

FORSYTH COUNTY

BOARD OF COMMISSIONERS

MEETING DATE: October 12, 2015

AGENDA ITEM NUMBER: 8-A&B

SUBJECT:

- A. RESOLUTION RATIFYING AND AUTHORIZING APPLICATION TO THE N.C. DEPARTMENT OF TRANSPORTATION FOR A FY 2015-2016 RURAL OPERATING ASSISTANCE PROGRAM (ROAP) GRANT FOR THE ELDERLY AND DISABLED, EMPLOYMENT TRANSPORTATION ASSISTANCE PROGRAM, AND RURAL GENERAL PUBLIC**
- B. RESOLUTION RATIFYING AND AUTHORIZING EXECUTION OF AN INTERLOCAL AGREEMENT BETWEEN FORSYTH COUNTY AND WINSTON-SALEM TRANSIT AUTHORITY TO PROVIDE TRANSPORTATION SERVICES FOR THE ELDERLY AND DISABLED OF FORSYTH COUNTY DURING FY 2015-2016**

(FORSYTH COUNTY AGING SERVICES DEPARTMENT)

COUNTY MANAGER'S RECOMMENDATION OR COMMENTS: Recommend Approval

SUMMARY OF INFORMATION:

A. Forsyth County received notice to apply for ROAP Grant funding in the amount of \$226,857 for the fiscal year of 2016.

The Rural Operating Assistance Program (ROAP) is a state-funded public transportation grant program administered by the North Carolina Department of Transportation – Public Transportation Division. ROAP consolidates the Elderly and Disabled Transportation Assistance Program (EDTAP), the Employment Transportation Assistance Program (EMPL) and the Rural General Public (RGP) Transportation Program into a single application package. County governments and eligible transportation authorities are the only eligible applicants for ROAP funds. All eligible applicants must submit an annual application to receive these funds.

B. The Winston-Salem Transit Authority (WSTA) will provide transportation services for the elderly and disabled utilizing a portion of the ROAP grant funding. Therefore an interlocal agreement needs to be established between Forsyth County and WSTA.

ATTACHMENTS: YES NO

SIGNATURE: J. Dudley Watts, Jr. / Km H DATE: October 7, 2015
COUNTY MANAGER

**RESOLUTION RATIFYING AND AUTHORIZING APPLICATION TO THE
N.C. DEPARTMENT OF TRANSPORTATION FOR A FY.2015-2016 RURAL
OPERATING ASSISTANCE PROGRAM (ROAP) GRANT FOR THE ELDERLY
AND DISABLED, EMPLOYMENT TRANSPORTATION ASSISTANCE
PROGRAM, AND RURAL GENERAL PUBLIC
(FORSYTH COUNTY AGING SERVICES DEPARTMENT)**

BE IT RESOLVED that the Forsyth County Board of Commissioners hereby authorizes the submission of an application to the North Carolina Department of Transportation for a Rural Operating Assistance Program (ROAP) grant for the period July 1, 2015 to June 30, 2016 in the total amount of **\$226,857**. The grant funds will be dispersed as follows:

- Elderly and Disabled Transportation Assistance Program: \$144,282
- Employment Transportation Assistance Program (Formula): \$82,575

BE IT FURTHER RESOLVED that the Forsyth County Board of Commissioners hereby authorizes the Chairman or the County Manager and the Clerk to the Board or their designees to execute the necessary documents to complete the application for said grant funds, subject to necessary budget appropriation, pre-audit certificate, thereon, by the Chief Financial Officer, if applicable, and approval as to form and legality by the County Attorney.

Adopted this 12th day of October 2015.

**RESOLUTION RATIFYING AND AUTHORIZING EXECUTION OF AN
INTERLOCAL AGREEMENT BETWEEN FORSYTH COUNTY AND
WINSTON-SALEM TRANSIT AUTHORITY TO PROVIDE TRANSPORTATION
SERVICES FOR THE ELDERLY AND DISABLED OF FORSYTH COUNTY
DURING FISCAL YEAR 2015-2016
(FORSYTH COUNTY AGING SERVICES DEPARTMENT)**

BE IT RESOLVED by the Forsyth County Board of Commissioners that the attached interlocal agreement between Forsyth County and Winston-Salem Transit Authority, to provide elderly and disabled transportation assistance in Forsyth County during fiscal year 2015-2016 in the amount of \$144,282, is hereby ratified as required by N.C.G.S. 160A-461, and the Chairman or County Manager and the Clerk to the Board are hereby authorized to execute the attached Grant Agreement, on behalf of Forsyth County, subject to a pre-audit certificate thereon by the Chief Financial Officer, where applicable, and approval as to form and legality by the County Attorney. The original contract is incorporated herein by reference.

BE IT FURTHER RESOLVED that the County Manager is hereby authorized to execute amendments to the above Agreement, as necessary to continue the services during the current fiscal year, within budgeted appropriations, subject to a pre-audit certificate thereon by the Chief Financial Officer, where applicable, and approval as to form and legality by the County Attorney.

BE IT FURTHER RESOLVED that this resolution ratifying interlocal cooperation between Forsyth County and Winston-Salem Transit Authority is hereby spread upon the minutes of the Forsyth County Board of Commissioners.

Adopted this 12th day of October 2015.

Application for Transportation Operating Assistance

FY2016 Rural Operating Assistance Program Funds

Name of Applicant (County)	Forsyth County
County Manager	J. Dudley Watts
County Manager's Email Address	fcmanger@forsyth.cc
County Finance Officer	Paul Fulton
CFO's Email Address	fultonpl@forsyth.cc
CFO's Phone Number	336-703-2050
Person Completing this Application	Patrice Toney
Person's Job Title	Budget & Management Analyst
Person's Email Address	toneypy@forsyth.cc
Person's Phone Number	336-703-2894
Community Transportation System	Winston-Salem Transit Authority (WSTA)
Name of Transit Contact Person	Jackie Settle
Transit Contact Person's Email Address	jackiei@wstransit.com

Application Completed by: Patrice G. Toney Date: 9-16-15
Signature

I certify that the content of this application is complete and accurately describes the county's administration of the ROAP Program, and the use of the ROAP funds in accordance with applicable state guidelines.

County Manager: _____ Date: _____
Signature

County Finance Officer: Paul J. Fulton Date: 9/23/15
Signature

Application Instructions

County officials should read the ROAP Program State Management Plan which contains guidance on the administration of the ROAP Program and information about the preparation of grant applications.

- The application must be completed by an official of the county or his/her designee.
- Click on the gray rectangle and type each answer. If needed, the text will automatically wrap to the next row. The answer may wrap to the next page if necessary.
- If the county wishes to explain their response to any questions or provide more information, the county may include additional pages with this application form. All the pages of the application and any pages added by the applicant should be scanned into the same file.
- If there are questions regarding this application, contact the NCDOT-PTD Mobility Development Specialist assigned to the area served by the transit system.

FY2016 ROAP Program Schedule

Pre-Deadline Disbursement (25%)

TBA – Waiting on Final State Budget

Application Deadline

October 19, 2015

Final Disbursement (75%)

After November 6, 2015

The 25% disbursement must be returned to the state if a ROAP application is not received by the application deadline. The Final Disbursement will occur only after review and approval of this ROAP application.

County’s Management of ROAP Funds

All counties are eligible to receive Rural Operating Assistance Program (ROAP) funding from the State of North Carolina. As a recipient of ROAP funds, the county must implement administrative processes that will ensure the following:

- ROAP funds are expended on needs identified through a public involvement and/or planning process.
- ROAP funds are expended on eligible activities only.
- Supporting documentation of expenditures is maintained.
- Service recipients meet eligibility requirements and their eligibility is documented.
- Trips funded with ROAP funding are monitored and evaluated throughout the period of performance.
- An accounting of trips and expenditures is provided in a semi-annual report to NCDOT.
- ROAP funds received and expended are included in the local annual audit.

Transportation Needs and Public Involvement in Funding Decisions	Yes	No
A. Did the county ask the Community Transportation Advisory Board (TAB), which is affiliated with the community transit system, to recommend how the ROAP funds should be sub-allocated?	Yes	
B. Were outreach efforts conducted to inform agencies about the availability of ROAP funds and to discuss transportation needs BEFORE the county decided how to sub-allocate the ROAP funds?	Yes	
C. Is the method used to sub-allocate the ROAP funds fair and equitable? Open and transparent?	Yes	
Financial Management of ROAP Funds	Yes	No
D. Does the county pass through any ROAP funds to agencies or organizations that are not county governmental departments or agencies?	Yes	
E. If yes, does the county have a written agreement with these agencies that addresses the proper use, return and accountability of these funds? <i>(Include a sample agreement with application)</i>	Yes	
F. Do any of the organizations or departments receiving ROAP funds plan to use private transit contractors to provide the ROAP funded trips? <i>(Their procurement practices will need to meet all federal and state requirements for procurement of professional services.)</i>	Yes	
G. Are ROAP funds being deposited in an interest bearing account?	Yes	
H. Does the county provide any local funds for transportation operating assistance to any of the ROAP sub-recipients in addition to the state ROAP funds?	Yes	
I. Is supporting documentation maintained for all ROAP grant financial transactions for five years? IMPORTANT: Yes is the only correct answer.	Yes	

Monitoring and Oversight Responsibilities	Yes	No
J. Does the county require the subrecipients of ROAP funds to provide progress reports and statistical data about the trips provided with ROAP funds?	Yes	
K. If progress reports and/or operating statistical reports are required by the county, how frequently are these provided to the county for evaluation?		
L. Does the county require the subrecipients of ROAP funds to use the coordinated transportation services of the federally funded Community Transit System operating in the county?	Yes	
Accountability to North Carolina Taxpayers	Yes	No
M. Is the county prepared to provide documentation that an eligible citizen was provided an eligible service or trip on the billed date, by whatever conveyance, at the specified cost?	Yes	

Elderly and Disabled Transportation Assistance Program

The Elderly and Disabled Transportation Assistance Program (EDTAP), originally enacted by legislation in the 1989 Session of the North Carolina General Assembly (Article 2B, 136-44.27), provides operating assistance funds for the transportation of the state's elderly and disabled citizens. This transportation assistance allows the elderly and disabled to reside for a longer period in their homes, thereby enhancing their quality of life.

Organizations or Departments Receiving EDTAP Funds	EDTAP Suballocation	Estimated One Way Trips	Avg. Cost of Trip
WSTA / Trans-AID of Forsyth	\$ 37,000	10,000	\$ 16.96
Financial Pathways of the Piedmont	\$ 1,000	1000	\$ 1.00
Dialysis Centers (4)	\$ 50,982	4300	\$ 16.96
Here 2 There Van Service	\$ 9,000	20,000	\$ 30.00
MT. Zion Senior Life Center	\$ 1,500	800	\$ 16.95
Forsyth County Social Services	\$ 19,500	2650	\$ 6.83
The Shepard Center of WS	\$ 9,500	1800	\$ 5.00
The Enrichment Center	\$ 12,500	9600	\$ 5.00
Senior Service Adult Day Care	\$ 1,500	800	\$ 16.96
Daymark Recovery Service & Monarch	\$ 1,800	1020	\$ 2.50
TOTAL	\$ 144,282	51970	

Elderly and Disabled Transportation Assistance Program Questions

N. What will be the purposes of the trips provided with EDTAP funds? *(Check all that apply)*

- Personal care activities, medical appointments, pharmacy pick-up, shopping, bill paying, meetings, classes, banking
- Job interviews, job fair attendance, job readiness activities or training, GED classes
- Transportation to workplace
- Group field trips/tours to community special events (Federal charter regulations apply to transit.)
- Overnight trips to out-of-county destinations (Federal charter regulations apply to transit)
- Human service agency appointments

O. How will the transportation services be provided? *(Check all that apply)*

- Public Transportation System
- Private Provider
- Taxi Service
- Agency Staff Driver
- Volunteer Driver Program

Elderly and Disabled Transportation Assistance Program Questions (con't)	Yes	No
P. Does the federally funded Community Transit System operating in your county receive a sub-allocation of EDTAP funds?		X
Q. Will any of the subrecipients use their EDTAP sub-allocation as matching funds for any of the following programs? <i>(Matching funds for operating assistance or purchase of service only.)</i> 5310 – Elderly Individuals and Individuals with Disabilities Program 5311 - Non-urbanized Area Formula Program 5316 – Job Access and Reverse Commute Program (JARC) 5317 – New Freedom Program		X
R. Will any of the subrecipients of EDTAP funds charge a fare for an EDTAP funded trip?	X	
S. EDTAP funded trips are expected to be provided throughout the entire year. If the EDTAP funds are expended in less than a year, will the county provide county funds to prevent the discontinuation of transportation trips?		X

Employment Transportation Assistance Program

The Employment Transportation Assistance Program (EMPL) is intended to help DSS clients that transitioned off Work First or TANF in the last 12 months, Workforce Development Program participants and/or the general public to travel to work, employment training and/or other employment related destinations.

Organizations or Departments Receiving EMPL Funds	EMPL Suballocation	Estimated One Way Trips	Avg. Cost of Trip
Forsyth County Social Services	\$ 20,000	20000	\$ 1
PTRC - Workforce Development Program	\$ 62,575	62575	\$ 1
	\$		\$
	\$		\$
	\$		\$
	\$		\$
	\$		\$
	\$		\$
	\$		\$
	\$		\$
	\$		\$
TOTAL	\$ 82,575	82575	

Employment Transportation Program Questions

<p>T. What will be the purposes of the transportation services provided with EMPL funds? <i>(Check all that apply)</i></p> <p><input checked="" type="checkbox"/> Job interviews, job fair attendance, job readiness activities or training</p> <p><input checked="" type="checkbox"/> Transportation to workplace (Scheduled by the individual only. No agency scheduled trips.)</p> <p><input checked="" type="checkbox"/> Child(ren) of working parent transported to Child Care</p>
<p>U. How will the transportation services be provided? <i>(Check all that apply)</i></p> <p><input checked="" type="checkbox"/> Public Transportation System</p> <p><input type="checkbox"/> Private Provider</p> <p><input type="checkbox"/> Taxi Service</p> <p><input type="checkbox"/> Agency Staff Driver</p> <p><input type="checkbox"/> Volunteer Driver Program</p>
<p>V. Describe the eligibility criteria to be used in this county to determine who will be provided EMPL funded trips. Customers of DSS and Piedmont Triad Regional Council's Workforce Development Program who are involved in job-seeking activities, interviews, job readiness training, or employment transportation.</p>

Elderly and Disabled Transportation Assistance Program Questions (con't)	Yes	No
W. Does the federally funded Community Transit System operating in your county receive a sub-allocation of EMPL funds?		No
X. Will any of the subrecipients of EMPL funds charge a fare for an EMPL funded trip?		No
Y. Has the county transferred any EMPL funds to EDTAP or RGP in the last two years?		No
Z. Will any of the subrecipients use their EMPL sub-allocation as matching funds for any of the following programs? (<i>Matching funds for operating assistance or purchase of service only.</i>) 5310 – Elderly Individuals and Individuals with Disabilities Program 5311 - Non-urbanized Area Formula Program 5316 – Job Access and Reverse Commute Program (JARC) 5317 – New Freedom Program		No
AA. EMPL funded trips are expected to be provided throughout the entire year. If the EDTAP funds are expended in less than a year, will the county provide county funds to prevent the discontinuation of transportation trips?	Yes	

Rural General Public Program

The Rural General Public Program assistance funds are intended to provide transportation services for individuals from the county who do not have a human service agency or organization to pay for the trip. The county, in consultation with the Community Transportation System, must determine the RGP services to be provided with the RGP funds.

Community Transit System Receiving RGP Funds	RGP Suballocation	Estimated One Way Trips	Avg. Cost of Trip
	\$		\$
TOTAL	\$		
Rural General Public Transportation Program Questions			Yes or No
AB. What will be the trip purposes of the transportation services provided with RGP funds? (<i>Check all that apply</i>) <ul style="list-style-type: none"> <input type="checkbox"/> Personal care activities, medical appointments, pharmacy pick-up, shopping, bill paying, meetings, classes, banking <input type="checkbox"/> Job interviews, job fair attendance, job readiness activities or training, GED classes <input type="checkbox"/> Transportation to workplace (Scheduled by the individual only. No agency scheduled trips.) <input type="checkbox"/> Child(ren) of working parent transported to child care <input type="checkbox"/> Group field trips/tours to community special events (Federal charter regulations apply to transit.) <input type="checkbox"/> Overnight trips to out-of-county destinations (Federal charter regulations apply to transit.) <input type="checkbox"/> Human service agency appointments 			
AC. How will the transportation services be provided? (<i>Check all that apply</i>) <ul style="list-style-type: none"> <input type="checkbox"/> Public Transportation System <input type="checkbox"/> Private Provider <input type="checkbox"/> Taxi Service <input type="checkbox"/> Volunteer Driver Program 			
AD. Will RGP trips be provided for citizens who need transportation but don't have a human service agency or organization to pay for the trip?			

Rural General Public Program Questions (con't)	Yes	No
AE. Since the subrecipient can only use RGP funds to pay for 90% of the cost of a trip, will the Community Transit System use fare revenue to generate the local 10% match requirement for RGP funds?		
AF. Will RGP funded trips be coordinated on vehicles with human service agency trips?		
AG. Will the Community Transit System use any of their RGP sub-allocation as matching funds for any of the following programs? <i>(Matching funds for operating assistance or purchase of service only)</i> 5310 – Elderly Individuals and Individuals with Disabilities Program 5311 - Non-urbanized Area Formula Program 5316 – Job Access and Reverse Commute Program (JARC) 5317 – New Freedom Program		
AH. Is any part of the county in an urbanized area according to the 2010 census?		
AI. RGP funded trips are expected to be provided throughout the entire year. If the RGP funds are expended in less than a year, will the county provide county funds to prevent the discontinuation of transportation trips?		

CERTIFIED STATEMENT
FY2016
RURAL OPERATING ASSISTANCE PROGRAM
County of Forsyth

WHEREAS, the state-funded, formula-based Rural Operating Assistance Program (ROAP) administered by the North Carolina Department of Transportation, Public Transportation Division provides funding for the operating cost of passenger trips for counties within the state;

WHEREAS, the county uses the most recent transportation plans (i.e. CTSP, CTIP, LCP) available and other public involvement strategies to learn about the transportation needs of agencies and individuals in the county before determining the sub-allocation of these ROAP funds;

WHEREAS, the county government or regional public transportation authorities created pursuant to Article 25 or Article 26 of Chapter 160A of the General Statutes (upon written agreement with the municipalities or counties served) are the only eligible recipients of Rural Operating Assistance Program funds which are allocated to the counties based on a formula as described in the Program Guidelines included in the ROAP State Management Plan. NCDOT will disburse the ROAP funds only to counties and eligible transportation authorities and not to any sub-recipients selected by the county;

WHEREAS, the county finance officer will be considered the county official accountable for the administration of the Rural Operating Assistance Program in the county, unless otherwise designated by the Board of County Commissioners;

WHEREAS, the passenger trips provided with ROAP funds must be accessible to individuals with disabilities and be provided without discrimination on the basis of national origin, creed, age, race or gender (FTA C 4702.1A, FTA C 4704.1, Americans with Disabilities Act 1990); and

WHEREAS, the period of performance for these funds will be July 1, 2015 to June 30, 2016 regardless of the date on which ROAP funds are disbursed to the county.

NOW, THEREFORE, by signing below, the duly authorized representatives of the County of Forsyth North Carolina certify that the following statements are true and accurate:

- The county employed a documented methodology for sub-allocating ROAP funds that involved the participation of eligible agencies and citizens. Outreach efforts to include the participation of the elderly and individuals with disabilities, persons with limited English proficiency, minorities and low income persons in the county's sub-allocation decision have been documented.
- The county will advise any sub-recipients about the source of the ROAP funds, specific program requirements and restrictions, eligible program expenses and reporting requirements. The county will be responsible for invoicing any sub-recipients for unexpended ROAP funds as needed.
- The county will monitor ROAP funded services routinely to verify that ROAP funds are being spent on allowable activities and that the eligibility of service recipients is being properly documented. The county will maintain records of trips for at least five years that prove that an eligible citizen was provided an eligible transportation service on the billed date, by whatever conveyance at the specified cost.
- The county will be responsible for monitoring the safety, quality and cost of ROAP funded services and assures that any procurements by subrecipients for contracted services will follow state and federal guidelines.
- The county will conduct regular evaluations of ROAP funded passenger trips provided throughout the period of performance.

- The county will only use the ROAP funds to provide trips when other funding sources is not available for the same purpose or the other funding sources for the same purpose have been completely exhausted.
- The county assures that the required matching funds for the FY2016 ROAP can be generated from fares and/or provided from local funds.
- The county will notify the Mobility Development Specialist assigned to the county if any ROAP funded services are discontinued before the end of the period of performance due to the lack of funding. No additional ROAP funds will be available.
- The county will provide an accounting of trips and expenditures in a semi-annual report and a final year-end report to NCDOT – Public Transportation Division or its designee.
- Any interest earned on the ROAP funds will be expended for eligible program uses as specified in the ROAP application. The County will include ROAP funds received and expended in its annual independent audit on the schedule of federal and state financial assistance. Funds passed through to other agencies will be identified as such.
- The county is applying for the following amounts of FY2016 Rural Operating Assistance Program funds:

State-Funded Rural Operating Assistance Program	Allocated	Requested
Elderly & Disabled Transportation Assistance Program (EDTAP)	\$144,282	\$144,282
Employment Transportation Assistance Program (EMPL)	\$82,575	\$82,575
Rural General Public Program (RGP)	\$0	\$0
TOTAL	\$226,857	\$226,857

WITNESS my hand and county seal, this ____ day of ____, 20__.

Signature of County Manager/Administrator

Printed Name of County Manager/Administrator

Signature of County Finance Officer

Printed Name of County Finance Officer

State of North Carolina County of

County Seal Here

NORTH CAROLINA)
)
FORSYTH COUNTY)

AGREEMENT FOR THE GRANT
OF FORSYTH COUNTY FUNDS

THIS AGREEMENT, made and entered into as of the 1st day of July 2015,
by and between FORSYTH COUNTY (hereinafter referred to as the COUNTY) AND
The Winston-Salem Transit Authority (hereinafter referred to as the GRANTEE),
pursuant to and subject to the restrictions and conditions set forth herein;

WITNESSETH:

In consideration of receipt of a grant of funds through Forsyth County for the year
7/1/2015 - 6/30/2016, in an amount not to exceed \$144,282.00, the GRANTEE named
hereinabove does hereby agree to abide by the terms of this Agreement as set forth herein.

In consideration of the above, the parties do hereby agree as follows:

(1) The GRANTEE covenants and agrees to expend the funds which are the
subject of this Agreement and perform services in consideration of the receipt of funds in
accordance with the purposes and/or under the restrictions and conditions as attached to
this Agreement and incorporated herein by reference. The GRANTEE further agrees to
expend the grant funds in accordance with the Budget for said funds attached hereto and
which is incorporated herein by reference. Funds made available to the GRANTEE
pursuant to this Agreement shall be expended only in accordance with applicable federal,
state and local laws. No change or alteration in the total Budget attached may be made
without the express approval of the County.

(2) Termination of this Agreement may occur for reasons described herein or in attachments hereto. The COUNTY may execute an extension of this Agreement in its discretion and in accordance with such additional conditions as it may require.

(3) The GRANTEE agrees that it will supply such records, information and verification relating to expenditures of the funds or the operations of the GRANTEE as may reasonably be requested by the COUNTY. The GRANTEE agrees that the COUNTY shall have access to the records and premises of the GRANTEE at all reasonable times, and the GRANTEE agrees to submit such reports as the COUNTY shall request pertaining to the funds granted herein or the operations of the GRANTEE. The GRANTEE shall maintain a written accounting and documentation of all of its receipts and disbursements relating to the grant funds which are the subject of this Agreement. The COUNTY reserves the right to require a certified audit pertaining to the use of the grant funds, or may perform the audit through the use of its staff. The GRANTEE agrees to subject itself to the provisions of Article 33C of Chapter 143 of the North Carolina General Statutes, entitled "Meetings of Public Bodies," to the same extent as the COUNTY.

(4) The GRANTEE shall furnish to the COUNTY a copy of its annual audit report performed by a certified public accountant as soon as such becomes available to the GRANTEE but no later than 6 months following the GRANTEE's fiscal year end.

(5) Funds will be disbursed to the GRANTEE by reimbursement to the GRANTEE for expenses incurred in accordance with the attached budget, unless otherwise specified in the attachments. Monthly disbursements by the COUNTY shall not exceed 1/12 of the proposed annual grant amount of grant funds. Quarterly

disbursements by the COUNTY shall not exceed $\frac{1}{4}$ of the proposed annual grant amount of grant funds.

(6) The County may suspend or terminate the payment of grant funds in whole or in part at any time for the following reasons as determined by the COUNTY, but not limited to these reasons:

- (a) Ineffective or improper use of grant funds;
- (b) Failure to comply with the terms and conditions of the Agreement;
- (c) Submission to the COUNTY of reports which are incorrect or incomplete in any material respect;
- (d) Frustration or impossibility of performance, rendering the carrying out of this Agreement improper or infeasible.
- (e) Any violation of this Agreement.
- (f) In the opinion of the County, the County's financial situation makes it impractical to provide the grant funds.

In addition, the COUNTY may suspend or terminate payment of grant funds if the GRANTEE fails to make satisfactory progress toward meeting the project services which are the subject of this Agreement; and the determination of whether satisfactory progress has been made shall be in the discretion of the COUNTY.

If for any reason the payment of grant funds is suspended or terminated, the GRANTEE agrees to promptly remit to the COUNTY any payments previously received by the GRANTEE which the COUNTY deems to have been paid and received in violation of this Agreement.

(7) Any and all alterations in the restrictions and conditions upon the grant of the funds herein or alterations in the amount of this Budget attached hereto shall be subject to prior review and written approval by the COUNTY.

(8) This Agreement and the grant funds which are the subject of this Agreement are expressly non-assignable without the prior written consent and approval of the COUNTY.

(9) Non-expendable property purchased under this Agreement shall remain the property of the GRANTEE, unless the attached conditions or Budget provide that such property shall become the property of the COUNTY.

(10) The attached Exhibits are:

- (a) The Budget;
- (b) Purposes and/or Restrictions and Conditions; and
- (c) Reporting Requirements, which are incorporated herein by

reference.

IN WITNESS WHEREOF, the COUNTY has caused this Agreement to be duly executed in its behalf, and the GRANTEE has caused the same to be duly executed in its behalf as of the date first above written.

FORSYTH COUNTY, NORTH CAROLINA

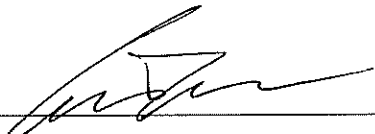
ATTEST:


By _____
County Manager

Clerk To The Board
(SEAL)

The Winston Salem Transit Authority (Grantee)

ATTEST:

By  _____ 9-17-15
Date


Secretary

(SEAL)

EXHIBIT A

THE WINSTON-SALEM TRANSIT AUTHORITY

EXPENDITURES AND REVENUES

2015-2016

BUDGET

REVENUES

\$144,282

EXPENDITURES

FORSYTH COUNTY (ELDERLY & DISABLED TRANSPORTATION ASSISTANCE PROGRAM ALLOCATION) ELDERLY & HANDICAPPED TRANSPORTATION FUNDING

EDTAP Funding (Formula)

Agencies Receiving Sub-Allocations	Amount to be Sub-Allocated
Trans-AID of Forsyth County	\$37,000
Financial Pathways of the Piedmont	\$1,000
Dialysis Centers	\$50,982
Here 2 There Van Service	\$9,000
Mt. Zion Senior Life Center	\$1,500
Forsyth County Social Services	\$19,500
The Shepard Center of WS	\$9,500
The Enrichment Center	\$12,500
Senior Service Adult Day Care	\$1,500
Daymark Recovery Service	\$1,000
Monarch	\$800
TOTAL AMOUNT	\$144,282

TOTAL

\$144,282

EXHIBIT B
THE WINSTON-SALEM TRANSIT AUTHORITY
RESTRICTIONS AND CONDITIONS
2015-2016

PURPOSE: Grantee provides specialized door to door, county-wide transportation service for the elderly and physically disabled.

1. Funds will be used to provide transportation services for elderly or disabled Forsyth County citizens through the entities listed on the attached Budget and consistent with the amounts in said Budget.
2. Payment to the Grantee can be made in one installment upon request if grant funds have been received by the County from the external funding sources and are available.
3. The Grantee agrees to hold the County harmless from liability for any expenses which may be claimed against the County due to the administration of the Grantee's program.
4. The contract allocation represents pass-through monies to be disbursed as in Exhibit A.
5. The Board of Commissioners is concerned that the County's very strong financial condition at present may create unrealistic expectations among some grantee organizations that County financial support will continue indefinitely, or regularly increase in the future. There may also be a perception in the community that the County is always a likely source of financial assistance for various capital fund drives or special projects. The County's first priorities must always be those services and functions which counties are required by law to provide. Because the County's revenues are very responsive to changes in the local economy, even a slight economic downturn might require a reduction or withdrawal of County support for such organizations, projects and fund drives.
6. Grantee organizations shall immediately notify the County of any substantive changes in their other sources of financial support which might cause them to seek additional County funding in the current year, or in future years, which County funding may not be forthcoming or available.
7. The grant of funds as provided in this agreement is conditioned upon the receipt of matching or pass-through State or Federal funds as set forth herein.
8. Provider and its subcontractors shall comply with Article 2 of Chapter 64 of the North Carolina General Statutes relating to the required use of the federal E-Verify program to verify the work authorization of newly hired employees. Failure of the provider to comply with this provision or failure of its subcontractors to comply could render this contract void under North Carolina law.
9. The provisions of Attachment A are attached hereto and incorporated herein by reference.

EXHIBIT C

THE WINSTON-SALEM TRANSIT AUTHORITY

REPORTING REQUIREMENTS

2015-2016

1. The Grantee will submit to the County copies of all Elderly & Disabled Transportation Assistance Program reports provided to the Federal Government, the State of North Carolina and any Foundations.
2. The Grantee will submit to the County a copy of its annual Elderly & Disabled Transportation Assistance Program report to the State.

ATTACHMENT A

The Winston-Salem Transit Authority, hereinafter referred to as Grantee, shall operate as an independent contractor, and the County shall not be responsible for any of Grantee's acts or omissions. Grantee agrees to hold the County harmless from and against any and all claims, expenses (including attorney fees), costs or liability for acts or omissions of Grantee.

Grantee shall not be treated as an employee of the County with respect to the services performed hereunder for federal or state tax, unemployment or worker's compensation purposes. Grantee understands that neither federal, state, nor payroll tax of any kind shall be withheld or paid by the County on behalf of Grantee or the employees of Grantee. Grantee further understands and agrees that Grantee is fully responsible for the payment of any and all taxes arising from the payment of moneys under this Agreement.

Grantee shall not be treated as an employee of the County with respect to the services performed hereunder for purposes of eligibility for, or participation in, any employee pension, health, or other fringe benefit plan of the County.

The County shall not be liable to the Grantee for any expenses paid or incurred by Grantee unless otherwise agreed in writing.

Grantee shall supply, at its sole expense, all equipment, tools, materials, and/or supplies required to provide contracted services unless otherwise agreed in writing.

Grantee shall maintain, at its sole expense, such insurance coverage as required by the Forsyth County Risk Manager.

Grantee has no authority to enter into contracts or agreements on behalf of the County.

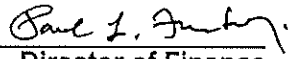
Either party shall have the right to terminate this Agreement for services upon thirty (30) days notice in writing to the other party.

Grantee declares that it has complied with all federal, state and local laws regarding business permits, certificates and licenses that may be required to carry out the services to be performed under this Agreement.

This instrument has been preaudited in the manner required by the Local Government Budget and Fiscal Control Act.

9/23/2016

Date



Director of Finance