



SANTA ROSA COUNTY GRANTS AND SPECIAL PROJECTS

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MEMORANDUM

TO: Tony Gomillion

FROM: Erica Grancagnolo, Grants Manager

DATE: May 18, 2016

SUBJECT: Atkins Contract Amendment for Consulting Services for RESTORE Act

RECOMMENDATION

Recommend approval of Amendment to contract with Atkins, North America, Inc. to include mandatory provisions required by U.S. Treasury Department, retroactive to the original execution date of June 13, 2013.

BACKGROUND

U.S. Treasury Department has advised that the contract amendment is a necessary step toward approval of the Planning Grant application and reimbursement of eligible expenditures toward development of the RESTORE Multiyear Implementation Plan (MYIP). The contract with Atkins must comply with and include provisions from 31 C.F.R. Part 19 Government-wide Debarment and Suspension (Non-procurement) and 2 C.F.R. Part 200 Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards.

FUTURE ACTION

Once the contract amendment is executed, Grants Department will forward to U.S. Treasury Department in anticipation of Planning Grant approval.

**AMENDMENT NUMBER 1 TO
AGREEMENT FOR CONSULTING SERVICES
FOR RESTORE ACT**

This Amendment, dated the ___ day of _____, 2016, amends the Agreement made and entered on the 13th day of June, 2013, by and between **SANTA ROSA COUNTY**, a political subdivision of the State of Florida, and **ATKINS NORTH AMERICA, INC.**, a Florida corporation, as follows:

A. This agreement is subject to 31 C.F.R. Part 19 Governmentwide Debarment and Suspension (Nonprocurement) and 2 C.F.R. Part 200 Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards.

B. This agreement is subject to U.S. Department of the Treasury RESTORE Act Financial Assistance Standard Terms and Conditions and Program-Specific Terms and Conditions (January 2015).

C. Retention Requirements for Records (2 C.F.R. Part 200 §333) (Treasury RESTORE Act Standard Terms and Conditions, F) - Financial records, supporting documents, statistical records, and all other non-Federal entity records pertinent to a Federal award must be retained for a period of three years from the date of submission of the final expenditure report or, for Federal awards that are renewed quarterly or annually, from the date of the submission of the quarterly or annual financial report, respectively, as reported to the Federal awarding agency or pass-through entity in the case of a subrecipient. Federal awarding agencies and pass-through entities must not impose any other record retention requirements upon non-Federal entities, except as noted in 2 C.F.R. Part 200 §333.

D. The Federal Government's Right to Inspect, Audit, and Investigate (RESTORE Act Standard Terms and Conditions, G) - Treasury, the Treasury Office of Inspector General, and the Government Accountability Office have the right of timely and unrestricted access to any documents, papers and other records, including electronic records of the recipient, that are pertinent to this award, in order to make audits, investigations, examinations, excerpts, transcripts, and copies of such documents. This right of access shall continue as long as records are required to be retained.

E. Clean Air Act (42 U.S.C. 7401-7671q.) and the Federal Water Pollution Control Act (33 U.S.C. 1251-1387) - Consultant agrees to comply with all applicable standards, orders or regulations issued pursuant to the Clean Air Act (42 U.S.C. 7401-7671q) and the Federal Water Pollution Control Act as amended (33 U.S.C. 1251-1387). Violations must be reported to the Federal awarding agency and the Regional Office of the Environmental Protection Agency (EPA).

F. Debarment and Suspension (Executive Orders 12549 and 12689) - A contract award (see 2 CFR 180.220) must not be made to parties listed on the governmentwide exclusions in the System for Award Management (SAM), in accordance with the OMB guidelines at 2 CFR 180 that implement Executive Orders 12549 (3 CFR part 1986 Comp., p. 189) and 12689 (3 CFR part 1989 Comp., p. 235), "Debarment and Suspension." SAM Exclusions contains the names of

parties debarred, suspended, or otherwise excluded by agencies, as well as parties declared ineligible under statutory or regulatory authority other than Executive Order 12549.

G. Byrd Anti-Lobbying Amendment (31 U.S.C. 1352) - Contractors that apply or bid for an award exceeding \$100,000 must file the required certification. 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 must also disclose any lobbying with non-Federal funds that takes place in connection with obtaining any Federal award. Such disclosures are forwarded from tier to tier up to the non-Federal award.

H. Contracting with small and minority businesses, women’s business enterprises, and labor area surplus firms (2 C.F.R. Part 200 §321) - If subcontracts are to be let, the prime contractor must take the affirmative steps listed in paragraphs (1) through (5) of this section (2 C.F.R. Part 200 §321).

I. All other terms of the Agreement shall remain unchanged and in full force and effect.

IN WITNESS WHEREOF, this Amendment is accepted on the date written above and subject to the terms and conditions above stated.

SANTA ROSA COUNTY,

By: _____
Lane Lynchard, Chairman

ATTEST:

Donald C. Spencer, Clerk of Court

ATKINS NORTH AMERICA, INC.

By: _____
Printed Name: _____

WITNESSES:

Printed Name: _____

Date: _____

Printed Name: _____

BCC approved: _____