000, the Standard Federal Equal Employment Opportunity Construction Contract Specifications in 41 CFR 60-4.3.

Note: The U.S. Department of Labor has exclusive authority to determine compliance with Executive Order 11246 and the policies of the Secretary of Labor including 41 CFR 60, and 29 CFR 1625-1627. The contracting agency and the FHWA have the authority and the responsibility to ensure compliance with Title 23 USC Section 140, the Rehabilitation Act of 1973, as amended (29 USC 794), and Title VI of the Civil Rights Act of 1964, as amended, and related regulations including 49 CFR Parts 21, 26 and 27; and 23 CFR Parts 200, 230, and 633.

The following provision is adopted from 23 CFR 230, Appendix A, with appropriate revisions to conform to the U.S. Department of Labor (US DOL) and FHWA requirements.

1. Equal Employment Opportunity: Equal employment opportunity (EEO) requirements not to discriminate and to take affirmative action to assure equal opportunity as set forth under laws, executive orders, rules, regulations (28 CFR 35, 29 CFR 1630, 29 CFR 1625-1627, 41 CFR 60 and 49 CFR 27) and orders of the Secretary of Labor as modified by the provisions prescribed herein, and imposed pursuant to 23 U.S.C. 140 shall constitute the EEO and specific affirmative action standards for the contractor's project activities under

this contract. The provisions of the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.) set forth under 28 CFR 35 and 29 CFR 1630 are incorporated by reference in this contract. In the execution of this contract, the contractor agrees to comply with the following minimum specific requirement activities of EEO:

a. The contractor will work with the contracting agency and the Federal Government to ensure that it has made every good faith effort to provide equal opportunity with respect to all of its terms and conditions of employment and in their review of activities under the contract.

b. The contractor will accept as its operating policy the following statement:

"It is the policy of this Company to assure that applicants are employed, and that employees are treated during employment, without regard to their race, religion, sex, color, national origin, age or disability. Such action shall include: employment, upgrading, demotion, or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship, pre-apprenticeship, and/or on-the-job training."

2. EEO Officer: The contractor will designate and make known to the contracting officers an EEO Officer who will have the responsibility for and must be capable of effectively administering and promoting an active EEO program and who must be assigned adequate authority and responsibility to do so.

3. Dissemination of Policy: All members of the contractor's staff who are authorized to hire, supervise, promote, and discharge employees, or who recommend such action, or who are substantially involved in such action, will be made fully cognizant of, and will implement, the contractor's EEO policy and contractual responsibilities to provide EEO in each grade and classification of employment. To ensure that the above agreement will be met, the following actions will be taken as a minimum:

a. Periodic meetings of supervisory and personnel office employees will be conducted before the start of work and then not less often than once every six months, at which time the contractor's EEO policy and its implementation will be reviewed and explained. The meetings will be conducted by the EEO Officer.

b. All new supervisory or personnel office employees will be given a thorough indoctrination by the EEO Officer, covering all major aspects of the contractor's EEO obligations within thirty days following their reporting for duty with the contractor.

c. All personnel who are engaged in direct recruitment for the project will be instructed by the EEO Officer in the contractor's procedures for locating and hiring minorities and women.

d. Notices and posters setting forth the contractor's EEO policy will be placed in areas readily accessible to employees, applicants for employment and potential employees.

e. The contractor's EEO policy and the procedures to implement such policy will be brought to the attention of employees by means of meetings, employee handbooks, or other appropriate means.

4. Recruitment: When advertising for employees, the contractor will include in all advertisements for employees the notation: "An Equal Opportunity Employer." All such advertisements will be placed in publications having a large circulation among minorities and women in the area from which the project work force would normally be derived.

a. The contractor will, unless precluded by a valid bargaining agreement, conduct systematic and direct recruitment through public and private employee referral sources likely to yield qualified minorities and women. To meet this requirement, the contractor will identify sources of potential minority group employees, and establish with such identified sources procedures whereby minority and women applicants may be referred to the contractor for employment consideration.

b. In the event the contractor has a valid bargaining agreement providing for exclusive hiring hall referrals, the contractor is expected to observe the provisions of that agreement to the extent that the system meets the contractor's compliance with EEO contract provisions. Where implementation of such an agreement has the effect of discriminating against minorities or women, or obligates the contractor to do the same, such implementation violates Federal nondiscrimination provisions.

c. The contractor will encourage its present employees to refer minorities and women as applicants for employment. Information and procedures with regard to referring such applicants will be discussed with employees.

5. Personnel Actions: Wages, working conditions, and employee benefits shall be established and administered, and personnel actions of every type, including hiring, upgrading, promotion, transfer, demotion, layoff, and termination, shall be taken without regard to race, color, religion, sex, national origin, age or disability. The following procedures shall be followed:

a. The contractor will conduct periodic inspections of project sites to insure that working conditions and employee facilities do not indicate discriminatory treatment of project site personnel.

b. The contractor will periodically evaluate the spread of wages paid within each classification to determine any evidence of discriminatory wage practices.

c. The contractor will periodically review selected personnel actions in depth to determine whether there is evidence of discrimination. Where evidence is found, the contractor will promptly take corrective action. If the review indicates that the discrimination may extend beyond the actions reviewed, such corrective action shall include all affected persons.

d. The contractor will promptly investigate all complaints of alleged discrimination made to the contractor in connection with its obligations under this contract, will attempt to resolve such complaints, and will take appropriate corrective action within a reasonable time. If the investigation indicates that the discrimination may affect persons other than the complainant, such corrective action shall include such other persons. Upon completion of each investigation, the contractor will inform every complainant of all of their avenues of appeal.

6. Training and Promotion:

a. The contractor will assist in locating, qualifying, and increasing the skills of minorities and women who are

applicants for employment or current employees. Such efforts should be aimed at developing full journey level status employees in the type of trade or job classification involved.

b. Consistent with the contractor's work force requirements and as permissible under Federal and State regulations, the contractor shall make full use of training programs, i.e., apprenticeship, and on-the-job training programs for the geographical area of contract performance. In the event a special provision for training is provided under this contract, this subparagraph will be superseded as indicated in the special provision. The contracting agency may reserve training positions for persons who receive welfare assistance in accordance with 23 U.S.C. 140(a).

c. The contractor will advise employees and applicants for employment of available training programs and entrance requirements for each.

d. The contractor will periodically review the training and promotion potential of employees who are minorities and women and will encourage eligible employees to apply for such training and promotion.

7. Unions: If the contractor relies in whole or in part upon unions as a source of employees, the contractor will use good faith efforts to obtain the cooperation of such unions to increase opportunities for minorities and women. Actions by the contractor, either directly or through a contractor's association acting as agent, will include the procedures set forth below:

a. The contractor will use good faith efforts to develop, in cooperation with the unions, joint training programs aimed toward qualifying more minorities and women for membership in the unions and increasing the skills of minorities and women so that they may qualify for higher paying employment.

b. The contractor will use good faith efforts to incorporate an EEO clause into each union agreement to the end that such union will be contractually bound to refer applicants without regard to their race, color, religion, sex, national origin, age or disability.

c. The contractor is to obtain information as to the referral practices and policies of the labor union except that to the extent such information is within the exclusive possession of the labor union and such labor union refuses to furnish such information to the contractor, the contractor shall so certify to the contracting agency and shall set forth what efforts have been made to obtain such information.

d. In the event the union is unable to provide the contractor with a reasonable flow of referrals within the time limit set forth in the collective bargaining agreement, the contractor will, through independent recruitment efforts, fill the employment vacancies without regard to race, color, religion, sex, national origin, age or disability; making full efforts to obtain qualified and/or qualifiable minorities and women. The failure of a union to provide sufficient referrals (even though it is obligated to provide exclusive referrals under the terms of a collective bargaining agreement) does not relieve the contractor from the requirements of this paragraph. In the event the union referral practice prevents the contractor from meeting the obligations pursuant to Executive Order 11246, as amended, and these special provisions, such contractor shall immediately notify the contracting agency.

8. Reasonable Accommodation for Applicants / Employees with Disabilities: The contractor must be familiar with the requirements for and comply with the Americans with Disabilities Act and all rules and regulations established there under. Employers must provide reasonable accommodation in all employment activities unless to do so would cause an undue hardship.

9. Selection of Subcontractors, Procurement of Materials and Leasing of Equipment: The contractor shall not discriminate on the grounds of race, color, religion, sex, national origin, age or disability in the selection and retention of subcontractors, including procurement of materials and leases of equipment. The contractor shall take all necessary and reasonable steps to ensure nondiscrimination in the administration of this contract.

a. The contractor shall notify all potential subcontractors and suppliers and lessors of their EEO obligations under this contract.

b. The contractor will use good faith efforts to ensure subcontractor compliance with their EEO obligations.

10. Assurance Required by 49 CFR 26.13(b):

a. The requirements of 49 CFR Part 26 and the State DOT's U.S. DOT-approved DBE program are incorporated by reference.

b. The contractor or subcontractor shall not discriminate on the basis of race, color, national origin, or sex in the performance of this contract. The contractor shall carry out applicable requirements of 49 CFR Part 26 in the award and administration of DOT-assisted contracts. Failure by the contractor to carry out these requirements is a material breach of this contract, which may result in the termination of this contract or such other remedy as the contracting agency deems appropriate.

11. Records and Reports: The contractor shall keep such records as necessary to document compliance with the EEO requirements. Such records shall be retained for a period of three years following the date of the final payment to the contractor for all contract work and shall be available at reasonable times and places for inspection by authorized representatives of the contracting agency and the FHWA.

a. The records kept by the contractor shall document the following:

(1) The number and work hours of minority and non-minority group members and women employed in each work classification on the project;

(2) The progress and efforts being made in cooperation with unions, when applicable, to increase employment opportunities for minorities and women; and

(3) The progress and efforts being made in locating, hiring, training, qualifying, and upgrading minorities and women;

b. The contractors and subcontractors will submit an annual report to the contracting agency each July for the duration of the project, indicating the number of minority, women, and non-minority group employees currently engaged in each work classification required by the contract work. This information is to be reported on Form FHWA-1391. The staffing data should represent the project work force on board in all or any part of the last payroll period preceding the end of July. If on-the-job training is being required by special provision, the contractor

will be required to collect and report training data. The employment data should reflect the work force on board during all or any part of the last payroll period preceding the end of July.

III. NONSEGREGATED FACILITIES

This provision is applicable to all Federal-aid construction contracts and to all related construction subcontracts of $10,000 or more.

The contractor must ensure that facilities provided for employees are provided in such a manner that segregation on the basis of race, color, religion, sex, or national origin cannot result. The contractor may neither require such segregated use by written or oral policies nor tolerate such use by employee custom. The contractor's obligation extends further to ensure that its employees are not assigned to perform their services at any location, under the contractor's control, where the facilities are segregated. The term "facilities" includes waiting rooms, work areas, restaurants and other eating areas, time clocks, restrooms, washrooms, locker rooms, and other storage or dressing areas, parking lots, drinking fountains, recreation or entertainment areas, transportation, and housing provided for employees. The contractor shall provide separate or single-user restrooms and necessary dressing or sleeping areas to assure privacy between sexes.

IV. DAVIS-BACON AND RELATED ACT PROVISIONS

This section is applicable to all Federal-aid construction projects exceeding $2,000 and to all related subcontracts and lower-tier subcontracts (regardless of subcontract size). The requirements apply to all projects located within the right-of-way of a roadway that is functionally classified as Federal-aid highway. This excludes roadways functionally classified as local roads or rural minor collectors, which are exempt. Contracting agencies may elect to apply these requirements to other projects.

The following provisions are from the U.S. Department of Labor regulations in 29 CFR 5.5 "Contract provisions and related matters" with minor revisions to conform to the FHWA-1273 format and FHWA program requirements.

1. Minimum wages

a. All laborers and mechanics employed or working upon the site of the work, will be paid unconditionally and not less often than once a week, and without subsequent deduction or rebate on any account (except such payroll deductions as are permitted by regulations issued by the Secretary of Labor under the Copeland Act (29 CFR part 3)), the full amount of wages and bona fide fringe benefits (or cash equivalents thereof) due at time of payment computed at rates not less than those contained in the wage determination of the Secretary of Labor which is attached hereto and made a part hereof, regardless of any contractual relationship which may be alleged to exist between the contractor and such laborers and mechanics.

Contributions made or costs reasonably anticipated for bona fide fringe benefits under section 1(b)(2) of the Davis-Bacon Act on behalf of laborers or mechanics are considered wages paid to such laborers or mechanics, subject to the provisions of paragraph 1.d. of this section; also, regular contributions made or costs incurred for more than a weekly period (but not less often than quarterly) under plans, funds, or programs which cover the particular weekly period, are deemed to be constructively made or incurred during such weekly period. Such laborers and mechanics shall be paid the appropriate wage rate and fringe benefits on the wage determination for the classification of work actually performed, without regard to skill, except as provided in 29 CFR 5.5(a)(4). Laborers or mechanics performing work in more than one classification may be compensated at the rate specified for each classification for the time actually worked therein: Provided, That the employer's payroll records accurately set forth the time spent in each classification in which work is performed. The wage determination (including any additional classification and wage rates conformed under paragraph 1.b. of this section) and the Davis-Bacon poster (WH–1321) shall be posted at all times by the contractor and its subcontractors at the site of the work in a prominent and accessible place where it can be easily seen by the workers.

b.(1) The contracting officer shall require that any class of laborers or mechanics, including helpers, which is not listed in the wage determination and which is to be employed under the contract shall be classified in conformance with the wage determination. The contracting officer shall approve an additional classification and wage rate and fringe benefits therefore only when the following criteria have been met:

(i) The work to be performed by the classification requested is not performed by a classification in the wage determination; and

(ii) The classification is utilized in the area by the construction industry; and

(iii) The proposed wage rate, including any bona fide fringe benefits, bears a reasonable relationship to the wage rates contained in the wage determination.

(2) If the contractor and the laborers and mechanics to be employed in the classification (if known), or their representatives, and the contracting officer agree on the classification and wage rate (including the amount designated for fringe benefits where appropriate), a report of the action taken shall be sent by the contracting officer to the Administrator of the Wage and Hour Division, Employment Standards Administration, U.S. Department of Labor, Washington, DC 20210. The Administrator, or an authorized representative, will approve, modify, or disapprove every additional classification action within 30 days of receipt and so advise the contracting officer or will notify the contracting officer within the 30-day period that additional time is necessary.

(3) In the event the contractor, the laborers or mechanics to be employed in the classification or their representatives, and the contracting officer do not agree on the proposed classification and wage rate (including the amount designated for fringe benefits, where appropriate), the contracting officer shall refer the questions, including the views of all interested parties and the recommendation of the contracting officer, to the Wage and Hour Administrator for determination. The Wage and Hour Administrator, or an authorized representative, will issue a determination within 30 days of receipt and so advise the contracting officer or

will notify the contracting officer within the 30-day period that additional time is necessary.

(4) The wage rate (including fringe benefits where appropriate) determined pursuant to paragraphs 1.b.(2) or 1.b.(3) of this section, shall be paid to all workers performing work in the classification under this contract from the first day on which work is performed in the classification.

c. Whenever the minimum wage rate prescribed in the contract for a class of laborers or mechanics includes a fringe benefit which is not expressed as an hourly rate, the contractor shall either pay the benefit as stated in the wage determination or shall pay another bona fide fringe benefit or an hourly cash equivalent thereof.

d. If the contractor does not make payments to a trustee or other third person, the contractor may consider as part of the wages of any laborer or mechanic the amount of any costs reasonably anticipated in providing bona fide fringe benefits under a plan or program, Provided, That the Secretary of Labor has found, upon the written request of the contractor, that the applicable standards of the Davis-Bacon Act have been met. The Secretary of Labor may require the contractor to set aside in a separate account assets for the meeting of obligations under the plan or program.

2. Withholding

The contracting agency shall upon its own action or upon written request of an authorized representative of the Department of Labor, withhold or cause to be withheld from the contractor under this contract, or any other Federal contract with the same prime contractor, or any other federally-assisted contract subject to Davis-Bacon prevailing wage requirements, which is held by the same prime contractor, so much of the accrued payments or advances as may be considered necessary to pay laborers and mechanics, including apprentices, trainees, and helpers, employed by the contractor or any subcontractor the full amount of wages required by the contract. In the event of failure to pay any laborer or mechanic, including any apprentice, trainee, or helper, employed or working on the site of the work, all or part of the wages required by the contract, the contracting agency may, after written notice to the contractor, take such action as may be necessary to cause the suspension of any further payment, advance, or guarantee of funds until such violations have ceased.

3. Payrolls and basic records

a. Payrolls and basic records relating thereto shall be maintained by the contractor during the course of the work and preserved for a period of three years thereafter for all laborers and mechanics working at the site of the work. Such records shall contain the name, address, and social security number of each such worker, his or her correct classification, hourly rates of wages paid (including rates of contributions or costs anticipated for bona fide fringe benefits or cash equivalents thereof of the types described in section 1(b)(2)(B) of the Davis-Bacon Act), daily and weekly number of hours worked, deductions made and actual wages paid. Whenever the Secretary of Labor has found under 29 CFR 5.5(a)(1)(iv) that the wages of any laborer or mechanic include the amount of any costs reasonably anticipated in providing benefits under a plan or program described in section 1(b)(2)(B) of the Davis-Bacon Act, the contractor shall maintain records which show that the commitment to provide such benefits is enforceable, that the plan or program is financially responsible, and that the plan or program has been communicated in writing to the laborers or mechanics affected, and records which show the costs anticipated or the actual cost incurred in providing such benefits. Contractors employing apprentices or trainees under approved programs shall maintain written evidence of the registration of apprenticeship programs and certification of trainee programs, the registration of the apprentices and trainees, and the ratios and wage rates prescribed in the applicable programs.

b.(1) The contractor shall submit weekly for each week in which any contract work is performed a copy of all payrolls to the contracting agency. The payrolls submitted shall set out accurately and completely all of the information required to be maintained under 29 CFR 5.5(a)(3)(i), except that full social security numbers and home addresses shall not be included on weekly transmittals. Instead the payrolls shall only need to include an individually identifying number for each employee (e.g. , the last four digits of the employee's social security number). The required weekly payroll information may be submitted in any form desired. Optional Form WH–347 is available for this purpose from the Wage and Hour Division Web site at http://www.dol.gov/esa/whd/forms/wh347instr.htm or its successor site. The prime contractor is responsible for the submission of copies of payrolls by all subcontractors. Contractors and subcontractors shall maintain the full social security number and current address of each covered worker, and shall provide them upon request to the contracting agency for transmission to the State DOT, the FHWA or the Wage and Hour Division of the Department of Labor for purposes of an investigation or audit of compliance with prevailing wage requirements. It is not a violation of this section for a prime contractor to require a subcontractor to provide addresses and social security numbers to the prime contractor for its own records, without weekly submission to the contracting agency..

(2) Each payroll submitted shall be accompanied by a "Statement of Compliance," signed by the contractor or subcontractor or his or her agent who pays or supervises the payment of the persons employed under the contract and shall certify the following:

(i) That the payroll for the payroll period contains the information required to be provided under §5.5 (a)(3)(ii) of Regulations, 29 CFR part 5, the appropriate information is being maintained under §5.5 (a)(3)(i) of Regulations, 29 CFR part 5, and that such information is correct and complete;

(ii) That each laborer or mechanic (including each helper, apprentice, and trainee) employed on the contract during the payroll period has been paid the full weekly wages earned, without rebate, either directly or indirectly, and that no deductions have been made either directly or indirectly from the full wages earned, other than permissible deductions as set forth in Regulations, 29 CFR part 3;

(iii) That each laborer or mechanic has been paid not less than the applicable wage rates and fringe benefits or cash equivalents for the classification of work performed, as specified in the applicable wage determination incorporated into the contract.

(3) The weekly submission of a properly executed certification set forth on the reverse side of Optional Form WH-347 shall satisfy the requirement for submission of the "Statement of Compliance" required by paragraph 3.b.(2) of this section.

(4) The falsification of any of the above certifications may subject the contractor or subcontractor to civil or criminal prosecution under section 1001 of title 18 and section 231 of title 31 of the United States Code.

c. The contractor or subcontractor shall make the records required under paragraph 3.a. of this section available for inspection, copying, or transcription by authorized representatives of the contracting agency, the State DOT, the FHWA, or the Department of Labor, and shall permit such representatives to interview employees during working hours on the job. If the contractor or subcontractor fails to submit the required records or to make them available, the FHWA may, after written notice to the contractor, the contracting agency or the State DOT, take such action as may be necessary to cause the suspension of any further payment, advance, or guarantee of funds. Furthermore, failure to submit the required records upon request or to make such records available may be grounds for debarment action pursuant to 29 CFR 5.12.

4. Apprentices and trainees

a. Apprentices (programs of the USDOL).

Apprentices will be permitted to work at less than the predetermined rate for the work they performed when they are employed pursuant to and individually registered in a bona fide apprenticeship program registered with the U.S. Department of Labor, Employment and Training Administration, Office of Apprenticeship Training, Employer and Labor Services, or with a State Apprenticeship Agency recognized by the Office, or if a person is employed in his or her first 90 days of probationary employment as an apprentice in such an apprenticeship program, who is not individually registered in the program, but who has been certified by the Office of Apprenticeship Training, Employer and Labor Services or a State Apprenticeship Agency (where appropriate) to be eligible for probationary employment as an apprentice.

The allowable ratio of apprentices to journeymen on the job site in any craft classification shall not be greater than the ratio permitted to the contractor as to the entire work force under the registered program. Any worker listed on a payroll at an apprentice wage rate, who is not registered or otherwise employed as stated above, shall be paid not less than the applicable wage rate on the wage determination for the classification of work actually performed. In addition, any apprentice performing work on the job site in excess of the ratio permitted under the registered program shall be paid not less than the applicable wage rate on the wage determination for the work actually performed. Where a contractor is performing construction on a project in a locality other than that in which its program is registered, the ratios and wage rates (expressed in percentages of the journeyman's hourly rate) specified in the contractor's or subcontractor's registered program shall be observed.

Every apprentice must be paid at not less than the rate specified in the registered program for the apprentice's level of progress, expressed as a percentage of the journeymen hourly rate specified in the applicable wage determination. Apprentices shall be paid fringe benefits in accordance with the provisions of the apprenticeship program. If the apprenticeship program does not specify fringe benefits, apprentices must be paid the full amount of fringe benefits listed on the wage determination for the applicable classification. If the Administrator determines that a different practice prevails for the applicable apprentice classification, fringes shall be paid in accordance with that determination.

In the event the Office of Apprenticeship Training, Employer and Labor Services, or a State Apprenticeship Agency recognized by the Office, withdraws approval of an apprenticeship program, the contractor will no longer be permitted to utilize apprentices at less than the applicable predetermined rate for the work performed until an acceptable program is approved.

b. Trainees (programs of the USDOL).

Except as provided in 29 CFR 5.16, trainees will not be permitted to work at less than the predetermined rate for the work performed unless they are employed pursuant to and individually registered in a program which has received prior approval, evidenced by formal certification by the U.S. Department of Labor, Employment and Training Administration.

The ratio of trainees to journeymen on the job site shall not be greater than permitted under the plan approved by the Employment and Training Administration.

Every trainee must be paid at not less than the rate specified in the approved program for the trainee's level of progress, expressed as a percentage of the journeyman hourly rate specified in the applicable wage determination. Trainees shall be paid fringe benefits in accordance with the provisions of the trainee program. If the trainee program does not mention fringe benefits, trainees shall be paid the full amount of fringe benefits listed on the wage determination unless the Administrator of the Wage and Hour Division determines that there is an apprenticeship program associated with the corresponding journeyman wage rate on the wage determination which provides for less than full fringe benefits for apprentices. Any employee listed on the payroll at a trainee rate who is not registered and participating in a training plan approved by the Employment and Training Administration shall be paid not less than the applicable wage rate on the wage determination for the classification of work actually performed. In addition, any trainee performing work on the job site in excess of the ratio permitted under the registered program shall be paid not less than the applicable wage rate on the wage determination for the work actually performed.

In the event the Employment and Training Administration withdraws approval of a training program, the contractor will no longer be permitted to utilize trainees at less than the applicable predetermined rate for the work performed until an acceptable program is approved.

c. Equal employment opportunity. The utilization of apprentices, trainees and journeymen under this part shall be in conformity with the equal employment opportunity requirements of Executive Order 11246, as amended, and 29 CFR part 30.

d. Apprentices and Trainees (programs of the U.S. DOT).

Apprentices and trainees working under apprenticeship and skill training programs which have been certified by the Secretary of Transportation as promoting EEO in connection with Federal-aid highway construction programs are not subject to the requirements of paragraph 4 of this Section IV. The straight time hourly wage rates for apprentices and trainees under such programs will be established by the particular programs. The ratio of apprentices and trainees to journeymen shall not be greater than permitted by the terms of the particular program.

5. Compliance with Copeland Act requirements. The contractor shall comply with the requirements of 29 CFR part 3, which are incorporated by reference in this contract.

6. Subcontracts. The contractor or subcontractor shall insert Form FHWA-1273 in any subcontracts and also require the subcontractors to include Form FHWA-1273 in any lower tier subcontracts. The prime contractor shall be responsible for the compliance by any subcontractor or lower tier subcontractor with all the contract clauses in 29 CFR 5.5.

7. Contract termination: debarment. A breach of the contract clauses in 29 CFR 5.5 may be grounds for termination of the contract, and for debarment as a contractor and a subcontractor as provided in 29 CFR 5.12.

8. Compliance with Davis-Bacon and Related Act requirements. All rulings and interpretations of the Davis-Bacon and Related Acts contained in 29 CFR parts 1, 3, and 5 are herein incorporated by reference in this contract.

9. Disputes concerning labor standards. Disputes arising out of the labor standards provisions of this contract shall not be subject to the general disputes clause of this contract. Such disputes shall be resolved in accordance with the procedures of the Department of Labor set forth in 29 CFR parts 5, 6, and 7. Disputes within the meaning of this clause include disputes between the contractor (or any of its subcontractors) and the contracting agency, the U.S. Department of Labor, or the employees or their representatives.

10. Certification of eligibility.

a. By entering into this contract, the contractor certifies that neither it (nor he or she) nor any person or firm who has an interest in the contractor's firm is a person or firm ineligible to be awarded Government contracts by virtue of section 3(a) of the Davis-Bacon Act or 29 CFR 5.12(a)(1).

b. No part of this contract shall be subcontracted to any person or firm ineligible for award of a Government contract by virtue of section 3(a) of the Davis-Bacon Act or 29 CFR 5.12(a)(1).

c. The penalty for making false statements is prescribed in the U.S. Criminal Code, 18 U.S.C. 1001.

V. CONTRACT WORK HOURS AND SAFETY STANDARDS ACT

The following clauses apply to any Federal-aid construction contract in an amount in excess of $100,000 and subject to the overtime provisions of the Contract Work Hours and Safety Standards Act. These clauses shall be inserted in addition to the clauses required by 29 CFR 5.5(a) or 29 CFR 4.6. As used in this paragraph, the terms laborers and mechanics include watchmen and guards.

1. Overtime requirements. No contractor or subcontractor contracting for any part of the contract work which may require or involve the employment of laborers or mechanics shall require or permit any such laborer or mechanic in any workweek in which he or she is employed on such work to work in excess of forty hours in such workweek unless such laborer or mechanic receives compensation at a rate not less than one and one-half times the basic rate of pay for all hours worked in excess of forty hours in such workweek.

2. Violation; liability for unpaid wages; liquidated damages. In the event of any violation of the clause set forth in paragraph (1.) of this section, the contractor and any subcontractor responsible therefor shall be liable for the unpaid wages. In addition, such contractor and subcontractor shall be liable to the United States (in the case of work done under contract for the District of Columbia or a territory, to such District or to such territory), for liquidated damages. Such liquidated damages shall be computed with respect to each individual laborer or mechanic, including watchmen and guards, employed in violation of the clause set forth in paragraph (1.) of this section, in the sum of $10 for each calendar day on which such individual was required or permitted to work in excess of the standard workweek of forty hours without payment of the overtime wages required by the clause set forth in paragraph (1.) of this section.

3. Withholding for unpaid wages and liquidated damages. The FHWA or the contacting agency shall upon its own action or upon written request of an authorized representative of the Department of Labor withhold or cause to be withheld, from any moneys payable on account of work performed by the contractor or subcontractor under any such contract or any other Federal contract with the same prime contractor, or any other federally-assisted contract subject to the Contract Work Hours and Safety Standards Act, which is held by the same prime contractor, such sums as may be determined to be necessary to satisfy any liabilities of such contractor or subcontractor for unpaid wages and liquidated damages as provided in the clause set forth in paragraph (2.) of this section.

4. Subcontracts. The contractor or subcontractor shall insert in any subcontracts the clauses set forth in paragraph (1.) through (4.) of this section and also a clause requiring the subcontractors to include these clauses in any lower tier subcontracts. The prime contractor shall be responsible for compliance by any subcontractor or lower tier subcontractor with the clauses set forth in paragraphs (1.) through (4.) of this section.

VI. SUBLETTING OR ASSIGNING THE CONTRACT

This provision is applicable to all Federal-aid construction contracts on the National Highway System.

1. The contractor shall perform with its own organization contract work amounting to not less than 30 percent (or a greater percentage if specified elsewhere in the contract) of the total original contract price, excluding any specialty items designated by the contracting agency. Specialty items may be performed by subcontract and the amount of any such specialty items performed may be deducted from the total original contract price before computing the amount of work required to be performed by the contractor's own organization (23 CFR 635.116).

a. The term "perform work with its own organization" refers to workers employed or leased by the prime contractor, and equipment owned or rented by the prime contractor, with or without operators. Such term does not include employees or equipment of a subcontractor or lower tier subcontractor, agents of the prime contractor, or any other assignees. The term may include payments for the costs of hiring leased employees from an employee leasing firm meeting all relevant Federal and State regulatory requirements. Leased employees may only be included in this term if the prime contractor meets all of the following conditions:

(1) the prime contractor maintains control over the supervision of the day-to-day activities of the leased employees;
(2) the prime contractor remains responsible for the quality of the work of the leased employees;
(3) the prime contractor retains all power to accept or exclude individual employees from work on the project; and
(4) the prime contractor remains ultimately responsible for the payment of predetermined minimum wages, the submission of payrolls, statements of compliance and all other Federal regulatory requirements.

b. "Specialty Items" shall be construed to be limited to work that requires highly specialized knowledge, abilities, or equipment not ordinarily available in the type of contracting organizations qualified and expected to bid or propose on the contract as a whole and in general are to be limited to minor components of the overall contract.

2. The contract amount upon which the requirements set forth in paragraph (1) of Section VI is computed includes the cost of material and manufactured products which are to be purchased or produced by the contractor under the contract provisions.

3. The contractor shall furnish (a) a competent superintendent or supervisor who is employed by the firm, has full authority to direct performance of the work in accordance with the contract requirements, and is in charge of all construction operations (regardless of who performs the work) and (b) such other of its own organizational resources (supervision, management, and engineering services) as the contracting officer determines is necessary to assure the performance of the contract.

4. No portion of the contract shall be sublet, assigned or otherwise disposed of except with the written consent of the contracting officer, or authorized representative, and such consent when given shall not be construed to relieve the contractor of any responsibility for the fulfillment of the contract. Written consent will be given only after the contracting agency has assured that each subcontract is evidenced in writing and that it contains all pertinent provisions and requirements of the prime contract.

5. The 30% self-performance requirement of paragraph (1) is not applicable to design-build contracts; however, contracting agencies may establish their own self-performance requirements.

VII. SAFETY: ACCIDENT PREVENTION

This provision is applicable to all Federal-aid construction contracts and to all related subcontracts.

1. In the performance of this contract the contractor shall comply with all applicable Federal, State, and local laws governing safety, health, and sanitation (23 CFR 635). The contractor shall provide all safeguards, safety devices and protective equipment and take any other needed actions as it determines, or as the contracting officer may determine, to be reasonably necessary to protect the life and health of employees on the job and the safety of the public and to protect property in connection with the performance of the work covered by the contract.

2. It is a condition of this contract, and shall be made a condition of each subcontract, which the contractor enters into pursuant to this contract, that the contractor and any subcontractor shall not permit any employee, in performance of the contract, to work in surroundings or under conditions which are unsanitary, hazardous or dangerous to his/her health or safety, as determined under construction safety and health standards (29 CFR 1926) promulgated by the Secretary of Labor, in accordance with Section 107 of the Contract Work Hours and Safety Standards Act (40 U.S.C. 3704).

3. Pursuant to 29 CFR 1926.3, it is a condition of this contract that the Secretary of Labor or authorized representative thereof, shall have right of entry to any site of contract performance to inspect or investigate the matter of compliance with the construction safety and health standards and to carry out the duties of the Secretary under Section 107 of the Contract Work Hours and Safety Standards Act (40 U.S.C.3704).

VIII. FALSE STATEMENTS CONCERNING HIGHWAY PROJECTS

This provision is applicable to all Federal-aid construction contracts and to all related subcontracts.

In order to assure high quality and durable construction in conformity with approved plans and specifications and a high degree of reliability on statements and representations made by engineers, contractors, suppliers, and workers on Federal-aid highway projects, it is essential that all persons concerned with the project perform their functions as carefully, thoroughly, and honestly as possible. Willful falsification, distortion, or misrepresentation with respect to any facts related to the project is a violation of Federal law. To prevent any misunderstanding regarding the seriousness of these and similar acts, Form FHWA-1022 shall be posted on each Federal-aid highway project (23 CFR 635) in one or more places where it is readily available to all persons concerned with the project:

18 U.S.C. 1020 reads as follows:

"Whoever, being an officer, agent, or employee of the United States, or of any State or Territory, or whoever, whether a person, association, firm, or corporation, knowingly makes any false statement, false representation, or false report as to the character, quality, quantity, or cost of the material used or to be used, or the quantity or quality of the work performed or to be performed, or the cost thereof in connection with the submission of plans, maps, specifications, contracts, or costs of construction on any highway or related project submitted for approval to the Secretary of Transportation; or

Whoever knowingly makes any false statement, false representation, false report or false claim with respect to the character, quality, quantity, or cost of any work performed or to be performed, or materials furnished or to be furnished, in connection with the construction of any highway or related project approved by the Secretary of Transportation; or

Whoever knowingly makes any false statement or false representation as to material fact in any statement, certificate, or report submitted pursuant to provisions of the Federal-aid Roads Act approved July 1, 1916, (39 Stat. 355), as amended and supplemented;

Shall be fined under this title or imprisoned not more than 5 years or both."

IX. IMPLEMENTATION OF CLEAN AIR ACT AND FEDERAL WATER POLLUTION CONTROL ACT

This provision is applicable to all Federal-aid construction contracts and to all related subcontracts.

By submission of this bid/proposal or the execution of this contract, or subcontract, as appropriate, the bidder, proposer, Federal-aid construction contractor, or subcontractor, as appropriate, will be deemed to have stipulated as follows:

1. That any person who is or will be utilized in the performance of this contract is not prohibited from receiving an award due to a violation of Section 508 of the Clean Water Act or Section 306 of the Clean Air Act.
2. That the contractor agrees to include or cause to be included the requirements of paragraph (1) of this Section X in every subcontract, and further agrees to take such action as the contracting agency may direct as a means of enforcing such requirements.

X. CERTIFICATION REGARDING DEBARMENT, SUSPENSION, INELIGIBILITY AND VOLUNTARY EXCLUSION

This provision is applicable to all Federal-aid construction contracts, design-build contracts, subcontracts, lower-tier subcontracts, purchase orders, lease agreements, consultant contracts or any other covered transaction requiring FHWA approval or that is estimated to cost $25,000 or more – as defined in 2 CFR Parts 180 and 1200.

1. Instructions for Certification – First Tier Participants:

a. By signing and submitting this proposal, the prospective first tier participant is providing the certification set out below.

b. The inability of a person to provide the certification set out below will not necessarily result in denial of participation in this covered transaction. The prospective first tier participant shall submit an explanation of why it cannot provide the certification set out below. The certification or explanation will be considered in connection with the department or agency's determination whether to enter into this transaction. However, failure of the prospective first tier participant to furnish a certification or an explanation shall disqualify such a person from participation in this transaction.

c. The certification in this clause is a material representation of fact upon which reliance was placed when the contracting agency determined to enter into this transaction. If it is later determined that the prospective participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government, the contracting agency may terminate this transaction for cause of default.

d. The prospective first tier participant shall provide immediate written notice to the contracting agency to whom this proposal is submitted if any time the prospective first tier participant learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.

e. The terms "covered transaction," "debarred," "suspended," "ineligible," "participant," "person," "principal," and "voluntarily excluded," as used in this clause, are defined in 2 CFR Parts 180 and 1200. "First Tier Covered Transactions" refers to any covered transaction between a grantee or subgrantee of Federal funds and a participant (such as the prime or general contract). "Lower Tier Covered Transactions" refers to any covered transaction under a First Tier Covered Transaction (such as subcontracts). "First Tier Participant" refers to the participant who has entered into a covered transaction with a grantee or subgrantee of Federal funds (such as the prime or general contractor). "Lower Tier Participant" refers any participant who has entered into a covered transaction with a First Tier Participant or other Lower Tier Participants (such as subcontractors and suppliers).

f. The prospective first tier participant agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency entering into this transaction.

g. The prospective first tier participant further agrees by submitting this proposal that it will include the clause titled "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion-Lower Tier Covered Transactions," provided by the department or contracting agency, entering into this covered transaction, without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions exceeding the $25,000 threshold.

h. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that is not debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant is responsible for ensuring that its principals are not suspended, debarred, or otherwise ineligible to participate in covered transactions. To verify the eligibility of its principals, as well as the eligibility of any lower tier prospective participants, each participant may, but is not required to, check the Excluded Parties List System website (https://www.epls.gov/), which is compiled by the General Services Administration.

i. Nothing contained in the foregoing shall be construed to require the establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of the prospective participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.

j. Except for transactions authorized under paragraph (f) of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal Government, the department or agency may terminate this transaction for cause or default.

* * * * *

2. Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion – First Tier Participants:

a. The prospective first tier participant certifies to the best of its knowledge and belief, that it and its principals:

(1) Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participating in covered transactions by any Federal department or agency;

(2) Have not within a three-year period preceding this proposal been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;

(3) Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State or local) with commission of any of the offenses enumerated in paragraph (a)(2) of this certification; and

(4) Have not within a three-year period preceding this application/proposal had one or more public transactions (Federal, State or local) terminated for cause or default.

b. Where the prospective participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

2. **Instructions for Certification - Lower Tier Participants:**

(Applicable to all subcontracts, purchase orders and other lower tier transactions requiring prior FHWA approval or estimated to cost $25,000 or more - 2 CFR Parts 180 and 1200)

a. By signing and submitting this proposal, the prospective lower tier is providing the certification set out below.

b. The certification in this clause is a material representation of fact upon which reliance was placed when this transaction was entered into. If it is later determined that the prospective lower tier participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government, the department, or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment.

c. The prospective lower tier participant shall provide immediate written notice to the person to which this proposal is submitted if at any time the prospective lower tier participant learns that its certification was erroneous by reason of changed circumstances.

d. The terms "covered transaction," "debarred," "suspended," "ineligible," "participant," "person," "principal," and "voluntarily excluded," as used in this clause, are defined in 2 CFR Parts 180 and 1200. You may contact the person to which this proposal is submitted for assistance in obtaining a copy of those regulations. "First Tier Covered Transactions" refers to any covered transaction between a grantee or subgrantee of Federal funds and a participant (such as the prime or general contract). "Lower Tier Covered Transactions" refers to any covered transaction under a First Tier Covered Transaction (such as subcontracts). "First Tier Participant" refers to the participant who has entered into a covered transaction with a grantee or subgrantee of Federal funds (such as the prime or general contractor). "Lower Tier Participant" refers any participant who has entered into a covered transaction with a First Tier Participant or other Lower Tier Participants (such as subcontractors and suppliers).

e. The prospective lower tier participant agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency with which this transaction originated.

f. The prospective lower tier participant further agrees by submitting this proposal that it will include this clause titled "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion-Lower Tier Covered Transaction," without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions exceeding the $25,000 threshold.

g. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that is not debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant is responsible for ensuring that its principals are not suspended, debarred, or otherwise ineligible to participate in covered transactions. To verify the eligibility of its principals, as well as the eligibility of any lower tier prospective participants, each participant may, but is not required to, check the Excluded Parties List System website (https://www.epls.gov/), which is compiled by the General Services Administration.

h. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.

i. Except for transactions authorized under paragraph e of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal Government, the

department or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment.

* * * * *

Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion--Lower Tier Participants:

1. The prospective lower tier participant certifies, by submission of this proposal, that neither it nor its principals is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participating in covered transactions by any Federal department or agency.

2. Where the prospective lower tier participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

* * * * *

XI. CERTIFICATION REGARDING USE OF CONTRACT FUNDS FOR LOBBYING

This provision is applicable to all Federal-aid construction contracts and to all related subcontracts which exceed $100,000 (49 CFR 20).

1. The prospective participant certifies, by signing and submitting this bid or proposal, to the best of his or her knowledge and belief, that:

a. 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 any Federal 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.

b. If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any Federal 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," in accordance with its instructions.

2. 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. 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.

3. The prospective participant also agrees by submitting its bid or proposal that the participant shall require that the language of this certification be included in all lower tier subcontracts, which exceed $100,000 and that all such recipients shall certify and disclose accordingly.

ATTACHMENT A - EMPLOYMENT AND MATERIALS PREFERENCE FOR APPALACHIAN DEVELOPMENT HIGHWAY SYSTEM OR APPALACHIAN LOCAL ACCESS ROAD CONTRACTS

This provision is applicable to all Federal-aid projects funded under the Appalachian Regional Development Act of 1965.

1. During the performance of this contract, the contractor undertaking to do work which is, or reasonably may be, done as on-site work, shall give preference to qualified persons who regularly reside in the labor area as designated by the DOL wherein the contract work is situated, or the subregion, or the Appalachian counties of the State wherein the contract work is situated, except:

a. To the extent that qualified persons regularly residing in the area are not available.

b. For the reasonable needs of the contractor to employ supervisory or specially experienced personnel necessary to assure an efficient execution of the contract work.

c. For the obligation of the contractor to offer employment to present or former employees as the result of a lawful collective bargaining contract, provided that the number of nonresident persons employed under this subparagraph (1c) shall not exceed 20 percent of the total number of employees employed by the contractor on the contract work, except as provided in subparagraph (4) below.

2. The contractor shall place a job order with the State Employment Service indicating (a) the classifications of the laborers, mechanics and other employees required to perform the contract work, (b) the number of employees required in each classification, (c) the date on which the participant estimates such employees will be required, and (d) any other pertinent information required by the State Employment Service to complete the job order form. The job order may be placed with the State Employment Service in writing or by telephone. If during the course of the contract work, the information submitted by the contractor in the original job order is substantially modified, the participant shall promptly notify the State Employment Service.

3. The contractor shall give full consideration to all qualified job applicants referred to him by the State Employment Service. The contractor is not required to grant employment to any job applicants who, in his opinion, are not qualified to perform the classification of work required.

4. If, within one week following the placing of a job order by the contractor with the State Employment Service, the State Employment Service is unable to refer any qualified job applicants to the contractor, or less than the number requested, the State Employment Service will forward a certificate to the contractor indicating the unavailability of applicants. Such certificate shall be made a part of the contractor's permanent project records. Upon receipt of this certificate, the contractor may employ persons who do not normally reside in the labor area to fill positions covered by the certificate, notwithstanding the provisions of subparagraph (1c) above.

5. The provisions of 23 CFR 633.207(e) allow the contracting agency to provide a contractual preference for the use of mineral resource materials native to the Appalachian region.

6. The contractor shall include the provisions of Sections 1 through 4 of this Attachment A in every subcontract for work which is, or reasonably may be, done as on-site work.

ATTACHMENT K

LAUDERHILL SHUTTLE KEY DESTINATIONS

Route #	Destination/Activity Center	Key Destination's
1 - 7	Destination & Activity Center	Lauderhill Transfer Facility hub adjacent to Lauderhill Mall
1 & 5	Activity Center	Florida Medical Center
1 & 5	Activity Center	Shoppes of Inverrary
1 & 5	Destination & Activity Center	City Hall
1 & 5	Activity Center	Inverness Plaza
1 - 5	Destination	Inverrary Plaza Shopping Center (community shuttle hub)
1 - 5	Activity Center	Inverrary Falls Shopping Center (Publix is anchor)
1 - 5	Destination	Lauderhill Town Centre Library & Police Station
2	Destination	John E. Mullin Community Center and Swimming Pool
2	Destination	Henderson Village Workforce 1 Kiosk
2	Destination	South Gateway Park
2	Activity Center	Inverrary Plaza / Post Office
3	Activity Center	Oakbroke Plaza
3	Activity Center	Inverrary Plaza West
3	Activity Center	Oakland Park Ofifce Complex (7 buildings)
3	Activity Center	Bon Vale & Madrid Plazas
3	Activity Center	Sunrise Town Center / Atrium West Office Complex
3 - 4	Activity Center	Inverrary Plaza
3	Activity Center	The Atrium
3	Destination	Sports Park
4	Activity Center	Executive Office Park
4	Activity Center	Boulevard Shoppes II
4	Activity Center	Babies R US Plaza
4	Activity Center	Super Target Plaza
4	Activity Center	University Shoppes
6	Activity Center	United Parcel Service
6	Activity Center	NW 38th Avenue Commerce Park
6	Destination	Broward County CAA & Family Success Center
6 - 7	Activity Center	Thunderbird Swap Shop
6 - 7	Destination	Central Broward Regional Park
7	Activity Center	Plantation General Hospital
7	Destination & Activity Center	DCF Broward Central Service Center
7	Activity Center	West Broward Shopping Center
7	Destination	FLITE Center
7	Destination	Cooperative Feeding Program

5 Existing Routes: 6 Destinations, 17 Activity Centers and 2 Destination & Activity Centers
2 New Routes: 5 Destinations, 5 Activity Centers and 2 Destination & Activity Centers

Sources: City of Lauderhill Community Bus Service Routes & Timetables; Planning & Zoning Section (September 2011)

ATTACHMENT L

OTHER MUNICIPAL SHUTTLE KEY DESTINATIONS

Route #	Destination/Activity Center	Key Destination's
FB, FR, LN, PA, PB	Destination & Activity Center	Lauderhill Mall / Lauderhill Transfer Faciality
FB	Activity Center	Thunderbird Swap Shop
FB, FR	Destination	African-American Research Library
FB	Activity Center	Winn-Dixie Plaza
FB	Activity Center	7th Avenue Health Center
FB, FR	Destination & Activity Center	Broward Central Terminal/County/Library & Downtown
FR	Activity Center	County Courthouse
FR	Activity Center	Department of Children & Families
FR	Activity Center	Cooperative Feeding Center
LN	Activity Center	Sunshine Plaza
LN	Activity Center	Shoppes of Oriole
LN, LE	Activity Center	Lauderdale Lakes City Hall Complex
LN	Activity Center	Lauderdale Lakes Mall
LN	Activity Center	Reef Plaza
LN	Activity Center	Lauderdale Market Place
LN	Activity Center	Wall-Mart Supercenter
LN	Destination	Willie Webb Park
LE	Activity Center	Inverrary Falls Shopping Center / Shuttle Transit Hub
LE	Activity Center	Florida Medical Center / Oakland Medical Mall Complex
LE	Destination	Lauderdale Lakes Library
PA, PB	Destination & Activity Center	West Regional Terminal/County Courthouse
PA, PB	Activity Center	Westfield Mall
PA, PB	Activity Center	Jacaranda Plaza/Publix Supermarket
PA, PB	Destination	City Library & Historical Museum
PA, PB	Activity Center	Plantation General Hospital
PA, PB	Activity Center	Plantation Town Square
TR, TY	Destination	Tamarac Community Center/Library/Community Shuttle Hub
TR, TY	Activity Center	Publix Supermarket
TR, TY	Activity Center	Wall-Mart
TY	Activity Center	Market Place Movies
TY	Activity Center	Town Square Publix
TY	Destination & Activity Center	Tamarac City Hall
TY	Activity Center	University Hospital
TY	Destination	Recreation Center
TY	Activity Center	Walgreens

KEY

FR = Housing Authority of the City of Ft. Lauderdale Red Route
FB = Housing Authority of the City of Ft. Lauderdale Blue Route
LN = City of Lauderdale Lakes North-South Route
LE = City of Lauderdale Lakes East-West Route
PA = City of Plantation Route A
PB = City of Plantation Route B
TR = City of Tamarac Red Route
TY = City of Tamarac Yellow Route

Total 8 routes: 6 Destinations, 25 Activity Centers and 4 Destination & Activity Centers

ATTACHMENT M

BROWARD COUNTY TRANSIT KEY DESTINATIONS

Route #	Destination/Activity Center	Key Destination's
18, 36, 40, 81, Breeze	Activity Center	Lauderhill Mall
18	Activity Center	Sunshine Plaza
18	Activity Center	Northwest Medical Center
18, Breeze	Activity Center	Plantation General hospital
18, 36, 40, 81, Breeze	Destination	Central Broward Regional Park
18, Breeze	Activity Center	Coconut Creek Casino
18, Breeze	Activity Center	Seminole Hard Rock Hotel & Casino
18, Breeze	Activity Center	Seminole Indian Bingo & Canino
18, Breeze	Destination	Golden Glades Park & Ride/ Greyhound Terminal
36, 40	Activity Center	Galleria Mall
36, 72	Activity Center	Sawgrass Mills Mall
36	Activity Center	Searstown
36, 40	Activity Center	Swap Shop
36	Activity Center	University Plaza
36	Activity Center	Mills Family Success Center
36,40	Activity Center	Florida Metropolitan University/Ft. Lauderdale College
36	Destination	Holiday park
36, 40	Destination	Hugh Taylor Birch State Park
36, 40	Destination	Bonnet House
40	Destination	Broward Central Terminal
40	Activity Center	Southport Shopping Center
40	Activity Center	Broward General Medical Center
40	Activity Center	Broward College/Florida Atlantic Univ./Florida International Univ.
40	Activity Center	The Art Institute of Ft. Lauderdale
40	Destination	African-American Research Library
40	Activity Center	Broward County Convention Center
40	Activity Center	International Swimming Hall of Fame
40	Activity Center	Jungle Queen
40	Activity Center	Port Everglades
40	Destination & Activity Center	Riverwalk
40	Destination	Stranahan House
72, 81	Activity Center	florida Medical Center
72	Activity Center	Bank Atlantic Center
72	Activity Center	Oakland Park Flea Market
72	Activity Center	Coral Ridge Mall
81	Destination & Activity Center	Broward Center for the Performing Arts
81	Destination & Activity Center	Museum of Discover & Science
81	Destination	West Regional Terminal

Total 5 Routes: 9 Destinations, 26 Activity Centers and 3 Desintation & Activity Centers

ATTACHMENT N

Budget

FIXED ROUTE SCHEDULE ROUTES 1-5

Route	Hours per day	Days per year	Hours per year	City Costs	County Reimb. $	JARC Grant	Total City Costs
1	9	258	2322	$77,392.26	$34,830.00	$0.00	$42,562.26
2	9	258	2322	$77,392.26	$34,830.00	$0.00	$42,562.26
3	9	258	2322	$77,392.26	$34,830.00	$0.00	$42,562.26
4	9	258	2322	$77,392.26	$34,830.00	$0.00	$42,562.26
5	8	258	2064	$68,793.12	$30,960.00	$0.00	$37,833.12
Total	44	1290	11352	$378,362.16	$170,280.00	$0.00	$208,082.16

EXTENDED HOURS and TWO NEW ROUTES

YEAR 1

Route	Hours per day	Days per Year	Hours per Year	City Costs	County Reimb.$	JARC Grant	Total City Costs
1	4	258	1032	$34,396.56	0	$17,198.28	$17,198.28
2	3	258	774	$25,797.42	0	$12,898.71	$12,898.71
3	3	258	774	$25,797.42	0	$12,898.71	$12,898.71
4	3	258	774	$25,797.42	0	$12,898.71	$12,898.71
5	3	258	774	$25,797.42	0	$12,898.71	$12,898.71
6	8	258	2064	$113,520.00	0	$56,760.00	$56,760.00
7	8	258	2064	$113,520.00	0	$56,760.00	$56,760.00
	32	1806	4128	$364,626.24		$182,313.12	$182,313.12

YEAR 2

Route	Hours per day	Days per Year	Hours per Year	City Costs	County Reimb.$	JARC Grant	Total City Costs
1	4	258	1032	$34,396.56	0	$17,198.28	$17,198.28
2	3	258	774	$25,797.42	0	$12,898.71	$12,898.71
3	3	258	774	$25,797.42	0	$12,898.71	$12,898.71
4	3	258	774	$25,797.42	0	$12,898.71	$12,898.71
5	3	258	774	$25,797.42	0	$12,898.71	$12,898.71
6	8	258	2064	$113,520.00	0	$56,760.00	$56,760.00
7	8	258	2064	$113,520.00	0	$56,760.00	$56,760.00
	32	1806	4128	$364,626.24		$182,313.12	$182,313.12

TOTALREQUEST FOR 24 MONTHS:	$729,252.48	$364,626.24	$364,626.24

ATTACHMENT O

FIRST AMENDMENT

to

INTERLOCAL AGREEMENT

between

BROWARD COUNTY

and

CITY OF LAUDERHILL

for

COMMUNITY BUS SERVICE

This is a First Amendment to the Interlocal Agreement, made and entered into by and between: BROWARD COUNTY, a political subdivision of the state of Florida, hereinafter referred to as "COUNTY,"

AND

CITY OF LAUDERHILL, a municipal corporation organized and existing under the laws of the state of Florida, its successors and assigns, hereinafter referred to as "CITY."

WHEREAS, COUNTY and CITY entered into an Interlocal Agreement ("Agreement") for Community Bus Service for the provision of public transportation services within the CITY; and

WHEREAS, the Agreement provides for Community Bus public transportation service on five routes; and

WHEREAS, CITY has requested a reduction in the hours of operation on all five routes; NOW, THEREFORE,

In consideration of the mutual terms, conditions, promises, covenants, and payments hereinafter set forth, COUNTY and CITY agree as follows:

1. Capitalized terms not otherwise defined herein shall have the meanings set forth in the Agreement.

2. Words in ~~struck-through~~ type are deletions from the existing language in the Agreement. Words in <u>underscored language</u> type are additions to the existing

language in the Agreement.

3. Exhibit "A" shall be replaced with an Amended Exhibit "A" which is revised to reflect the reduction of revenue hours on all five routes.

4. Exhibit "F" shall be replaced with an Amended Exhibit "F" which is revised to reflect a decrease in annual operating funding due to the Reduction in Service.

5. This Amendment shall become effective upon proper execution of the parties; provided, however, that the reduction in revenue hours shall not become effective until after CITY has complied with the public hearing requirements set forth in Sections 2.1.3 and 2.1.4 of the Agreement.

6. The Agreement shall remain in full force and effect except as specifically amended herein. In case of a perceived conflict between the terms of the Agreement and the Amendment, the terms of the Amendment shall govern.

7. The truth and accuracy of each "Whereas" clause set forth above is acknowledged by the parties. The attached Amended Exhibits "A" and "F" are incorporated into and made a part of this Amendment.

8. Preparation of this Amendment has been a joint effort of COUNTY and CITY, and the resulting document shall not, solely as a matter of judicial construction, be construed more severely against one of the parties than any other.

9. Each individual executing this Amendment on behalf of a party hereto hereby represents and warrants that he/she is, on the date he/she signs this Amendment, duly authorized by all necessary and appropriate action to execute this Amendment on behalf of such party and does so with full legal authority.

10. Multiple copies of this Amendment may be executed by all parties, each of which, bearing original signatures, shall have the force and effect of an original document.

11. This document incorporates and includes all prior negotiations, correspondence, conversations, agreements, and understandings applicable to the matters contained herein and the parties agree that there are no commitments, agreements, or understandings concerning the subject matter of this document that are not contained in this document. Accordingly, the parties agree that no deviation from the terms hereof shall be predicated upon any prior representations or agreements, whether oral or written.

[REMAINDER OF THIS PAGE INTENTIONALLY BLANK]

IN WITNESS WHEREOF, the parties have made and executed this First Amendment on the respective dates under each signature: BROWARD COUNTY, through its BOARD OF COUNTY COMMISSIONERS, signing by and through its Mayor or Vice-Mayor, authorized to execute same by Board action on the _____ day of _____, 20___, and CITY OF LAUDERHILL, signing by and through its _____, duly authorized to execute same.

COUNTY:

ATTEST:

BROWARD COUNTY, through its
BOARD OF COUNTY COMMISSIONERS

_____
County Administrator and
Ex-Officio Clerk of the
Board of County Commissioners
of Broward County, Florida

By_____
Mayor

_____ day of _____, 200___

Approved as to form by
Office of County Attorney
Broward County, Florida
JONI ARMSTRONG COFFEY, County Attorney
Governmental Center, Suite 423
115 South Andrews Avenue
Fort Lauderdale, Florida 33301
Telephone: (954) 357-7600
Telecopier: (954) 357-6968

Approved as to Insurance
Requirements:

By_____
Risk Management

By_____
Sharon V. Thorsen (Date)
Senior Assistant County Attorney

APPROVED:

_____
Noel M. Pfeffer, Deputy County Attorney

FIRST AMENDMENT TO AGREEMENT BETWEEN BROWARD COUNTY AND CITY OF LAUDERHILL FOR COMMUNITY BUS SERVICE

CITY:

Approved by Resolution No. 11R-06-104

Dated June 13, 2011

ATTEST:

CITY OF LAUDERHILL

City Clerk

By

Charles Falanga, city manager

13 day of June, 20 11

APPROVED AS TO FORM:

City Attorney

Mayor

SVT:slw
CommunityBusLauderhillreduction
5/4/11
08-114.02