RESOLUTION NO. 13-05-25

A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA APPROVING A LETTER AGREEMENT BETWEEN GOVERNMENT SERVICES GROUP, INC. AND ISLAMORADA, VILLAGE OF ISLANDS, TO PROVIDE SERVICES FOR THE DEVELOPMENT AND IMPLEMENTATION OF THE PHASE II WASTEWATER ASSESSMENT PROGRAM FOR THE REMAINING SERVICE AREA; AUTHORIZING VILLAGE OFFICIALS TO IMPLEMENT THE TERMS AND CONDITIONS OF THE AGREEMENT; AUTHORIZING THE VILLAGE MANAGER TO EXPEND BUDGETED FUNDS; WAIVING COMPETITIVE BIDDING; AUTHORIZING THE VILLAGE MANAGER TO EXECUTE THE AGREEMENT; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, Islamorada, Village of Islands (the “Village”) has utilized the services of Government Services Group, Inc. (“GSG”) for specialized professional services for non ad-valorem assessments since 1999; and

WHEREAS, GSG has prepared a Letter Agreement (the “Agreement”) to provide specialized services to assist the Village with the development and implementation of the Phase II Wastewater Assessment for the Remaining Service Area (the “Assessment Program”) for FY 2013-14; and

WHEREAS, GSG has agreed to provide the specialized services described in the Agreement; and

WHEREAS, the Village Council finds that approval of the Agreement between GSG and the Village attached hereto will assist the Village with the development and implementation of the Assessment Program; and

WHEREAS, Section 2-328(1) of the Village’s Code of Ordinances states that the requirements of competitive bidding in subsection 2-327(c)(4) may be waived by the Village Council upon a documented finding that the purchase of the particular services without
competitive bidding is in the best interests of the Village. Section 2-328(3) of the Village’s Code of Ordinances further allows for waiver of competitive bidding when only one vendor possesses the unique and singularly available capability to meet the requirements of the solicitation, such as technical qualifications, ability to deliver at a particular time, or services from a public utility; and

WHEREAS, GSG has been the Village’s assessment consultant since incorporation, implemented the Phase I Wastewater Assessment for the Remaining Service Area, and possesses a unique capability, historical and technical knowledge and qualifications to continue to develop and implement the wastewater assessment program for the Village; and

WHEREAS, the Village Council finds that the unique expertise and qualifications of GSG with regard to assessment consulting services in the Florida Keys, GSG’s knowledge of Florida Statutes relating to establishing and maintaining non-ad valorem assessments, and GSG’s institutional and historical knowledge specific to the Village of Islamorada, particularly, its wastewater program and the prior implementation of the Phase I wastewater assessment program, supports a waiver of competitive bidding pursuant to Sections 2-328(1) and 2-328(3) of the Village Code.

WHEREAS, the Village Council finds that waiver of competitive bidding for these services and approval of the Agreement between GSG and the Village attached hereto are in the best interests of the Village.

NOW, THEREFORE, BE IT RESOLVED BY THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, AS FOLLOWS:

Section 1. Recitals. The above recitals are true and correct and incorporated into this Resolution by this reference.
Section 2. Approval of Agreement. The Agreement between GSG and the Village to provide services to assist the Village with the development and implementation of the Phase II Wastewater Assessment for the Remaining Service Area, a copy of which is attached hereto as Appendix A, together with such non-material changes as may be acceptable to the Village Manager and approved as to form and legality by the Village Attorney, is approved.

Section 3. Authorization of Village Officials. The Village Manager and/or his designee and the Village Attorney are authorized to take all actions necessary to implement the terms and conditions of the Agreement.

Section 4. Authorization of Fund Expenditure. Notwithstanding the limitations imposed upon the Village Manager pursuant to the Village’s Purchasing Procedures Ordinance, the Village Manager is authorized to expend budgeted funds to implement the terms and conditions of the Agreement.

Section 5. Waiver of Purchasing Provisions. In accordance with Sections 2-328(1) and 2-328(3) of the Village’s Code of Ordinances, the Village Council waives the Purchasing Provisions of the Village Code to utilize the services of GSG without competitive selection.

Section 6. Execution of Agreement. The Village Manager is authorized to execute the Agreement on behalf of the Village, to execute any required agreements and/or documents to implement the terms and conditions of the Agreement, and to execute any extensions and/or amendments to the Agreement, subject to the approval as to form and legality by the Village Attorney.

Section 7. Effective Date. This Resolution shall take effect immediately upon adoption.
Motion to adopt by Councilwoman Deb Gillis; second by Vice Mayor Ted Blackburn.

FINAL VOTE AT ADOPTION

VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS:

Mayor Ken Philipson  YES
Vice Mayor Ted Blackburn  YES
Councilwoman Deb Gillis  YES
Councilman Mike Forster  YES
Councilman Dave Purdo  YES

PASSED AND ADOPTED this 9th day of May, 2013.

KEN PHILIPSON, MAYOR

ATTEST:

AIRANA S. LAWSON, VILLAGE CLERK

APPROVED AS TO FORM AND LEGALITY FOR THE USE AND BENEFIT OF ISLAMORADA, VILLAGE OF ISLANDS:

VILLAGE ATTORNEY
Appendix A

PHASE TWO ASSESSMENT PROGRAM FOR REMAINING SERVICE AREAS
SCOPE OF SERVICES
Scope of Services

Task 1: Develop the Assessment Billing and Collection Database GSG will develop the assessment billing and collection database for the Phase Two assessment methodology.

Task 2: Confirm the Assessment Revenue Requirements for the Assessment Program Work with the Village staff to review the funding requirements of the proposed projects and services. Based on these funding requirements, determine the total assessment revenue requirements for the proposed projects including program implementation costs and annual costs.

Task 3: Confirm the Preliminary Proforma Assessment Rates Using the preliminary assessment billing database, GSG will develop and apply the schedule of rates for the assessment program using the final apportionment methodology for the assessment program.

Task 4: Prepare and Present Assessment Report GSG will prepare and present an Assessment Report that documents the development of the wastewater assessment program and rates.

Task 5: Review Assessment Resolutions GSG will review the assessment resolutions prepared by Village legal staff that impose the wastewater assessment and adopt final assessment rates.

Task 6: Develop and Distribute First Class Notices Assist the Village in developing the first class notice and its distribution to any affected property owners, if required.

Task 7: Assist in Rate Adoption Process GSG will advise and assist with the legal requirements for the adoption of the final assessment rate resolution(s) and certification of the assessment roll(s) in accordance with section 197.3632, Florida Statutes.

Task 8: Certify, Export and Transmit the Final Assessment Roll in Conformance with Uniform Method Using the final assessment roll, GSG will prepare export files on compatible electronic medium capable of merger with the ad valorem tax roll files and will transmit the file to the Tax Collector in the prescribed format.

Task 9: Assist in Prepayment Process GSG will advise and assist with the prepayment process including preparation and mailing of the prepayment notices and provision of a database or spreadsheet for Village staff to track prepayments.

FEES AND COSTS

For services provided by GSG, the lump sum fee for the proposed scope of services is $40,000. The lump sum fee for professional services includes four on-site visits by GSG staff to the Village. Any additional on-site meetings by GSG staff may be arranged at our standard hourly rates (reduced by ten-percent per previous agreements) provided below. All expenses related to these requested meetings will be billed in accordance with section 112.061, Florida Statutes. If necessary, in lieu of on-site visits, periodic telephone conference calls may be scheduled to discuss project status.

The standard hourly rates for GSG are as follows:

Chief Executive Officer ............................................................... $202.50
Senior Vice President ............................................................ $157.50
Vice President ........................................................................ $144.00
Senior Project Manager/Consultant/Project Coordinator .......... $144.00
Consultant/Database Analyst/Technical Services...................... $117.00
Administrative Support ............................................................ $ 45.00

Government Services Group, Inc. | A.1
The lump sum fee does not include the costs of producing and mailing the statutorily required first class notices and/or prepayment notices. Mailing and production costs depend on the number of assessable parcels of property within the assessment program area, but average approximately $1.32 per parcel. Payment of mailing and production costs is due at the time of adoption of the initial assessment resolution or like document. For non-domestic notices, mailing charges will include the actual amount of postage beyond the domestic rate and if U.S. postage rates increase prior to mailing, the additional postage per notice will be charged.

The Village is responsible for any and all newspaper publications, including, but not limited to, making arrangements for publications and any costs associated therewith.

The Village is also responsible for any costs incurred to obtain information from the property appraiser or other public official that is necessary for the assessment program.

**DELIBERABLES SCHEDULE**

<table>
<thead>
<tr>
<th>Event</th>
<th>Date</th>
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<tbody>
<tr>
<td>Notice to proceed</td>
<td>March 28, 2013</td>
</tr>
<tr>
<td>GSG develops assessment database</td>
<td>April 1 - 30, 2013</td>
</tr>
<tr>
<td>GSG confirms preliminary assessment rates</td>
<td>May 1, 2013</td>
</tr>
<tr>
<td>Village Council adopts Initial Assessment Resolution</td>
<td>June 13, 2013</td>
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<tr>
<td>Publish Notice of Public Hearing to adopt Final Assessment Resolution</td>
<td>By June 20, 2013</td>
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<tr>
<td>Mail First Class Notices to affected Property Owners</td>
<td>By June 20, 2013</td>
</tr>
<tr>
<td>Public Hearing to adopt Final Assessment Resolution</td>
<td>July 11, 2013</td>
</tr>
<tr>
<td>Initial Prepayment Notices Mailed to Property Owners</td>
<td>July 15, 2013</td>
</tr>
<tr>
<td>Initial Prepayment Period starts</td>
<td>July 15, 2013</td>
</tr>
<tr>
<td>Initial Prepayment Period ends</td>
<td>August 30, 2013</td>
</tr>
<tr>
<td>Village certifies Non-Ad Valorem Assessment Roll to Tax Collector</td>
<td>By September 16, 2013</td>
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**PAYMENT SCHEDULE**

Payment will be based on the following schedule:

<table>
<thead>
<tr>
<th>Payment Date</th>
<th>Payment Amount</th>
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<tbody>
<tr>
<td>April 2013</td>
<td>25% of total lump sum fee ($10,000)</td>
</tr>
<tr>
<td>May 2013</td>
<td>25% of total lump sum fee ($10,000)</td>
</tr>
<tr>
<td>August 2013</td>
<td>25% of total lump sum fee ($10,000)</td>
</tr>
<tr>
<td>September 2013</td>
<td>25% of total lump sum fee ($10,000)</td>
</tr>
</tbody>
</table>
ADDITIONAL SERVICES

BOND VALIDATION

GSG will be available to assist the Village as a witness in the Bond Validation process, if required. Witness services will be provided on an hourly basis at an hourly rate of $175 an hour, plus expenses, with a not-to-exceed amount of $5,000. Expenses will be billed in conformance with section 112.061, Florida Statutes.

ANNUAL UPDATES

On a recurring basis, GSG will also be available to assist the Village in the annual update of the Village's assessment program for a fee to be determined upon completion of this project. Such annual update assistance would include assisting in the revisions to the assessment roll to correlate with changes to the ad valorem tax roll, facilitating the public notice requirements of the tax bill collection method including notice to property owners with property use changes, assistance with any transitional or interim assessments for omitted properties, and monitoring of the apportionment methodology relative to continued defensibility.

OTHER SERVICES

In recognition that GSG is an organization dedicated to providing specialized assistance to local governments in developing innovative and efficient solutions to public sector issues, GSG shall, on an hourly or negotiated fee basis, also be available to provide additional services to the Village on finance, revenue or other local governmental matters. Such services may be provided under a written change order, extension to this scope of services, or by separate agreement mutually acceptable to the parties.

ACCEPTED AND AGREED TO:

BY: ____________________________

Village of Islamorada

5/16/13

Date