

Attachment I

WORKFORCE INVESTMENT ACT (WIA) PROGRAM
ANNUAL FUNDING AGREEMENT
(Including Mod 0, initial Notice of Obligation)
PY 2014

Grant/ Agreement No. AA-25347-14-55-A-12 CFDA #17.258 WIA Adult Program
(To be completed by DOL) CFDA #17.259 WIA Youth Activities
 CFDA #17.278 WIA Dislocated Workers

1. **Parties:** Pursuant to the Governor/Secretary Agreement provided for at 20 CFR 667.110 and 20 CFR 667.105, this grant agreement is entered into between the U.S. Department of Labor, Employment and Training Administration (Grantor) and the STATE/COMMONWEALTH of Florida (Grantee).
2. **Grant Funds:** This grant agreement applies to funds appropriated for Program Year (PY) 2014 for WIA Title I State formula-funded Youth, Adult and Dislocated Worker programs. Thus, it includes the Fiscal Year 2015 Advance funds to be appropriated for PY 2014.
3. **Applicable Authority:** Funds provided under this grant agreement must be expended in accordance with all applicable federal statutes, regulations and policies, including those of the Workforce Investment Act (as presently in effect and as may become effective during the terms of this Agreement); the applicable approved State WIA plan including approved modifications and amendments to the plan, and any waiver plan approved under 20 CFR 661.420 or Workforce Flexibility (Workflex) plan approved under 20 CFR 661.430; the negotiated performance levels and policies established pursuant to the Secretary's authority under WIA Section 136; and the applicable provisions in the appropriations act(s).
4. **Grant Period:** This period of availability of funds is effective April 1, 2014 for Youth funds (July 1, 2014 for Adult and Dislocated Worker funds) through June 30, 2017.
5. **Notice of Obligation:** Funds shall be obligated and allocated via a Notice of Obligation (NOO) grant modification. Obligations and costs may not exceed the amount obligated by the NOO modification unless otherwise modified by the Grantor. Upon execution of this agreement, the "Modification 0" supplement to the agreement will serve as the initial PY 2014, Notice of Obligation. Funds are obligated for the amount indicated in the "Modification 0" document in accordance with the Grantee's PY 2014 allotment levels. The Federal obligation level will be amended by the Grant Officer to increase (or adjust) amounts available to the Grantee as funds become available for obligation and additional Notice of Obligation (or Deobligation) grant modifications are required and issued.

6. Electronic Fund Transfers: Cash payments shall be made to the Grantee under the Department of Health and Human Services (HHS) Payment Management System (PMS).

7. Certifications and Assurances: The following are incorporated by reference and are a part of this agreement:

- CERTIFICATION REGARDING LOBBYING
(29 CFR Part 93)
- DRUG-FREE WORKPLACE REQUIREMENTS CERTIFICATION
(29 CFR Part 98)
- NONDISCRIMINATION AND EQUAL OPPORTUNITY ASSURANCE
(29 CFR Part 37)
- CERTIFICATION REGARDING DEBARMENT, SUSPENSION, AND OTHER RESPONSIBILITY MATTERS-- PRIMARY COVERED TRANSACTIONS
(29 CFR Part 98)
- STANDARD FORM 424B (STANDARD ASSURANCES (NON CONSTRUCTION PROGRAMS))

8. Other Administrative Requirements: In performing its responsibilities under this agreement, the grantee further certifies and assures that it will fully comply with:

29 CFR Part 97 (Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments) and the 29 CFR Part 97 clarifications and exceptions specified below:

29 CFR 97.25 - Program Income. Grantees shall use the Addition method for computing Program Income. The grantee may deduct those costs incident to generation of program income from gross income to determine net program income provided that such costs were not charged to grant funds under this agreement.

29 CFR 97.31 - Property. Real property includes both real property acquired under this agreement and real property transferred to this agreement from prior agreements.

29 CFR 97.32 - Equipment and 29 CFR 97.33 - Supplies. Equipment and Supplies includes both equipment and supplies acquired under this agreement and equipment and supplies transferred to this agreement from prior agreements.

29 CFR 97.41 (a) and (b) - Financial Reporting.

29 CFR 97.41 (b) - The Employment and Training Administration (ETA) has implemented the Office of Management and Budget (OMB)-approved quarterly financial reporting form to be used for financial reporting starting with the quarter which ended

September 30, 2007. The reporting instructions for the form are posted on the www.doleta.gov/grants/financial_reporting.cfm website. State grantees are required to use the ETA Web-based reporting system for the filing of quarterly financial status reports. A separate report must be completed each quarter for each funding source (See Fund Type) provided under this agreement until such time as such funds for a given year have been expended or expired (i.e., expired due to statutory provision or expired due to terms of a specific grant/plan, as applicable). The software provided to grantees by the grantor agency will contain a menu listing all funding source reporting options to assist the grantees in full reporting coverage.

29 CFR 97.41 (b) (2) - As the awarding agency, the Employment and Training Administration requires grantees to report program outlays (expenditures) on an accrual basis. If the grantee's accounting records are not normally kept on the accrual basis, the grantee shall not be required to convert its accounting system but shall develop such accrual information through an analysis of the documentation on hand.

29 CFR 97.41 (c) (1) - The grantee is exempted from the requirement to submit the SF-272, Federal Cash Transactions Report, and the SF-272a, Federal Cash Transactions Report, continuation sheet, provided that the grantee files the SF-272 (e) electronic report in accordance with the HHS Payment Management System requirements.

OMB Circular A-87 Revised (Cost Principles for State and Local Governments) (See http://www.whitehouse.gov/omb/grants_circulars) and the provisions and exceptions specified below:

For those selected items of cost requiring prior approval, the authority to grant or deny approval is delegated to the Governor (20 CFR 667.200(c)) for programs funded under this Agreement except that the Secretary reserves the right to require transfer of title in accordance with the provisions at 29 CFR 97.32 (g).

29 CFR Part 96 and 99 (Audit Requirements). These requirements apply as supplemented by the WIA regulations at 20 CFR 667.200 (b).

Intergovernmental Personnel Act (42 U.S.C. 4701) and amendments thereto.

9. Veterans' Priority Provisions: This program, funded by the U.S. Department of Labor is subject to the priority of service requirements of 38 USC 4215 and 20 CFR Part 1010. Section 4215 of Title 38 requires that priority of service be provided to veterans and spouses of certain service members and veterans for the receipt of employment, training, and placement services. Agreement by a program operator to implement priority of service is a condition of receipt of DOL funds. The Planning Guidance (either the Stand-Alone Planning Guidance at 73 FR 72853 (December 1, 2008)) or the Unified Planning Guidance at 73 FR 73730 (December 3, 2008) requires states to describe the policies and strategies in place to ensure that priority of service is provided to veterans (and certain spouses) who otherwise meet the eligibility requirements for all employment and training programs funded in whole or in part by the U.S. Department of

Labor. In addition, the states are required to provide assurances that they will comply with the Veterans' Priority of Service Provisions in 38 USC 4215 and Training and Employment Guidance Letter (TEGL) No. 10-09 (issued November 10, 2009). TEGL No. 10-09 is available at http://wdr.doleta.gov/directives/corr_doc.cfm?DOCN=2816.

10. **Buy American Notice Requirement:** In the case of any equipment or product that may be authorized to be purchased with financial assistance provided using funds available under the Workforce Investment Act, it is the sense of the Congress that entities receiving the assistance should, in expending the assistance, purchase only American-made equipment and products, as required by the Buy American Act (41 USC 10a et seq.). See WIA Section 505 – Buy American Requirements.
11. **Salary and Bonus Limitations:** None of the funds appropriated under the heading 'Employment and Training' in the appropriation statute(s) may be used by a recipient or subrecipient of such funds to pay the salary and bonuses of an individual, either as direct costs or indirect costs, at a rate in excess of Executive Level II. This limitation shall not apply to vendors providing goods and services as defined in OMB Circular A-133 (codified at 29 CFR Parts 96 and 99). Where States are recipients of such funds, States may establish a lower limit for salaries and bonuses of those receiving salaries and bonuses from subrecipients of such funds, taking into account factors including the relative cost-of-living in the State, the compensation levels for comparable State or local government employees, and the size of the organizations that administer Federal programs involved including Employment & Training Administration programs. See Public Law 113-76 (Division H, Title I, Section 105), and Training and Employment Guidance Letter number 05-06 for further clarification. TEGL No. 05-06 is available at http://wdr.doleta.gov/directives/corr_doc.cfm?DOCN=2262.
12. **Intellectual Property Rights:** The Federal Government reserves a paid-up, nonexclusive and irrevocable license to reproduce, publish or otherwise use, and to authorize others to use for federal purposes: i) the copyright in all products developed under the grant, including a subgrant or contract under the grant or subgrant; and ii) any rights of copyright to which the grantee, subgrantee or a contractor purchases ownership under an award (including but not limited to curricula, training models, technical assistance products, and any related materials). Such uses include, but are not limited to, the right to modify and distribute such products worldwide by any means, electronically or otherwise. Federal funds may not be used to pay any royalty or license fee for use of a copyrighted work, or the cost of acquiring by purchase a copyright in a work, where the Department has a license or rights of free use in such work. If revenues are generated through selling products developed with grant funds, including intellectual property, these revenues are program income. Program income is added to the grant and must be expended for allowable grant activities.

If applicable, the following needs to be on all products developed in whole or in part with grant funds:

"This workforce product was funded by a grant awarded by the U.S. Department of Labor's Employment and Training Administration. The product was created by the grantee and does not necessarily reflect the official position of the U.S. Department of

Labor. The Department of Labor makes no guarantees, warranties, or assurances of any kind, express or implied, with respect to such information, including any information on linked sites and including, but not limited to, accuracy of the information or its completeness, timeliness, usefulness, adequacy, continued availability, or ownership. This product is copyrighted by the institution that created it. Internal use by an organization and/or personal use by an individual for non-commercial purposes is permissible. All other uses require the prior authorization of the copyright owner.”

13. Transparency Act: Federal Funding Accountability and Transparency Act of 2006 Pub. L. 109-282 as amended by section 6202 of Pub. L. 110-252 (“FFATA”). Grantees must ensure that they have the necessary processes and systems in place to comply with the reporting requirements of FFATA. See Training and Employment Guidance Letter (TEGL) No. 11-10 (issued November 15, 2010) <http://wdr.doleta.gov/directives/attach/TEGL/TEGL11-10acc.pdf> and attachment to this agreement.
14. Executive Order 13333: This agreement may be terminated without penalty, if the grantee or any subgrantee, or the contractor or any subcontractor engages in: “(i) severe forms of trafficking in persons; (ii) the procurement of a commercial sex act during the period of time that the grant, contract, or cooperative agreement is in effect;(iii) the use of forced labor in the performance of the grant, contract, or cooperative agreement; or (iv) acts that directly support or advance trafficking in persons.” (22 U.S.C. § 7104(g))
15. Special Requirements for Conferences and Conference Space: Grantee must obtain prior approval from the Grantor before holding any conference (which includes meeting, retreat, seminar, symposium, training activity or similar event held in either Federal or non-Federal space), or any activity related to holding a conference, including, but not limited to, obligating or expending Grantor funds, signing contracts for space or services, announcing Grantor’s involvement in any conference, and using Grantor official’s name or Grantor’s name or logo. Grantor retains the right to obtain information from the Grantee about any conference that is funded in whole or in part with Grantor funds.
16. Seat Belts: Pursuant to Executive Order (EO) 13043 (April 16, 1997), Increasing the Use of Seat Belts in the United States, recipients are encouraged to adopt and enforce on-the-job seat belt policies and programs for their employees when operating vehicles, whether organizationally owned or rented or personally owned.
17. Executive Order 13513: Sec. 4. Text Messaging While Driving by Government Contractors, Subcontractors, and Recipients and Subrecipients. Contractors, subcontractors, and recipients and subrecipients are encouraged to adopt and enforce policies that ban text messaging while driving company-owned or -rented vehicles or Government-owned, Government-leased, or Government-rented vehicles, or while driving privately-owned vehicles when on official Government business or when performing any work for or on behalf of the Government, and to conduct initiatives of the type described in section 3(a) of the Executive Order.

18. Signatory Information: By signing below, the signatories agree to the terms and conditions of this agreement, including all applicable assurances and certifications, on behalf of their respective agencies indicated below. In the absence of a signature by the Grantee only, this award is nevertheless effective by virtue of Grantee's electronic signature on the SF-424 upon which this award is based. In addition, the Grantee's expenditure of any funds properly granted hereunder constitutes acceptance of the award, including any new or additional terms and conditions as may be attached hereto.

FOR GRANTEE:

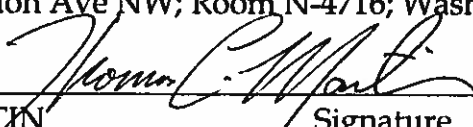
PMS EIN #: 1364706134A1

PMS PIN ACCT #: 5H72

See SF-424 Signature and Clause 18 above

BY _____
(Governor/ Authorized Signatory) Signature Date

FOR GRANTOR: U.S. Department of Labor/ Employment and Training Administration
200 Constitution Ave NW; Room N-4716; Washington, DC 20210

THOMAS C. MARTIN  4/25/14
Grant Officer Signature Date