



STATE OF NORTH CAROLINA
DEPARTMENT OF TRANSPORTATION

ROY COOPER
GOVERNOR

J. ERIC BOYETTE
SECRETARY

November 10, 2021

Aaron Church, County Manager
Rowan County
130 West Innes Street
Salisbury, North Carolina 28144

RE: FY20 Coronavirus Aid, Relief and Economic Security (CARES ACT) Program
Project No.: 20-CA-037-02
WBS Element No.: 49233.55.1.2
Period of Performance: 1/20/2020 – 6/30/2023

Dear Mr. Church:

On November 10, 2021 the North Carolina Board of Transportation approved additional funds in the amount of \$235,525 to amend Section 5311 CARES ACT Grant.

Originals of the supplemental agreement to be executed between Rowan 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.

The project, WBS, and Agreement number referenced above have been assigned to your project. Please refer to these numbers on all correspondence. If you have any questions, please contact Cassandra Wilson at (919) 707-4671 or Myra Freeman at (919) 707-4672 in the Financial Management Section.

Sincerely,

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

Ryan Brumfield
Director

RB\mf
Attachments

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

Telephone: (919) 707-4670
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

ROWAN COUNTY

NONURBANIZED AREA PUBLIC TRANSPORTATION SUPPLEMENTAL
AGREEMENT FOR

CORONAVIRUS AID, RELIEF AND ECONOMIC SECURITY (CAES ACT)
PROGRAM SECTION 5311

Federal Award Identification

Agreement Number:	2000043956
NCDOT Project Number:	20-CA-037-02
Approved Indirect Cost Rate:	NA
NAFAIN Number(s):	NC-2020-011-00
CFDA Number:	20.509
DUNS Number:	074494014
Total Amount of Award (Federal):	\$829,643

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THIS SUPPLEMENTAL AGREEMENT entered into this the _____ day of _____
_____, 20____ by and between **ROWAN 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
5311 grant program funds administered by the State; and

WHEREAS, the said agreement dated **June 20, 2020** 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: Cost of Project/Project Budget.

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 **January 20, 2020 to June 30, 2022**. 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 **FIVE HUNDRED NINETY-FOUR THOUSAND ONE HUNDRED EIGHTEEN DOLLARS (\$594,118)** as set forth in the Project Description and Budget, incorporated into this Agreement as Attachment A. The Department shall provide, from Federal, 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). 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.

Operating WBS	Operating Total	Operating Federal (100%)	Operating State (0%)	Operating Local (0%)
49233.55.1.2	\$594,118	\$594,118	\$0	\$0
Agreement #	2000043956			
Project Total	Project Total	Project Total Federal	Project Total State	Project Total Local
	\$594,118	\$594,118	\$0	\$0

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 **January 20, 2020 to June 30, 2023.**

Section 5. Project Implementation.

- b. Cost of Project. The Project Operating budget is increased by \$235,525 to provide additional funding operational needs due to Covid-19. The project budget is amended as follows: Federal: \$829,643 State: \$0, Local: \$0.
- c. The project budget is hereby amended to incorporate the total cost of the Project approved by the Department as **EIGHT HUNDRED TWENTY-NINE THOUSAND SIX HUNDRED FORTY-THREE DOLLARS (\$829,643)** The Department shall provide, from Federal 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.

Operating WBS	Operating Total	Operating Federal (100%)	Operating State (0%)	Operating Local (0%)
49233.55.1.2	\$829,643	\$829,643	\$0	\$0
Agreement #	2000043956			
Project Total	Project Total	Project Total Federal	Project Total State	Project Total Local
	\$829,643	\$829,643	\$0	\$0

IN WITNESS THEREOF, this Supplemental Agreement has been executed by the Department, an agency of the State of North Carolina, and **ROWAN 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 June 20, 2020.

ROWAN COUNTY

BY: _____

TITLE: **COUNTY MANAGER**

(SEAL)

ATTEST: _____

TITLE: _____

**NORTH CAROLINA DEPARTMENT OF
TRANSPORTATION**

BY: _____

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

ATTEST: _____

TITLE: **SECRETARY**

APPENDIX A

NORTH CAROLINA DEPARTMENT OF TRANSPORTATION
PUBLIC TRANSPORTATION DIVISION

PROJECT NUMBER: 20-CA-037-02

APPROVED BUDGET SUMMARY

EFFECTIVE DATE NOVEMBER 10, 2021

PROJECT SPONSOR: Rowan County

PROJECT DESCRIPTION: FY2020 CORONAVIRUS AID, RELIEF AID, RELIEF AND ECONOMIC SECURITY (CARES ACT)

I. TOTAL PROJECT EXPENDITURES

DEPARTMENT - 4522 OPERATING- 49233.55.1.2 \$829,643
PERIOD OF PERFORMANCE JANUARY 20, 2020 - JUNE 30, 2023

II. TOTAL PROJECT FUNDING

		<u>TOTAL</u>	<u>FEDERAL</u>	<u>STATE</u>	<u>LOCAL</u>
OPERATING	49233.55.1.2	100%	100%	0%	0%
AGREEMENT #		\$829,643	\$829,643	\$0	\$0
TOTAL		\$829,643	\$829,643	\$0	\$0

NORTH CAROLINA DEPARTMENT OF TRANSPORTATION
PUBLIC TRANSPORTATION DIVISION
APPROVED PROJECT BUDGET
EFFECTIVE AUGUST 14, 2020

PROJECT: 20-CA-037-01
SPONSOR: Rowan County
WBS: 49233.55.1.2

DEPARTMENT 4522 - OPERATING		
<u>OBJECT-TITLE</u>		<u>APPROVED BUDGET</u>
G315	EMER RELIEF – OPERATING 100% activities	\$ 240,169
G849	Other Contra Accounts	
	TOTAL OPERATING	\$ 240,169

NORTH CAROLINA DEPARTMENT OF TRANSPORTATION
PUBLIC TRANSPORTATION DIVISION
APPROVED PROJECT BUDGET
EFFECTIVE AUGUST 14, 2020

PROJECT: 20-CA-037-02
SPONSOR: Rowan County
WBS: 49233.55.1.2

DEPARTMENT 4522 - OPERATING		APPROVED	+ / -
OBJECT-TITLE		BUDGET	CHANGE
G315	EMER RELIEF – OPERATING 100% activities	\$ 240,169	353,949
G849	Other Contra Accounts		
	TOTAL OPERATING	\$ 240,169	

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PROPOSED	
<u>BUDGET</u>	
\$	594,118
\$	-
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\$	594,118

NORTH CAROLINA DEPARTMENT OF TRANSPORTATION
PUBLIC TRANSPORTATION DIVISION
APPROVED PROJECT BUDGET
EFFECTIVE NOVEMBER 10, 2021

PROJECT: 20-CA-037-02
SPONSOR: Rowan County
WBS: 49233.55.1.2

DEPARTMENT 4522 - OPERATING		APPROVED	+ / -
OBJECT-TITLE		BUDGET	CHANGE
G315	EMER RELIEF – OPERATING 100% activities	\$ 594,118	235,525
G849	Other Contra Accounts		
	TOTAL OPERATING	\$ 594,118	

<u>PROPOSED</u>	
<u>BUDGET</u>	
\$	829,643
\$	-
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\$	829,643

PROGRAM SUMMARY SHEET REQUIREMENTS



NORTH CAROLINA
Department of Transportation

CARES Act: 5311
RURAL FORMULA
PROGRAM

FEDERAL

Operating, Capital, Planning – CARES Act

PRINCIPLE	<p>The Coronavirus Aid, Relief, and Economic Security (CARES) Act provides emergency assistance and health care response for individuals, families and businesses affected by the COVID-19 pandemic and provides emergency appropriations to support Executive Branch agency operations during the COVID-19 pandemic.</p> <p>This guidance is for all subrecipients receiving 5311 Capital, Administrative, and Operating program assistance to support public transportation in rural areas with populations of less than 50,000).</p>
ELIGIBLE SUBRECIPIENTS	<p>In order to be eligible to apply for these funds, subrecipients must have a signed Resolution from the Board of County Commissioners for each County served, designating the subrecipient as the 5311 recipient in its jurisdiction. Starting in FY 2018, these Resolutions are updated on a 5-year basis and are part of the grant application process.</p> <p>North Carolina's coordinated approach to service delivery allows a single applicant within each designated service area.</p> <p>The project number will be identified as YY-CA-XXX (YY=Year; XXX= System #). It may be followed by an O (operating) or S (statewide funding only). This designation identifies the program funding or use.</p>
ELIGIBLE SERVICE and SERVICE AREA	<p>General public transportation activities in rural North Carolina (areas outside urbanized area boundaries) are the focus of this funding. The goal of the Section 5311 program is to enhance the overall mobility of people living in rural areas. Therefore, projects may include transportation to or from rural areas. Service must be open and promoted to the general public. However, a rural transit provider may design its Section 5311 funded services to maximize use by members of the general public who are transportation disadvantaged. Transportation disadvantaged people include seniors, people with disabilities, and low-income individuals. Providers receiving both 5311 and 5307 funds must have a method of allocating costs between the two programs.</p>
FINANCIAL CAPACITY and MANAGEMENT	<p>PTD suggests Subrecipients have sufficient funds to operate and maintain the NCDOT funded program for at least three months without incoming revenue from grants. Subrecipients must have fiscal control and accounting procedures sufficient to permit the tracking and reporting of grant funds. Any funds borrowed from a parent organization or governmental organization must be reported to NCDOT within 15-days.</p>
AUDIT REPORTS and FINANCIAL STATEMENTS	<p>Subrecipients that expend more than \$500,000 in federal funds from all sources (including federal funds provided through NCDOT) in a year must submit the annual single audit required by 09 NCAC 03M and evidence of resolution of findings related to the transit program to NCDOT. The value of a bus or van purchased must be considered when determining whether a Subrecipient meets the threshold for a single audit.</p>
VEHICLE TITLES	<p>Subrecipients will title the equipment and NCDOT Public Transportation Division be named first lien holder. When the project equipment has been replaced, NCDOT will release the lien. Useful life standards are maintained in NCDOT's Transit Asset Management (TAM) Tier II Sponsored Plan. This inventory is updated on an annual basis.</p>

PROGRAM SUMMARY SHEET REQUIREMENTS

INSURANCE	Subrecipients will maintain insurance as defined in the procedures.
MAINTENANCE	Subrecipients will maintain project equipment at a high level of cleanliness, safety, and mechanical soundness. An 80 percent on-time performance standard for equipment and wheelchair lifts has been set. All maintenance activities are entered into Trapeze EAM and performance is monitored. FTA and state funded facilities require a written maintenance plan and annual submission of the maintenance performed.
INCIDENTAL USE	PTD discourages incidental uses of real property unless it can generate additional revenues for the transit system or, at a reasonable cost, enhances system ridership. Prior written approval is required for incidental uses of real property which must be compatible with the original purposes of the contract. Incidental uses, such as meal delivery, are allowed if they do not interfere with the public transit service and cover the costs of the uses. Nutrition programs must cover the operating costs attributable to meal delivery.
PROGRAM REPORTING AND	NCDOT Public Transportation Division requires quarterly and year end reports. Program status reports are also required with each claim submitted. <u>Failure to submit reports on time will result in a reduction in the Rural Operating Assistance Program (ROAP).</u>
OVERSIGHT	NCDOT Public Transportation Division maintains all procedures required for oversight. These expectations, the State Management Plan, funding applications and Certifications and Assurances must be followed to maintain good standing for future funding. <u>Failure to submit reports on time will result in a reduction in the Rural Operating Assistance Program (ROAP).</u>
REFERENCES	<p><u>Section 5311 Circular - C 9040.1G:</u></p> <p><u>Award Management Requirements 5010.1E:</u></p> <p><u>09 NCAC 03M</u></p> <p><u>Third Party Contracting Guidance 4220.1F</u></p> <p><u>NCDOT's Business Guide</u></p> <p><u>Federal Transit Administration</u></p> <p>Annual Certifications and Assurances and Agreements</p> <p>Additional Terms & Conditions in the agreement</p> <p>State Management Plan</p> <p>PTD 5311 application overview and program material</p>
UPDATES/REVISIONS	<p>Original Date: April 22, 2020</p> <p>Last Amended Date:</p>