

Funding Agreement

Exhibit A Monitoring Plan

Commission staff will monitor the Port's activities to ensure that the Funds are used for authorized purposes, in compliance with state statutes and regulations, and the terms and conditions of any funding agreement.

- A. As part of their applications, Ports must provide Commission staff with a list of the projects intended to be funded, including cost estimates.
- B. Recipient Ports must provide Commission staff with updates on the projects by May 1 and November 1 of each year (a Report).
- C. Each Report must contain an update on each project funded, including:
 - a. Project name and description
 - b. Start date and end date (or anticipated start or end dates)
 - c. Anticipated and incurred costs.

Commission staff will provide the ports with an Excel spreadsheet template for each port's reporting. Ports must include the Excel spreadsheet in each Report and may also provide any supplemental information they wish.

- D. In each Report, Port staff may update and revise the projects list as needed, including adding or removing projects, but must clearly identify any changes in project lists from previous Reports.
- E. Commission staff may request additional documentation for some or all of a port's projects. In that case, the port must provide the requested documentation as soon as possible.
- F. Commission staff will review the ports' Reports, back up documentation, and any other applicable reports and do the following:
 - Assess whether projects and expenditures are consistent with the objectives of the 2021 Budget Act.
 - Assess whether the Port is being timely by evaluating whether the work reported as completed is proportionate to the performance time remaining.
 - Assess whether the Port's reports reflect expenses commensurate with the progress of programs or activities undertaken with the State Fiscal Recovery Funds.

G. If Commission staff detects potential non-compliance, Commission staff will follow-up with the Port and ensure that the Port takes timely and appropriate action on all potential deficiencies. When a port receives notice of potential non-compliance, the port must provide written confirmation highlighting the status of actions planned or taken to address the non-compliance. Commission staff will:

- Notify the Port promptly when instances of non-compliance with the terms and conditions are suspected or when questionable situations requiring further inquiry arise.
- Work with the Port to address the potential non-compliance.
- Notify the Department of Finance and Attorney General's Office promptly when instances of suspected non-compliance with the terms and conditions are not resolved as appropriate or required by state law.
- Consider enforcement actions against the port, if necessary.
- Modify this Monitoring Plan as needed to ensure effective oversight.

Failure to correct non-compliance deficiencies in a timely manner may result in the port being required to return the respective funds to the state.