



Gaston County

Gaston County
Board of Commissioners
www.gastongov.com

ACCESS Board Action

File #: 23-490

Commissioner Brown - DHHS - Community Support Services (ACCESS) - Approval to Amend the Agreement for the FY23 5339 Bus and Bus Facility Program NCDOT/PTD (5311) Community Transportation Program; Enter into an Amended Agreement with the NC Department of Transportation (NCDOT) and Provide the Necessary Assurances and the Required Local Match

STAFF CONTACT

Gregory Grier - Community Support Services (ACCESS) - 704-862-6735

BUDGET IMPACT

N/A

BUDGET ORDINANCE IMPACT

This grant would not impact current budget.

BACKGROUND

The North Carolina Department of Transportation Public Transportation Division affords each community transportation system the opportunity to apply for administrative, operating, and capital grant funding. On August 3, 2023, the North Carolina Department of Transportation approved additional funds in the amount of \$59,750 to amend Section 5339 Bus and Bus Facility Program. The additional approved project capital budget is increased by \$59,750 to provide additional funding for the purchase of vehicles due to the increase in prices.

The project budget is hereby amended to incorporate the total cost of the project as \$140,000. The project budget is amended as follows: Federal: \$112,000, State: \$19,975, Local: \$8,025 (no change in local match from original award).

(Continued on Page 2)

DO NOT TYPE BELOW THIS LINE

I, Donna S. Buff, Clerk to the County Commission, do hereby certify that the above is a true and correct copy of action taken by the Board of Commissioners as follows:

NO.	DATE	M1	M2	CBrown	CCloninger	AFraley	BHovis	KJohnson	TKeigher	RWorley	Vote
2023-349	10/24/2023	RW	KJ	A	A	A	A	A	AB	A	U

DISTRIBUTION:

Laserfiche Users

A=AYE, N=NAY, AB=ABSENT, ABS=ABSTAIN, U=UNANIMOUS

Commissioner Brown - DHHS - Community Support Services (ACCESS) - Approval to Amend the Agreement for the FY23 5339 Bus and Bus Facility Program NCDOT/PTD (5311) Community Transportation Program; Enter into an Amended Agreement with the NC Department of Transportation (NCDOT) and Provide the Necessary Assurances and the Required Local Match

Page 2

The original grant award was accepted and appropriated by the BOC on 9/28/2021, Resolution 2021-240.

Approval of this Board Action authorizes the County Manager to enter into an amended agreement with the NCDOT and provide the necessary assurances and certifications, including the required local match.

POLICY IMPACT

N/A

ATTACHMENTS

FY23 Amended Grant Agreement

INSTRUCTIONS FOR EXECUTING GRANT AGREEMENTS PUBLIC BODY GRANTEES

Included in this correspondence is an electronic file in a PDF format of the grant agreement(s) to be executed between the local grant recipient and the North Carolina Department of Transportation.

1. The person officially authorized by resolution of the governing body to accept the department's offer of financial assistance should electronically sign each agreement where indicated. The signature must be witnessed. Stamped signatures are not acceptable.
2. Enter your agency's **Federal Tax ID Number** and Fiscal Year-End on the signature page. Complete the section on the table for **Contract Administrators**: **For the Contractor: "If Delivered by US Postal Service" and "If Delivered by Any Other Means"**.
3. ***Do not date the agreements.*** This will be done upon execution by the department.
4. ***Return 1 copy within thirty (30) days*** via DocuSign.

A fully executed agreement will be returned to you via email and will be available for review in EBS upon the approval of your Agreement.

In the event the contract cannot be returned within thirty (30) days, please call me immediately at (919) 707-4672.

Please note that the department cannot reimburse the grant recipient for any eligible project expenses until the agreements are fully executed.



STATE OF NORTH CAROLINA
DEPARTMENT OF TRANSPORTATION

ROY COOPER
GOVERNOR

J. ERIC BOYETTE
SECRETARY

September 7, 2023

Dr. Kim Eagle, County Manager
Gaston County
P.O. Box 1578
Gastonia, NC 28053-1578

RE: FY23 5339 Bus and Bus Facility Program
Project No.: 23-39-008-01
WBS Element No.: 44637.11.3.3
Period of Performance: 7/1/2022 – 6/30/2025

Dear Dr. Eagle:

On August 3, 2023, the North Carolina Board of Transportation approved additional funds in the amount of \$59,750 to amend Section 5339 Bus and Bus Facility Program.

Originals of the supplemental agreement to be executed between Gaston County and the North Carolina Department of Transportation are enclosed. The resolution authorizes the County Manager to enter into this agreement on behalf of your agency.

If you have any question related to the grant agreement, please contact Myra Freeman, Financial Manager at 919-707-4672 or your assigned Accounting Specialist. In any correspondence, please reference your assigned project number, WBS element, Agreement number and period of performance referenced on this letter.

Sincerely,

A handwritten signature in black ink, appearing to read "Ryan Brumfield".

Ryan Brumfield
Director

RB\mf
CC: Dr. Gregory Grier, Director

Attachments

Mailing Address:
NC DEPARTMENT OF TRANSPORTATION
INTEGRATED MOBILITY DIVISION
1550 MAIL SERVICE CENTER
RALEIGH, NC 27699-1550

Telephone: 919-707-2600
Fax: 919-733-1391
Customer Service: 1-877-368-4968

Website : www.ncdot.gov

Location:
1 SOUTH WILMINGTON STREET
RALEIGH, NC 27601

STATE OF NORTH CAROLINA
COUNTY OF WAKE

NORTH CAROLINA DEPARTMENT OF TRANSPORTATION

and

GASTON COUNTY

**NONURBANIZED AREA PUBLIC TRANSPORTATION SUPPLEMENTAL
AGREEMENT FOR
BUS AND BUS FACILITY GRANT PROGRAM**

Federal Award Identification

Agreement Number:	2000061328
NCDOT Project Number:	23-39-008-01
Approved Indirect Cost Rate:	N/A
FAIN Number(s):	NC-2022-033-00
CFDA Number:	20.526
Unique Entity Identifier Number:	QKY9R8A8D5J6
Total Amount of Award (Federal):	\$140,000

.....

THIS SUPPLEMENTAL AGREEMENT entered into this the ____ day of _____
____ 20__ by and between **GASTON COUNTY** (hereinafter referred to as the "Contractor"),
and the **NORTH CAROLINA DEPARTMENT OF TRANSPORTATION** (hereinafter referred to
as the "Department"), witnesseth that:

WHEREAS, the Contractor heretofore entered into an agreement with the Department to
implement, carry out capital projects funded with Federal Transit Administration 5339 grant
program funds administered by the State: and

WHEREAS, the said agreement dated **MAY 5, 2023** sets forth the purpose of the Agreement
and the public transportation capital projects and services as described in the project
application (hereinafter referred to as "Project") properly prepared, endorsed, approved, and
transmitted by the Contractor to the Department, and states the terms and conditions as to the
manner in which the Project will be undertaken; and

WHEREAS, the Agreement allows for the Contractor and the Department to revise or amend the agreement when there is a change in project circumstances or information causing an inconsistency with the terms of the Agreement and requires said agreement to be signed by the original signatories or their authorized designees; and

WHEREAS, the Contractor and Department find it necessary to revise the Project Agreement to correct language in Section 3: Period of Performance and Section 5 Project Implementation.

NOW THEREFORE, in consideration that the Department has determined that the Agreement be revised as follows:

That language appearing in Section 3 of the agreement and reading as follows:

3. Period of Performance:

This Agreement shall commence upon the date of execution with a period of performance for all expenditures that extends from **July 1, 2022 to June 30, 2024** Any requests to change the Period of Performance must be made in accordance with the policies and procedures established by the Department or FTA. The Subrecipient shall commence, carry on, and complete the approved Project in a sound, economical, and efficient manner.

That language appearing in Section 5 of the agreement and reading as follows:

Section 5. Project Implementation.

b. Cost of Project. The total cost of the Project approved by the Department is **EIGHTY THOUSAND TWO HUNDRED FIFTY DOLLARS (\$80,250)** as set forth in the Project Description and Budget, incorporated into this Agreement as Attachment A. The Department shall provide, from Federal and State funds, the percentages of the actual net cost of the Project as indicated below, not in excess of the identified amounts for eligible administrative, operating, and capital expenses. The Contractor hereby agrees that it will provide the percentages of the actual net cost of the Project, as indicated below, and any amounts in excess of the Department's maximum (Federal plus State shares). The net cost is the price paid minus any refunds, rebates, or other items of value received by the Contractor which have the effect of reducing the actual cost.

Capital WBS	Capital Total	Capital Federal (80%)	Capital State (10%)	Capital Local (10%)
44637.11.3.3	\$80,250	\$64,200	\$8,025	\$8,025
Agreement #				
Project Total	Project Total	Project Total Federal	Project Total State	Project Total Local
	\$80,250	\$64,200	\$8,025	\$8,025

Be, and hereby amended and revised to read as follows:

Section 3. Period of Performance.

This Agreement shall commence upon the date of execution with a period of performance for all expenditures that extends from **July 1, 2022 to June 30, 2025.**

Section 5. Project Implementation.

- b. **Cost of Project.** The Project Capital budget is increased by \$59,750 to provide additional funding for the purchase of vehicles due to the increase in price. The project budget is amended as follows: Federal: \$112,000, State: \$19,975, Local: \$0.
- c. The project budget is hereby amended to incorporate the total cost of the Project approved by the Department as **ONE HUNDRED FORTY THOUSAND DOLLARS (\$140,000)** The Department shall provide, from Federal and State funds, the percentages of the actual net cost of the Project as indicated below, not in excess of the identified amounts for eligible administrative, operating, and capital expenses. The Contractor hereby agrees that it will provide the percentages of the actual net cost of the Project, as indicated below, and any amounts in excess of the Department's maximum (Federal plus State shares). The net cost is the price paid minus any refunds, rebates, or other items of value received by the Contractor which have the effect of reducing the actual cost.

Capital WBS	Capital Total	Capital Federal (80%)	Capital State (14.27%)	Capital Local (5.73%)
44637.11.3.3	\$140,000	\$112,000	\$19,975	\$8,025
Agreement #: 2000061328				
Project Total	Project Total	Project Total Federal	Project Total State	Project Total Local
	\$140,000	\$112,000	\$19,975	\$8,025

IN WITNESS THEREOF, this Supplemental Agreement has been executed by the Department, an agency of the State of North Carolina, and **GASTON COUNTY**, the Contractor, by and through a duly authorized representative, and is effective the date and year first above written. By reference, this Supplemental Agreement incorporates and extends all of the provisions of the attached "Agreement" dated **MAY 5, 2023**.

GASTON COUNTY

BY: _____

TITLE: **COUNTY MANAGER** _____

(SEAL)

ATTEST: _____

TITLE: _____

**NORTH CAROLINA DEPARTMENT OF
TRANSPORTATION**

BY: _____

TITLE: **DEPUTY SECRETARY FOR MULTI-MODAL
TRANSPORTATION** _____

APPENDIX A

NORTH CAROLINA DEPARTMENT OF TRANSPORTATION
PUBLIC TRANSPORTATION DIVISION
PROJECT NUMBER: 23-39-008-01
APPROVED BUDGET SUMMARY
EFFECTIVE DATE AUGUST 3, 2023

PROJECT SPONSOR: GASTON COUNTY
PROJECT DESCRIPTION: FY2023 BUS AND BUS FACILITY PROGRAM

I. TOTAL PROJECT EXPENDITURES

DEPARTMENT - 5330 CAPITAL- 44637.11.3.3 \$140,000
PERIOD OF PERFORMANCE JULY 1, 2022 - JUNE 30, 2024

II. TOTAL PROJECT FUNDING

		<u>TOTAL</u>	<u>FEDERAL</u>	<u>STATE</u>	<u>LOCAL</u>
CAPITAL	44637.11.3.3	100%	80%	14.27%	5.73%
AGREEMENT #	2000061328	\$140,000	\$112,000	\$19,975	\$8,025
TOTAL		\$140,000	\$112,000	\$19,975	\$8,025

NORTH CAROLINA DEPARTMENT OF TRANSPORTATION
PUBLIC TRANSPORTATION DIVISION
APPROVED PROJECT BUDGET
EFFECTIVE MARCH 1, 2023

PROJECT: 23-39-008-01
SPONSOR: GASTON COUNTY
WBS: 44637.11.3.3

DEPARTMENT 5330- CAPITAL		
	<u>DESCRIPTION</u>	<u>APPROVED BUDGET</u>
G547	25ft Lt Trans Veh W/Lf Rpl	\$80,250
	TOTAL CAPITAL	\$80,250

NORTH CAROLINA DEPARTMENT OF TRANSPORTATION
PUBLIC TRANSPORTATION DIVISION
APPROVED PROJECT BUDGET
EFFECTIVE AUGUST 3, 2023

PROJECT: 23-39-008-01
SPONSOR: GASTON COUNTY
WBS: 44637.11.3.3

<u>DEPARTMENT 5330 - CAPITAL</u>				
	<u>DESCRIPTION</u>	<u>APPROVED BUDGET</u>	<u>+ / - CHANGE</u>	<u>PROPOSED BUDGET</u>
G547	25ft Lt Trans Veh W/Lf Rpl	\$80,250	\$59,750	\$140,000
	TOTAL CAPITAL	\$80,250	\$59,750	\$140,000