

RESOLUTION 91-90

A RESOLUTION ENDORSING THE NASSAU COUNTY OCEAN  
HIGHWAY AND PORT AUTHORITY'S GRANT  
APPLICATION.

WHEREAS, the Board of County Commissioners acknowledge that the Nassau County Ocean Highway and Port Authority is seeking a federal grant to fund a portion of the infrastructure cost of the Fernandina International Tradeplex; and

WHEREAS, the Nassau County Board of County Commissioners supports and endorses the grant application; and

WHEREAS, if such a grant is awarded, the Nassau County Ocean Highway and Port Authority will act as the lead and administrative applicant to insure proper planning, management, and completion of the project described in this application; and

WHEREAS, the Nassau County Ocean Highway and Port Authority shall be responsible for all costs and matching funds; and

WHEREAS, the Nassau County Ocean Highway and Port Authority shall be responsible for all administrative functions and reporting requirements.

NOW, THEREFORE, BE IT RESOLVED this 16<sup>th</sup> day of June, 1991, that the Board of County Commissioners of Nassau County hereby authorizes its Chairman to sign and submit this application for an award to the Economic Development Administration of the United States Department of Commerce, subject to:

1. The Nassau County Ocean Highway and Port Authority acting as the lead and administrative applicant and the Authority shall be responsible to insure proper planning, management, and completion of the project described in this application.

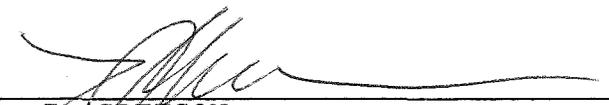
2. The Nassau County Ocean Highway and Port Authority being responsible for all administrative functions and reporting requirements.

3. The Nassau County Ocean Highway and Port Authority being responsible for any matching funds required pursuant to the grant application and all financial obligations required pursuant to the grant requirements.

BOARD OF COUNTY COMMISSIONERS  
NASSAU COUNTY, FLORIDA

  
JIM B. HIGGINBOTHAM  
Its: Chairman

ATTEST:

  
T. J. GREESON  
Its: Ex-Officio Clerk

wp/7/b:port.res

91-90

U. S. DEPARTMENT OF COMMERCE  
ECONOMIC DEVELOPMENT ADMINISTRATION

APPLICANT'S CERTIFICATE OF NONRELOCATION

To be executed by applicants for construction grant assistance under Titles I, IV, IX and section 301(f) of Title III of the Public Works and Economic Development Act of 1965, as amended (PWEEDA). Employer is defined to include grantee/applicant.

NOTE - EDA's regulations at 13 CFR 309.3 prohibit EDA from making construction grants under Titles I, IV, IX and section 301(f) of Title III which will have the effect of assisting an employer in moving jobs from one commuting area to another commuting area. An expansion of an existing business to a new location may be assisted if such an expansion will not cause unemployment in other areas where the business conducts operations. Execution of the following Certificate is necessary for EDA to determine whether funding is available for the proposed project.

.....  
Applicants are to complete items 1-3 and read and understand item 4.

1. Grant Applicant Name: Nassau County Board of County Commissioners (hereinafter called the "Applicant")

City, State: Fernandina Beach, Florida

2. Short Project Description:

Industrial complex to increase usage of port facility and provide long term storage for the Port of Fernandina.

3. APPLICANT'S CERTIFICATION AND ASSURANCE OF COMPLIANCE WITH EDA'S NONRELOCATION REGULATIONS

The Applicant certifies and assures that, as an Applicant for EDA assistance it will comply with EDA's nonrelocation regulations at 13 CFR 309.3.

The Applicant certifies and assures that the facilities to be constructed are not undertaken for the purpose of serving an employer which has relocated its operation within the Project Boundaries, or for the purpose of assisting or otherwise encouraging the relocation of such employers, prior to the date of EDA's approval of the proposed financial assistance, where such relocations are for the purpose of avoiding the restrictions of the rule, and that relocations will not take place for forty-eight (48) months from the date of approval of this grant.

The Applicant certifies and assures that it is not presently assisting or otherwise encouraging, nor does it intend to assist or encourage, employers which intend to transfer one or more jobs from one commuting area to another by either (1) closing an operation in one commuting area and opening a new operation within the Project Boundaries, which is in a new commuting area, or (2) curtailing its operation in another location and increasing the number of jobs of the employer's existing operations located within the Project Boundaries. The Applicant assures that it does not intend to encourage or use the project to assist employers in transferring jobs as described above.

The Applicant understands that in accordance with 13 CFR 309.3(k)(1) it will obtain a Certificate of Nonrelocation from all employers locating within the Project Boundaries as follows:

- a. All employers located or locating or non-applicant owners or operators of industrial parks or sites within the Project Boundaries. In the case of grants to fund area-wide utility systems, Certificates of Nonrelocation will be required from businesses which use or are projected to use greater than ten percent (10%) of the the total capacity of the utility system as improved by the EDA grant.
- b. Affiliates, subsidiaries, or other entities under direct, indirect, or common control of the foregoing.

- c. Assignees, transferees, lessees, and successors-in-interest of the foregoing entities.
- d. Successors-in-interest of the Applicant or Grantee, who will be required to execute the "Applicant's Certificate of Nonrelocation."

The Employer Certificates must be maintained by the Applicant/Grantee and made available to EDA upon request.

The undersigned is authorized to make the foregoing certification and assurances and to execute this Certificate on behalf of the Applicant.

Executed this 10th day of June, 19 91

by Jim B. Higginbotham  
(Type or Print Name)

Chairman  
(Title of Executing Official)

  
(Signature of Executing Official)

6. WARNINGS

Note - Section 710(a) of the Public Works and Economic Development Act of 1965, as amended, provides that: "Whoever makes any statement knowing it to be false, or whoever willfully overvalues any security, for the purpose of obtaining for himself or for any applicant any financial assistance under section 101, 201, 202, or 403 or any extension thereof by renewal, deferment or action, or otherwise, or the acceptance, release, or substitution of security therefor, or for the purpose of influencing in any way the action of the Secretary, or for the purpose of obtaining money, property, or anything of value, under this Act, shall be punished by a fine of not more than \$10,000 or by imprisonment for not more than five years, or both." EDA'S NONRELOCATION REQUIREMENTS AT 13 CFR 309.3(m) PROVIDE THAT: "WHEN EDA DETERMINES THAT THESE REQUIREMENTS HAVE BEEN VIOLATED, EDA WILL TERMINATE FOR CAUSE THE FINANCIAL ASSISTANCE MADE AVAILABLE BY EDA. THE RECIPIENT WILL BE OBLIGATED TO REPAY TO EDA THE FULL AMOUNT OF THAT FINANCIAL ASSISTANCE PLUS INTEREST, FROM THE DATE DETERMINED BY EDA UPON WHICH THE VIOLATION OCCURRED, AT THE NEW YORK BANK PRIME RATE AS REPORTED IN THE WALL STREET JOURNAL ON THE DATE OF TERMINATION."

PART V - ASSURANCES - CONSTRUCTION PROGRAMS

NOTE: CERTAIN OF THESE ASSURANCES MAY NOT BE APPLICABLE TO YOUR PROJECT OR PROGRAM. IF YOU HAVE QUESTIONS, PLEASE CONTACT THE AWARDING AGENCY. FURTHER, CERTAIN FEDERAL ASSISTANCE AWARDING AGENCIES MAY REQUIRE APPLICANTS TO CERTIFY TO ADDITIONAL ASSURANCES. IF SUCH IS THE CASE, YOU WILL BE NOTIFIED.

As the duly authorized representative of the applicant I certify that the applicant:

1. Has the legal authority to apply for Federal assistance, and the institutional, managerial and financial capability (including funds sufficient to pay the non-Federal share of project costs) to ensure proper planning, management and completion of the project described in this application.
2. Will give the awarding agency, the Comptroller General of the United States, and if appropriate, the State, through any authorized representative, access to and the right to examine all records, books, papers, or documents related to the assistance; and will establish a proper accounting system in accordance with generally accepted accounting standards or agency directives.
3. Will not dispose of, modify the use of, or change the terms of the real property title, or other interest in the site and facilities without permission and instructions from the awarding agency. Will record the Federal interest in the title of real property in accordance with awarding agency directives and will include a covenant in the title of real property acquired in whole or in part with Federal assistance funds to assure nondiscrimination during the useful life of the project.
4. Will comply with the requirements of the assistance awarding agency with regard to the drafting, review and approval of construction plans and specifications.
5. Will provide and maintain competent and adequate engineering supervision at the construction site to ensure that the completed work conforms with the approved plans and specifications and will furnish progress reports and such other information as may be required by the assistance awarding agency or State.
6. Will initiate and complete the work within the applicable time frame after receipt of approval of the awarding agency.
7. Will establish safeguards to prohibit employees from using their positions for a purpose that constitutes or presents the appearance of personal or organizational conflict of interest, or personal gain.
8. Will comply with the Intergovernmental Personnel Act of 1970 (42 U.S.C. §§ 4728-4763) relating to prescribed standards for merit systems for programs funded under one of the nineteen statutes or regulations specified in Appendix A of OPM's Standards for a Merit System of Personnel Administration (5 C.F.R. 900, Subpart F).
9. Will comply with the Lead-Based Paint Poisoning Prevention Act (42 U.S.C. §§ 4801 et seq.) which prohibits the use of lead based paint in construction or rehabilitation of residence structures.
10. Will comply with all Federal statutes relating to non-discrimination. These include but are not limited to: (a) Title VI of the Civil Rights Act of 1964 (P.L. 88-352) which prohibits discrimination on the basis of race, color or national origin; (b) Title IX of the Education Amendments of 1972, as amended (20 U.S.C. §§ 1681-1683, and 1685-1686) which prohibits discrimination on the basis of sex; and Section 112 of P.L. 92-65 which prohibits sex discrimination in PWEDA programs; (c) Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. § 794) which prohibits discrimination on the basis of handicaps; (d) the Age Discrimination Act of 1975, as amended (42 U.S.C. §§ 6101-6107) which prohibits discrimination on the basis of age; (e) the Drug Abuse Office and Treatment Act of 1972 (P.L. 93-255), as amended, relating to non-discrimination on the basis of drug abuse; (f) the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970 (P.L. 91-616), as amended, relating to nondiscrimination on the basis of alcohol abuse or alcoholism; (g) §§ 523 and 527 of the Public Health Service Act of 1912 (42 U.S.C. 290 dd-3 and 290 ee-3), as amended, relating to confidentiality of alcohol and drug abuse patient records; (h) Title VIII of the Civil Rights Act of 1968 (42 U.S.C. § 3601 et seq.) as amended, relating to nondiscrimination in the sale, rental or financing of housing; (i) any other non-discrimination provision in the specific statute(s) under which application for Federal assistance is being made; and (j) the requirements of any other non-discrimination Statute(s) which may apply to the application.

Part V - Assurances (continued)

11. Will comply, or has already complied, with the requirements of Titles II and III of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (P.L. 91-646) and Title IV of the Surface Transportation and Uniform Relocation Assistance Act of 1987 (P.L. 100-17) which provides for fair and equitable treatment of persons displaced or whose property is acquired as a result of Federal and federally assisted programs. These requirements apply to all interests in real property acquired for project purposes regardless of Federal participation in purchases.
12. Will comply with the provisions of the Hatch Act (5 U.S.C. §§ 1501-1508 and 7324-7328) which limit the political activities of employees whose principal employment activities are funded in whole or in part with Federal funds.
13. Will comply, as applicable, with the provisions of the Davis-Bacon Act (40 U.S.C. §§ 276a to 276a-7), the Copeland Act (40 U.S.C. § 276c and 18 U.S.C. § 874), the Contract Work Hours and Safety Standards Act (40 U.S.C. §§ 327-333) regarding labor standards for federally assisted construction subagreements.
14. Will comply with the flood insurance purchase requirements of Section 102(a) of the Flood Disaster Protection Act of 1973 (P.L. 93-234) which requires recipients in a special flood hazard area to participate in the program and to purchase flood insurance if the total cost of insurable construction and acquisition is \$10,000 or more.
15. Will comply with environmental standards which may be prescribed pursuant to the following: (a) institution of environmental quality control measures under the National Environmental Policy Act of 1969 (P.L. 91-190) and Executive Order (E.O.) 11514; (b) notification of violating facilities pursuant to E.O. 11738; (c) protection of wetlands pursuant to E.O. 11990; (d) evaluation of flood hazards in floodplains in accordance with E.O. 11988; (e) assurance of project consistency with the approved State management program developed under the Coastal Zone Management Act of 1972 (16 U.S.C. §§ 1451 et seq.); (f) conformity of Federal actions to State (Clean Air) Implementation Plans under Section 176(c) of the Clean Air Act of 1955, as amended (42 U.S.C. § 7401 et seq.); (g) protection of underground sources of drinking water under the Safe Drinking Water Act of 1974, as amended, (P.L. 93-523); (h) protection of endangered species under the Endangered Species Act of 1973, as amended, (P.L. 93-205); (i) assurance of project compliance with all existing environmental laws and policies in accordance with the Environmental Quality Improvement Act, as amended, (42 U.S.C. 4374); (j) protection of navigable waters, fish and wildlife under the Federal Water Pollution Control Act, as amended, (33 U.S.C. 1251, et seq.); (k) improvement of solid and hazardous waste management in accordance with Resource Conservation and Recovery Act of 1976, as amended, (42 U.S.C. 6901); (l) control of noise under the Noise Control Act of 1972, as amended, (P.L. 92-574); (m) provisions for hazardous substances cleanup and emergency response pursuant to the Comprehensive Environmental Response, Compensation and Liability Act of 1980, as amended, (42 U.S.C. 9601 et seq.); (n) conservation and management of fish and wildlife, particularly nongame, under the Fish and Wildlife Conservation Act, as amended, (16 U.S.C. 2901 et seq.); (o) preservation of prime farmland for agricultural purposes under the Farmland Protection Policy Act of 1981 (7 U.S.C. 4201 et seq.); (p) protection of the natural resources pursuant to the Coastal Barrier Resources Act of 1982, as amended, (16 U.S.C. 3501 et seq.); (q) protection of marine environment under the Marine Protection, Research and Sanctuaries Act of 1972, as amended, P.L. 92-532; (r) regulation of testing and processing of chemicals under the Toxic Substances Control Act, as amended, P.L. 94-469; and (s) protection of all species of Wildlife resources and their habitat under the Fish and Wildlife Coordination Act, as amended, P.L. 89-72.
16. Will comply with the Wild and Scenic Rivers Act of 1968 (16 U.S.C. §§ 1271 et seq.) related to protecting components or potential components of the national wild and scenic rivers system.
17. Will assist the awarding agency in assuring compliance with Section 106 of the National Historic Preservation Act of 1966, as amended (16 U.S.C. 470), E.O. 11593 (identification and preservation of historic properties), and the Archaeological and Historic Preservation Act of 1974 (16 U.S.C. 469a-1 et seq.).
18. Will cause to be performed the required financial and compliance audits in accordance with the Single Audit Act of 1984.
19. Will operate and maintain the facility in accordance with the minimum standards as may be required or prescribed by the applicable Federal, State and local agencies for the maintenance and operation of such facilities.

Part V - Assurances (continued)

20. Will require the facility to be designed to comply with the "American Standard Specifications for Making Buildings and Facilities Accessible to, and Usable by, the Physically Handicapped," Number A117.1-1961, as modified (41 CFR 101-17.703). The applicant will be responsible for conducting inspections to insure compliance with these specifications by the contractor.

21. (Not applicable to State and Local Governments)

In consideration of EDA making a grant and/or loan requested by an Applicant which is a business enterprise, for this project, it agrees that for a period of two years after disbursement by EDA of said grant and/or loan or any part thereof, it will not employ or tender any office or employment to, or retain for professional services, any person who, on the date of such disbursement, or within one year prior to said date, shall have served as an officer, attorney, or agent or employee of EDA occupying a position or engaged in activities which EDA has determined involves discretion with respect to the granting of assistance under the Public Works and Economic Development Act of 1965, as amended.

22. Will give and will require employers who are Substantial Beneficiaries of public works assistance (as defined at 13 CFR 309.10) and contractors or subcontractors (as required by 13 CFR 305.54) to give preferential consideration, wherever possible, to the long term unemployed and underemployed residing in the project area, in connection with the project assisted by EDA. (See Instructions).

23. Will comply with all applicable requirements of all other Federal laws, Executive Orders, regulations and policies governing this program.

SIGNATURE OF AUTHORIZED CERTIFYING OFFICIAL	TITLE
 APPLICANT ORGANIZATION Nassau County Board of County Commissioners	Chairman  DATE SUBMITTED

CERTIFICATION REGARDING DRUG-FREE WORKPLACE REQUIREMENTS

(Public Law 100-690, Title V, Subtitle D)

INSTRUCTIONS FOR CERTIFICATION

1. By signing and/or submitting this application or grant agreement, the grantee is providing the certification set out below.
2. The certification set out below is a material representation of fact upon which reliance is placed when the agency awards the grant. If it is later determined that the grantee knowingly rendered a false certification, or otherwise violates the requirements of the Drug-Free Workplace Act, the agency, in addition to any other remedies available to the Federal Government, may take action authorized under the Drug-Free Workplace Act.
3. For grantees other than individuals, Alternate I applies.
4. For grantees who are individuals, Alternate II applies.
5. Workplaces under grants, for grantees other than individuals, need not be identified on the certification. If known, they may be identified in the grant application. If the grantee does not identify the workplace at the time of application, or upon award, if there is no application, the grantee must keep the identity of the workplace(s) on file in its office and make the information available for Federal inspection. Failure to identify all known workplaces constitutes a violation of the grantee's drug-free workplace requirements.
6. Workplace identifications must include the actual address of buildings (or parts of buildings) or other sites where work under the grant takes place. Categorical descriptions may be used (e.g., all vehicles of a mass transit authority or State highway department while in operation, State employees in each local unemployment office, performers in concert halls or radio studios).
7. If the workplace identified to the agency changes during the performance of the grant, the grantee shall inform the agency of the change(s), if it previously identified the workplaces in question (see paragraph 5).
8. Definitions of terms in the Nonprocurement Suspension and Debarment common rule and Drug-Free Workplace common rule apply to this certification. Grantee's attention is called, in particular, to the following definitions from these rules:

"Controlled substance" means a controlled substance in Schedules I through V of the Controlled Substances Act (21 U.S.C. 812) and as further defined by regulation (21 CFR 1308.11 through 1308.15);

"Conviction" means a finding of guilt (including a plea of nolo contendere) or imposition of sentence, or both, by any judicial body charged with the responsibility to determine violations of the Federal or State criminal drug statutes;

"Criminal drug statute" means a Federal or non-Federal criminal statute involving the manufacture, distribution, dispensing, use, or possession of any controlled substance;

"Employee" means the employee of a grantee directly engaged in the performance of work under a grant, including: (i) All "direct charge" employees; (ii) all "indirect charge" employees unless their impact or involvement is insignificant to the performance of the grant; and (iii) temporary personnel and consultants who are directly engaged in the performance of work under the grant and who are on the grantee's payroll. This definition does not include workers not on the payroll of the grantee (e.g., volunteers, even if used to meet a matching requirement; consultants or independent contractors not on the grantee's payroll; or employees of subrecipients or subcontractors in covered workplaces).

CERTIFICATION REGARDING DRUG-FREE WORKPLACE REQUIREMENTS  
(Public Law 100-690, Title V, Subtitle D)

Page 2

CERTIFICATION REGARDING DRUG-FREE WORKPLACE REQUIREMENTS  
(Check one box)

ALTERNATE I - FOR GRANTEES OTHER THAN INDIVIDUALS

A. The grantee certifies that it will or will continue to provide a drug-free workplace by:

- (a) Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the grantee's workplace and specifying the actions that will be taken against employees for violation of such prohibition;
- (b) Establishing an ongoing drug-free awareness program to inform employees about--
  - (1) The dangers of drug abuse in the workplace;
  - (2) The grantee's policy of maintaining a drug-free workplace;
  - (3) Any available drug counseling, rehabilitation, and employee assistance programs; and
  - (4) The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace;
- (c) Making it a requirement that each employee to be engaged in the performance of the grant be given a copy of the statement required by paragraph (a);
- (d) Notifying the employee in the statement required by paragraph (a) that, as a condition of employment under the grant, the employee will--
  - (1) Abide by the terms of the statement; and
  - (2) Notify the employer in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace no later than five calendar days after such conviction;
- (e) Notifying the agency in writing, within ten calendar days after receiving notice under subparagraph (d)(2) from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position title, to the Director, Office of Federal Assistance, HCHB Room 6204, Washington, D. C. 20230. Notice shall include the identification number(s) of each affected grant;
- (f) Taking one of the following actions, within 30 calendar days of receiving notice under subparagraph (d)(2), with respect to any employee who is so convicted--
  - (1) Taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; or
  - (2) Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency;
- (g) Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs (a), (b), (c), (d), (e) and (f).

B. The grantee may insert in the space provided below the site(s) for the performance of work done in connection with the specific grant:

Place of Performance (Street address, city, county, state, zip code)

Femandina Intematinal Tradeplex

Highway A-1-A

Yulee, Florida 32097

Check  if there are workplaces on file that are not identified here.

CERTIFICATION REGARDING DRUG-FREE WORKPLACE REQUIREMENTS  
(Public Law 100-690, Title V, Subtitle D)

Page 3

ALTERNATE II - FOR GRANTEE WHO ARE INDIVIDUALS

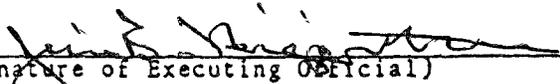
- A. The grantee certifies that, as a condition of the grant, he or she will not engage in the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance in conducting any activity with the grant; and
- B. If convicted of a criminal drug offense resulting from a violation occurring during the conduct of any grant activity, he or she will report the conviction, in writing, within 10 calendar days of the conviction, to the Director, Office of Federal Assistance, HCHB Room 6204, Washington, D. C. 20230. Notice shall include the identification number(s) of each affected grant.

The undersigned is authorized to make the foregoing certification and assurances and to execute this Certificate on behalf of the applicant/grantee.

Executed this 10th day of June, 19 91

By Jim B. Higginbotham  
(Type or Print Name)

Chairman  
(Title of Executing Official)

  
(Signature of Executing Official)



## INSTRUCTIONS FOR COMPLETION OF SF-LLL, DISCLOSURE OF LOBBYING ACTIVITIES

This disclosure form shall be completed by the reporting entity, whether subawardee or prime Federal recipient, at the initiation or receipt of a covered Federal action, or a material change to a previous filing, pursuant to title 31 U.S.C. section 1352. The filing of a form is required for each payment or agreement to make payment to any lobbying entity for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with a covered Federal action. Use the SF-LLL-A Continuation Sheet for additional information if the space on the form is inadequate. Complete all items that apply for both the initial filing and material change report. Refer to the implementing guidance published by the Office of Management and Budget for additional information.

1. Identify the type of covered Federal action for which lobbying activity is and/or has been secured to influence the outcome of a covered Federal action.
2. Identify the status of the covered Federal action.
3. Identify the appropriate classification of this report. If this is a followup report caused by a material change to the information previously reported, enter the year and quarter in which the change occurred. Enter the date of the last previously submitted report by this reporting entity for this covered Federal action.
4. Enter the full name, address, city, state and zip code of the reporting entity. Include Congressional District, if known. Check the appropriate classification of the reporting entity that designates if it is, or expects to be, a prime or subaward recipient. Identify the tier of the subawardee, e.g., the first subawardee of the prime is the 1st tier. Subawards include but are not limited to subcontracts, subgrants and contract awards under grants.
5. If the organization filing the report in item 4 checks "Subawardee", then enter the full name, address, city, state and zip code of the prime Federal recipient. Include Congressional District, if known.
6. Enter the name of the Federal agency making the award or loan commitment. Include at least one organizational level below agency name, if known. For example, Department of Transportation, United States Coast Guard.
7. Enter the Federal program name or description for the covered Federal action (item 1). If known, enter the full Catalog of Federal Domestic Assistance (CFDA) number for grants, cooperative agreements, loans, and loan commitments.
8. Enter the most appropriate Federal identifying number available for the Federal action identified in item 1 (e.g., Request for Proposal (RFP) number; Invitation for Bid (IFB) number; grant announcement number; the contract, grant, or loan award number; the application/proposal control number assigned by the Federal agency). Include prefixes, e.g., "RFP-DE-90-001."
9. For a covered Federal action where there has been an award or loan commitment by the Federal agency, enter the Federal amount of the award/loan commitment for the prime entity identified in item 4 or 5.
10. (a) Enter the full name, address, city, state and zip code of the lobbying entity engaged by the reporting entity identified in item 4 to influence the covered Federal action.  
(b) Enter the full names of the individual(s) performing services, and include full address if different from 10 (a). Enter Last Name, First Name, and Middle Initial (MI).
11. Enter the amount of compensation paid or reasonably expected to be paid by the reporting entity (item 4) to the lobbying entity (item 10). Indicate whether the payment has been made (actual) or will be made (planned). Check all boxes that apply. If this is a material change report, enter the cumulative amount of payment made or planned to be made.
12. Check the appropriate box(es). Check all boxes that apply. If payment is made through an in-kind contribution, specify the nature and value of the in-kind payment.
13. Check the appropriate box(es). Check all boxes that apply. If other, specify nature.
14. Provide a specific and detailed description of the services that the lobbyist has performed, or will be expected to perform, and the date(s) of any services rendered. Include all preparatory and related activity, not just time spent in actual contact with Federal officials. Identify the Federal official(s) or employee(s) contacted or the officer(s), employee(s), or Member(s) of Congress that were contacted.
15. Check whether or not a SF-LLL-A Continuation Sheet(s) is attached.
16. The certifying official shall sign and date the form, print his/her name, title, and telephone number.

Public reporting burden for this collection of information is estimated to average 30 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Office of Management and Budget, Paperwork Reduction Project (0348-0046), Washington, D.C. 20503.

**APPLICATION FOR FEDERAL ASSISTANCE**

<b>1. TYPE OF SUBMISSION:</b> <i>Application</i> <input checked="" type="checkbox"/> Construction <input type="checkbox"/> Non-Construction		<b>2. DATE SUBMITTED</b> Applicant Identifier
<i>Preapplication</i> <input type="checkbox"/> Construction <input type="checkbox"/> Non-Construction		<b>3. DATE RECEIVED BY STATE</b> State Application Identifier
		<b>4. DATE RECEIVED BY FEDERAL AGENCY</b> Federal Identifier

**5. APPLICANT INFORMATION**

Legal Name Nassau County Board of County Commissioners	Organizational Unit Nassau County Board of County Commissioners
Address (give city, county, state, and zip code): Post Office Box 1010 Fernandina Beach, FL 32034	Name and telephone number of the person to be contacted on matters involving this application (give area code) Mr. Carl G. Prendergast, President Preemar, Incorporated (904) 261-8247

<b>6. EMPLOYER IDENTIFICATION NUMBER (EIN):</b> 5 9 - 1 8 6 3 0 4 2	<b>7. TYPE OF APPLICANT: (enter appropriate letter in box)</b> <input checked="" type="checkbox"/> B A. State B. County C. Municipal D. Township E. Interstate F. Intermunicipal G. Special District H. Independent School Dist. I. State Controlled Institution of Higher Learning J. Private University K. Indian Tribe L. Individual M. Profit Organization N. Other (Specify)
<b>8. TYPE OF APPLICATION:</b> <input checked="" type="checkbox"/> New <input type="checkbox"/> Continuation <input type="checkbox"/> Revision If Revision, enter appropriate letter(s) in box(es): <input type="checkbox"/> <input type="checkbox"/> A. Increase Award    B. Decrease Award    C. Increase Duration D. Decrease Duration    Other (specify):	

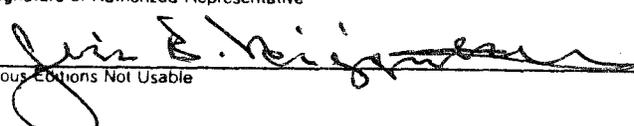
**9. NAME OF FEDERAL AGENCY:**  
 U. S. Department of Commerce  
 Economic Development Administration

<b>10. CATALOG OF FEDERAL DOMESTIC ASSISTANCE NUMBER:</b> TITLE Public Works Grant	<b>11. DESCRIPTIVE TITLE OF APPLICANT'S PROJECT:</b> Fernandina International Tradeplex
<b>12. AREAS AFFECTED BY PROJECT (cities, counties, states, etc.):</b> Nassau County	

<b>13. PROPOSED PROJECT:</b> Start Date: NA    Ending Date: NA	<b>14. CONGRESSIONAL DISTRICTS OF:</b> a. Applicant: Third Congressional District b. Project: Third Congressional District
---	--

<b>15. ESTIMATED FUNDING:</b> <table border="1"> <tr><td>a. Federal</td><td>\$ 1,500,000.</td><td>.00</td></tr> <tr><td>b. Applicant</td><td>\$ 600,000.</td><td>.00</td></tr> <tr><td>c. State</td><td>\$ 1,580,000.</td><td>.00</td></tr> <tr><td>d. Local</td><td>\$</td><td>.00</td></tr> <tr><td>e. Other</td><td>\$</td><td>.00</td></tr> <tr><td>f. Program Income</td><td>\$ 3,680,000.</td><td>.00</td></tr> <tr><td>g. TOTAL</td><td>\$</td><td>.00</td></tr> </table>	a. Federal	\$ 1,500,000.	.00	b. Applicant	\$ 600,000.	.00	c. State	\$ 1,580,000.	.00	d. Local	\$	.00	e. Other	\$	.00	f. Program Income	\$ 3,680,000.	.00	g. TOTAL	\$	.00	<b>16. IS APPLICATION SUBJECT TO REVIEW BY STATE EXECUTIVE ORDER 12372 PROCESS?</b> a. YES THIS PREAPPLICATION/APPLICATION WAS MADE AVAILABLE TO THE STATE EXECUTIVE ORDER 12372 PROCESS FOR REVIEW ON DATE <u>April 6, 1990</u> b. NO <input type="checkbox"/> PROGRAM IS NOT COVERED BY E.O. 12372 <input type="checkbox"/> OR PROGRAM HAS NOT BEEN SELECTED BY STATE FOR REVIEW
a. Federal	\$ 1,500,000.	.00																				
b. Applicant	\$ 600,000.	.00																				
c. State	\$ 1,580,000.	.00																				
d. Local	\$	.00																				
e. Other	\$	.00																				
f. Program Income	\$ 3,680,000.	.00																				
g. TOTAL	\$	.00																				
	<b>17. IS THE APPLICANT DELINQUENT ON ANY FEDERAL DEBT?</b> <input type="checkbox"/> Yes If "Yes," attach an explanation. <input checked="" type="checkbox"/> No																					

**18. TO THE BEST OF MY KNOWLEDGE AND BELIEF, ALL DATA IN THIS APPLICATION/PREAPPLICATION ARE TRUE AND CORRECT, THE DOCUMENT HAS BEEN DULY AUTHORIZED BY THE GOVERNING BODY OF THE APPLICANT AND THE APPLICANT WILL COMPLY WITH THE ATTACHED ASSURANCES IF THE ASSISTANCE IS AWARDED**

a. Typed Name of Authorized Representative Jim B. Higginbotham	b. Title Chairman	c. Telephone number (904) 261-6127
d. Signature of Authorized Representative 		e. Date Signed 6-10-91

Previous Editions Not Usable

FORM ED-612 (REV. 3-88) U.S. DEPARTMENT OF COMMERCE ECONOMIC DEVELOPMENT ADMINISTRATION

**CURRENT AND PROJECTED EMPLOYEE DATA**

1. Name and address of organization:  
 Organization: Nassau Co. Board of Co. Commissioners  
 No. and Street: Post Office Box 1010  
 City: Fernandina Beach, FL 32034  
 State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

2. This report is:  
 Initial: No Annual Follow-up required. Complete only items 1--10.  
 Initial: Annual Follow-up is required. Complete all items.  
 Annual Follow-up. Complete only items 1--9.

EDA USE ONLY

Project No: \_\_\_\_\_  
 "Other Party" suffix; OP- \_\_\_\_\_  
 3. Organization is:  
 EDA Applicant or recipient  
 EDA "Other Party"; if "Other Party," enter name of EDA Applicant or Recipient: \_\_\_\_\_  
 4. First Impact Date: \_\_\_\_\_ 5. Fully Operational Date: \_\_\_\_\_

Job Categories	6. Current Permanent Employees						7. New Permanent Jobs						8. Permanent Jobs To be Saved		9. Permanent Employees one Year after First Impact		10. Permanent Employees when Fully Operational	
	SEX	A Total Employees	B Black (Not of Hispanic Origin)	C Hispanic	D Asian or Pacific Islander	E American Indian or Alaskan Native	F Total Employees	G Black (Not of Hispanic Origin)	H Hispanic	I Asian or Pacific Islander	J American Indian or Alaskan Native	K Targeted by Employment Plan	L Total Employees	M Total Minorities	N Total Employees	O Total Minorities	P Total Employees	Q Total Minorities
Officials and Managers	F	1																
	M	10																
Professionals	F	2																
	M	10																
Technicians	F	4																
	M	15	2															
Sales Workers	F																	
	M																	
Office and Clerical	F	71	7															
	M	17																
Craftsperson (skilled)	F	1																
	M	75	17															
Operatives (semi-skilled)	F																	
	M																	
Laborers (unskilled)	F																	
	M																	
Service Work and others	F	8	4															
	M	27	2															
TOTAL	F	87	11															
	M	154	21															
GRAND TOTAL		241	32															

11. Current temporary and part-time employees  
 Total \_\_\_\_\_ Minorities \_\_\_\_\_ Females \_\_\_\_\_

12. Projected temporary and part-time employees when fully operational  
 Total \_\_\_\_\_ Minorities \_\_\_\_\_ Females \_\_\_\_\_

13. This form prepared by:  
T. J. Greeson, Ex-Officio Clerk (904 261-6127)  
 (Type Name and Position) Date \_\_\_\_\_ Telephone No. \_\_\_\_\_

14. Name of Labor Market Area \_\_\_\_\_  

Female	Black (not of Hispanic Origin)	Hispanic	Asian or Pacific Islander	American Indian or Alaskan Native

15. Authorized organization official  
Jim B. Higginbotham  
 (Type Name and Title) Signature \_\_\_\_\_

Labor Force of Area	Total					
Unemployment of Area	Overall Rate:	%	%	%	%	%
Date and sources of labor market data: _____						

No further monies or other benefits may be authorized under this program unless this report is completed and filed as required by existing law and regulations (42 U.S.C. 2000e-1, 42 U.S.C. 3123, 42 U.S.C. 6709, E.O. 11246, 15 C.F.R. part 8, 29 C.F.R. part 42, 13 C.F.R. part 311)

EXHIBIT IV-E-6 (Applicant) OR EXHIBIT IV-E-8 (Other Party)

## JOB CATEGORY DEFINITIONS

**Officials and Managers** — Occupations requiring administrative personnel who set broad policies, exercise overall responsibility for execution of these policies, and direct individual departments or special phases of a firm's operations. Includes: Officials, executives, middle management, plant managers, and superintendents, salaried supervisors who are members of management, purchasing agents and buyers, and kindred workers.

**Professional** — Occupations requiring either college graduation or experience of such kind and amount as to provide a comparable background. Includes: accountants and auditors, airplane pilots and navigators, architects, artists, chemists, designers, dietitians, editors, engineers, lawyers, librarians, mathematicians, natural scientists, registered professional nurses, personnel and labor relations workers, physical scientists, physicians, social scientists, teachers, and kindred workers.

**Technicians** — Occupations requiring a combination of basic scientific knowledge and manual skill which can be obtained through about 2 years of post high school education, such as is offered in many technical institutes and junior colleges, or through equivalent on-the-job training. Includes: computer programmers and operators, drafters, engineering aides, junior engineers, mathematic aides, licensed, practical or vocational nurses, photographers, radio operators, scientific assistants, surveyors, technical illustrators, technicians (medical, dental, electronic, physical science), and kindred workers.

**Sales** — Occupations engaging wholly or primarily in direct selling. Includes: advertising agents and sales workers, insurance agents and brokers, real estate agents and brokers, salesworkers, demonstrators, retail salesworkers, and sales clerks, grocery clerks and cashier checkers, and kindred workers.

**Office and Clerical** — Includes all clerical-type work regardless of level of difficulty, where the activities are predominantly nonmanual though some manual work not directly involved with altering or transporting the products is included. Includes: bookkeepers, cashiers, collectors (Bills and accounts), messengers and office helpers, office machine operators, shipping and receiving clerks, stenographers, typists and secretaries, telegraph and telephone operators, and kindred workers.

**Craft Worker (skilled)** — Manual workers of relatively high skill level having a thorough and comprehensive knowledge of the processes involved in their work. Exercise considerable independent judgment and usually receive an extensive period of training. Includes: the building trades, hourly paid supervisors and lead operators (who are not members of management), mechanics and repairers, skilled machining occupations, compositors and typesetters, electricians,

engravers, job setters (metal), motion picture projectionist, pattern and model makers, stationary engineers, tailors and tailoresses, and kindred workers.

**Operatives (semi-skilled)** — Workers who operate machines or other equipment or perform other factory-type duties or intermediate skill level which can be mastered in a few weeks and require only limited training. Includes: apprentices (auto mechanics, plumbers, bricklayers, carpenters, electricians, machinists, mechanics, building trades, metalworking trades, printing trades, etc.), operatives, attendants (auto service and parking), blasters, chauffeurs, delivery workers, dressmakers and sewers (except factory), dryers, furnace workers, heaters (metal), laundry and dry cleaning operatives, milliners, mine operatives and laborers, motor operators, oilers, and greasers (except auto), painters (except construction and maintenance), photographic process workers, boiler tender, truck and tractor drivers, weavers (textile), welders, and flamecutters and kindred workers.

**Laborers (unskilled)** — Workers in manual occupations which generally require no special trainings perform elementary duties that may be learned in a few days and require the application of little or no independent judgment. Includes: garage laborers, car washers and greasers, gardeners (except farm) and groundkeepers, stevedores, wood choppers, laborers performing lifting, digging, mixing, loading and pulling operations, and kindred workers.

**Service Workers** — Workers in both protective and nonprotective service occupations. Includes: attendants (hospital and other institutions, professional and personal service, including nurses aides and orderlies), barbers, charworkers, and cleaners, cooks (except household), counter and fountain workers, elevator operators, firefighters and fire protection, guards, doorkeepers, stewards, janitors, police officers and detectives, porters, waiters and waitresses, and kindred workers.

## MINORITY GROUP DEFINITIONS

**Black (Not of Hispanic origin)** — All persons having origins in any of the Black racial groups of Africa.

**Hispanic** — All persons of Mexican, Puerto Rican, Cuban, Central or South American, or other Spanish culture or origin, regardless of race.

**Asian or Pacific Islanders** — All persons having origins in any of the original peoples of the Far East, Southeast Asia, the Indian Subcontinent or the Pacific Islands. This area includes, for example, China, Japan, India, Korea, the Philippine Islands, and Samoa.

**American Indian or Alaskan Native** — All persons having origins in any of the original peoples of North America, and who maintain cultural identification through tribal affiliation or community recognition.

INSTRUCTIONS FOR FORM ED-612  
(Remove before submitting)

**A. GENERAL INSTRUCTIONS FOR INITIAL AND FOLLOWUP SUBMISSION**

**1. Initial Submission Requirements.** *EDA Civil Rights Guidelines* (Section 17) establish the following requirements for an initial submission of the ED-612 form by Applicants and "Other Parties" that apply for, or will benefit from, EDA assistance. (The meaning of the term "Other Parties" is discussed below in the instructions for Item 3.) In most cases these requirements are tied to the combined total number of permanent jobs to be created or saved by the Applicant or "Other Party" in their own workforce as reported in Items 7 and 8 of the form. "Permanent jobs" are defined below in the instructions for Item 6.) Except in those cases under (c) below when an "Other Party" is not identified at the time of project application, the form must be submitted to EDA as part of the project application.

(a) Applicants creating or saving fewer than 15 permanent jobs shall fill out only Items 1 through 8 plus 13 through 15 of the form.

(b) Applicants creating or saving 15 or more permanent jobs shall fill out the entire form.

(c) "Other Parties" creating or saving 15 or more permanent jobs, and either specifically identified as such in the project application to EDA or locating in an EDA assisted industrial park before EDA's final disbursement is made, shall fill out the entire form.

**2. Follow-up Annual Report Requirements.** EDA requires annual submissions of the ED-612 by those and "Other Parties" that fall under GENERAL INSTRUCTION Numbers 1(b) and 1(c) above. The annual submissions contain only current employment data which EDA compares with the detailed employment projections these organizations submit in their initial ED-612 reports. See ANNUAL REPORTS, Section C, below.

**3. EDA Civil Rights Evaluation.** *EDA Civil Rights Guidelines* (Section 17) describe the basis upon which EDA evaluates an ED-612 form as initially submitted, and judges the adequacy of the organization's projections for the future employment of minorities and women. The organization must develop these projections taking into account the character of the local labor market as reported in Item 14 of the form.

**4. Employment Plan Requirement.** When projects will create new permanent jobs, EDA requires Recipients and "Other Parties" to make efforts to ensure that a portion of the newly created jobs are targeted to the long-term unemployed. Typically, EDA expects Applicants and "Other Parties" to consult with a local training agency and jointly develop an Employment Plan. The Employment Plan will identify the specific jobs to be targeted and the training programs and resources which will be used to train and refer qualified applicants for the new jobs. For further information on this requirement see EDA's published policies and procedures for its Employment Plans. Targeted jobs are reported in Item 7, Column K of the ED-612 form.

**5. Limitation on Data Required.** *EDA Civil Rights Guidelines* (Section 17) set the following limitation on the employment information required by EDA. Public Applicants, such as towns, cities, and counties, that employ more than 1,000 persons, need only submit data for the sub-division, agency, unit, or department that actually administers the project or uses the funds. "Other Parties" and non-governmental Applicants for business loans need only submit data for the site, facility, or plant actually being assisted.

**6. Job Categories.** The nine job categories on the ED-612 form (Officials and Managers, Professionals, Technicians, etc.) are the standard ones used in Federal reporting, and are defined on the back of the form.

**7. Minority Groups.** The four minority group designations used on the ED-612 form (Black, Hispanic, Asian or Pacific Islander, and American Indian or Alaskan Native) are the standard designations adopted for Federal reporting, and are defined on the back of the form. They are not scientific definitions of anthropological origins. Employees should be included in the group with which they identify, or to which they are regarded as belonging by the community. No person shall be counted in more than one minority group.

**B. INSTRUCTIONS FOR SPECIFIC NUMBERED ITEMS**

The following instructions apply to the initial submission of the ED-612 form. They also apply to the Annual Reports, except as modified in the ANNUAL REPORTS section, Section C, below. If there is no information to enter for a specific item, leave the space blank.

**Item 1** — Self explanatory.

**Item 2** — Check one box. See GENERAL INSTRUCTION Numbers 1 and 2, Section A, above.

**Item 3** — Check one box. If the organization is an EDA "Other Party," enter the name of the EDA Applicant or Recipient that directly receives EDA financial assistance. "Other Parties" are organizations that do not receive EDA financial assistance themselves, but indirectly benefit from it, perhaps by locating in an EDA assisted industrial park or by using an EDA constructed water line. "Other Parties" are defined fully in Section 2, of *EDA Civil Rights Guidelines*.

**Item 4** — For "First Impact Date," estimate the month and year (e.g. August 1988), in which EDA assistance will have its first effects upon employment, (actual new hires, promotions, averted layoffs, etc.). In cases where jobs are to be saved, the first impact may be immediately upon EDA approval of the project. EDA uses this date to begin measuring the employment effects of its assistance and to set due dates for annual reports.

**Item 5** — For "Fully Operational Date," estimate the month and year (e.g. June 1990) in which the employment objectives of the EDA assistance have been fully met.

**Item 6** — By job category and sex, enter the minority group data, and totals (minority plus non-minority) requested for current employees in *permanent* jobs only. "Permanent jobs" are defined here as full-time, year-round jobs of indefinite term. They must be at least 35 hours a week and 10 months a year. All other jobs will be considered part-time, seasonal, or temporary and are reported only in Items 11 and 12.

**Item 7** — Enter the number of *new* permanent jobs expected to be created as a result of EDA assistance or benefits. This must not include jobs counted in Items 6 or 8, nor part-time, seasonal, or temporary jobs.

If there is an Employment Plan for the project, enter the goal, established in the plan, for the number of jobs to be filled by the long-term unemployed. See GENERAL INSTRUCTION Number 4, Section A, above. While the Employment Plan itself may not distinguish between jobs targeted for males and those targeted for females, it would be helpful to make this distinction on the ED-612 form.

For the Annual Report, Item 7, has a different use. See ANNUAL REPORTS, Section C, below.

**Item 8** — Enter the number of current permanent jobs that are expected to be lost if EDA assistance or benefits are not received.

**Item 9** — Project the number of employees expected to have permanent jobs *one year after* the "First Impact Date" given in Item 4.

**Item 10** — Project the number of employees expected to have permanent jobs on the "Fully Operational Date" given in Item 5.

**Item 11** — Include *only* part-time, seasonal, and temporary employees. Do not include permanent employees.

**Item 12** — Include *only* part-time, seasonal, and temporary employees. Do not include permanent employees.

**Item 13** — Self-explanatory.

**Item 14** — All data to be entered here must cover the *Labor Market Area* (LMA), as defined by the U.S. Department of Labor and the State Employment Service, in which the project will be located. In most areas

## INSTRUCTIONS FOR FORM ED-612 (Continued)

of the United States, LMAs consist of one or more whole counties; metropolitan and urbanized LMAs usually are coextensive with Standard Metropolitan Statistical Areas (SMSAs) as defined by the Office of Management and Budget and the Bureau of the Census.

**Item 15** — The ED-612 form must be signed by an authorized official of the reporting organization except *when* it is submitted by EDA Applicants as an integral part of an EDA Application form.

It is almost always the case that the data requested here is readily available from the local office of the State Employment Service. If necessary, EDA's Economic Development Representative (EDR), local and State planning offices and commissions, or Economic Development District offices also can assist.

As noted in GENERAL INSTRUCTION Number 3, Section A, above, Applicants and "Other Parties" must take this data into account when they prepare their projections for the future employment of minorities and women.

### C. ANNUAL REPORTS

1. EDA Civil Rights Guidelines (Section 22) require an annual submission of the Form ED-612 each year for five years from those Recipients and "Other Parties" falling under GENERAL INSTRUCTION Numbers 1(b) and 1(c), Section A, above. Also see GENERAL INSTRUCTION Number 2, Section A, above.

2. The Annual Reports shall contain data as of one, two, three, four, and five years after the "First Impact Date" established in Item 4 of the initial submission of the form to EDA. Since the "First Impact Date" is expressed only as a month and year, follow-up data should normally be as of the end of the appropriate anniversary month. If a project becomes unavoidably delayed for over three months, the applicant or "Other Party" may request a change of the "First Impact Date."

3. Annual Reports are due within two weeks after the end of the appropriate anniversary month. They shall be sent to EDA's Office of Compliance Review/Civil Rights in Washington, D.C.

4. For the Annual Report, complete only Items 1,2,3,6,7,11,13 and 15.

**Item 7** — (For annual report only) By sex and job category, enter the following data on *employees actually hired* or permanent jobs since the date of the most recent Form ED-612 report sent to EDA: In Column F, enter total employees hired. In Columns G-J, enter total minorities hired. In Column K, enter the number of long-term unemployed hired as a result of the training, referral, or other services provided under your Employment Plan. See GENERAL INSTRUCTION Number 4, Section A, above.