

FDOT Program Guidelines Relocation Program

1. General

The Department of Transportation ("Department") manages a program to relocate out of the State of Florida foreign nationals who are not lawfully present in the United States ("Unauthorized Aliens"). Under the supervision of a Department Project Manager, a vendor will, upon demand of the Department or certain designated state and local law enforcement or criminal justice agencies ("Partner Agencies"), arrange or provide either ground or air transportation and other related services (collectively, "Relocation Services"), to assist in the voluntary relocation of Unauthorized Aliens who are found in Florida and have agreed to be relocated to another state in the United States or the District of Columbia.

2. Budget

From the interest earnings associated with the federal Coronavirus State Fiscal Recovery Fund (Public Law 117-2), the nonrecurring sum of \$12,000,000 from the General Revenue Fund is appropriated to the Department for Fiscal Year 2021-2022, for implementing a program to facilitate the transport of unauthorized aliens from this state consistent with federal law. The unexpended balance of funds appropriated to the Department remaining as of June 30, 2022, shall revert and is appropriated for Fiscal Year 2022-2023 to the Department for the same purpose.

3. Procurement

The proviso language authorizes the Department to obtain quotes and negotiate and enter into contract(s) with private parties, including common carriers, to implement the program. In addition, the Department may enter into agreements with any applicable federal agency to implement the program. The term "unauthorized alien" means a person who is unlawfully present in the United States according to the terms of the federal Immigration and Nationality Act, 8 U.S.C. ss. 1101 et seq. The term shall be interpreted consistently with any applicable federal statutes, rules, or regulations.

Services may include:

- ground and/or air transportation
- ensuring availability of ground and air transportation on demand
- obtaining necessities and personal hygiene products for transported persons
- enroute meals and lodging
- any security measures to ensure the safety of the public and transported persons
- any additional activities related to the transportation of unauthorized aliens

Services must be provided consistent with federal and state law, including Chapter 2022-156, Laws of Florida, Section 185. The term "Unauthorized Alien" means a person who is unlawfully

present in the United States under the federal Immigration and Nationality Act, 8 U.S.C. § 1101 et seq., and relevant federal regulations, as confirmed by the U.S. Department of Homeland Security (DHS).

It is anticipated that the vendor/vendors will be required to work with Partner Agencies to design and implement a system to provide the foregoing services immediately upon request.

4. Roles & Responsibilities

Contractor/Vendor Responsibilities:

- Comply with all relevant local, state, and federal laws and document such compliance.
- Establish and maintain communication and coordination with Partner Agencies as designated by Department, including but not limited to:
 - Florida Department of Transportation
 - Florida Department of Corrections
 - Participating county sheriff or police department
 - Participating state attorney
 - Florida Department of Law Enforcement
 - Florida Department of Highway Safety and Motor Vehicles, Division of the Florida Highway Patrol
- Maintain multilingual capability for Spanish and the option for any other language upon timely request.
- Develop a procedure for receiving requests for Relocation Services from Partner Agencies.
- Develop a protocol for confirming with Partner Agencies that the person to be transported is an Unauthorized Alien.
- Develop a protocol for ensuring that the Unauthorized Alien has voluntarily agreed to be relocated out of Florida.
- Ensure availability of ground and air transportation to satisfy on-demand requests for Relocation Services from Partner Agencies.
- Meet at a designated transfer location as determined by Partner Agency to provide for safe voluntary transportation of the eligible Unauthorized Alien to designated destination out of Florida.
- Arrange or provide necessary ancillary services, including meals and lodging enroute to destination.
- Unless otherwise specified by Partner Agency, ensure Unauthorized Alien reaches designated destination within 72 hours of request.
- Notify Department of request for Relocation Services within two hours of receiving the request.
- Document and report to the Department within two hours of completed relocation the origination and destination of each Unauthorized Alien transported by Contractor.
- Provide name, age, sex, and country of citizenship of each Unauthorized Alien transported.

- Document cost and mode of transportation for each Unauthorized Alien transported.
- Ensure any subcontracts are approved by the Project Manager.
- Document costs of any subcontractor.

Department Responsibilities:

- Identify and designate participating Partner Agencies and connect them with the Contractor/Vendor.
- Interface with Partner Agencies as necessary to ensure they are providing relevant information and support to Contractor/Vendor.
- Oversee the services provided by Contractor/Vendor.
- Review and approve subcontracts.
- Provide final approval of payments for services rendered.
- Ensure that Partner Agencies notify DHSMV and local law enforcement at the destination location of the Unauthorized Alien's destination and estimated arrival time.

Contract Manager Responsibilities:

- Participate in the solicitation development and review of purchase orders or contract documents.
- Monitor the contractor's progress and performance to ensure procured services conform to the contract requirements and keep timely records of findings.
- Manage and document any changes to the contract through the amendment process authorized by the terms of the contract.
- Monitor the budget to ensure sufficient funds are available throughout the term of the contract.
- Exercise applicable remedies, as appropriate, when a contractor's performance is deficient.
- Complete training in contract management and become a certified contract manager.
- Possess at least 5 years of experience managing contracts in excess of \$5 million annually.

5. Program Administrator

Joint effort administrated by Engineering and Operations and Finance and Administration.