

RESOLUTION NO. 2020 – 81

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AUTHORIZING THE CHAIR OF THE BOARD OF COUNTY COMMISSIONERS TO EXECUTE A CERTIFICATE OF COUNTY MATCHING FUNDS ON BEHALF OF THE COUNTY IN ACCORDANCE WITH THE FLORIDA DEPARTMENT OF STATE, DIVISION OF ELECTIONS REQUIREMENTS; RECOGNIZING THE GRANT FUNDS AS UNANTICIPATED REVENUE; AND APPROPRIATING THE SUCH FUNDS WITHIN THE SUPERVISOR OF ELECTIONS' FISCAL YEAR 2020 BUDGET.

RECITALS

WHEREAS, the St. Johns County Supervisor of Elections has been selected to receive a Federal Election Security grant, which is a federally-funded grant administered by the Florida Department of State, Division of Elections (Department); and

WHEREAS, the Fiscal Year 2019-2020 Federal Election Security grant award is in the amount of \$34,976, and requires a County funding match in the amount of \$5,246; and

WHEREAS, the required matching funds were approved in the County's Fiscal Year 2020 Budget, however, when preparing the budget for Fiscal Year 2020 the County did not anticipate receiving proceeds from the Federal Election Security grant; and

WHEREAS, as part of the grant agreement between the Department and the Supervisor of Elections, the Department requires a Certification of County Matching Funds (Certificate) to be executed by the Chair of the Board of County Commissioners (see Attachment C hereto and incorporated herein); and

WHEREAS, by executing the attached Certificate, the Board of County Commissioners agree to provide the matching funds in Fiscal Year 2019-2020, and acknowledge that its failure to do so will result in a return of all funds awarded under the grant; and

WHEREAS, after review, the County has determined that executing the Certificate as required by the State serves the interests of the County.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, as follows:

Section 1. The above recitals are hereby adopted as legislative findings of fact and incorporated herein.

Section 2. The Board of County Commissioners authorizes the Chair to execute the Certification of County Matching Funds described herein on behalf of the County.

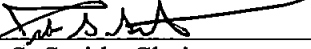
Section 3. The Board of County Commissioners hereby recognizes the grant proceeds described herein as unanticipated revenue and directs the County Administrator, or designee, to

appropriate the funds to the Supervisor of Elections' Fiscal Year 2020 budget for use consistent with the grant requirements.

Section 4. To the extent there are administrative, typographical or scriveners' errors that do not substantively change the tone, tenor, or concept of this Resolution, then this Resolution may be revised without subsequent approval by the Board of County Commissioners.

PASSED AND ADOPTED by the Board of County Commissioners of St. Johns County, Florida, this 3rd day of March, 2020.

BOARD OF COUNTY COMMISSIONERS
ST. JOHNS COUNTY, FLORIDA.

By: 
Jeb S. Smith, Chair

ATTEST: Brandon Patty, Clerk

By: 
Deputy Clerk

Rendition Date: 3/5/20



**MEMORANDUM OF AGREEMENT
FOR FEDERAL ELECTION CYBERSECURITY INITIATIVES**

This agreement is between the State of Florida, Department of State, Division of Elections ("Department"), an agency of the State of Florida, and Vicky Oakes Supervisor of Elections ("Sub-recipient") for St. Johns County, Florida. This agreement governs the receipt and use of federal funds as specified herein.

I. Governing Law

Grant funds are made available pursuant to Specific Appropriation 3160, Chapter 2019-115, Laws of Florida:

Funds provided in Specific Appropriation 3160, shall be distributed to county Supervisors of Elections for the continuation of cybersecurity initiatives and improvements made by Supervisors of Elections at the local level and in preparation for the 2020 Presidential Election.

County Supervisors of Elections will receive funds only after providing the Department of State a detailed description of the programs that will be implemented. Funds distributed to county Supervisors of Elections require a certification from the county that matching funds will be provided in an amount equal to fifteen percent of the amount to be received from the state.

The Department of State is authorized to distribute to Sub-recipients a sum total of two million, eight hundred thousand dollars (\$2,800,000) in non-recurring funds for fiscal year 2019-2020 from the Federal Grants Trust Fund, pursuant to sections 101 and 251 of the Help America Vote Act of 2002 (HAVA) and the Catalog of Federal Domestic Assistance (CFDA) 90.401 ("Requirements Payments") and 90.404 ("Help America Vote Act Election Security Funds").

II. Scope of Work, Deliverables, Restrictions

A. Scope of Work

Funds provided under this agreement shall be used for either advance payment, reimbursement, or a combination of advanced payment and reimbursement for the purchase of goods and services for the continuation of cybersecurity initiatives and improvements at the local level in preparation for the 2020 Presidential Election. The allowable goods and services are specified in each Sub-recipient's individual Election Security Improvement Plan (**Attachment A**).

B. Timeline

The grant agreement shall be in effect for the period of 7/1/2019 – 5/30/2020.

Date	Event
7/1/2019	Beginning of period in which expenditures can qualify for reimbursement
2/14/2020	Deadline for Sub-recipient to apply for grant
5/1/2020	Deadline for Sub-recipient to expend advance funds for allowable goods and services End of period in which expenditures can qualify for reimbursement
5/30/2020	Deadline for Sub-recipient to submit Fiscal report, election security post-assessment, and return any unspent advance funds End of grant period

C. Deliverables, Minimum Levels of Service, and Financial Consequences

Deliverables	Minimum Level of Service	Financial Consequences
1. Election Security Remediation Plan	Sub-recipient shall, to the Department's satisfaction, submit an election security remediation plan. The plan shall be securely transmitted to the Department in a format provided by the Department prior to submission of grant agreement.	If a Sub-recipient does not have an election security remediation plan on file with the Department upon submission of grant agreement, no funds shall be released.
2. Grant Agreement Including Election Security Improvement Plan (Attachment A)	Sub-recipient shall, with the assistance of the Department's cyber navigator, develop an election security improvement plan (Attachment A) that is in accordance with the Sub-recipient's Election Security Remediation plan. The improvement plan shall list the specific goods and services to be purchased to improve election security. The agreement and plan shall be securely transmitted to the Department in a format provided by the Department no later than February 14, 2020.	If Sub-recipient does not transmit an executed grant agreement, including an Election Security Improvement Plan to the Department, no funds shall be released.
3. Election Security Post-Assessment Report and Fiscal Report (Attachment D)	No later than May 30, 2020, Sub-recipient shall transmit to the Department an Election Security Grant Post-Assessment and Fiscal Report (Attachment D) that lists how improvements in the Sub-recipient's election security were effectuated by the grant funds, and accounts for all funds provided under this agreement.	If the Election Security Grant Post-Assessment and Fiscal report is not provided to the Department by May 30, 2020, the Sub-recipient shall return all funds previously advanced, and shall forfeit the opportunity to seek reimbursement, under this agreement.

D. Application

Each eligible Sub-recipient is entitled to request up to the maximum amount shown on the Sub-recipient's Election Security Improvement Plan (**Attachment A**). The amount allocated to each Sub-recipient is based on the assessed election security needs of the Sub-recipient.

Additionally, as part of the application, the Sub-recipient must submit the following:

1. A completed ED Form GCAS-009 (6/88), entitled "Certification Regarding Debarment, Suspension, Ineligibility, and Voluntary Exclusion Lower Tier Covered Transactions", (**Attachment B**). Executive Order 12549, Debarment and Suspension, 45 CFR 1183.35, prohibits the disbursement of federal funds to the intended recipient of such funds or to any sub-recipient thereunder unless such recipient and each sub-recipient, if any, certify that they are not excluded or disqualified from receiving federal funds by any federal department or agency.

2. Except for counties designated by the Department of Economic Opportunity as an Economically Distressed Rural Community¹, a completed "Certification Regarding County Matching Funds" (DS-DE 127), (**Attachment C**). The form certifies that the county governing body shall provide additional funds to match in an amount equal to or more than fifteen percent (15%) of the amount to be received from the state. If the county governing body fails to appropriate the matching funds, all funds received must be returned.

E. Post-Assessment and Fiscal Reporting

The Sub-recipient must submit a report using the Election Security Grant Post-Assessment and Fiscal Report Template (**Attachment D**) along with supporting documentation evidencing allowable expenses no later than May 30, 2020. Supporting documentation shall include invoices, canceled checks, purchase orders, vendor contracts, and other records that detail the services or products purchased and the costs of such services and/or products. Documentation must account for all expenditures made from grant funds awarded under this agreement. Documentation must also provide details regarding matching funds, if applicable, and any interest earned. Along with the report, Sub-recipient shall return any unspent advanced funds.

Any funds determined not to be expended in accordance with this agreement shall be returned, including any interest earned, to the Department within 30 days of written notice. All funds returned shall revert to the Federal Grants Trust Fund.

F. Restrictions

Sub-recipient shall not use any funds received hereunder to support lobbying activities to influence proposed or pending federal or state legislation or appropriations, but this does not affect the right of the Sub-recipient, or that of any other organization to petition Congress, or any other level of Government, through the use of other resources.

If the Sub-recipient expends any funds on expenses that are not allowable, the Sub-recipient must reimburse immediately the funds to the Department, not otherwise expended for allowable costs, including any interest earned during the term of this agreement.

The Sub-recipient must establish and maintain the grant funds in an interest bearing account in a "qualified public depository" as defined by section 280.02(26), Florida Statutes. The Sub-recipient must segregate the funds in a separate account established to hold only such funds. Sub-recipient must comply with the applicable requirements of chapter 280, including but not limited to:

- The execution and retention in your official records of a Public Deposit Identification and Acknowledgement Form.
- The submission each year by November 30th of a Public Depositor Annual Report to the Chief Financial Officer (DFS-J1-1009)

For more information refer to the Department of Financial Services Collateral Management for Governmental Units webpage or contact the Program Administrator at 850-413-3167.

¹ The Department of Economic Opportunity has designated the following counties: Baker, Bradford, Calhoun, Columbia, DeSoto, Dixie, Flagler, Franklin, Gadsden, Gilchrist, Glades, Gulf, Hamilton, Hardee, Hendry, Highlands, Holmes, Jackson, Jefferson, Lafayette, Levy, Liberty, Madison, Nassau, Okeechobee, Putnam, Suwannee, Taylor, Union, Wakulla, Washington, Walton.

III. Payments

A. Advance Payment

Upon successful completion of the second deliverable, the Department shall render advance funds to the Sub-recipient, up to the amount of the grant award, as specified in the Sub-recipient's election security improvement plan (**Attachment A**). The window for the expenditure of advance funds begins on the day funds are received by the sub-recipient and expires on 5/1/2020.

B. Reimbursement

Upon successful completion of the third deliverable, the Department shall render reimbursement funds to the Sub-recipient, up to the amount of the grant award, as specified in the Sub-recipient's election security improvement plan (**Attachment A**). The window in which expenditures can qualify for reimbursement begins on 7/1/2019 and expires on 5/1/2020.

C. Electronic Funds Transfer

The Sub-recipient is encouraged to use electronic funds transfer (EFT) to receive payment as an alternative to receipt of payment by warrant. All Sub-recipients wishing to receive funds through electronic funds transfer must submit a Direct Deposit Authorization form to the Florida Department of Financial Services. If EFT has already been set up for your organization, you do not need to submit another authorization form unless you have changed bank accounts.

IV. Monitoring, Audits, and Audit Reporting

The administration of resources awarded to the Sub-recipient may be subject to monitoring, audits and reporting requirements, as indicated on **Attachment E and Exhibit 1 to Attachment E**.

A. Other audits

The Department may conduct a limited scope audit of federal funds or other financial analysis or review of federal funds as permitted by federal law. In the event the Department determines that a limited scope audit or other type of audit of the Sub-recipient is appropriate, the Sub-recipient agrees to comply with any additional instructions provided by Department staff to the Sub-recipient regarding such audit. If the Department determines that federal funds received under this Agreement were used for any unauthorized purpose or that the Sub-recipient did not comply with this agreement or state or federal requirements for receipt, expenditure, or accounting, the Sub-recipient must return or repay these federal funds in an amount sufficient to ensure or obtain compliance, including expenses for any corrective or remedial action.

The Sub-recipient further agrees to comply and cooperate with any inspections, reviews, investigations, or audits deemed necessary by the Department, Chief Financial Officer (CFO) or Auditor General.

Additional guidance to state and federal monitoring and auditing requirements may be found at <https://www.eac.gov>.

B. Audit Report Submission

Copies of financial reporting packages shall be submitted as described in Part III of **Attachment E**. Any reports, management letter, or other information required to be submitted to the Department pursuant to this agreement shall be submitted timely with federal requirements, the Florida Statutes, and/or Chapter 10.550 (local governmental entities) of the Rules of the Auditor General, whichever is applicable. The correspondence accompanying the financial reporting package forwarded to the Department must include the date the Sub-recipient received the reporting package.

V. Record Retention

Documentation associated with this grant may contain sensitive and/ confidential information that is exempt from public records disclosure pursuant to Florida and federal laws including but not limited to Section 282.318, F.S., Cybersecurity Information Sharing Act (CISA), and based on the U.S. Department of Homeland Security's designation of elections as a critical infrastructure as of January 2017.

The Sub-recipient shall retain accurate and detailed records sufficient to demonstrate its compliance with the terms of this agreement for five fiscal years from the date an audit report is issued, and shall allow the Department, the Chief Financial Officer or Auditor General access to such records upon request. The Sub- recipient shall allow the Department or its designee, CFO, or Auditor General access to such records, including access to the audit working papers upon request for a period of five fiscal years from date of audit report is issued, unless extended by the Department.

VI. Entirety of the Agreement

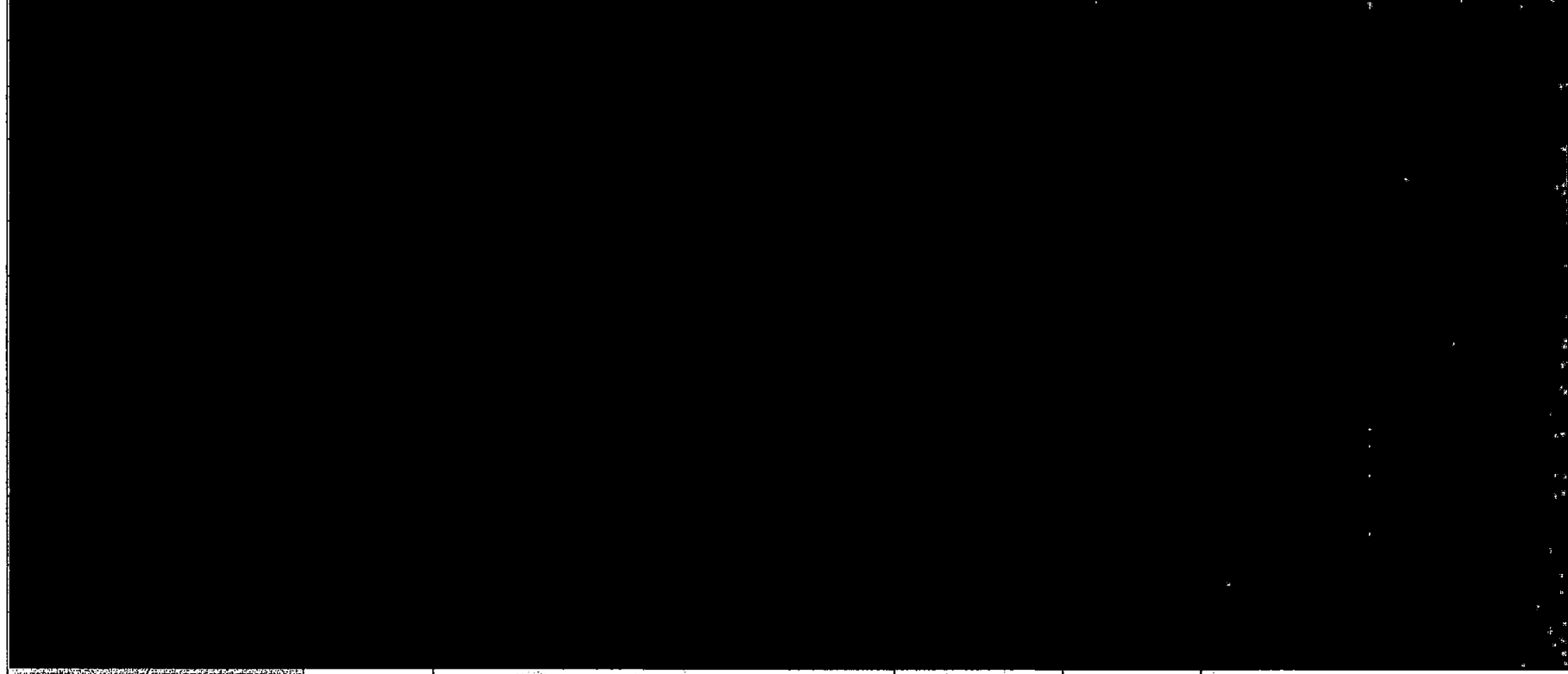
All terms and conditions of this agreement are fully set forth in this document and its attachments and shall be governed by the laws of the State of Florida. The parties agree that proper venue will be in Leon County, Florida. This agreement is effective as of the date it is fully executed.

IN WITNESS THEREOF, the parties have caused this Agreement to be executed by their undersigned officials as duly authorized.

By County Supervisor of Elections/Sub-recipient		By Department of State, Division of Elections	
Signature	<i>Vicky Oakes</i>	Signature	
Name and Title	Vicky Oakes Supervisor of Elections	Name and Title	Maria Matthews, Director, Division of Elections
Address	4455 Avenue A #101 St. Augustine FL 32095	Address	R.A. Gray Building, Ste. 316 500 S. Bronough Street, Tallahassee, Florida 32399
County FEID	59-6000825		
Witness	<i>Erita E. Ward</i>	Witness	
Date	2-12-2020	Date	

Election Security Improvement Plan

County	St. Johns		
Funds Allocated to County	\$34,976	Advance: \$23,696	Reimbursement: \$11,280
County Match Requirement	15% (\$5,246)		



As supervisor of Elections for the above named county, I acknowledge that grant funds shall be used only for the continuation of cybersecurity initiatives and improvements in the designated categories above.

Vicary C. Dukes
Supervisor of Elections

2/12/2020
Date

CERTIFICATION REGARDING
DEBARMENT, SUSPENSION, INELIGIBILITY AND VOLUNTARY EXCLUSION
LOWER TIER COVERED TRANSACTIONS

This certification is required by the regulations implementing Executive Order 12549, Debarment and Suspension, 45 CFR 1183.35, Participants' responsibilities. The regulations were published as Part VII of the May 26, 1988 Federal Register (pages 19160-19211). Copies of the regulations may be obtained by contacting the person to which this proposal is submitted.

(BEFORE COMPLETING CERTIFICATION, READ INSTRUCTIONS ON REVERSE)

(1) The prospective lower tier participant certifies, by submission of this proposal, that neither it nor its principals are presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction 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.

Vicky Dakes, Supervisor of Elections

Name and Title of Authorized Representative

Vicky Dakes

Signature

2/12/2020

Date

INSTRUCTIONS FOR CERTIFICATION

1. By signing and submitting this proposal, the prospective lower tier participant is providing the certification set out below.
2. 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.
3. 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 when submitted or has become erroneous by reason of changed circumstances.
4. The terms "covered transaction," "debarred," "suspended," "ineligible," "lower tier covered transaction," "participant," "person," "primary covered transaction," "principal," "proposal," and "voluntarily excluded," as used in this clause, have the meanings set out in the Definitions and Coverage sections of rules implementing Executive Order 12549. You may contact the person to which this proposal is submitted for assistance in obtaining a copy of those regulations.
5. 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.
6. The prospective lower 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," without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions.
7. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant may decide the method and frequency by which it determines the eligibility of its principals. Each participant may, but is not required to, check the Nonprocurement List (Telephone Number).
8. 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 a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.
9. Except for transactions authorized under paragraph 5 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 of County Matching Funds¹

I, _____, Chair of the Board of County Commissioners of

_____ County, Florida, do hereby certify that the Board of County Commissioners shall appropriate and provide the county Supervisor of Elections a minimum 15% county match to the total amount of federal grant trust funds under the Help America Vote Act appropriated for federal election cybersecurity initiatives and improvements that the county Supervisor of Elections may request and receive from the State in FY 2019-20 pursuant to specific appropriation 3160. The match amount must equal to or be greater than \$5246.00.

If the Board fails to appropriate and provide the matching funds as certified herein, all funds received from the State for this grant, including any accrued interest, will be required to be returned to the Department of State and shall revert to the Federal Grant Trust Funds.

Chair, Board of County Commissioners

Date

¹ The match requirement is waived for the following sub-recipients whose respective county has been designated by the Department of Economic Opportunity as an Economically Distressed Rural Community: Baker, Bradford, Calhoun, Columbia, DeSoto, Dixie, Flagler, Franklin, Gadsden, Gilchrist, Glades, Gulf, Hamilton, Hardee, Hendry, Highlands, Holmes, Jackson, Jefferson, Lafayette, Levy, Liberty, Madison, Nassau, Okeechobee, Putnam, Suwannee, Taylor, Union, Wakulla, Washington, Walton.



*Division of Accounting and Auditing -- Bureau of Auditing***AUDIT REQUIREMENTS FOR AWARDS OF
STATE AND FEDERAL FINANCIAL ASSISTANCE**

Note: Rule Chapter 69I-5, Florida Administrative Code (F.A.C.), State Financial Assistance, incorporates this form as well as the regulations cited therein by reference in Rule 69I-5.006, F.A.C. Rule 69I-5.001, F.A.C., incorporates 2 CFR Part 200, Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards, including Subpart F Audit Requirements, 2018 Edition, and its related Appendix XI, Compliance Supplement, April 2017 and April 2018. The form and regulations can be accessed via the Department of Financial Services' website at <https://apps.fdfs.com/ifa/>.

The administration of resources awarded by the Department of State to the Sub-recipient may be subject to audits and/or monitoring by the Department of State, as described in this section.

MONITORING

In addition to reviews of audits conducted in accordance with 2 CFR 200, Subpart F - Audit Requirements, and section 215.97, Florida Statutes (F.S.), as revised (see AUDITS below), monitoring procedures may include, but not be limited to, on-site visits by Department of State staff, limited scope audits as defined by 2 CFR §200.425, or other procedures. By entering into this agreement, the recipient agrees to comply and cooperate with any monitoring procedures or processes deemed appropriate by the Department of State. In the event the Department of State determines that a limited scope audit of the recipient is appropriate, the recipient agrees to comply with any additional instructions provided by Department of State staff to the recipient regarding such audit. The recipient further agrees to comply and cooperate with any inspections, reviews, investigations, or audits deemed necessary by the Chief Financial Officer (CFO) or Auditor General.

AUDITS**Part I: Federally Funded**

This part is applicable if the recipient is a state or local government or a nonprofit organization as defined in 2 CFR §200.90, §200.64, and §200.70.

1. A recipient that expends \$750,000 or more in federal awards in its fiscal year must have a single or program-specific audit conducted in accordance with the provisions of 2 CFR 200, Subpart F - Audit Requirements. EXHIBIT 1 to this form lists the federal resources awarded through the Department of State by this agreement. In determining the federal awards expended in its fiscal year, the recipient shall consider all sources of federal awards, including federal resources received from the Department of State. The determination of amounts of federal awards expended should be in accordance with the guidelines established in 2 CFR §§200.502-503. An audit of the recipient conducted by the Auditor General in accordance with the provisions of 2 CFR §200.514 will meet the requirements of this Part.
2. For the audit requirements addressed in Part I, paragraph 1, the recipient shall fulfill the requirements relative to auditee responsibilities as provided in 2 CFR §§200.508-512.
3. A recipient that expends less than \$750,000 in federal awards in its fiscal year is not required to have an audit conducted in accordance with the provisions of 2 CFR 200, Subpart F - Audit Requirements. If the recipient expends less than \$750,000 in federal awards in its fiscal year and elects to have an audit conducted in accordance with the provisions of 2 CFR 200, Subpart F - Audit Requirements,

**AUDIT REQUIREMENTS FOR AWARDS OF
STATE AND FEDERAL FINANCIAL ASSISTANCE**

the cost of the audit must be paid from non-federal resources (i.e., the cost of such an audit must be paid from recipient resources obtained from other than federal entities).

Part II: State Funded

Note: This part is applicable if the recipient is a nonstate entity as defined by section 215.97(2), F.S.

1. In the event that the recipient expends a total amount of state financial assistance equal to or in excess of \$750,000 in any fiscal year of such recipient (for fiscal years ending June 30, 2017, and thereafter), the recipient must have a state single or project-specific audit for such fiscal year in accordance with section 215.97, F.S.; Rule Chapter 69I-5, F.A.C., State Financial Assistance; and Chapters 10.550 (local governmental entities) and 10.650 (nonprofit and for-profit organizations), Rules of the Auditor General. EXHIBIT 1 to this form lists the state financial assistance awarded through the Department of State by this agreement. In determining the state financial assistance expended in its fiscal year, the recipient shall consider all sources of state financial assistance, including state financial assistance received from the Department of State, other state agencies, and other nonstate entities. State financial assistance does not include federal direct or pass-through awards and resources received by a nonstate entity for federal program matching requirements.
2. For the audit requirements addressed in Part II, paragraph 1, the recipient shall ensure that the audit complies with the requirements of section 215.97(8), F.S. This includes submission of a financial reporting package as defined by section 215.97(2), F.S., and Chapters 10.550 (local governmental entities) and 10.650 (nonprofit and for-profit organizations), Rules of the Auditor General.
3. If the recipient expends less than \$750,000 in state financial assistance in its fiscal year (for fiscal years ending June 30, 2017, and thereafter), an audit conducted in accordance with the provisions of section 215.97, F.S., is not required. If the recipient expends less than \$750,000 in state financial assistance in its fiscal year and elects to have an audit conducted in accordance with the provisions of section 215.97, F.S., the cost of the audit must be paid from the nonstate entity's resources (i.e., the cost of such an audit must be paid from the recipient's resources obtained from other than state entities).

Part III: Report Submission

1. Copies of reporting packages for audits conducted in accordance with 2 CFR 200, Subpart F - Audit Requirements, and required by Part I of this form shall be submitted, when required by 2 CFR §200.512, by or on behalf of the recipient directly to the Federal Audit Clearinghouse (FAC) as provided in 2 CFR §200.36 and §200.512.

The FAC's website provides a data entry system and required forms for submitting the single audit reporting package. Updates to the location of the FAC and data entry system may be found at the OMB website

2. Copies of financial reporting packages required by Part II of this form shall be submitted by or on behalf of the recipient directly to each of the following:

- a. The Department of State at the following addresses:

Department of State, Division of Elections
R.A. Gray Building, Ste 316
500 S. Bronough St.
Tallahassee, FL 32399-0250

**AUDIT REQUIREMENTS FOR AWARDS OF
STATE AND FEDERAL FINANCIAL ASSISTANCE**

Department of State, Office of Inspector General
R.A. Gray Bldg., Rm. 406
500 S. Bronough Street
Tallahassee, FL
32399-0250

- b. The Auditor General's Office at the following address:

Auditor General
Local Government Audits/342
Claude Pepper Building, Room 401
111 West Madison Street
Tallahassee, Florida 32399-1450

The Auditor General's website (<https://flauditor.gov/>) provides instructions for filing an electronic copy of a financial reporting package.

- c. The Federal Audit Clearinghouse designated in OMB Circular A-133, as revised (the number of copies required by Sections .320 (d)(1) and (2), OMB Circular A-133, as revised, should be submitted to the Federal Audit Clearinghouse), at the following address:

Federal Audit Clearinghouse
Bureau of the Census
1201 East 10th Street
Jeffersonville, IN 47132

3. Copies of reports required by Part III of this form shall be submitted by or on behalf of the recipient directly to:

Department of State
Division of Elections
R.A. Gray Building, Ste 316
500 S. Bronough St.
Tallahassee, FL 32399-0250

4. Any reports, management letters, or other information required to be submitted to the Department of State pursuant to this agreement shall be submitted timely in accordance with 2 CFR §200.512, section 215.97, F.S., and Chapters 10.550 (local governmental entities) and 10.650 (nonprofit and for-profit organizations), Rules of the Auditor General, as applicable.
5. Recipients, when submitting financial reporting packages to the Department of State for audits done in accordance with 2 CFR 200, Subpart F - Audit Requirements, or Chapters 10.550 (local governmental entities) and 10.650 (nonprofit and for-profit organizations), Rules of the Auditor General, should indicate the date that the reporting package was delivered to the recipient in correspondence accompanying the reporting package.

Part V: Record Retention

The recipient shall retain sufficient records demonstrating its compliance with the terms of the award(s) and this agreement for a period of 5 fiscal years from the date the audit report is issued, and shall allow the Department of State, or its designee, the CFO, or Auditor General access to such records upon request. The recipient shall ensure that audit working papers are made available to the Department of State, or its designee, the CFO, or Auditor General upon request for a period of 5 fiscal years from the date the audit report is issued, unless extended in writing by the Department of State.

AUDIT REQUIREMENTS FOR AWARDS OF
STATE AND FEDERAL FINANCIAL ASSISTANCE

EXHIBIT 1

**Federal Resources Awarded to the Recipient
Pursuant to this Agreement Consist of the Following:**

1. Federal Help America Vote Act—Catalog of Federal Domestic Assistance (CFDA) § 90.404 HAVA Election Security Grants
Federal Program: Section 101 of the Help America Vote Act of 2002
Federal Agency: U.S. Election Assistance Commission
CFDA No./Title: 90.404 Election Security Grants
Award Amount: See Attachment A
2. Federal Help America Vote Act—Catalog of Federal Domestic Assistance (CFDA) § 90.401 HAVA Requirements Payments
Federal Program: Section 251 of the Help America Vote Act of 2002
Federal Agency: U.S. Election Assistance Commission
CFDA No./Title: 90.401 Requirements Payments
Award Amount: See Attachment A

**Compliance Requirements Applicable to the Federal Resources
Awarded Pursuant to this Agreement are as Follows:**

1. CFDA Number 90.404, HAVA Election Security Grants
Part 1 of Subtitle D of Title II (Sections 251-258) and Title III of Public Law 107-252, the Help America Vote Act of 2002, Sections 301-305, and Sections 902 and 906. EAC has determined that the following Office of Management and Budget guidelines apply: Cost Principles for State, Local, and Indian Tribal Governments, 2 § CFR Part 225; Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments, OMB Circular A-110 (amended 9/30/99).

Federal Program: Sections 101 and 251 of the Help America Vote Act of 2002 and Consolidated Appropriations Act, 2018 (Public Law 115-141)

List applicable compliance requirements as follows:

1. See Help America Vote Act of 2002 - <https://www.gpo.gov/fdsys/pkg/PLAW-107publ252/pdf/PLAW-107publ252.pdf>
2. See Florida's HAVA State Plan, as updated in 2009. <https://dos.myflorida.com/elections/laws-rules/help-america-vote-act/>
3. See Allowable Expenses in Attachment A to Memorandum of Agreement
1. NOTE: Section .400(d) of OMB Circular A-133, as revised, and Section 215.97(5), Florida Statutes, require that the information about Federal Programs and State Projects included in Exhibit 1 be provided to the recipient.

State Resources Awarded to the Recipient Pursuant to this Agreement Consist of the Following:

N/A

Matching Resources for Federal Programs:

N/A

Subject to Section 215.97, F.S.:

N/A

Compliance Requirements Applicable to State Resources Awarded Pursuant to this Agreement Are as Follows:

N/A