

*Landings Community
Development District*

Agenda

November 18, 2022

AGENDA

Landings

Community Development District

219 E. Livingston St., Orlando, Florida 32801

Phone: 407-841-5524 – Fax: 407-839-1526

November 11, 2022

Board of Supervisors
Landings
Community Development District

Dear Board Members:

A meeting of the Board of Supervisors of the **Landings Community Development District** will be held on **Friday, November 18, 2022, at 11:30 AM** at the **Hilton Garden Inn Palm Coast, 55 Town Center Blvd., Palm Coast, FL 32164**

Following is the advance agenda for the meeting:

Landowners' Meeting

1. Determination of Number of Voting Units Represented
2. Call to Order
3. Election of Chairman for the Purpose of Conducting the Landowners' Meeting
4. Nominations for the Position of Supervisor
5. Casting of Ballots
6. Ballot Tabulation
7. Landowner's Questions and Comments
8. Adjournment

Board of Supervisors Meeting

1. Roll Call
2. Public Comment Period (¹Speakers will fill out a card and submit it to the District Manager prior to the beginning of the meeting)
3. Organizational Matters
 - A. Administration of Oaths of Office to Newly Elected Board Members
 - B. Consideration of Resolution 2023-01 Canvassing and Certifying the Results of the Landowners' Election
 - C. Election of Officers
 - D. Consideration of Resolution 2023-02 Electing Officers
4. Approval of Minutes of the September 16, 2022 Organizational Meeting

¹ Comments will be limited to three (3) minutes

5. Public Hearings
 - A. Public Hearing on the Imposition of Special Assessments
 - i. Presentation of Engineer's Report
 - ii. Presentation of Assessment Methodology
 - iii. Consideration of Resolution 2023-03 Levying Special Assessments
 - B. Public Hearing on the District's Use of the Uniform Method of Levying, Collection, and Enforcement of Non-Ad Valorem Assessments
 - i. Consideration of Resolution 2023-04 Expressing the District's Intent to Utilize the Uniform Method of Collection
 - C. Public Hearing on the Adoption of District Rules of Procedure
 - i. Consideration of Resolution 2023-05 Adopting the Rules of Procedure
 - D. Public Hearing on the Adoption of the Fiscal Year 2022 & Fiscal Year 2023 Budget
 - i. Consideration of Resolution 2023-06 Adopting the District's Fiscal Year 2022 & Fiscal Year 2023 Budget and Appropriating Funds
6. Ranking of Proposals for District Engineering Services and Authorization to Enter Negotiations with Number-One Ranked Firm
7. Staff Reports
 - A. Attorney
 - B. Engineer
 - C. District Manager's Report
8. Other Business
9. Supervisors Requests and Audience Comments
10. Adjournment

Landowners' Meeting

**INSTRUCTIONS RELATING TO LANDOWNERS' MEETING
OF THE LANDINGS COMMUNITY DEVELOPMENT
DISTRICT FOR THE ELECTION OF SUPERVISORS**

DATE OF LANDOWNERS' MEETING: **Friday, November 18, 2022**

TIME: **11:30 AM**

LOCATION: **The Hilton Garden Inn Palm Coast, 55 Town Center Blvd., Palm Coast, FL 32164**

Pursuant to Chapter 190, Florida Statutes, and after a Community Development District ("**District**") has been established and the landowners have held their initial election, there shall be a subsequent landowners' meeting for the purpose of electing members of the Board of Supervisors ("**Board**") every two years until the District qualifies to have its board members elected by the qualified electors of the District. The following instructions on how all landowners may participate in the election are intended to comply with Section 190.006(2)(b), Florida Statutes.

A landowner may vote in person at the landowners' meeting, or the landowner may nominate a proxy holder to vote at the meeting in place of the landowner. Whether in person or by proxy, each landowner shall be entitled to cast one vote per acre of land owned by him or her and located within the District, for each position on the Board that is open for election for the upcoming term. A fraction of an acre shall be treated as one (1) acre, entitling the landowner to one vote with respect thereto. Please note that a particular parcel of real property is entitled to only one vote for each eligible acre of land or fraction thereof; therefore, two or more people who own real property in common, that is one acre or less, are together entitled to only one vote for that real property.

At the landowners' meeting, the first step is to elect a chair for the meeting, who may be any person present at the meeting. The landowners shall also elect a secretary for the meeting who may be any person present at the meeting. The secretary shall be responsible for the minutes of the meeting. The chair shall conduct the nominations and the voting. If the chair is a landowner or proxy holder of a landowner, he or she may nominate candidates and make and second motions. Candidates must be nominated and then shall be elected by a vote of the landowners. Nominees may be elected only to a position on the Board that is open for election for the upcoming term.

Five (5) seats on the Board will be up for election by landowners. The two candidates receiving the highest number of votes shall be elected for a term of four (4) years. The three candidates receiving the next highest number of votes shall be elected for a term of two (2) years. The term of office for each successful candidate shall commence upon election.

A proxy is available upon request. To be valid, each proxy must be signed by one of the legal owners of the property for which the vote is cast and must contain the typed or printed name of the individual who signed the proxy; the street address, legal description of the property or tax parcel identification number; and the number of authorized votes. If the proxy authorizes more than one vote, each property must be divided into the number of acres of each property must be included. The signature on a proxy does not need to be notarized.

**Board of
Supervisors
Meeting**

SECTION III

SECTION B

RESOLUTION 2023-01

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE LANDINGS COMMUNITY DEVELOPMENT DISTRICT CANVASSING AND CERTIFYING THE RESULTS OF THE LANDOWNER’S ELECTION OF SUPERVISORS HELD PURSUANT TO SECTION 190.006(2), FLORIDA STATUTES, AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the Landings Community Development District (hereinafter the “District”) is a local unit of special-purpose government created and existing pursuant to Chapter 190, *Florida Statutes*, being situated entirely within the City of Palm Coast, Florida; and

WHEREAS, pursuant to Section 190.006(2), *Florida Statutes*, a landowners meeting is required to be held within 90 days of the District’s creation and every two years following the creation of the District for the purpose of electing supervisors of the District; and

WHEREAS, such landowners meeting was held on November 18, 2022, the Minutes of which are attached hereto as **Exhibit A**, and at which the below-recited persons were duly elected by virtue of the votes cast in his/her favor; and

WHEREAS, the Board of Supervisors of the District, by means of this Resolution, desire to canvas the votes and declare and certify the results of said election.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE LANDINGS COMMUNITY DEVELOPMENT DISTRICT:

SECTION 1. The following persons are found, certified, and declared to have been duly elected as Supervisor of and for the District, having been elected by the votes cast in their favor as shown:

_____	Seat 1	Votes _____
_____	Seat 2	Votes _____
_____	Seat 3	Votes _____
_____	Seat 4	Votes _____
_____	Seat 5	Votes _____

SECTION 2. In accordance with Section 190.006(2), *Florida Statutes*, and by virtue of the number of votes cast for the Supervisor, the above-named person is declared to have been elected for the following term of office:

_____	4 Year Term
_____	4 Year Term
_____	2 Year Term
_____	2 Year Term
_____	2 Year Term

SECTION 3. This resolution shall become effective immediately upon its adoption.

PASSED AND ADOPTED this 18th day of November 2022.

ATTEST:

**LANDINGS
COMMUNITY DEVELOPMENT
DISTRICT**

Secretary/Assistant Secretary

Chairperson, Board of Supervisors

Exhibit A
Minutes of Landowners Election

SECTION D

RESOLUTION 2023-02

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE LANDINGS COMMUNITY DEVELOPMENT DISTRICT ELECTING THE OFFICERS OF THE DISTRICT AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Landings Community Development District (hereinafter the “District”) is a local unit of special-purpose government created and existing pursuant to Chapter 190, *Florida Statutes*, being situated entirely within the City of Palm Coast, Florida; and

WHEREAS, the Board of Supervisors of the District (“Board”) desires to elect the Officers of the District.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE LANDINGS COMMUNITY DEVELOPMENT DISTRICT:

SECTION 1. The following persons are elected to the offices shown:

Chairperson	_____
Vice Chairperson	_____
Secretary	_____
Assistant Secretary	_____
Assistant Secretary	_____
Assistant Secretary	_____
Treasurer	_____
Assistant Treasurer	_____

SECTION 2. This Resolution shall become effective immediately upon its adoption.

PASSED AND ADOPTED this 18th day of November 2022.

ATTEST:

**LANDINGS COMMUNITY
DEVELOPMENT DISTRICT**

Secretary / Assistant Secretary

Chairperson, Board of Supervisors

SECTION IV

**MINUTES OF MEETING
LANDINGS
COMMUNITY DEVELOPMENT DISTRICT**

The Organizational meeting of the Board of Supervisors of the Landings Community Development District was held Friday, **September 16, 2022** at 11:30 a.m. at The Hilton Garden Inn Palm Coast, 55 Town Center Blvd, Palm Coast, Florida.

Present and constituting a quorum:

Jeffrey Douglas	Chairman
Gene Perez	Vice Chairman
Walker Douglas	Assistant Secretary

Also present were:

George Flint	District Manager, GMS
Michael Chiumento	District Counsel
Vincent Sullivan	Chiumento Law
Ken Belshe	Palm Coast Intracoastal, LLC
Sara Zare	MBS Capital

FIRST ORDER OF BUSINESS

Introduction

A. Call to Order

Mr. Jeffrey Douglas called the meeting to order and called the roll. Three Board members were present constituting a quorum.

B. Public Comment Period

Mr. Flint noted that there were no members of the public here to provide comment.

C. Oath of Office

Mr. Flint administered the oath of office for the three present Board members. He noted the packet of information was provided. He asked that forms be mailed to his office. He reviewed the Form 1 document that is to be filed within 30 days. He also reviewed other forms to be completed. He added compensation is available by completing the form for \$200 a meeting up to

\$4,800/year. Board members can accept or waive compensation. Mr. Chiumento reviewed the Sunshine Law and records requests.

SECOND ORDER OF BUSINESS

Organizational Matters

A. Confirmation of Notice of Meeting

Mr. Flint confirmed that the meeting notice was in the agenda for the Board to review

B. Information on Community Development Districts and Public Official Responsibilities and Florida Statutes Chapter 190

Mr. Flint provided general information on Community Development Districts and Board member responsibilities as public officials under Chapter 190.

C. Election of Officers

1. Consideration of Resolution 2022-01 Designating Officers

Mr. Flint noted that Resolution 2022-01 designates officers, and it provides for a Chair, Vice Chair, Secretary, Treasurer, Assistant Treasures, and Assistant Secretaries. They could take each seat individually, or if a Board member wanted to make a motion to elect a slate, they could do it on one motion. Mr. Jeffrey Douglas suggested himself has Chair, Mr. Perez as Vice Chair, George Flint Secretary, and the other three Board members would be Assistant Secretaries.

On MOTION by Mr. Jeffrey Douglas, seconded by Mr. Perez, with all in favor, Resolution 2022-01 Designation Officers with Mr. Jeffrey Douglas as Chairman, Mr. Perez as Vice Chairman, Mr. Flint as Secretary, and the Other Three Supervisors as Assistant Secretaries, was approved.

1. Consideration of Resolution 2022-02 Designating Treasurer & Assistant Treasurer

Mr. Flint suggested Ms. Jill Burns as Treasurer and Ms. Katie Costa as Assistant Treasurer. He noted this allows for his office to pay bills.

On MOTION by Mr. Perez, seconded by Mr. Walker Douglas, with all in favor, Resolution 2022-2 Designation Ms. Burns as Treasurer, Ms. Costa as Assistant Treasurer, was approved.

THIRD ORDER OF BUSINESS

Retention of District Staff

A. Consideration of Contract for District Management Services

Mr. Flint reviewed the contract with Governmental Management Services for District management services. The Chairman asked that this contract be printed out.

On MOTION by Mr. Walker Douglas, seconded by Mr. Perez, with all in favor, the Contract for District Management Services, was approved.

B. Consideration of Appointment of District Counsel

Mr. Flint presented the engagement letter with District counsel. District Counsel will be Chiumento Law, PLLC.

On MOTION by Mr. Walker Douglas, seconded by Mr. Perez, with all in favor, the Appointment of District Counsel, was approved.

C. Consideration of Resolution 2022-03 Designating a Registered Agent and Office

Mr. Flint presented Resolution 2022-03 designating a registered agent and office. This names Michael Chiumento and his office as the Registered Agent and Office.

On MOTION by Mr. Walker Douglas, seconded by Mr. Perez, with all in favor, Resolution 2022-03 Designating a Registered Agent and Office, was approved.

D. Consideration of Interim District Engineering Agreement

Mr. Flint stated the District engineering service requires an RFQ and an interim with England-Thims and Miller, Inc. will be assigned. Mr. Douglas commented on the quality of work provided by the Interim.

On MOTION by Mr. Walker Douglas, seconded by Mr. Perez, with all in favor, the Interim District Engineer Agreement, was approved.

E. Request Authorization to Issue RFQ for Engineering Services

Mr. Flint asked for a motion to authorize staff to issue an RFQ for engineering services. He added the responses would be brought back to the Board for consideration.

On MOTION by Mr. Walker Douglas, seconded by Mr. Perez, with all in favor, the Request Authorization to Issue RFQ for Engineering Services, was approved.

FOURTH ORDER OF BUSINESS

Designation of Meetings and Hearing Dates

A. Designation of Regular Monthly Meeting Date, Time, and Location

Mr. Flint stated the next item was designation of meetings and hearing dates. He suggested the regularly monthly meeting for the 3rd Friday of each month in this location at 11:30 a.m.

On MOTION by Mr. Walker Douglas, seconded by Mr. Perez, with all in favor, Designation of Regular Monthly Meeting Date, Time, and Location for the 3rd Friday of Each Month at 11:30a.m. in the Same Location, was approved.

B. Designation of Landowner’s Meeting Date, Time, and Location

Mr. Flint noted that the Board is required to have their initial landowner’s election within 90 days of formation of the District. He recommended they schedule this for November 18, 2022 at 11:30 a.m. in the current location.

On MOTION by Mr. Walker Douglas, seconded by Mr. Perez, with all in favor, Designation of Landowner’s Meeting for November 18, 2022 at 11:30 a.m., was approved.

C. Designation of Date of Public Hearing to Adopt Rules of Procedure in accordance with Section 120.54, Florida Statutes

1. Consideration of Resolution 2022-04 Setting a Public Hearing to Consider the Proposed Rules of the District

Mr. Flint stated that the statutes require the Board to hold a rule hearing which requires a 29 and 28-day notice. He recommended that they schedule this for the November 18th meeting as well.

On MOTION by Mr. Walker Douglas, seconded by Mr. Perez, with all in favor, Resolution 2022-04 Setting a Public Hearing to Consider the Proposed Rules of the District for November 18, 2022 at 11:30 a.m., was approved.

D. Designation of Date of Public Hearing on the Budgets for Fiscal Year 2022 & 2023

1. Consideration of Resolution 2022-05 Setting the Public Hearing and Approving the Proposed Fiscal Year 2022 & 2023 Budgets

Mr. Flint stated that next was designation of the date of the public hearings to consider the budget for the current year which ends on September 30th and then adoption of the 2023 budget. Resolution 2022-05 sets the public hearing and approves the proposed budget for Fiscal Year 2022, and he suggested that they have that on the November 18th agenda.

On MOTION by Mr. Walker Douglas, seconded by Mr. Perez, with all in favor, Resolution 2022-05 Setting the Public Hearing for November 18, 2022 and Approving the Proposed Fiscal Year 2021-2022 Budget, was approved.

2. Approval of the Fiscal Years 2022 & 2023 Developer Funding Agreement

Mr. Flint stated in order to fund the operations a funding agreement which is a standard funding agreement in lieu of imposing assessments will be needed. This would fund the costs in each of the proposed budgets that the Board approved.

On MOTION by Mr. Walker Douglas, seconded by Mr. Perez, with all in favor, the Fiscal Year 2022 and 2023 Developer Funding Agreement, was approved.

E. Designation of Date of Public Hearing Expressing the District’s Intent to Utilize the Uniform Method of Levying, Collecting and Enforcing Non-Ad-Valorem Assessments in accordance with Section 197.3632, Florida Statutes

Mr. Flint stated that next was designation of the public hearing date to use the 197 process which is the uniform collection method to be able to use the tax bill to collect the O&M and debt assessments. He added they have to hold a public hearing which requires four consecutive notices run a week apart. He recommended their November 18th meeting.

On MOTION by Mr. Walker Douglas, seconded by Mr. Perez, with all in favor, Designation of Date of Public Hearing for November 18, 2022 Expressing the District's Intent to Utilize the Uniform method of Levying, Collecting, and Enforcing Non-Ad-Valorem Assessments in accordance with Section 197.3632 Florida Statutes, was approved.

FIFTH ORDER OF BUSINESS

Other Organizational Matters

A. Selection of District Depository

Mr. Flint recommended the Board designate Truist as the District depository.

On MOTION by Mr. Walker Douglas, seconded by Mr. Perez, with all in favor, Selection of District Depository Designating Truist Bank as the District Depository, was approved.

B. Authorization of Bank Account Signatories

Mr. Flint recommended that the Board authorize the Secretary, Treasurer, and Assistant Treasurer as signers.

On MOTION by Mr. Walker Douglas, seconded by Mr. Perez, with all in favor, Authorizing George Flint, Jill Burns, and Katie Costa as Bank Account Signatories, was approved.

C. Consideration of Resolution 2022-06 Relating to Defense of Board Members

Mr. Flint noted that this resolution relates to the legal representation of the Board of Supervisor members. In summary, the District will pay for legal defense so long as Board members are not acting outside of the scope of your role as a Supervisor and they are not acting with malicious disregard for the safety or existence of others and their property.

On MOTION by Mr. Perez, seconded by Mr. Walker Douglas, with all in favor, Resolution 2022-06 Relating to Defense of Board Members, was approved.

D. Consideration of Resolution 2022-07 Authorizing District Counsel Recording the “Notice of Establishment” in the Property Records of Flagler County in Accordance with Chapter 190.0485, Florida Statutes

Mr. Flint stated this authorizes District Counsel to record the notice of establishment which is required by Florida statutes.

On MOTION by Mr. Perez, seconded by Mr. Walker Douglas, with all in favor, Resolution 2022-07 Authorizing District Counsel Recording the “Notice of Establishment” in the Property Records of Flagler County in Accordance with Chapter 190.0485, Florida Statutes, was approved.

E. Consideration of Resolution 2022-08 Adopting Investment Guidelines

Mr. Flint reviewed Resolution 2022-08 approving investment guidelines for the District. The District has the option of developing their own investment policy or defaulting to the policy in Section 218.41517 Florida Statutes. He recommended the Board default to what is called the alternative investment guidelines which limit our investments in the four categories that are listed in the resolution.

On MOTION by Mr. Walker Douglas, seconded by Mr. Perez, with all in favor, Resolution 2022-08 Adopting Alternative Investment Guidelines, was approved.

F. Consideration of Resolution 2022-09 Authorizing Execution of Public Depositor Report

Mr. Flint noted that Resolution 2022-09 authorizes execution of the depositor report.

On MOTION by Mr. Walker Douglas, seconded by Mr. Perez, with all in favor, Resolution 2022-09 Authorizing Execution of Public Depositor Report, was approved.

G. Consideration of Resolution 2022-10 Designating a Policy for Public Comment

Mr. Flint stated that Resolution 2022-10 designates a policy for public comment. It also addresses public decorum and some other issues.

On MOTION by Mr. Walker Douglas, seconded by Mr. Perez, with all in favor, Resolution 2022-10 Designating a Policy for Public Comment, was approved.

H. Consideration of Resolution 2022-11 Adopting a Travel and Reimbursement Policy

Mr. Flint noted that Resolution 2022-11 adopts a travel and reimbursement policy that largely mirrors the state policy as far milage and per diem reimbursement.

On MOTION by Mr. Douglas, seconded by Mr. Perez, with all in favor, Resolution 2022-11 Adopting a Travel and Reimbursement Policy, was approved.

I. Consideration of Resolution 2022-12 Adopting a Records Retention Policy

Mr. Flint stated that Resolution 2022-12 adopts a records retention policy. He added they can modify the policy to allow staff to dispose of certain records based on the type of record and the time frames. He recommended that the Board adopt a policy saying that staff will keep everything.

On MOTION by Mr. Walker Douglas, seconded by Mr. Perez, with all in favor, Resolution 2022-12 Adopting a Records Retention Policy, Option of Retaining All Records, was approved.

J. Consideration of Website Services Agreement

Mr. Flint stated that the District is required to have an ADA compliant website and the agreement with ReAlign Web Design is for a fee of \$1,750.00. He recommended the Board approve the creation and not the ADA compliance audits. Mr. Flint explained what makes the website ADA compliant.

On MOTION by Mr. Walker Douglas, seconded by Mr. Perez, with all in, Consideration of Website Services Agreement, was approved.

K. Consideration of Compensation of Board Members

Mr. Flint stated that under Chapter 190 Board members are entitled to \$200 a meeting for a maximum of \$4,800 a year. For the record all three Board Members present accepted the compensation.

L. Selection of District Records Office Within Flagler County

Mr. Flint suggested his office location be selected as the local records Office.

On MOTION by Mr. Walker Douglas, seconded by Mr. Perez, with all in favor, Selection of District Record Office be GMS Offices, was approved.

M. Authorization to Prepare Public Facilities Report in Accordance with Chapter 189.08 Florida Statutes to Coincide with Special District Filing Date of August 1st for Flagler County

Mr. Flint stated that this item was authorization to prepare and file the public facilities report with Flagler County.

On MOTION by Mr. Perez, seconded by Mr. Walker Douglas, with all in favor, Authorization for Staff to Prepare a Public Facilities Report in Accordance with Chapter 189.08 Florida Statutes to Coincide with Special District Filing Date of August 1st in Flagler County, was approved.

SIXTH ORDER OF BUSINESS

Capital Improvements

A. Appointment of the Financing Team

1. Bond Counsel

Mr. Flint noted Bond Counsel and Financing Team as Bryant Miller Olive Law and the engagement letter and fees were explained by Ken Artin.

On MOTION by Mr. Walker Douglas, seconded by Mr. Perez, with all in favor, the Agreement with Bryant Miller Olive Law to Serve as Bond Counsel, was approved.

2. Interim Engineer

Mr. Flint noted the interim engineer was already retained.

3. Underwriter

Mr. Flint reviewed the underwriter requirement. Ms. Sara Zare with MBS Capital added this was a standard form of agreement. She added the fee was contingent on bond closing.

On MOTION by Mr. Walker Douglas, seconded by Mr. Perez, with all in favor, the Underwriter Agreement and Disclosure Document with MBS Capital, was approved.

4. Assessment Administrator

Mr. Flint stated that assessment administration is covered under the District Management agreement, so there is no further action required on that.

5. Trustee

Mr. Flint noted that they had a proposal from US Bank to serve as the District's Trustee. The Board had a question regarding on-going out of pocket expenses. This was explained in detail.

On MOTION by Mr. Walker Douglas, seconded by Mr. Perez, with all in favor, the Agreement from US Bank to Serve as the Trustee, was approved.

B. Approval of Financing Team Funding Agreement

Mr. Flint stated that next was a Bond Team Financing Funding Agreement. Many other professionals get compensated out of the cost of issuance accounts and work on a contingent basis and are compensated once bonds are issues. Some of the professionals in the event that the Board doesn't issue bonds, are still entitled to be compensated and for some reason if they don't issue bonds this funding agreement would cover those expenses. The Bond Financing Team Funding Agreement is with JTL Grand Landing Development, LLC.

On MOTION by Mr. Walker Douglas, seconded by Mr. Perez, with all in favor, the Financing Team Funding Agreement, was approved.

SEVENTH ORDER OF BUSINESS

Financing Matters

A. Consideration of Resolution 2022-13 Authorizing the Issuance of Bonds and Authorizing the Commencement of Validation Proceedings

Mr. Artin reviewed the resolution on issuance of bond and proceedings. This authorizes up to not exceeding \$37,365,000.

On MOTION by Mr. Walker Douglas, seconded by Mr. Perez, with all in favor, Resolution 2022-13 Authorizing the Issuance of Bonds and Authorizing the Commencements of Validation Proceedings, was approved.

B. Imposition of Assessments

1. Consideration of Master Engineer's Report

Mr. Flint reviewed the Master Engineer's Report prepared by England-Thims and Miller. He added the infrastructure cost estimates total \$27,345,217. He noted this has been reviewed by Bond Counsel and staff. It was noted the legal description was amended. District Counsel provided further explanations of how the reports fit together to allow issue bonds and build infrastructure and levy assessments.

On MOTION by Mr. Walker Douglas, seconded by Mr. Perez, with all in favor, The Master Engineer's Report, was approved, as subject to amendments.

2. Consideration of Master Assessment Methodology Report

Mr. Flint noted this allocates the benefit of the improvements identified in the Engineer's Report. He summarized the tables including the 399 units of 40', 50' and 60' product types and the ERU factors assigned. He added the cost estimate is \$27,345,217. The preliminary bond sizing for validation of bonds is a conservative estimate at \$37,365,000. He noted the improvement cost per unit by product type, the par debt is reflected, and the annual assessments are noted. He noted the legal description and change will be made to the assessment roll. Mr. Walker Douglas had a question regarding the allocations and site planning. He asked that site planning be removed in the final report.

On MOTION by Mr. Walker Douglas, seconded by Mr. Perez, with all in favor, Master Assessment Methodology Report, was approved, as amended.

3. Consideration of Resolution 2022-14 Declaring Special Assessments

Mr. Flint this starts the assessment process and declares the District's intent to levy special assessments.

On MOTION by Mr. Walker Douglas, seconded by Mr. Perez, with all in favor, Resolution 2022-14 Declaring Special Assessments, was approved.

4. Consideration of Resolution 2022-15 Setting a Public Hearing for Special Assessments

Mr. Flint stated this resolution sets the public hearing. He suggested the public hearing for November 18, 2022 at 11:30 a.m. in the same location.

On MOTION by Mr. Walker Douglas, seconded by Mr. Bonin, with all in favor, Resolution 2022-15 Setting the Public Hearing for November 18, 2022 at 11:30 a.m. in the Same Location, was approved.

EIGHTH ORDER OF BUSINESS

Business Items

There being none, the next item followed.

NINTH ORDER OF BUSINESS

Other Business

A. Staff Reports

1. Attorney

Mr. Chiumento had no further reports.

2. Manager

There being none, the next item following.

B. Supervisors Requests

There being none, the next item followed.

C. Approval of Funding Request No. 1

Mr. Flint stated that Funding Request No. 1 totaled \$16,750. This allows GMS to buy insurance, legal advertisement, create the website, and \$5,000 for the operation account.

On MOTION by Mr. Walker Douglas, seconded by Mr. Perez, with all in favor, Funding Request No. 1, was approved.

TENTH ORDER OF BUSINESS

Adjournment

Mr. Flint adjourned the meeting.

On MOTION by Mr. Walker Douglas, seconded by Mr. Perez, with all in favor, the meeting was adjourned.

Secretary/Assistant Secretary

Chairman/Vice Chairman

SECTION V

SECTION A

SECTION 1

**LANDINGS
COMMUNITY DEVELOPMENT DISTRICT
CAPITAL IMPROVEMENT PLAN**

Prepared for

**Board of Supervisors
Landings
Community Development District**

Prepared by
England-Thims & Miller, Inc.
14775 Old St. Augustine Road
Jacksonville, Florida 32258
904-642-8990

BACKGROUND

The Landings Community Development District (the “District”) is a 204.68± acre community development district located in the City of Palm Coast, Florida. (See *Plate 1*, Location Map). The land within the District is currently an undeveloped parcel within the Grand Landing MPD. The authorized land uses within the District include residential development as well as open space and recreational amenities. The full development within the District’s boundaries is as depicted in Table 1.

TABLE 1
DEVELOPMENT SUMMARY

TYPE	Area (Acres)	Residential Units
Residential	123.22	399
Neighborhood/Community Parks	3.1	0
Wetlands	61.76	0
Undisturbed Upland’s	16.6	0
TOTALS	204.68	399

Plate 2 depicts the District boundary, Plate 3 provides the legal description of the District, and Plate 4 depicts the Future Land Use Map within the District Boundary.

The currently proposed development program for the District is presented below. The current proposed Master Plan is depicted on Plate 12.

TABLE 2

UNIT TYPE	TOTAL
Villa 40’	104
SF 50’	133
SF 60’	162
TOTALS	399

To serve the residents of the District, the District has developed this Capital Improvement Plan to allow it to finance and construct certain utility, stormwater management, transportation infrastructures, and flood control infrastructure necessary for development within the District. Summaries of the proposed Capital Improvement Plan and corresponding cost estimates follow in Table 3. A detailed description and basis of costs for each improvement is included in this report.

The Capital Improvement Plan contained in this report reflects the current intentions of the District. However, the Capital Improvement Plan may be subject to modification in the future. The implementation of any improvement is outlined within the Plan requires final approval by the District’s Board of Supervisors.

Design and permitting for the improvements described in this improvement plan is ongoing, and a tentative schedule is provided below:

ITEM	ESTIMATED AGENCY APPROVAL DATE
1. COPC	September 2022
2. SJRWMD	September 2022
3. COPC Utility	September 2022
4. FDEP – Environmental	September 2022

A jurisdictional wetland delineation for the entire property within the District has been completed and approved by the St. Johns River Water Management District (SJRWMD) and Florida Department of Environmental Protection (FDEP). A SJRWMD and FDEP permit is anticipated to be issued September 2022. Construction plan approvals from the City of Palm Coast (COPC) and the City of Palm Coast Utility Department (COPCUD) is anticipated to be issued September 2022. There is a reasonable expectation that the remaining required permits for the District improvements are obtainable, however, all permits are subject to final agency action.

Cost estimates contained in this report are based upon year 2022 dollars and have been prepared based upon the best available information, but in some cases without benefit of final engineering design and environmental permitting. England, Thims & Miller, Inc. believes the estimates to be accurate based upon the available information, however, actual costs will vary based on final engineering, planning and approvals from regulatory agencies.

PROJECT PHASING

The overall Project will be built in a series of phases. The phasing of the project allows the clearing, earthwork, stormwater management systems, roadways, utilities, entry features, recreational areas, landscaping, sidewalks and paths to be constructed as needed throughout the build-out of the District. The Project has been designed in such a manner so that Phase 1 can be developed and be self-sufficient, completely separate from Phases 2 and 3.

TABLE 3
INFRASTRUCTURE SUMMARY OF COSTS

Improvement Description	Estimated Cost
Offsite Transportation Improvements	\$765,000
Lift Stations, Potable Water, Reclaimed Water, and Sanitary Sewer	\$9,950,125
Hardscape, Landscape, Irrigation, Fencing, and Signage	\$500,000
Stormwater Management Facilities, Drainage Collection System and Flood Control	\$8,600,250
Planning, Engineering, Survey, and Regulatory	\$2,972,306
Contingency (20%)	\$4,557,536
INFRASTRUCTURE COST TOTAL	\$27,345,217

Proposed infrastructure improvements shall be designed and constructed to City of Palm Coast, City of Palm Coast Utility, Florida Department of Environmental Protection, and St. Johns River Water Management District standards. Proposed facility infrastructure ownership and maintenance is listed in Table 4.

TABLE 4
PROPOSED FACILITIES INFRASTRUCTURE OWNERSHIP AND MAINTENANCE

<u>Improvement</u>	<u>Ownership, Operation, and Maintenance</u>
Offsite Transportation Improvements	COPC
Lift Stations, Potable Water, Reclaimed Water, and Sanitary Sewer	COPCUD
Hardscape, Landscape, Irrigation, Fencing, and Signage	CDD
Subdivision Stormwater Management Facilities and Drainage Collection System	CDD

COPC = City of Palm Coast

COPCUD = City of Palm Coast Utility Department

CDD = Community Development District

MASTER TRANSPORTATION IMPROVEMENTS

The District currently intends to finance certain transportation facilities, excluding subdivision roadways, necessary for development within and adjacent to the District Boundaries. These items have been grouped into the broader categories listed in Table 3, as appropriate. A description of each transportation improvement follows.

OFFSITE TURN LANES

This proposed improvement includes turn lanes off of Citation Boulevard into the proposed development. Improvements include widening the road to accommodate a right and left turn lane along Citation Boulevard. To accommodate the turn lanes, additional drainage improvements along Citation Boulevard are also proposed. The offsite turn lanes improvements are depicted on Plate 5.

COLLECTOR ROAD

This proposed improvement includes the 150 linear foot entrance road from Citation Boulevard, this entrance road is variable width. The collector road improvements are depicted on Plate 5.

EMERGENCY ACCESS ROAD

This proposed improvement includes 1,850 linear feet of a two-lane stabilized access. These emergency access roads are required by the local municipality for public safety. The emergency access road improvements are depicted on Plate 5.

MASTER UTILITY IMPROVEMENTS

The District currently intends to finance certain master utility infrastructure necessary for development within the District boundaries. These items have been grouped into the broader categories listed in Table 3, as appropriate. These improvements will be designed and constructed to COPCUD and FDEP standards and will be owned and maintained by COPCUD.

FORCEMAIN SYSTEM

The proposed improvement involves the construction of approximately 2,700 linear feet of 6" sanitary sewer force main along Scrub Jay Lane, as depicted on Plate 7.

PUMP STATION

The proposed improvement involves the construction of a COPCUD lift station that provides service to all of the lots within the District. This location is depicted on Plate 7.

RESIDENTIAL INFRASTRUCTURE IMPROVEMENTS

The District currently intends to finance, design and construct certain infrastructure improvements for the residential development within the District boundaries. The district does not intend to finance or maintain any subdivision roadways. The improvements that the District currently intends to finance include complete construction of the basic infrastructure for each neighborhood, including but not limited to: clearing and grubbing, earthwork, stormwater management, flood control, subsurface drainage improvements, potable water, reclaimed water and sanitary sewer underground utility construction, drainage, grassing, and sodding. These items have been grouped into the broader categories listed in Table 3, as appropriate. Refer to Plates 8-11 for the Neighborhood Infrastructure Improvements.

DRAINAGE/FLOOD CONTROL

The District currently intends to finance certain surface and subsurface drainage improvements necessary for development within the District boundaries. This section of infrastructure includes clearing, grubbing, roadway storm sewer collection system, stormwater management facilities, flood control, groundwater control, surface and subsurface drainage improvements. Cost estimates include stormwater pond construction, drainage catch basins, inlets, underground storm piping within roadways, control structures, grading, sod and seeding as required for sediment and erosion control, etc. The clearing, grubbing and earthwork estimates include all work necessary for the complete right-of-way area, include utility easements, and surrounding residential areas as necessary to provide a complete stormwater management system. Stormwater management facilities provide for the attenuation and treatment of stormwater runoff from the project in accordance with St. Johns River Water Management District and City of Palm Coast standards. As part of the complete stormwater management system, earthwork will include portions of residential lots as needed to collect stormwater runoff into the stormwater management facilities. This earthwork will include placing fill above the pond 100-year pond design high water elevation and to provide positive discharge from the residential lots to the storm sewer collection system. The district does not intend to finance any final lot grading.

LOCAL WATER, REUSE, AND SANITARY SEWER

Water, sanitary sewer and reuse cost estimates included in the residential infrastructure improvements consist of the underground water and reuse transmission systems and wastewater (sewer) collection system serving the development. Costs include piping, manholes, valves, services, and all appurtenances required in order to construct the system in accordance with City of Palm Coast Utility Department and Florida Department of Environmental Protection standards.

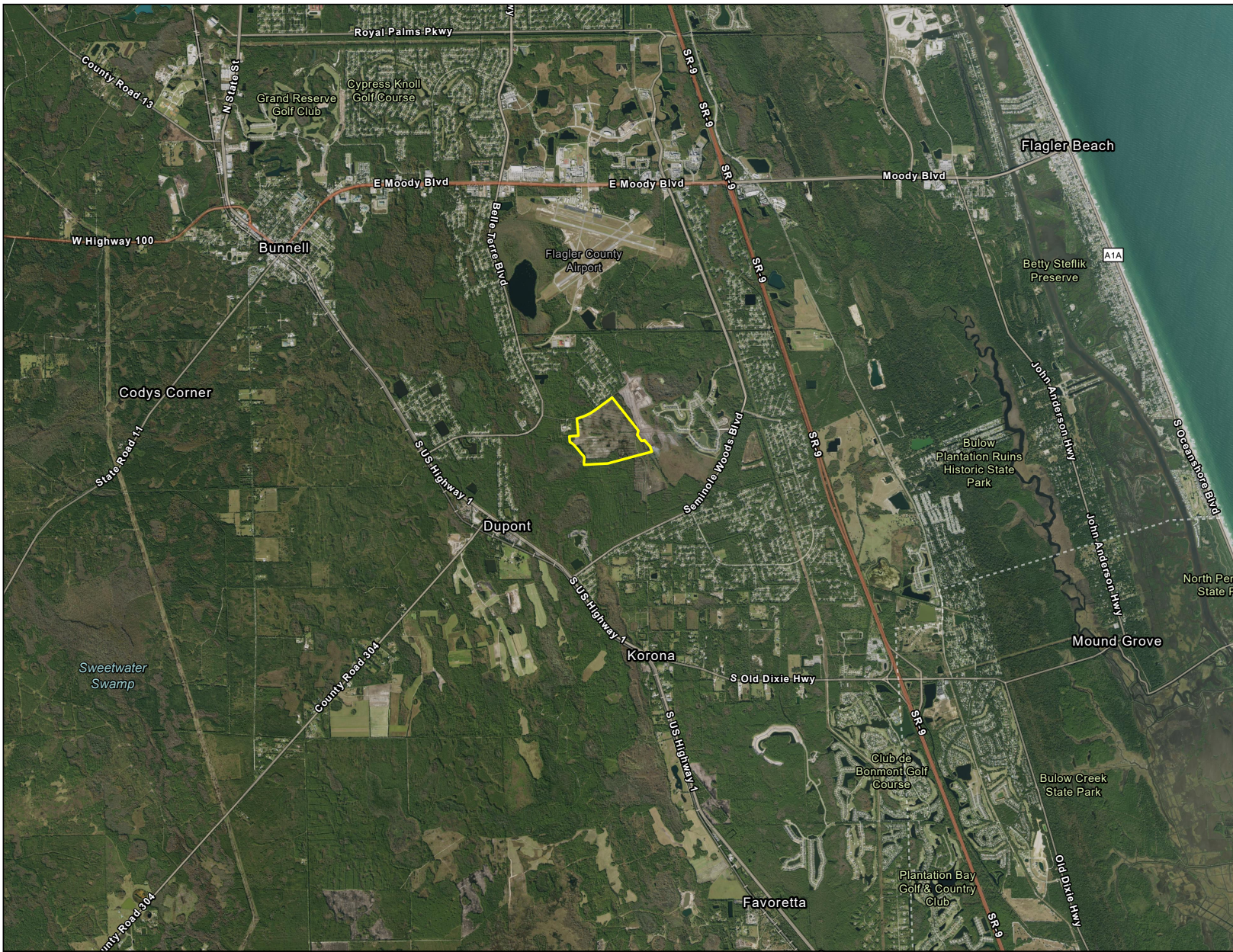
**BASIS OF COST ESTIMATE FOR
INFRASTRUCTURE IMPROVEMENTS**

The following is the basis for the infrastructure cost estimates:

- Costs utilized were obtained from recent bid schedule of values.
- Water, Reclaimed Water, and Sewer Facilities are designed in accordance with COPCUD and FDEP standards.
- The stormwater management system are designed pursuant to SJRWMD and COPC standards and the cost estimate has been developed from recent bid schedule of values.
- The engineering, permitting, construction inspection and other soft cost fees have been included in the estimated cost. (15% of subtotal costs)
- For the purposes of this report, a contingency factor of up to 20% has been included for infrastructure depending on the completeness of the plans on which the estimate was based.
- Cost estimates contained in this report are based upon year 2022 dollars and have been prepared based upon the best available information, but in some cases, without benefit of final engineering design and environmental permitting. England-Thims & Miller, Inc. believes the enclosed estimates to be accurate based upon the available information, however, actual costs will vary based upon final engineering, planning and approvals from regulatory authorities.

APPENDIX
Description

- | | |
|----|--|
| 1 | Location Map |
| 2 | District Boundary |
| 3 | District Legal Description |
| 4 | Future Land Use Map |
| 5 | Offsite Turn Lanes, Onsite Collector Roadway, and Emergency Access Roads |
| 6 | Typical Roadway Cross Section |
| 7 | Master Utility Improvements |
| 8 | Reclaimed Water Distribution System |
| 9 | Water Distribution System |
| 10 | Sanitary Sewer Collection System |
| 11 | Stormwater Management System |
| 12 | Master Plan |



LANDINGS COMMUNITY DEVELOPMENT DISTRICT

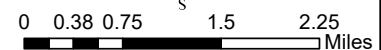
LOCATION MAP

PLATE NO. 1

Source: ETM & Flagler County

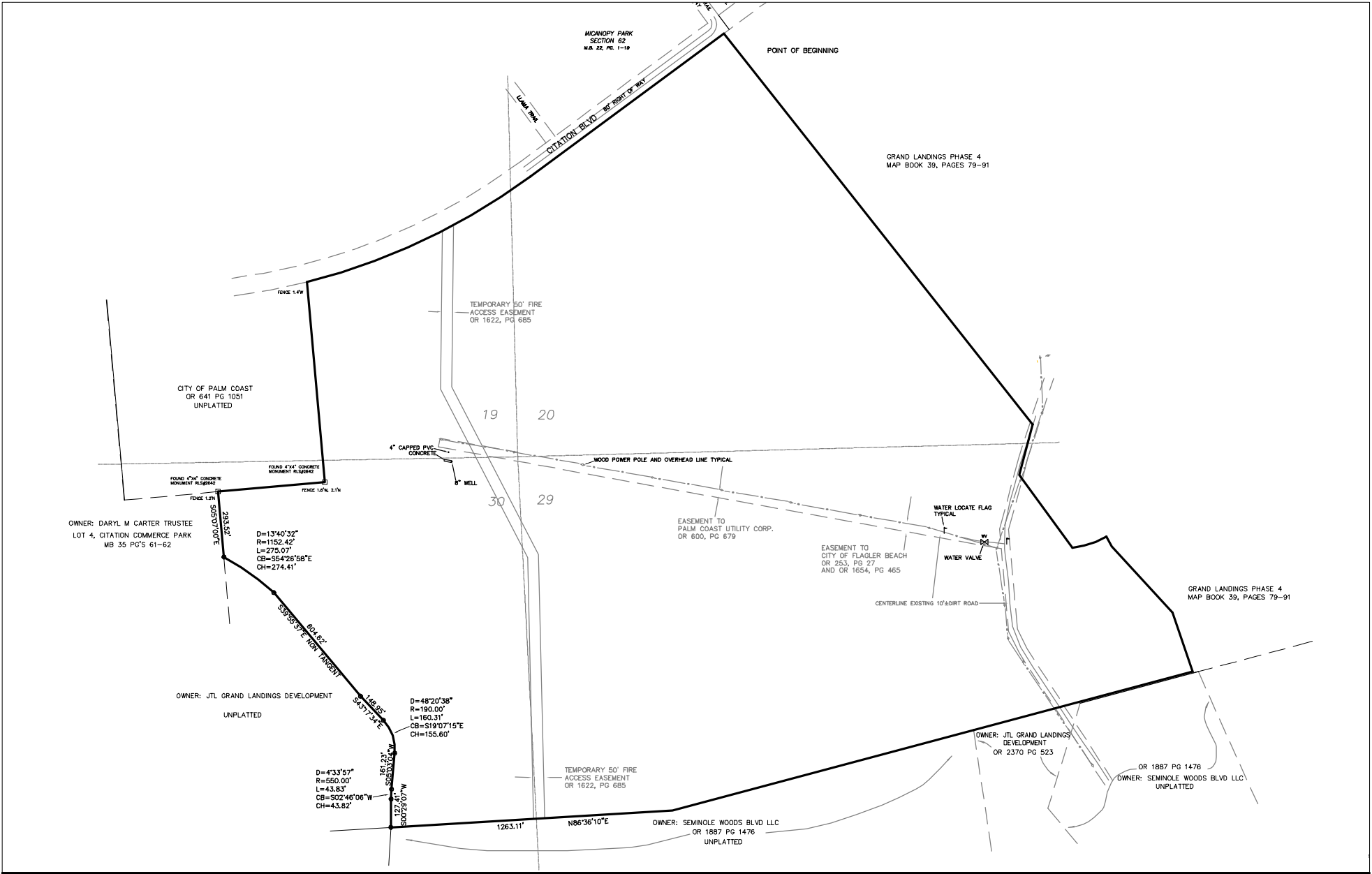
Legend

 Subject Property



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DISTRICT BOUNDARY

LANDINGS COMMUNITY DEVELOPMENT DISTRICT

CITY OF PALM COAST, FLORIDA

ETM NO. 20-338-01

DRAWN BY: CJG

DATE: 9/2/2022

PLATE NO. 2

MAP OF BOUNDARY SURVEY OF

DESCRIPTION

PART OF SECTIONS 19, 20, 29 AND 30, TOWNSHIP 12 SOUTH, RANGE 31 EAST, FLAGLER COUNTY, FLORIDA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWEST CORNER OF RESERVED PARCEL A1, LAGUNA FOREST, SECTION 64, SEMINOLE WOODS, AS RECORDED IN MAP BOOK 18, PAGES 36 THROUGH 43, PUBLIC RECORDS OF FLAGLER COUNTY, FLORIDA, SAID POINT ALSO BEING THE INTERSECTION OF THE NORTH RIGHT OF WAY LINE OF CITATION BOULEVARD AND THE EAST RIGHT OF WAY LINE OF LAGUNA FOREST TRAIL, THENCE S36°30'03"E ALONG THE SOUTHERLY EXTENSION OF THE SAID EAST RIGHT OF WAY LINE AND THE WEST LINE OF SAID RESERVED PARCEL A1 A DISTANCE OF 80.00 FEET TO A POINT ON THE SOUTH RIGHT OF WAY LINE OF CITATION BOULEVARD AFORESAID; THENCE S53°29'57"W ALONG SAID SOUTH RIGHT OF WAY A DISTANCE OF 28.73 FEET TO THE NORTHWEST CORNER OF THOSE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 2370, PAGE 523, PUBLIC RECORDS OF FLAGLER COUNTY, FLORIDA, AND THE POINT OF BEGINNING; THENCE S53°29'57"W CONTINUING ALONG SAID RIGHT OF WAY A DISTANCE OF 1076.65 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE NORTHWESTERLY, HAVING A RADIUS OF 2860.00 FEET, A CENTRAL ANGLE OF 22°18'53", BEING SUBTENDED BY A CHORD BEARING OF S64°43'14"W AND A CHORD DISTANCE OF 1106.84 FEET; THENCE WESTERLY ALONG SAID CURVE TO THE RIGHT FOR AN ARC LENGTH OF 1113.87 FEET TO THE NORTHEAST CORNER OF THOSE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 641, PAGE 1051, PUBLIC RECORDS OF FLAGLER COUNTY, FLORIDA; THENCE DEPARTING SAID RIGHT OF WAY AND ALONG THE EAST LINE OF SAID LANDS S05°08'56"E A DISTANCE OF 899.94 FEET TO THE SOUTHEAST CORNER OF SAID LANDS; THENCE S84°57'19"W ALONG THE SOUTH LINE OF SAID LANDS A DISTANCE OF 479.57 FEET TO THE NORTHEAST CORNER OF LOT 4, CITATION COMMERCE PARK, AS RECORDED IN MAP BOOK 35, PAGES 61 AND 62, PUBLIC RECORDS OF FLAGLER COUNTY, FLORIDA; THENCE DEPARTING SAID LANDS AND ALONG THE EAST LINE OF SAID LOT 4, S05°07'00"E A DISTANCE OF 293.52 FEET TO A POINT ON A CURVE CONCAVE SOUTHWESTERLY HAVING A RADIUS OF 1152.42 FEET, A CENTRAL ANGLE OF 13°40'32", BEING SUBTENDED WITH A CHORD BEARING OF S54°26'58"E AND A CHORD DISTANCE OF 274.41 FEET; THENCE DEPARTING SAID EAST LINE AND SOUTHEASTERLY ALONG SAID CURVE TO THE RIGHT FOR AN ARC LENGTH OF 275.07 FEET; THENCE ON A NON TANGENT LINE S39°55'37"E A DISTANCE OF 604.62 FEET; THENCE S43°17'34"E A DISTANCE OF 148.95 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE SOUTHWESTERLY, HAVING A RADIUS OF 190.00 FEET, A CENTRAL ANGLE OF 48°20'38", BEING SUBTENDED BY A CHORD BEARING OF S19°07'15"E AND A CHORD DISTANCE OF 155.60 FEET; THENCE THENCE SOUTHERLY ALONG SAID CURVE TO THE RIGHT FOR AN ARC LENGTH OF 160.31 FEET TO THE POINT OF TANGENCY THEREOF; THENCE S05°03'04"W A DISTANCE OF 161.23 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE TO EASTERLY, HAVING A RADIUS OF 550.00 FEET, A CENTRAL ANGLE OF 04°33'57", BEING SUBTENDED WITH A CHORD BEARING OF S02°46'06"W AND A CHORD DISTANCE OF 43.82 FEET TO THE POINT OF TANGENCY THEREOF; THENCE S00°29'07"W FOR A DISTANCE OF 127.41 FEET THENCE N86°36'10"E ALONG A NORTHERLY LINE OF THOSE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 1887, PAGE 1476, PUBLIC RECORDS OF FLAGLER COUNTY, FLORIDA, A DISTANCE OF 1263.11 FEET; THENCE N75°00'26"E CONTINUING ALONG SAID NORTHERLY LINE A DISTANCE OF 1393.40 FEET TO A POINT ON A WESTERLY LINE OF THOSE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 2370, PAGE 523, PUBLIC RECORDS OF FLAGLER COUNTY, FLORIDA; THENCE EASTERLY ALONG THE PROLONGATION OF THE PREVIOUSLY DESCRIBED NORTHERLY LINE, N75°00'26"E A DISTANCE OF 1015.01 FEET TO A POINT ON THE WESTERLY LINE OF THOSE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 2370, PAGE 523, AFORESAID; THENCE ALONG THE SAID WESTERLY LINES THE FOLLOWING CALLS AND DISTANCES, N19°01'56"W A DISTANCE OF 278.67 FEET; THENCE N42°18'09"W A DISTANCE OF 401.72 FEET; THENCE N30°24'29"W A DISTANCE OF 50.00 FEET TO A POINT ON A NON TANGENT CURVE CONCAVE NORTHWESTERLY, HAVING A RADIUS OF 375.00 FEET, A CENTRAL ANGLE OF 24°29'34", BEING SUBTENDED BY A CHORD BEARING OF S71°50'18"W AND A CHORD DISTANCE OF 159.09 FEET; THENCE WESTERLY ALONG SAID CURVE TO THE RIGHT FOR AN ARC LENGTH OF 160.30 FEET; THENCE N36°13'54"W A DISTANCE OF 403.20 FEET; THENCE N14°49'44"E A DISTANCE OF 234.68 FEET; THENCE N38°16'50"W A DISTANCE OF 2229.65 FEET TO THE POINT OF BEGINNING.

SUBJECT PROPERTY CONTAINING 8,915,986 SQUARE FEET AND/OR 204.68 ACRES MORE OR LESS.



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DISTRICT LEGAL DESCRIPTION

LANDINGS COMMUNITY DEVELOPMENT DISTRICT

CITY OF PALM COAST, FLORIDA

ETM NO. 20-338-01

DRAWN BY: CJG

DATE: 9/2/2022

PLATE NO. 3

**LANDINGS COMMUNITY
DEVELOPMENT DISTRICT**

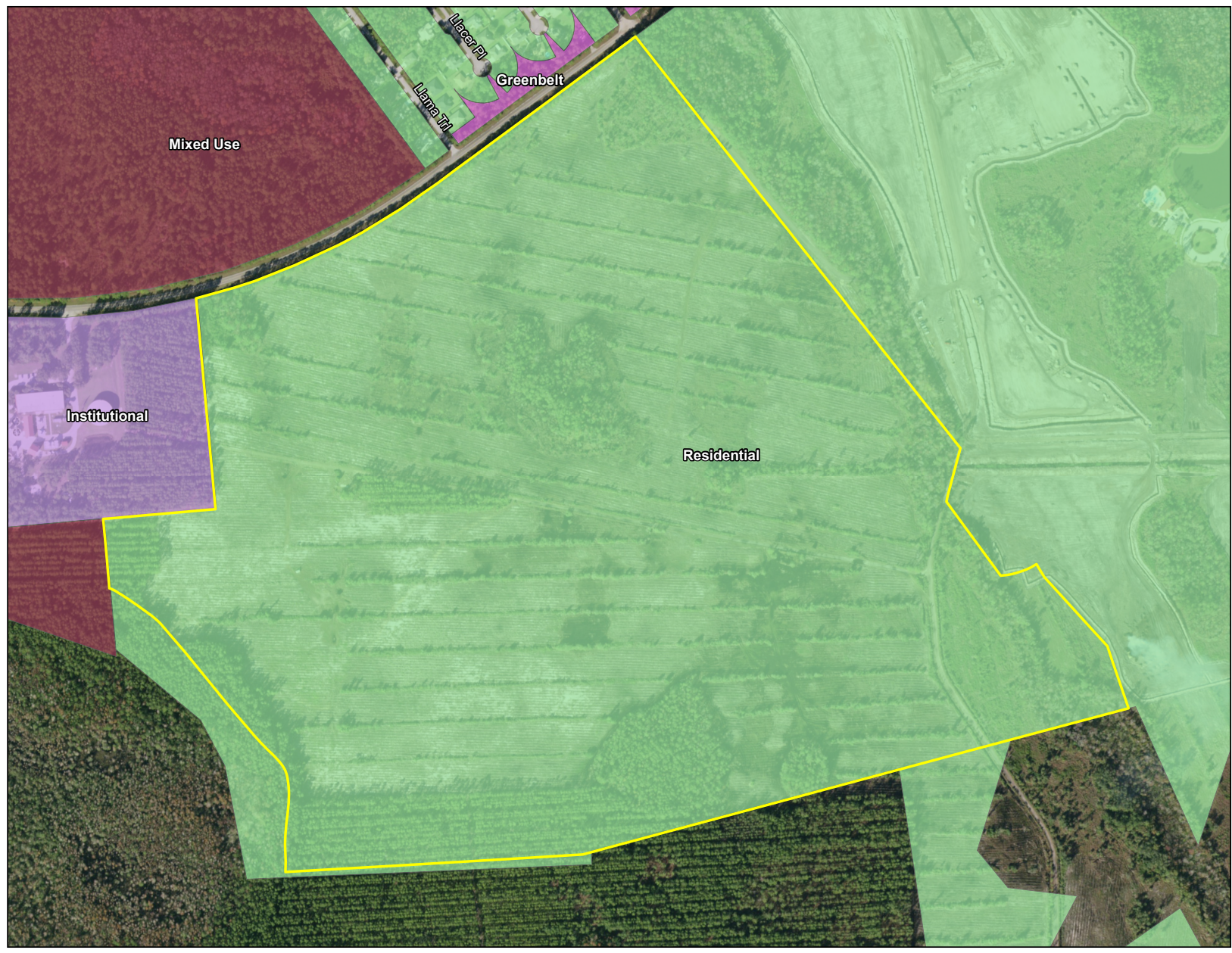
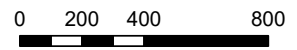
Future Land Use

PLATE NO. 4

Source: ETM & Flagler County

Legend

- Subject Property
- Greenbelt
- Institutional
- Mixed Use
- Residential



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 **DENOTES ACCESS/IMPROVEMENTS LOCATIONS**

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OFFSITE TURN LANES, ONSITE COLLECTOR ROADWAY, AND EMERGENCY ACCESS ROADS
LANDINGS COMMUNITY DEVELOPMENT DISTRICT
CITY OF PALM COAST, FLORIDA

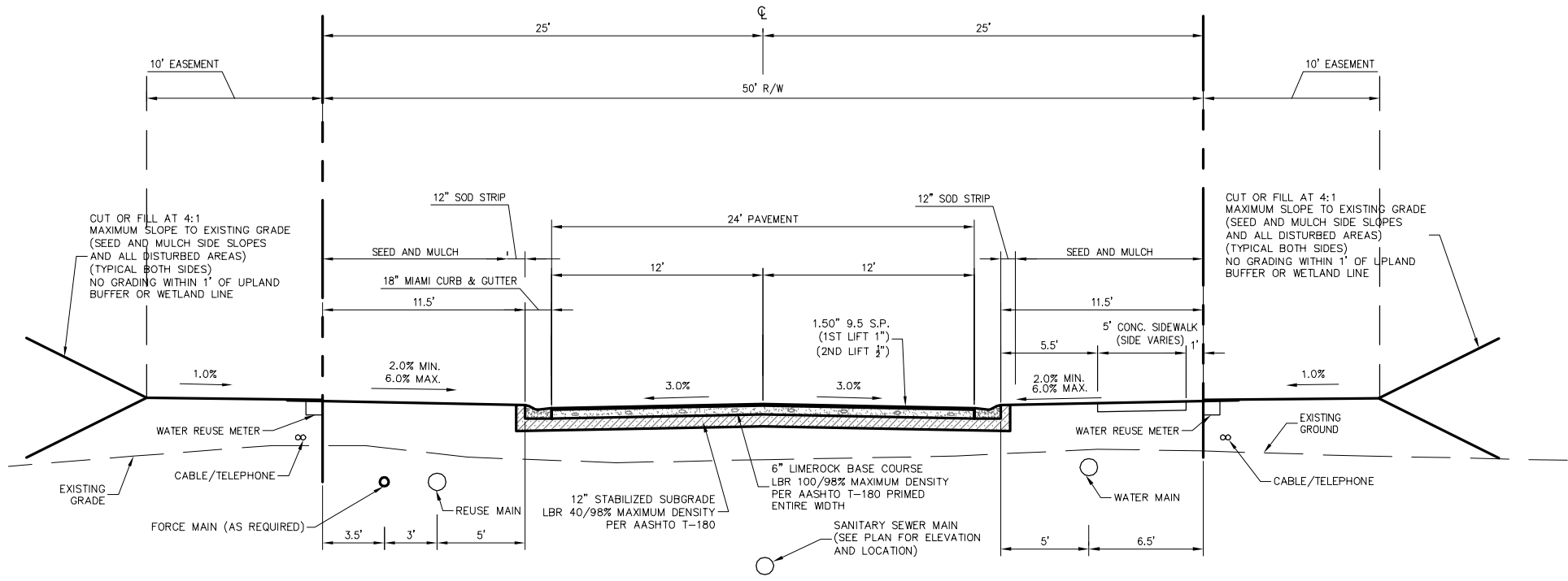
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PLATE NO. 5

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TYPICAL ROADWAY CROSS SECTION

LANDINGS COMMUNITY DEVELOPMENT DISTRICT

CITY OF PALM COAST, FLORIDA

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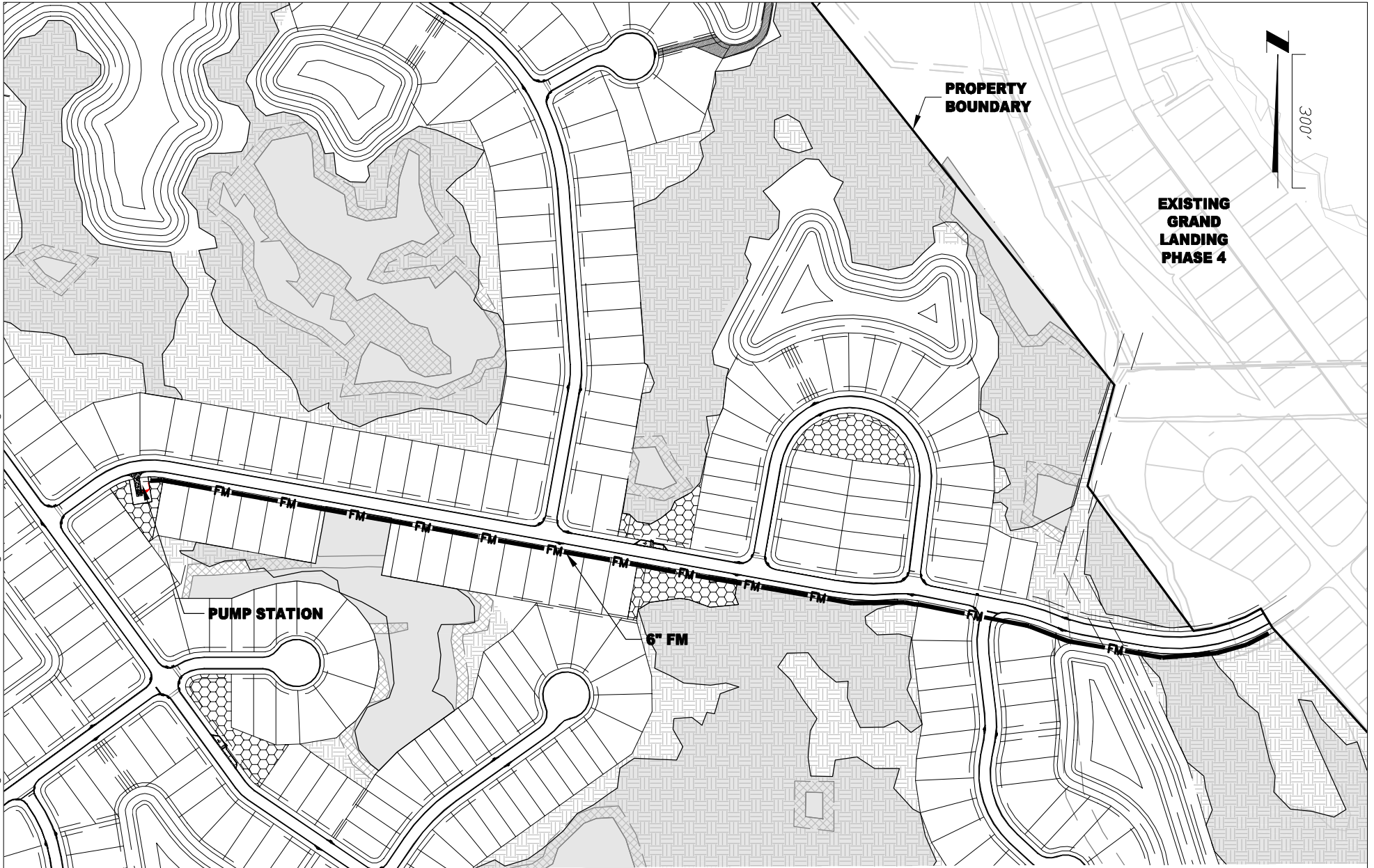
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PLATE NO. 6

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MASTER UTILITY IMPROVEMENTS

LANDINGS COMMUNITY DEVELOPMENT DISTRICT

CITY OF PALM COAST, FLORIDA

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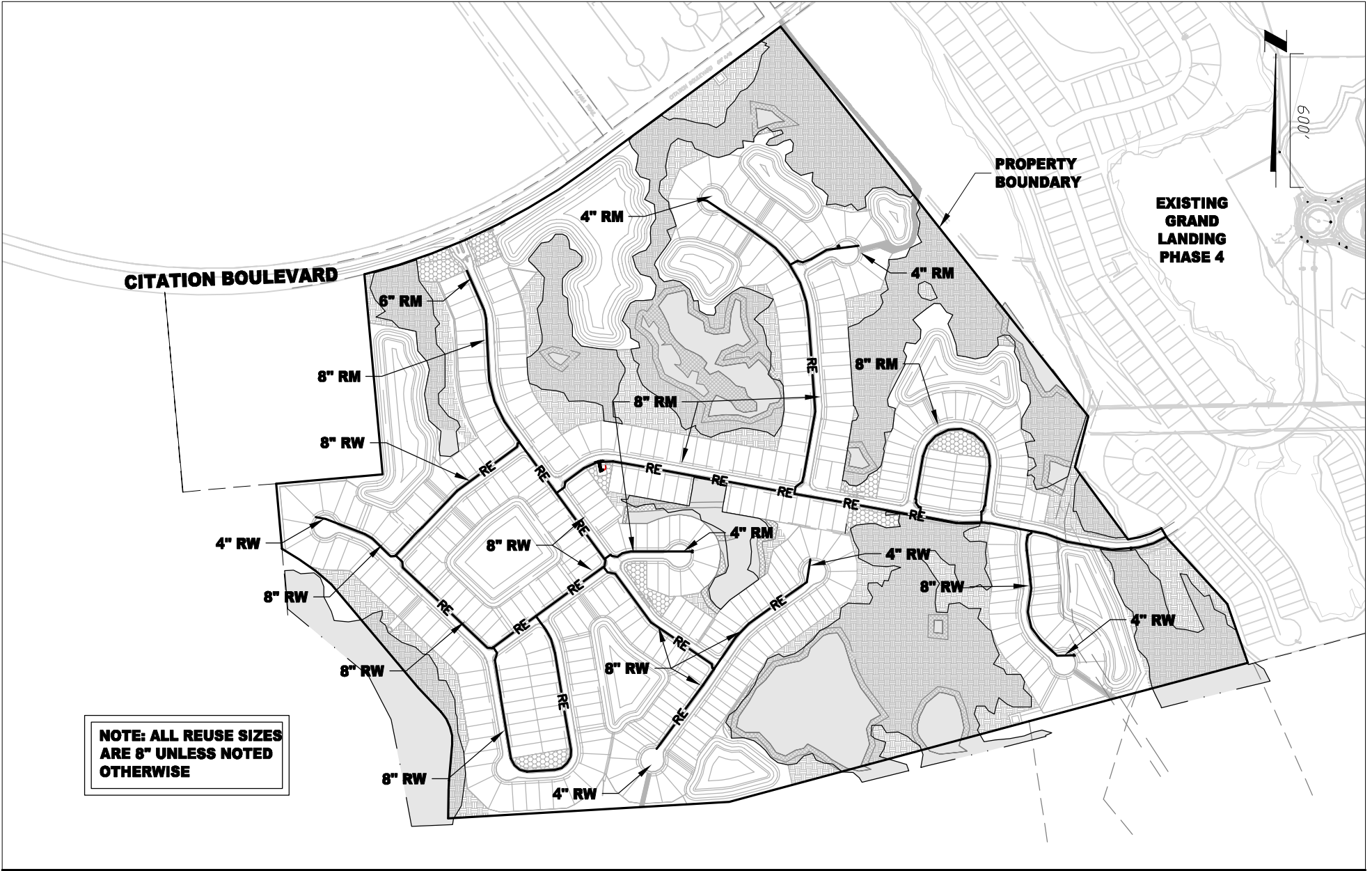
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PLATE NO. 7

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RECLAIMED WATER DISTRIBUTION SYSTEM

LANDINGS COMMUNITY DEVELOPMENT DISTRICT

CITY OF PALM COAST, FLORIDA

ETM NO. 20-338-01

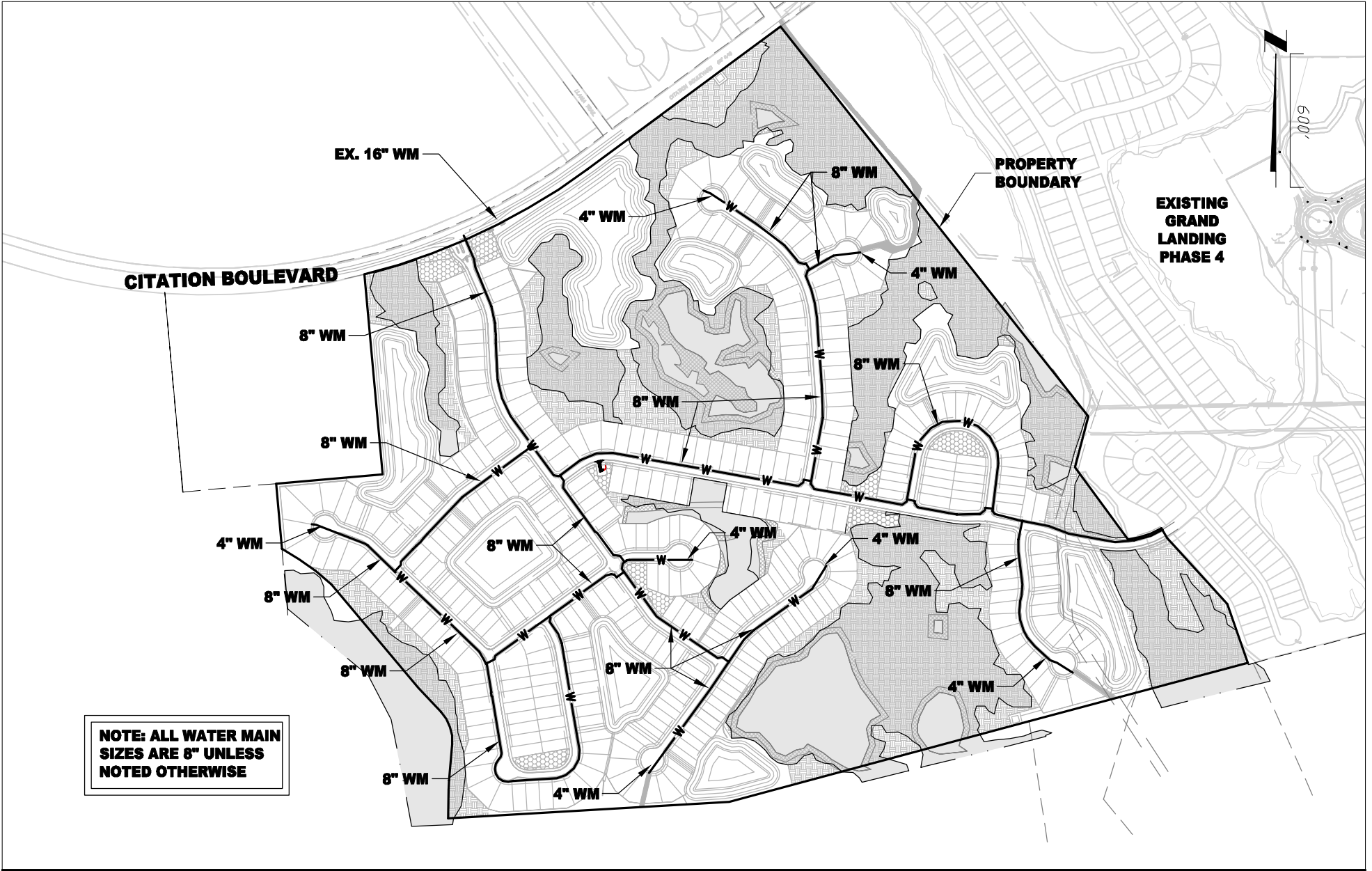
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PLATE NO. 8

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NOTE: ALL WATER MAIN SIZES ARE 8" UNLESS NOTED OTHERWISE



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WATER DISTRIBUTION SYSTEM

LANDINGS COMMUNITY DEVELOPMENT DISTRICT

CITY OF PALM COAST, FLORIDA

ETM NO. 20-338-01

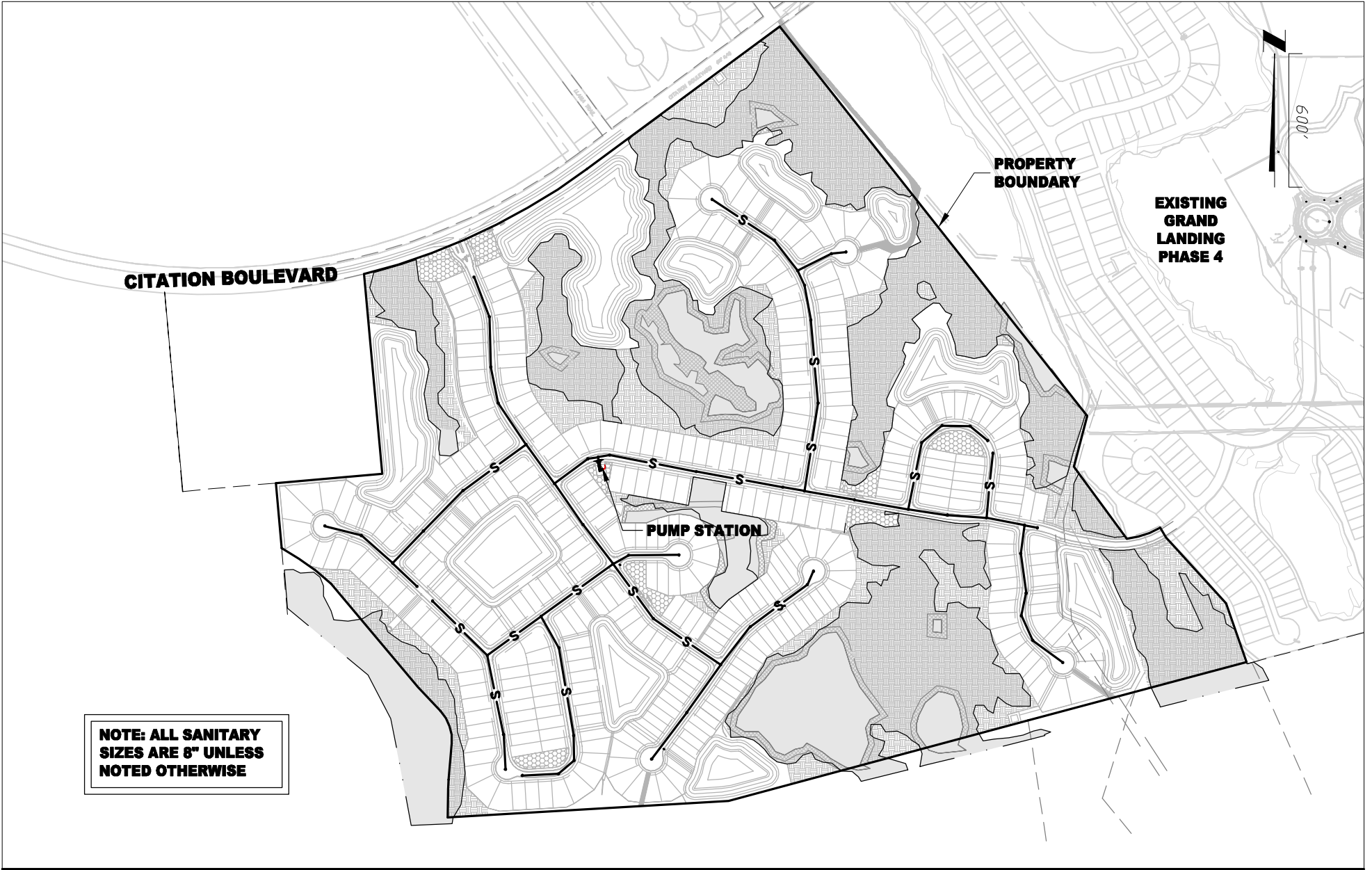
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PLATE NO. 9

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SANITARY SEWER COLLECTION SYSTEM
LANDINGS COMMUNITY DEVELOPMENT DISTRICT
CITY OF PALM COAST, FLORIDA

ETM NO. 20-338-01

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PLATE NO. 10

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STORMWATER MANAGEMENT SYSTEM

LANDINGS COMMUNITY DEVELOPMENT DISTRICT

CITY OF PALM COAST, FLORIDA

ETM NO. 20-338-01

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PLATE NO. 11

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PHASE 1: $\triangle 50'$ = 31 LOTS
 $\triangle 60'$ = 65 LOTS
 \triangle VILA = 38 LOTS

134 PHASE 1 TOTAL LOTS

PHASE 2: $\square 50'$ = 45 LOTS
 $\square 60'$ = 52 LOTS
 \square VILA = 66 LOTS

163 PHASE 2 TOTAL LOTS

PHASE 3: $\circ 50'$ = 58 LOTS
 $\circ 60'$ = 44 LOTS

102 PHASE 3 TOTAL LOTS

OVERALL: $50'$ = 133 LOTS
 $60'$ = 162 LOTS
 VILA = 104 LOTS

399 TOTAL LOTS



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MASTER PLAN

LANDINGS COMMUNITY DEVELOPMENT DISTRICT

CITY OF PALM COAST, FLORIDA

ETM NO. 20-338-01

DRAWN BY: CJG

DATE: 9/2/2022

PLATE NO. 12

SECTION 2

**MASTER
ASSESSMENT METHODOLOGY

FOR
LANDINGS
COMMUNITY DEVELOPMENT DISTRICT**

Date: September 16, 2022

Prepared by

**Governmental Management Services - Central Florida, LLC
219 E. Livingston Street
Orlando, FL 32801**



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1.0 Introduction

The Landings Community Development District is a local unit of special-purpose government organized and existing under Chapter 190, Florida Statutes, as amended (the “District”). The District plans to issue up to \$37,365,000 of tax exempt bonds in one or more series (the “Bonds”) for the purpose of financing certain infrastructure improvements within the District, more specifically described in the Master Engineer’s Report dated September 8, 2022 prepared by England-Thims & Miller, Inc. as may be amended and supplemented from time to time (the “Engineer’s Report”). The District anticipates the construction of public infrastructure improvements consisting of improvements that benefit property owners within the District.

1.1 Purpose

This Master Assessment Methodology Report (the “Assessment Report”) provides for an assessment methodology for allocating the debt to be incurred by the District to benefiting properties within the District. This Assessment Report allocates the debt to properties based on the special benefits each receives from the District’s capital improvement plan (“CIP”). This Assessment Report will be supplemented with one or more supplemental methodology reports to reflect the actual terms and conditions at the time of the issuance of each series of Bonds. This Assessment Report is designed to conform to the requirements of Chapters 190, 197 and 170, Florida Statutes with respect to special assessments and is consistent with our understanding of case law on this subject.

The District intends to impose non ad valorem special assessments on the benefited lands within the District based on this Assessment Report. It is anticipated that all of the proposed special assessments will be collected through the Uniform Method of Collection described in Chapter 197.3632, Florida Statutes or any other legal means of collection available to the District. It is not the intent of this Assessment Report to address any other assessments, if applicable, that may be levied by the District, a homeowner’s association, or any other unit of government.

1.2 Background

The District currently includes approximately 204.68 acres within the city of Palm Coast Park, Flagler County, Florida. The development program currently envisions approximately 399 residential units (herein the “Development”). The proposed Development program is depicted in Table 1. It is recognized that such land use plan may change, and this Assessment Report will be modified accordingly.

The public improvements contemplated by the District in the CIP will provide facilities that benefit certain property within the District. The CIP is delineated in the Engineer’s Report. Specifically, the District will construct and/or acquire certain offsite transportation improvements, lift stations, potable water, reclaimed water,

sanitary sewer, hardscape, landscape, irrigation, fencing, signage, stormwater management facilities, drainage, collection system, flood control, planning, engineering, survey & regulatory, and contingency. The CIP estimated acquisition and construction costs are summarized in Table 2.

The assessment methodology is a four-step process.

1. The District Engineer must first determine the public infrastructure improvements that may be provided by the District and the costs to implement the CIP.
2. The District Engineer determines the assessable acres that benefit from the District's CIP.
3. A calculation is made to determine the funding amounts necessary to acquire and/or construct CIP.
4. This amount is initially divided equally among the benefited properties on a prorated gross acreage basis. Ultimately, as land is platted, site planned, or subjected to a declaration of condominiums, this amount will be assigned to each of the benefited properties based on an ERU basis.

1.3 Special Benefits and General Benefits

Improvements undertaken by the District create special and peculiar benefits to the assessable property, different in kind and degree than general benefits, for properties outside its borders as well as general benefits to the public at large.

However, as discussed within this Assessment Report, these general benefits are incidental in nature and are readily distinguishable from the special and peculiar benefits, which accrue to the assessable property within the District. The implementation of the CIP enables properties within its boundaries to be developed. Without the District's CIP, there would be no infrastructure to support development of land within the District. Without these improvements, the proposed Development of the property within the District would be prohibited by law.

There is no doubt that the general public and property owners outside the District will benefit from the provision of the District's CIP. However, these benefits will be incidental to the District's CIP, which is designed solely to meet the needs of property within the District. Properties outside the District boundaries do not depend upon the District's CIP. The property owners within the District are therefore receiving special benefits not received by those outside the District's boundaries.

1.4 Requirements of a Valid Assessment Methodology

There are two requirements under Florida law for a valid special assessment:

- 1) The properties must receive a special benefit from the improvements being paid for.
- 2) The assessments must be fairly and reasonably allocated to the properties being assessed.

Florida law provides for a wide application of special assessments that meet these two requirements for valid special assessments.

1.5 Special Benefits Exceed the Costs Allocated

The special benefits provided to the property owners within the District are greater than the costs associated with providing these benefits. The District Engineer estimates that the District's CIP that is necessary to support full development of property will cost approximately \$27,345,217. The District's Underwriter projects that financing costs required to fund the infrastructure improvements, including project costs, the cost of issuance of the Bonds, the funding of debt service reserves and capitalized interest, will be approximately \$37,365,000. Additionally, funding required to complete the CIP which is not financed with Bonds will be funded by JTL Grand Landings Holdings, LLC, or a related entity (the "Developer"). Without the CIP, the property would not be able to be developed per the Development program and occupied by future residents of the community.

2.0 Assessment Methodology

2.1 Overview

The District is planning to issue up to \$37,365,000 in Bonds, in one or more series to fund the District's CIP, provide for capitalized interest, a debt service reserve account and cost of issuance. It is the purpose of this Assessment Report to allocate the \$37,365,000 in debt to the properties benefiting from the CIP.

Table 1 identifies the proposed land uses as identified by the Developer and current landowners of the land within the District. The District has relied on the Engineer's Report to develop the costs of the CIP needed to support the Development, these construction costs are outlined in Table 2. The improvements needed to support the Development are described in detail in the Engineer's Report and are estimated to cost \$27,345,217. Based on the estimated costs, the size of the Bond issue under current market conditions needed to generate funds to pay for the CIP and related costs was determined by the District's Underwriter to total approximately \$37,365,000. Table 3 shows the breakdown of the bond sizing.

2.2 Allocation of Debt

Allocation of debt is a continuous process until the Development plan is completed. The CIP funded by District Bonds benefits all developable acres within the District.

The initial assessments will be levied on an equal basis to all acres within the District. A fair and reasonable methodology allocates the debt incurred by the District proportionately to the properties receiving the special benefits. At this point all of the lands within the District are benefiting from the improvements.

Once platting, or the recording of declaration of condominium, (“Assigned Properties”) has begun, the assessments will be allocated to the Assigned Properties based on the benefits they receive. The Unassigned Properties, defined as property that has not been platted, assigned development rights or subjected to a declaration of condominium, will continue to be assessed on a per acre basis (“Unassigned Properties”). Eventually the Development plan will be completed and the debt relating to the Bonds will be allocated to the planned 399 residential units within the District, which are the beneficiaries of the CIP, as depicted in Table 5 and Table 6. If there are changes to the Development plan, a true up of the assessment will be calculated to determine if a debt reduction or true-up payment from the Developer is required. The process is outlined in Section 3.0

The assignment of debt in this Assessment Report sets forth the process by which debt is apportioned. As mentioned herein, this Assessment Report will be supplemented from time to time.

2.3 Allocation of Benefit

The CIP consists of offsite transportation improvements, lift stations, potable water, reclaimed water, sanitary sewer, hardscape, landscape, irrigation, fencing, signage, stormwater management facilities, drainage, collection system, flood control, planning, engineering, survey & regulatory, and contingency. There are *three* residential product types within the planned Development. The single family 50’ home has been set as the base unit and has been assigned one equivalent residential unit (“ERU”). Table 4 shows the allocation of the CIP costs and Bond debt to the particular land uses. It is important to note that the benefit derived from the improvements on the particular units exceeds the cost that the units will be paying for such benefits.

2.4 Lienability Test: Special and Peculiar Benefit to the Property

Construction and/or acquisition by the District of its proposed CIP will provide several types of systems, facilities and services for its residents. These include offsite

transportation improvements, lift stations, potable water, reclaimed water, sanitary sewer, hardscape, landscape, irrigation, fencing, signage, stormwater management facilities, drainage, collection system, flood control, planning, engineering, survey & regulatory, and contingency. These improvements accrue in differing amounts and are somewhat dependent on the type of land use receiving the special benefits peculiar to those properties, which flow from the logical relationship of the improvements to the properties.

Once these determinations are made, they are reviewed in the light of the special benefits peculiar to the property, which flow to the properties as a result of their logical connection from the improvements in fact actually provided.

For the provision of CIP, the special and peculiar benefits are:

- 1) the added use of the property,
- 2) added enjoyment of the property, and
- 3) the probability of increased marketability and value of the property.

These special and peculiar benefits are real and ascertainable, but are not yet capable of being calculated as to value with mathematical certainty. However, each is more valuable than either the cost of, or the actual non-ad valorem special assessment levied for the improvement or the debt as allocated.

2.5 Lienability Test: Reasonable and Fair Apportionment of the Duty to Pay Non-Ad Valorem Assessments

A reasonable estimate of the proportion of special and peculiar benefits received from the public improvements described in the Engineer's Report is delineated in Table 5 (expressed as Allocation of Par Debt per Product Type).

The determination has been made that the duty to pay the non-ad valorem special assessments is fairly and reasonably apportioned because the special and peculiar benefits to the property derived from the acquisition and/or construction of the District's CIP have been apportioned to the property according to reasonable estimates of the special and peculiar benefits provided consistent with the land use categories.

Accordingly, no acre or parcel of property within the boundaries of the District will have a lien for the payment of any non-ad valorem special assessment more than the determined special benefit peculiar to that property and therefore, the debt allocation will not be increased more than the debt allocation set forth in this Assessment Report.

In accordance with the benefit allocation suggested for the product types in Table 4, a total debt per unit and an annual assessment per unit have been calculated for each product type (Table 6). These amounts represent the preliminary anticipated per unit

debt allocation assuming all anticipated units are built and sold as planned, and the entire proposed CIP is developed or acquired and financed by the District.

3.0 True Up Mechanism

Although the District does not process plats, declaration of condominiums, site plans or revisions thereto for the Developer, it does have an important role to play during the course of platting. Whenever a plat, declaration of condominium or site plan is processed, the District must allocate a portion of its debt to the property according to this Assessment Report outlined herein. In addition, the District must also prevent any buildup of debt on Unassigned Property. Otherwise, the land could be fully conveyed and/or platted without all of the debt being allocated. To preclude this, at the time Unassigned Properties become Assigned Properties, the District will determine the amount of anticipated assessment revenue that remains on the Unassigned Properties, taking into account the proposed plat, or site plan approval. If the total anticipated assessment revenue to be generated from the Assigned and Unassigned Properties is greater than or equal to the maximum annual debt service then no adjustment is required. In the case that the revenue generated is less than the required amount then a debt reduction or true-up payment by the landowner in the amount necessary to reduce the par amount of the outstanding Bonds plus accrued interest to a level that will be supported by the new net annual debt service assessments will be required.

4.0 Assessment Roll

The District will initially distribute the liens across the property within the District boundaries on a gross acreage basis. As Assigned Property becomes known with certainty, the District will refine its allocation of debt from a per acre basis to a per unit basis as shown in Table 7. If the land use plan changes, then the District will update Tables 1, 4, 5 & 6 to reflect the changes. As a result, the assessment liens are neither fixed nor are they determinable with certainty on any acre of land in the District prior to the time final Assigned Properties become known. At this time the debt associated with the District's CIP will be distributed evenly across the acres within the District. As the development process occurs, the debt will be distributed against the Assigned Property in the manner described in this Assessment Report. The current assessment roll is depicted in Table 7.

TABLE 1
 LANDINGS COMMUNITY DEVELOPMENT DISTRICT
 DEVELOPMENT PROGRAM
 MASTER ASSESSMENT METHODOLOGY

Product Types	No. of Units *	Totals	ERUs per Unit (1)	Total ERUs
Villa 40'	104	104	0.8	83
Single Family 50'	133	133	1	133
Single Family 60'	162	162	1.2	194
Total Units	399	399		411

(1) Benefit is allocated on an ERU basis; based on density of planned development, with a 50' Single Family unit equal to 1 ERU

* Unit mix is subject to change based on marketing and other factors

Prepared by: Governmental Management Services - Central Florida, LLC

TABLE 2
 LANDINGS COMMUNITY DEVELOPMENT DISTRICT
 INFRASTRUCTURE COST ESTIMATES
 MASTER ASSESSMENT METHODOLOGY

Capital Improvement Plan ("CIP") (1)	Total Cost Estimate
Offsite Transportation Improvements	\$765,000
Lift Stations, Potable Water, Reclaimed Water, and Sanitary Sewer	\$9,950,125
Hardscape, Landscape, Irrigation, Fencing & Signage	\$500,000
Stormwater Management Facilities, Drainage Collection System and Flood Control	\$8,600,250
Planning, Engineering, Survey, and Regulatory	\$2,972,306
Contingency	\$4,557,536
Total	\$27,345,217

(1) A detailed description of these improvements is provided in the Master Engineer's Report dated September 8, 2022

Prepared by: Governmental Management Services - Central Florida, LLC

TABLE 3
LANDINGS COMMUNITY DEVELOPMENT DISTRICT
BOND SIZING
MASTER ASSESSMENT METHODOLOGY

Description	Total
Construction Funds	\$27,345,217
Debt Service Reserve	\$3,163,741
Capitalized Interest	\$5,604,750
Underwriters Discount	\$747,300
Cost of Issuance	\$500,000
Rounding	\$3,992
Par Amount*	\$37,365,000

Bond Assumptions:

Average Coupon	7.50%
Amortization	30 years
Capitalized Interest	24 months
Debt Service Reserve	Max Annual D/S
Underwriters Discount	2%

* Par amount is subject to change based on the actual terms at the sale of the Bonds

Prepared by: Governmental Management Services - Central Florida, LLC

TABLE 4
LANDINGS COMMUNITY DEVELOPMENT DISTRICT
ALLOCATION OF BENEFIT
MASTER ASSESSMENT METHODOLOGY

Product Types	No. of Units *	ERU Factor	Total ERUs	% of Total ERUs	Total Improvements Costs Per Product Type	Improvement Costs Per Unit
Villa 40'	104	0.8	83	20.26%	\$5,540,969	\$53,279
Single Family 50'	133	1.0	133	32.39%	\$8,857,559	\$66,598
Single Family 60'	162	1.2	194	47.35%	\$12,946,688	\$79,918
Totals	399		411	100.00%	\$27,345,217	

* Unit mix is subject to change based on marketing and other facts

Prepared by: Governmental Management Services - Central Florida, LLC

TABLE 5
LANDINGS COMMUNITY DEVELOPMENT DISTRICT
ALLOCATION OF TOTAL BENEFIT/PAR DEBT TO EACH PRODUCT TYPE
MASTER ASSESSMENT METHODOLOGY

Product Types	No. of Units *	Total Improvements Costs Per Product Type	Allocation of Par Debt Per Product Type	Par Debt Per Unit
Villa 40'	104	\$5,540,969	\$7,571,281	\$72,801
Single Family 50'	133	\$8,857,559	\$12,103,130	\$91,001
Single Family 60'	162	\$12,946,688	\$17,690,589	\$109,201
Totals	399	\$27,345,217	\$37,365,000	

* Unit mix is subject to change based on marketing and other factors

Prepared by: Governmental Management Services - Central Florida, LLC

TABLE 6
LANDINGS COMMUNITY DEVELOPMENT DISTRICT
PAR DEBT AND ANNUAL ASSESSMENTS FOR EACH PRODUCT TYPE
MASTER ASSESSMENT METHODOLOGY

Product Types	No. of Units *	Allocation of Par Debt Per Product Type	Total Par Debt Per Unit	Maximum Annual Debt Service	Net Annual Debt Assessment Per Unit	Gross Annual Debt Assessment Per Unit (1)
Villa 40'	104	\$7,571,281	\$72,801	\$641,070	\$6,164.13	\$6,557.59
Single Family 50	133	\$12,103,130	\$91,001	\$1,024,787	\$7,705.17	\$8,196.98
Single Family 60	162	\$17,690,589	\$109,201	\$1,497,884	\$9,246.20	\$9,836.38
Totals	399	\$37,365,000		\$3,163,741		

(1) This amount includes collection fees and early payment discounts when collected on the County Tax Bill

* Unit mix is subject to change based on marketing and other factors

Prepared by: Governmental Management Services - Central Florida, LLC

TABLE 7
 LANDINGS COMMUNITY DEVELOPMENT DISTRICT
 PRELIMINARY ASSESSMENT ROLL
 MASTER ASSESSMENT METHODOLOGY

Owner	Property*	Net Acres	Total Par Debt Allocation Per Acre	Total Par Debt Allocated	Net Annual Debt Assessment Allocation	Gross Annual Debt Assessment Allocation (1)
JTL Grand Landings Holdings, LLC	Landings CDD	204.68	\$182,553	\$37,365,000	\$3,163,741	\$3,365,682
Totals		204.68		\$37,365,000	\$3,163,741	\$3,365,682

(1) This amount includes 6% to cover collection fees and early payment discounts when collected utilizing the uniform method.

Annual Assessment Periods	30
Average Coupon Rate (%)	7.50%
Maximum Annual Debt Service	\$3,163,741

* - See Metes and Bounds, attached as Exhibit A

Prepared by: Governmental Management Services - Central Florida, LLC

Exhibit A

MAP OF BOUNDARY SURVEY OF

DESCRIPTION

PART OF SECTIONS 19, 20, 29 AND 30, TOWNSHIP 12 SOUTH, RANGE 31 EAST, FLAGLER COUNTY, FLORIDA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWEST CORNER OF RESERVED PARCEL A1, LAGUNA FOREST, SECTION 64, SEMINOLE WOODS, AS RECORDED IN MAP BOOK 18, PAGES 36 THROUGH 43, PUBLIC RECORDS OF FLAGLER COUNTY, FLORIDA, SAID POINT ALSO BEING THE INTERSECTION OF THE NORTH RIGHT OF WAY LINE OF CITATION BOULEVARD AND THE EAST RIGHT OF WAY LINE OF LAGUNA FOREST TRAIL, THENCE S36°30'03"E ALONG THE SOUTHERLY EXTENSION OF THE SAID EAST RIGHT OF WAY LINE AND THE WEST LINE OF SAID RESERVED PARCEL A1 A DISTANCE OF 80.00 FEET TO A POINT ON THE SOUTH RIGHT OF WAY LINE OF CITATION BOULEVARD AFORESAID; THENCE S53°29'57"W ALONG SAID SOUTH RIGHT OF WAY A DISTANCE OF 28.73 FEET TO THE NORTHWEST CORNER OF THOSE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 2370, PAGE 523, PUBLIC RECORDS OF FLAGLER COUNTY, FLORIDA, AND THE POINT OF BEGINNING; THENCE S53°29'57"W CONTINUING ALONG SAID RIGHT OF WAY A DISTANCE OF 1076.65 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE NORTHWESTERLY, HAVING A RADIUS OF 2860.00 FEET, A CENTRAL ANGLE OF 22°18'53", BEING SUBTENDED BY A CHORD BEARING OF S64°43'14"W AND A CHORD DISTANCE OF 1106.84 FEET; THENCE WESTERLY ALONG SAID CURVE TO THE RIGHT FOR AN ARC LENGTH OF 1113.87 FEET TO THE NORTHEAST CORNER OF THOSE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 641, PAGE 1051, PUBLIC RECORDS OF FLAGLER COUNTY, FLORIDA; THENCE DEPARTING SAID RIGHT OF WAY AND ALONG THE EAST LINE OF SAID LANDS S05°08'56"E A DISTANCE OF 899.94 FEET TO THE SOUTHEAST CORNER OF SAID LANDS; THENCE S84°57'19"W ALONG THE SOUTH LINE OF SAID LANDS A DISTANCE OF 479.57 FEET TO THE NORTHEAST CORNER OF LOT 4, CITATION COMMERCE PARK, AS RECORDED IN MAP BOOK 35, PAGES 61 AND 62, PUBLIC RECORDS OF FLAGLER COUNTY, FLORIDA; THENCE DEPARTING SAID LANDS AND ALONG THE EAST LINE OF SAID LOT 4, S05°07'00"E A DISTANCE OF 293.52 FEET TO A POINT ON A CURVE CONCAVE SOUTHWESTERLY HAVING A RADIUS OF 1152.42 FEET, A CENTRAL ANGLE OF 13°40'32", BEING SUBTENDED WITH A CHORD BEARING OF S54°26'58"E AND A CHORD DISTANCE OF 274.41 FEET; THENCE DEPARTING SAID EAST LINE AND SOUTHEASTERLY ALONG SAID CURVE TO THE RIGHT FOR AN ARC LENGTH OF 275.07 FEET; THENCE ON A NON TANGENT LINE S39°55'37"E A DISTANCE OF 604.62 FEET; THENCE S43°17'34"E A DISTANCE OF 148.95 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE SOUTHWESTERLY, HAVING A RADIUS OF 190.00 FEET, A CENTRAL ANGLE OF 48°20'38", BEING SUBTENDED BY A CHORD BEARING OF S19°07'15"E AND A CHORD DISTANCE OF 155.60 FEET; THENCE THENCE SOUTHERLY ALONG SAID CURVE TO THE RIGHT FOR AN ARC LENGTH OF 160.31 FEET TO THE POINT OF TANGENCY THEREOF; THENCE S05°03'04"W A DISTANCE OF 161.23 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE TO EASTERLY, HAVING A RADIUS OF 550.00 FEET, A CENTRAL ANGLE OF 04°33'57", BEING SUBTENDED WITH A CHORD BEARING OF S02°46'06"W AND A CHORD DISTANCE OF 43.82 FEET TO THE POINT OF TANGENCY THEREOF; THENCE S00°29'07"W FOR A DISTANCE OF 127.41 FEET THENCE N86°36'10"E ALONG A NORTHERLY LINE OF THOSE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 1887, PAGE 1476, PUBLIC RECORDS OF FLAGLER COUNTY, FLORIDA, A DISTANCE OF 1263.11 FEET; THENCE N75°00'26"E CONTINUING ALONG SAID NORTHERLY LINE A DISTANCE OF 1393.40 FEET TO A POINT ON A WESTERLY LINE OF THOSE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 2370, PAGE 523, PUBLIC RECORDS OF FLAGLER COUNTY, FLORIDA; THENCE EASTERLY ALONG THE PROLONGATION OF THE PREVIOUSLY DESCRIBED NORTHERLY LINE, N75°00'26"E A DISTANCE OF 1015.01 FEET TO A POINT ON THE WESTERLY LINE OF THOSE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 2370, PAGE 523, AFORESAID; THENCE ALONG THE SAID WESTERLY LINES THE FOLLOWING CALLS AND DISTANCES, N19°01'56"W A DISTANCE OF 278.67 FEET; THENCE N42°18'09"W A DISTANCE OF 401.72 FEET; THENCE N30°24'29"W A DISTANCE OF 50.00 FEET TO A POINT ON A NON TANGENT CURVE CONCAVE NORTHWESTERLY, HAVING A RADIUS OF 375.00 FEET, A CENTRAL ANGLE OF 24°29'34", BEING SUBTENDED BY A CHORD BEARING OF S71°50'18"W AND A CHORD DISTANCE OF 159.09 FEET; THENCE WESTERLY ALONG SAID CURVE TO THE RIGHT FOR AN ARC LENGTH OF 160.30 FEET; THENCE N36°13'54"W A DISTANCE OF 403.20 FEET; THENCE N14°49'44"E A DISTANCE OF 234.68 FEET; THENCE N38°16'50"W A DISTANCE OF 2229.65 FEET TO THE POINT OF BEGINNING.

SUBJECT PROPERTY CONTAINING 8,915,986 SQUARE FEET AND/OR 204.68 ACRES MORE OR LESS.



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14775 Old St. Augustine Road, Jacksonville, FL 32258
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CA - 00002584 LC - 0000316

DISTRICT LEGAL DESCRIPTION

LANDINGS COMMUNITY DEVELOPMENT DISTRICT

CITY OF PALM COAST, FLORIDA

ETM NO. 20-338-01

DRAWN BY: CJG

DATE: 9/2/2022

PLATE NO. 3

SECTION 3

RESOLUTION 2023-03

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE LANDINGS COMMUNITY DEVELOPMENT DISTRICT AUTHORIZING DISTRICT PROJECTS FOR CONSTRUCTION AND/OR ACQUISITION OF INFRASTRUCTURE IMPROVEMENTS; EQUALIZING, APPROVING, CONFIRMING, AND LEVYING SPECIAL ASSESSMENTS ON PROPERTY SPECIALLY BENEFITED BY SUCH PROJECTS TO PAY THE COST THEREOF; PROVIDING FOR THE PAYMENT AND THE COLLECTION OF SUCH SPECIAL ASSESSMENTS BY THE METHODS PROVIDED FOR BY CHAPTERS 170, 190, AND 197, FLORIDA STATUTES; CONFIRMING THE DISTRICT'S INTENTION TO ISSUE SPECIAL ASSESSMENT BONDS; MAKING PROVISIONS FOR TRANSFERS OF REAL PROPERTY TO GOVERNMENTAL BODIES; PROVIDING FOR THE RECORDING OF AN ASSESSMENT NOTICE; PROVIDING FOR SEVERABILITY, CONFLICTS AND AN EFFECTIVE DATE.

WHEREAS, the Landings Community Development District (the “District”) previously indicated its intention to construct certain types of infrastructure improvements and to finance such infrastructure improvements through the issuance of bonds, which bonds would be repaid by the imposition of special assessments on benefited property within the District; and

WHEREAS, the District Board of Supervisors (the “Board”) noticed and conducted a public hearing pursuant to Chapters 170, 190, and 197, *Florida Statutes*, relating to the imposition, levy, collection and enforcement of such assessments.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE LANDINGS COMMUNITY DEVELOPMENT DISTRICT AS FOLLOWS:

SECTION 1. AUTHORITY FOR THIS RESOLUTION. This Resolution is adopted pursuant to Chapters 170, 190, and 197, *Florida Statutes*, including without limitation, Section 170.08, *Florida Statutes*.

SECTION 2. FINDINGS. The Board hereby finds and determines as follows:

(a) The District is a local unit of special-purpose government organized and existing under and pursuant to Chapter 190, *Florida Statutes*, as amended.

(b) The District is authorized by Chapter 190, *Florida Statutes*, to finance, fund, plan, establish, acquire, install, equip, operate, extend, construct, or reconstruct lift stations, potable water, reclaimed water, and sanitary sewer; subdivision stormwater management facilities and drainage collection system; hardscape, landscape, irrigation, fencing, and signage; off-site

transportation improvements; and other infrastructure projects and services necessitated by the development of, and serving lands within, the District, together the “Improvements.”

(c) The District is authorized by Chapter 190, *Florida Statutes*, to levy and impose special assessments to pay all, or any part of, the cost of such infrastructure projects and services and to issue special assessment bonds payable from such special assessments as provided in Chapters 170, 190, and 197, *Florida Statutes*.

(d) It is necessary to the public health, safety and welfare and in the best interests of the District that (i) the District provide the capital improvements (“Capital Improvements”), the nature and location of which is described in the District’s *Engineer’s Report for Capital Improvements*, dated September 8, 2022 (the “Engineer’s Report”) (attached as **Exhibit A** hereto and incorporated herein by this reference), and which the plans and specifications are on file at the office of the District Manager c/o Governmental Management Services-CF, LLC, 219 East Livingston Street, Orlando, FL 32801 (“District Records Offices”); (ii) the cost of such Capital Improvements be assessed against the lands specially benefited by such Capital Improvements; and (iii) the District issue bonds to provide funds for such purposes pending the receipt of such special assessments.

(e) The provision of said Capital Improvements, the levying of such Assessments (hereinafter defined) and the sale and issuance of such bonds serves a proper, essential, and valid public purpose and is in the best interests of the District, its landowners, and residents.

(f) In order to provide funds with which to pay all or a portion of the costs of the Capital Improvements which are to be assessed against the benefitted properties, pending the collection of such Assessments, it is necessary for the District from time to time to sell and issue its Special Assessment Bonds, in one or more series (the “Bonds”).

(g) By Resolution 2022-14, the Board determined to provide the Capital Improvements and to defray the costs thereof by making Assessments on benefited property and expressed an intention to issue Bonds, notes or other specific financing mechanisms to provide all or a portion of the funds needed for the Capital Improvements prior to the collection of such Assessments. Resolution 2022-14 was adopted in compliance with the requirements of Section 170.03, *Florida Statutes*, and prior to the time it was adopted, the requirements of Section 170.04, *Florida Statutes*, had been met.

(h) As directed by Resolution 2022-14, said Resolution 2022-14 was published as required by Section 170.05, *Florida Statutes*, and a copy of the publisher’s affidavit of publication is on file with the Secretary of the Board.

(i) As directed by Resolution 2022-14, a preliminary assessment roll was adopted and filed with the Board as required by Section 170.06, *Florida Statutes*.

(j) As required by Section 170.07, *Florida Statutes*, upon completion of the preliminary assessment roll, the Board adopted Resolution 2022-15, fixing the time and place of a public hearing at which owners of the property to be assessed and other persons interested therein may appear before the Board and be heard as to (1) the propriety and advisability of making the infrastructure improvements, (2) the cost thereof, (3) the manner of payment therefore, and (4) the

amount thereof to be assessed against each specially benefited property or parcel and provided for publication of notice of such public hearing and individual mailed notice in accordance with Chapters 170, 190, and 197, *Florida Statutes*.

(k) Notice of such public hearing was given by publication and also by mail as required by Section 170.07, *Florida Statutes*. Affidavits as to such publications and mailings are on file in the office of the Secretary of the Board.

(l) On November 18, 2022, at the time and place specified in Resolution 2022-15 and the notice referred to in paragraph (k) above, the Board met as an Equalization Board, conducted such public hearing, and heard and considered all complaints and testimony as to the matters described in paragraph (j) above. The Board has made such modifications in the preliminary assessment roll as it deems necessary, just and right in the making of the final assessment roll.

(m) Having considered the estimated costs of the Capital Improvements, estimates of financing costs and all complaints and evidence presented at such public hearing, the Board further finds and determines:

i. that the estimated costs of the Capital Improvements is as specified in the Engineer's Report, which Engineer's Report is hereby adopted and approved, and that the amount of such costs is reasonable and proper; and

ii. it is reasonable, proper, just and right to assess the cost of such Capital Improvements against the properties specially benefited thereby using the method determined by the Board set forth in the *Master Assessment Methodology*, dated September 16, 2022 (the "Assessment Report," attached hereto as **Exhibit B** and incorporated herein by this reference), for the Bonds, which results in the special assessments set forth on the final assessment roll included within such Exhibit B (the "Assessments"); and

iii. the Assessment Report is hereby approved, adopted and confirmed. The District ratifies its use in connection with the issuance of the Bonds;

iv. it is hereby declared that the Capital Improvements will constitute a special benefit to all parcels of real property listed on said final assessment roll and that the benefit, in the case of each such parcel, will be equal to or in excess of the Assessments thereon when allocated as set forth in Exhibit B;

v. that the costs of the Capital Improvements are fairly and reasonably apportioned to the properties specifically benefitted as set forth in Exhibit B;

vi. it is in the best interests of the District that the Assessments be paid and collected as herein provided; and

vii. it is reasonable, proper, just and right for the District to utilize the true-up mechanisms and calculations contained in the Assessment Report in order to ensure that all parcels of real property benefiting from the Capital Improvements are assessed accordingly and that sufficient assessment receipts are being generated in

order to pay the corresponding bond debt-service when due;

SECTION 3. AUTHORIZATION OF DISTRICT PROJECT. That construction of Capital Improvements initially described in Resolution No. 2022-14, and more specifically identified and described in Exhibit A attached hereto, is hereby authorized and approved and the proper officers, employees and/or agents of the District are hereby authorized and directed to take such further action as may be necessary or desirable to cause the same to be made.

SECTION 4. ESTIMATED COST OF IMPROVEMENTS. The total estimated costs of the Capital Improvements and the costs to be paid by Assessments on all specially benefited property are set forth in Exhibits A and B, respectively, hereto.

SECTION 5. EQUALIZATION, APPROVAL, CONFIRMATION AND LEVY OF SPECIAL ASSESSMENTS. The Assessments on the parcels specially benefited by the Capital Improvements, all as specified in the final assessment roll set forth in Exhibit B, attached hereto, are hereby equalized, approved, confirmed and levied. Immediately following the adoption of this Resolution, these Assessments, as reflected in Exhibit B attached hereto, shall be recorded by the Secretary of the Board of the District in a special book, to be known as the "Improvement Lien Book." The Assessment or assessments against each respective parcel shown on such final assessment roll and interest, costs and penalties thereon, as hereafter provided, shall be and shall remain a legal, valid and binding first lien on such parcel until paid and such lien shall be coequal with the lien of all state, county, district, municipal or other governmental taxes and superior in dignity to all other liens, titles, and claims. Prior to the issuance of any Bonds, including refunding bonds, the District may, by subsequent resolution, adjust the acreage assigned to particular parcel identification numbers listed on the final assessment roll to reflect accurate apportionment of acreage within the District amongst individual parcel identification numbers. The District may make any other such acreage and boundary adjustments to parcels listed on the final assessment roll as may be necessary in the best interests of the District as determined by the Board by subsequent resolution. Any such adjustment in the assessment roll shall be consistent with the requirements of law. In the event the issuance of Bonds, including refunding bonds, by the District would result in a decrease of the Assessments, then the District shall by subsequent resolution, adopted within sixty (60) days of the sale of such Bonds at a publicly noticed meeting and without the need for further public hearing, evidence such a decrease and amend the final assessment roll as shown in the Improvement Lien Book to reflect such a decrease.

SECTION 6. FINALIZATION OF SPECIAL ASSESSMENTS. When the entire Capital Improvements project has both been constructed or otherwise provided to the satisfaction of the Board, the Board shall adopt a resolution accepting the same and determining the actual costs (including financing costs) thereof, as required by Sections 170.08 and 170.09, *Florida Statutes*. Pursuant to the provisions of Section 170.08, *Florida Statutes*, regarding completion of a project funded by a particular series of bonds, the District shall credit to each Assessment the difference, if any, between the Assessment as hereby made, approved and confirmed and the proportionate part of the actual costs of the Capital Improvements, as finally determined upon completion thereof, but in no event shall the final amount of any such special assessment exceed the amount of benefits originally assessed hereunder. In making such credits, no credit shall be given for bond financing costs, capitalized interest, funded reserves or bond discounts. Such credits, if any, shall be entered in the Improvement Lien Book.

SECTION 7. PAYMENT OF SPECIAL ASSESSMENTS AND METHOD OF COLLECTION.

(a) The Assessments may be paid in not more than thirty (30) substantially equal consecutive annual installments of principal and interest. The Assessments may be paid in full without interest at any time within thirty (30) days after the completion of the Capital Improvements and the adoption by the Board of a resolution accepting the Capital Improvements, unless such option has been waived by the owner of the land subject to the Assessments; provided, however, that the Board shall at any time make such adjustments by resolution, at a noticed meeting of the Board, to that payment schedule as may be necessary and in the best interests of the District to account for changes in long and short term debt as actually issued by the District. All impact fee credits received and/or value received for impact fee credits shall be applied against the Capital Improvements costs and/or the outstanding indebtedness of any debt issuance that funded the improvement giving rise to the credits which application may be addressed by such resolutions. At any time subsequent to thirty (30) days after the Capital Improvements have been completed and a resolution accepting the Capital Improvements has been adopted by the Board, the Assessments may be prepaid in full including interest amounts to the next succeeding interest payment date or to the second succeeding interest payment date if such a prepayment is made within forty-five (45) calendar days before an interest payment date. The owner of property subject to Assessments may prepay the entire remaining balance of the Assessments at any time, or a portion of the remaining balance of the Assessment one time if there is also paid, in addition to the prepaid principal balance of the Assessment, an amount equal to the interest that would otherwise be due on such prepaid amount on the next succeeding interest payment date, or, if prepaid during the forty-five day (45) period preceding such interest payment date, to the interest payment date following such next succeeding interest payment date. Prepayment of Assessments does not entitle the property owner to any discounts for early payment.

(b) The District may elect to use the method of collecting Assessments authorized by Sections 197.3632 and 197.3635, *Florida Statutes* (the "Uniform Method"). The District has heretofore taken or will use its best efforts to take as timely required, any necessary actions to comply with the provisions of said Sections 197.3632 and 197.3635, *Florida Statutes*. Such Assessments may be subject to all of the collection provisions of Chapter 197, *Florida Statutes*. Notwithstanding the above, in the event the Uniform Method of collecting its special or non-ad valorem assessments is not available to the District in any year, or if determined by the District to be in its best interest, the Assessments may be collected as is otherwise permitted by law. The District may, in its sole discretion, collect Assessments by directly assessing landowner(s) and enforcing said collection in any manner authorized by law.

(c) For the period the District uses the Uniform Method, the District shall enter into an agreement with the Tax Collector of Flagler County who may notify each owner of a lot or parcel within the District of the amount of the special assessment, including interest thereon, in the manner provided in Section 197.3635, *Florida Statutes*.

SECTION 8. APPLICATION OF TRUE-UP PAYMENTS.

(a) Pursuant to the Assessment Report, attached hereto as Exhibit B, there may be required from time to time certain true-up payments. As parcels of land or lots are platted, the

Assessments securing the Bonds shall be allocated as set forth in the Assessment Report. In furtherance thereof, at such time as parcels or land or lots are platted, it shall be an express condition of the lien established by this Resolution that any and all initial plats of any portion of the lands within the District, as the District's boundaries may be amended from time to time, shall be presented to the District Manager for review, approval and calculation of the percentage of acres and numbers of units which will be, after the plat, considered to be developed. No further action by the Board of Supervisors shall be required. The District's review shall be limited solely to this function and the enforcement of the lien established by this Resolution. The District Manager shall cause the Assessments to be reallocated to the units being platted and the remaining property in accordance with Exhibit B, cause such reallocation to be recorded in the District's Improvement Lien Book, and shall perform the true-up calculations described in Exhibit B, which process is incorporated herein as if fully set forth (the "True-Up Methodology"). Any resulting true-up payment shall become due and payable that tax year by the landowner(s) of record of the remaining unplatted property, in addition to the regular assessment installment payable with respect to such remaining unplatted acres.

(b) The District will take all necessary steps to ensure that true-up payments are made in a timely fashion to ensure its debt service obligations are met. The District shall record all true-up payments in its Improvement Lien Book.

(c) The foregoing is based on the District's understanding with landowner and/or developer that it intends to develop the unit numbers and types shown in Exhibit B, on the net developable acres and is intended to provide a formula to ensure that the appropriate ratio of the Assessments to gross acres is maintained if fewer units are developed. However, no action by the District prohibits more than the maximum units shown in Exhibit B from being developed. In no event shall the District collect Assessments pursuant to this Resolution in excess of the total debt service related to the Capital Improvements, including all costs of financing and interest. The District recognizes that such events as regulatory requirements and market conditions may affect the timing and scope of the development in the District. If the strict application of the True-Up Methodology to any assessment reallocation pursuant to this paragraph would result in Assessments collected in excess of the District's total debt service obligation for the Capital Improvements, the Board shall by resolution take appropriate action to equitably reallocate the Assessments. Further, upon the District's review of the final plat for the developable acres, any unallocated Assessments shall become due and payable and must be paid prior to the District's approval of that plat.

(d) The application of the monies received from true-up payments or Assessments to the actual debt service obligations of the District, whether long term or short term, shall be set forth in the supplemental assessment resolution adopted for each series of Bonds actually issued. Such subsequent resolution shall be adopted at a noticed meeting of the District, and shall set forth the actual amounts financed, costs of issuance, expected costs of collection, and the total amount of the assessments pledged to that issue, which amount shall be consistent with the lien imposed by this Resolution. Each such supplemental resolution shall also address the allocation of any impact fee credits expected to be received from the provision of the project funded by the corresponding series of Bonds issued or to be issued.

SECTION 9. GOVERNMENT PROPERTY; TRANSFERS OF PROPERTY TO UNITS OF

LOCAL, STATE, AND FEDERAL GOVERNMENT. Property owned by units of local, state, and federal government shall not be subject to the Assessments without specific consent thereto. If at any time, any real property on which Assessments are imposed by this Resolution is sold or otherwise transferred to a unit of local, state, or federal government (without consent of such governmental unit to the imposition of Assessments thereon), all future unpaid Assessments for such tax parcel shall become due and payable immediately prior to such transfer without any further action of the District.

SECTION 10. ASSESSMENT NOTICE. The District's Secretary is hereby directed to record a general Notice of Assessments in the Official Records of Flagler County, Florida, which shall be updated from time to time in a manner consistent with changes in the boundaries of the District.

SECTION 11. SEVERABILITY. If any section or part of a section of this Resolution be declared invalid or unconstitutional, the validity, force and effect of any other section or part of a section of this Resolution shall not thereby be affected or impaired unless it clearly appears that such other section or part of a section of this Resolution is wholly or necessarily dependent upon the section or part of a section so held to be invalid or unconstitutional.

SECTION 12. CONFLICTS. All resolutions or parts thereof in conflict herewith are, to the extent of such conflict, superseded and repealed.

SECTION 13. EFFECTIVE DATE. This Resolution shall become effective upon its adoption.

[Remainder of this page intentionally left blank]

APPROVED AND ADOPTED this 18th day of November 2022.

ATTEST:

**LANDINGS COMMUNITY
DEVELOPMENT DISTRICT**

Secretary/Assistant Secretary

Chairperson, Board of Supervisors

Exhibit A: *Engineer's Report for Capital Improvements*, dated September 8, 2022

Exhibit B: *Master Assessment Methodology*, dated September 16, 2022

SECTION B

RESOLUTION 2023-04

RESOLUTION OF THE BOARD OF SUPERVISORS OF THE LANDINGS COMMUNITY DEVELOPMENT DISTRICT EXPRESSING ITS INTENT TO UTILIZE THE UNIFORM METHOD OF LEVYING, COLLECTING, AND ENFORCING NON-AD VALOREM ASSESSMENTS WHICH MAY BE LEVIED BY THE LANDINGS COMMUNITY DEVELOPMENT DISTRICT IN ACCORDANCE WITH SECTION 197.3632, FLORIDA STATUTES; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Landings Community Development District (“District”) was established pursuant to the provisions of Chapter 190, *Florida Statutes*, which authorizes the District to levy certain assessments which include benefit and maintenance assessments and further authorizes the District to levy special assessments pursuant to Chapters 170 and 197, *Florida Statutes*, for the acquisition, maintenance, construction, or reconstruction of assessable improvements authorized by Chapter 190, *Florida Statutes*; and

WHEREAS, the above referenced assessments are non-ad valorem in nature and, therefore, may be levied and collected under the provisions of Section 197.3632, *Florida Statutes*, in which the State of Florida has provided a uniform method for the levying, collecting, and enforcing such non-ad valorem assessments (the “Uniform Method”); and

WHEREAS, the Board has previously adopted a resolution declaring the intent to use the Uniform Method for the levy, collection and enforcement of non-ad valorem special assessments authorized by Section 197.3632, *Florida Statutes*, over certain lands within the District as described therein; and

WHEREAS, pursuant to Section 197.3632, *Florida Statutes*, the District has caused notice of a public hearing on the District’s intent to use the Uniform Method to be advertised weekly in a newspaper of general circulation within Flagler County for four (4) consecutive weeks prior to such hearing; and

WHEREAS, the District has held a public hearing pursuant to Section 197.3632, *Florida Statutes*, where public and landowners were allowed to give testimony regarding the use of the Uniform Method; and

WHEREAS, the District desires to use the Uniform Method for the levy, collection and enforcement of non-ad valorem special assessments authorized by Section 197.3632, *Florida Statutes*, for special assessments, including benefit and maintenance assessments, over all the lands in the District as further described in **Exhibit A**.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE LANDINGS COMMUNITY DEVELOPMENT DISTRICT:

SECTION 1. The Landings Community Development District upon conducting its public hearing as required by Section 197.3632, *Florida Statutes*, hereby expresses its need and intent to use the Uniform Method of collecting assessments imposed by the District over the lands described in **Exhibit A**, as provided in Chapters 170 and 190, *Florida Statutes*, each of which are non-ad valorem assessments may be collected annually pursuant to the provisions of Chapter 190, *Florida Statutes*, for the purpose of paying principal and interest on any and all of its indebtedness and for the purpose of paying the cost of operating and maintaining its assessable improvements. The legal description of the boundaries of the real property subject to a levy of assessments is attached and made a part of this Resolution as **Exhibit A**. The non-ad valorem assessments and the District's use of the Uniform Method of collecting its non-ad valorem assessment(s) may continue in any given year when the Board of Supervisors determines that use of the uniform method for that year is in the best interests of the District.

SECTION 2. The District's Secretary is authorized to provide the Property Appraiser and Tax Collector of Flagler County and the Department of Revenue of the State of Florida with a copy of this Resolution and enter into any agreements with the Property Appraiser and/or Tax Collector necessary to carry out the provisions of this Resolution.

SECTION 3. If any provision of this Resolution is held to be illegal or invalid, the other provisions shall remain in full force and effect.

SECTION 4. This Resolution shall become effective upon its passage and shall remain in effect unless rescinded or repealed.

PASSED AND ADOPTED this 18th day of November 2022.

ATTEST:

LANDINGS COMMUNITY DEVELOPMENT DISTRICT

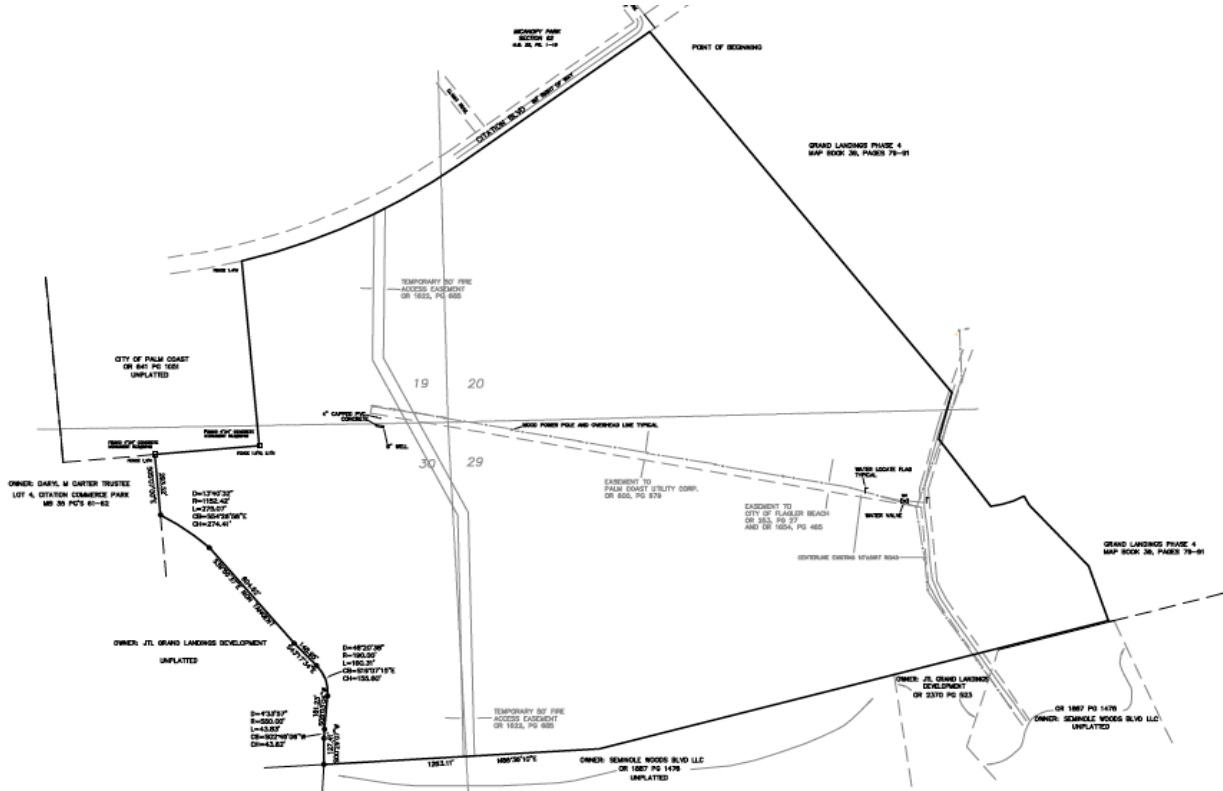
Secretary/Assistant Secretary

Chairperson, Board of Supervisors

Exhibit A: Legal Description of Landings Community Development District

EXHIBIT A

Legal Description of Landings Community Development District



MAP OF BOUNDARY SURVEY OF

DESCRIPTION

PART OF SECTIONS 19, 20, 29 AND 30, TOWNSHIP 12 SOUTH, RANGE 31 EAST, FLAGLER COUNTY, FLORIDA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWEST CORNER OF RESERVED PARCEL A1, LAGUNA FOREST, SECTION 64, SEMINOLE WOODS, AS RECORDED IN MAP BOOK 18, PAGES 36 THROUGH 43, PUBLIC RECORDS OF FLAGLER COUNTY, FLORIDA, SAID POINT ALSO BEING THE INTERSECTION OF THE NORTH RIGHT OF WAY LINE OF CITATION BOULEVARD AND THE EAST RIGHT OF WAY LINE OF LAGUNA FOREST TRAIL, THENCE S36°30'03"E ALONG THE SOUTHERLY EXTENSION OF THE SAID EAST RIGHT OF WAY LINE AND THE WEST LINE OF SAID RESERVED PARCEL AT A DISTANCE OF 80.00 FEET TO A POINT ON THE SOUTH RIGHT OF WAY LINE OF CITATION BOULEVARD AFORESAID; THENCE S53°29'57"W ALONG SAID SOUTH RIGHT OF WAY A DISTANCE OF 28.73 FEET TO THE NORTHWEST CORNER OF THOSE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 2370, PAGE 523, PUBLIC RECORDS OF FLAGLER COUNTY, FLORIDA, AND THE POINT OF BEGINNING; THENCE S53°29'57"W CONTINUING ALONG SAID RIGHT OF WAY A DISTANCE OF 1076.65 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE NORTHWESTERLY, HAVING A RADIUS OF 2860.00 FEET, A CENTRAL ANGLE OF 22°18'53", BEING SUBTENDED BY A CHORD BEARING OF S64°43'14"W AND A CHORD DISTANCE OF 1106.84 FEET; THENCE WESTERLY ALONG SAID CURVE TO THE RIGHT FOR AN ARC LENGTH OF 1113.87 FEET TO THE NORTHEAST CORNER OF THOSE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 641, PAGE 1051, PUBLIC RECORDS OF FLAGLER COUNTY, FLORIDA; THENCE DEPARTING SAID RIGHT OF WAY AND ALONG THE EAST LINE OF SAID LANDS S05°08'56"E A DISTANCE OF 899.94 FEET TO THE SOUTHEAST CORNER OF SAID LANDS; THENCE S84°57'19"W ALONG THE SOUTH LINE OF SAID LANDS A DISTANCE OF 479.57 FEET TO THE NORTHEAST CORNER OF LOT 4, CITATION COMMERCE PARK, AS RECORDED IN MAP BOOK 35, PAGES 61 AND 62, PUBLIC RECORDS OF FLAGLER COUNTY, FLORIDA; THENCE DEPARTING SAID LANDS AND ALONG THE EAST LINE OF SAID LOT 4, S05°07'00"E A DISTANCE OF 293.52 FEET TO A POINT ON A CURVE CONCAVE SOUTHWESTERLY HAVING A RADIUS OF 1152.42 FEET, A CENTRAL ANGLE OF 13°40'32", BEING SUBTENDED WITH A CHORD BEARING OF S54°26'58"E AND A CHORD DISTANCE OF 274.41 FEET; THENCE DEPARTING SAID EAST LINE AND SOUTHEASTERLY ALONG SAID CURVE TO THE RIGHT FOR AN ARC LENGTH OF 275.07 FEET; THENCE ON A NON TANGENT LINE S39°55'37"E A DISTANCE OF 604.62 FEET; THENCE S43°17'34"E A DISTANCE OF 148.95 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE SOUTHWESTERLY, HAVING A RADIUS OF 190.00 FEET, A CENTRAL ANGLE OF 48°20'38", BEING SUBTENDED BY A CHORD BEARING OF S19°07'15"E AND A CHORD DISTANCE OF 155.60 FEET; THENCE THENCE SOUTHERLY ALONG SAID CURVE TO THE RIGHT FOR AN ARC LENGTH OF 160.31 FEET TO THE POINT OF TANGENCY THEREOF; THENCE S05°03'04"W A DISTANCE OF 161.23 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE TO EASTERLY, HAVING A RADIUS OF 550.00 FEET, A CENTRAL ANGLE OF 04°33'57", BEING SUBTENDED WITH A CHORD BEARING OF S02°46'06"W AND A CHORD DISTANCE OF 43.82 FEET TO THE POINT OF TANGENCY THEREOF; THENCE S00°29'07"W FOR A DISTANCE OF 127.41 FEET THENCE N86°36'10"E ALONG A NORTHERLY LINE OF THOSE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 1887, PAGE 1476, PUBLIC RECORDS OF FLAGLER COUNTY, FLORIDA, A DISTANCE OF 1263.11 FEET; THENCE N75°00'26"E CONTINUING ALONG SAID NORTHERLY LINE A DISTANCE OF 1393.40 FEET TO A POINT ON A WESTERLY LINE OF THOSE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 2370, PAGE 523, PUBLIC RECORDS OF FLAGLER COUNTY, FLORIDA; THENCE EASTERLY ALONG THE PROLONGATION OF THE PREVIOUSLY DESCRIBED NORTHERLY LINE, N75°00'26"E A DISTANCE OF 1015.01 FEET TO A POINT ON THE WESTERLY LINE OF THOSE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 2370, PAGE 523, AFORESAID; THENCE ALONG THE SAID WESTERLY LINES THE FOLLOWING CALLS AND DISTANCES, N19°01'56"W A DISTANCE OF 278.67 FEET; THENCE N42°18'09"W A DISTANCE OF 401.72 FEET; THENCE N30°24'29"W A DISTANCE OF 50.00 FEET TO A POINT ON A NON TANGENT CURVE CONCAVE NORTHWESTERLY, HAVING A RADIUS OF 375.00 FEET, A CENTRAL ANGLE OF 24°29'34", BEING SUBTENDED BY A CHORD BEARING OF S71°50'18"W AND A CHORD DISTANCE OF 159.09 FEET; THENCE WESTERLY ALONG SAID CURVE TO THE RIGHT FOR AN ARC LENGTH OF 160.30 FEET; THENCE N36°13'54"W A DISTANCE OF 403.20 FEET; THENCE N14°49'44"E A DISTANCE OF 234.68 FEET; THENCE N38°16'50"W A DISTANCE OF 2229.65 FEET TO THE POINT OF BEGINNING.

SUBJECT PROPERTY CONTAINING 8,915,986 SQUARE FEET AND/OR 204.68 ACRES MORE OR LESS.

SECTION C

RESOLUTION 2023-05

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE LANDINGS COMMUNITY DEVELOPMENT DISTRICT ADOPTING RULES OF PROCEDURE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Landings Community Development District (“**District**”) is a local unit of special-purpose government created and existing pursuant to Chapter 190, *Florida Statutes*, being situated entirely within the City of Palm Coast, Florida; and

WHEREAS, Chapter 190, *Florida Statutes*, authorizes the District to adopt rules to govern the administration of the District and to adopt resolutions as may be necessary for the conduct of District business; and

WHEREAS, to provide for efficient and effective District operations and to maintain compliance with recent changes to Florida law, the Board of Supervisors finds that it is in the best interests of the District to adopt by resolution the Rules of Procedure attached hereto as **Exhibit A** for immediate use and application; and

WHEREAS, the Board of Supervisors has complied with applicable Florida law concerning rule development and adoption.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE LANDINGS COMMUNITY DEVELOPMENT DISTRICT:

SECTION 1. The attached Rules of Procedure are hereby adopted pursuant to this resolution as necessary for the conduct of District business. These Rules of Procedure shall stay in full force and effect until such time as the Board of Supervisors may amend these rules in accordance with Chapter 190, *Florida Statutes*.

SECTION 2. If any provision of this resolution is held to be illegal or invalid, the other provisions shall remain in full force and effect.

SECTION 3. This resolution shall become effective upon its passage and shall remain in effect unless rescinded or repealed.

PASSED AND ADOPTED this 18th day of November 2022.

ATTEST:

**LANDINGS COMMUNITY
DEVELOPMENT DISTRICT**

Secretary/Assistant Secretary

Chairperson, Board of Supervisors

Exhibit A: Rules of Procedure

EXHIBIT A:
RULES OF PROCEDURE
LANDINGS COMMUNITY DEVELOPMENT DISTRICT
EFFECTIVE AS OF November 18, 2022

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Rule 1.0 General.

- (1) The Landings Community Development District (“District”) was created pursuant to the provisions of Chapter 190 of the Florida Statutes, and was established to provide for the ownership, operation, maintenance, and provision of various capital facilities and services within its jurisdiction. The purpose of these rules (“Rules”) is to describe the general operations of the District.
- (2) Definitions located within any section of these Rules shall be applicable within all other sections, unless specifically stated to the contrary.
- (3) Unless specifically permitted by a written agreement with the District, the District does not accept documents filed by electronic mail or facsimile transmission. Filings are only accepted during normal business hours.
- (4) A Rule of the District shall be effective upon adoption by affirmative vote of the District Board. After a Rule becomes effective, it may be repealed or amended only through the rulemaking procedures specified in these Rules. Notwithstanding, the District may immediately suspend the application of a Rule if the District determines that the Rule conflicts with Florida law. In the event that a Rule conflicts with Florida law and its application has not been suspended by the District, such Rule should be interpreted in the manner that best effectuates the intent of the Rule while also complying with Florida law. If the intent of the Rule absolutely cannot be effectuated while complying with Florida law, the Rule shall be automatically suspended.

Specific Authority: §§ 190.011(5), 190.011(15), Fla. Stat.

Law Implemented: §§ 190.011(5), 190.011(15), Fla. Stat.

Rule 1.1 Board of Supervisors; Officers and Voting.

- (1) Board of Supervisors. The Board of Supervisors of the District (“Board”) shall consist of five (5) members. Members of the Board (“Supervisors”) appointed by ordinance or rule or elected by landowners must be citizens of the United States of America and residents of the State of Florida. Supervisors elected or appointed by the Board to elector seats must be citizens of the United States of America, residents of the State of Florida and of the District and registered to vote with the Supervisor of Elections of the county in which the District is located and for those elected, shall also be qualified to run by the Supervisor of Elections. The Board shall exercise the powers granted to the District under Florida law.
 - (a) Supervisors shall hold office for the term specified by Section 190.006 of the Florida Statutes. If, during the term of office, any Board member(s) vacates their office, the remaining member(s) of the Board shall fill the vacancies by appointment for the remainder of the term(s). If three or more vacancies exist at the same time, a quorum, as defined herein, shall not be required to appoint replacement Board members.
 - (b) Three (3) members of the Board shall constitute a quorum for the purposes of conducting business, exercising powers and all other purposes. A Board member shall be counted toward the quorum if physically present at the meeting, regardless of whether such Board member is prohibited from, or abstains from, participating in discussion or voting on a particular item.
 - (c) Action taken by the Board shall be upon a majority vote of the members present, unless otherwise provided in the Rules or required by law. Subject to Rule 1.3(10), a Board member participating in the Board meeting by teleconference or videoconference shall be entitled to vote and take all other action as though physically present.
 - (d) Unless otherwise provided for by an act of the Board, any one Board member may attend a mediation session on behalf of the Board. Any agreement resulting from such mediation session must be approved pursuant to subsection (1)(c) of this Rule.
- (2) Officers. At the first Board meeting held after each election where the newly elected members take office, the Board shall select a Chairperson, Vice-Chairperson, Secretary, Assistant Secretary, and Treasurer.
 - (a) The Chairperson must be a member of the Board. If the Chairperson resigns from that office or ceases to be a member of the Board, the Board shall select a Chairperson. The Chairperson serves at the pleasure of the Board. The Chairperson shall be authorized to execute resolutions and contracts on the District’s behalf. The Chairperson shall convene and conduct all meetings of the Board. In the event the Chairperson is unable to attend a meeting, the Vice-Chairperson shall convene and conduct the meeting. The Chairperson or Vice-Chairperson may delegate the responsibility of

conducting the meeting to the District's manager ("District Manager") or District Counsel, in whole or in part.

- (b) The Vice-Chairperson shall be a member of the Board and shall have such duties and responsibilities as specifically designated by the Board from time to time. The Vice-Chairperson has the authority to execute resolutions and contracts on the District's behalf in the absence of the Chairperson. If the Vice-Chairperson resigns from office or ceases to be a member of the Board, the Board shall select a Vice-Chairperson. The Vice-Chairperson serves at the pleasure of the Board.
- (c) The Secretary of the Board serves at the pleasure of the Board and need not be a member of the Board. The Secretary shall be responsible for maintaining the minutes of Board meetings and may have other duties assigned by the Board from time to time. An employee of the District Manager may serve as Secretary. The Secretary shall be bonded by a reputable and qualified bonding company in at least the amount of one million dollars (\$1,000,000), or have in place a fidelity bond, employee theft insurance policy, or a comparable product in at least the amount of one million dollars (\$1,000,000) that names the District as an additional insured.
- (d) The Treasurer need not be a member of the Board but must be a resident of the State of Florida. The Treasurer shall perform duties described in Section 190.007(2) and (3) of the Florida Statutes, as well as those assigned by the Board from time to time. The Treasurer shall serve at the pleasure of the Board. The Treasurer shall either be bonded by a reputable and qualified bonding company in at least the amount of one million dollars (\$1,000,000), or have in place a fidelity bond, employee theft insurance policy, or a comparable product in at least the amount of one million dollars (\$1,000,000) that names the District as an additional insured.
- (e) In the event that both the Chairperson and Vice-Chairperson are absent from a Board meeting and a quorum is present, the Board may designate one of its members or a member of District staff to convene and conduct the meeting. In such circumstances, any of the Board members present are authorized to execute agreements, resolutions, and other documents approved by the Board at such meeting. In the event that the Chairperson and Vice-Chairperson are both unavailable to execute a document previously approved by the Board, the Secretary or any Assistant Secretary may execute such document.
- (f) The Board may assign additional duties to District officers from time to time, which include, but are not limited to, executing documents on behalf of the District.
- (g) The Chairperson, Vice-Chairperson, and any other person authorized by District Resolution may sign checks and warrants for the District, countersigned by the Treasurer or other persons authorized by the Board.

- (3) Committees. The Board may establish committees of the Board, either on a permanent or temporary basis, to perform specifically designated functions. Committees may include individuals who are not members of the Board. Such functions may include, but are not limited to, review of bids, proposals, and qualifications, contract negotiations, personnel matters, and budget preparation.
- (4) Record Book. The Board shall keep a permanent record book entitled "Record of Proceedings," in which shall be recorded minutes of all meetings, resolutions, proceedings, certificates, and corporate acts. The Records of Proceedings shall be located at a District office and shall be available for inspection by the public.
- (5) Meetings. For each fiscal year, the Board shall establish a schedule of regular meetings, which shall be published in a newspaper of general circulation in the county in which the District is located and filed with the local general-purpose governments within whose boundaries the District is located. All meetings of the Board and Committees serving an advisory function shall be open to the public in accord with the provisions of Chapter 286 of the Florida Statutes.
- (6) Voting Conflict of Interest. The Board shall comply with Section 112.3143 of the Florida Statutes, so as to ensure the proper disclosure of conflicts of interest on matters coming before the Board for a vote. For the purposes of this section, "voting conflict of interest" shall be governed by the Florida Constitution and Chapters 112 and 190 of the Florida Statutes, as amended from time to time. Generally, a voting conflict exists when a Board member is called upon to vote on an item which would inure to the Board member's special private gain or loss or the Board member knows would inure to the special private gain or loss of a principal by whom the Board member is retained, the parent organization or subsidiary of a corporate principal, a business associate, or a relative including only a father, mother, son, daughter, husband, wife, brother, sister, father-in-law, mother-in-law, son-in-law, and daughter-in-law.
 - (a) When a Board member knows the member has a conflict of interest on a matter coming before the Board, the member should notify the Board's Secretary prior to participating in any discussion with the Board on the matter. The member shall publicly announce the conflict of interest at the meeting. This announcement shall appear in the minutes.

If the Board member was elected at a landowner's election or appointed to fill a vacancy of a seat last filled at a landowner's election, the Board member may vote or abstain from voting on the matter at issue. If the Board member was elected by electors residing within the District, the Board member is prohibited from voting on the matter at issue. In the event that the Board member intends to abstain or is prohibited from voting, such Board member shall not participate in the discussion on the item subject to the vote.

The Board's Secretary shall prepare a Memorandum of Voting Conflict (Form 8B) which shall then be signed by the Board member, filed with the

Board's Secretary, and provided for attachment to the minutes of the meeting within fifteen (15) days of the meeting.

- (b) If a Board member inadvertently votes on a matter and later learns he or she has a conflict on the matter, the member shall immediately notify the Board's Secretary. Within fifteen (15) days of the notification, the member shall file the appropriate Memorandum of Voting Conflict, which will be attached to the minutes of the Board meeting during which the vote on the matter occurred. The Memorandum of Voting Conflict shall immediately be provided to other Board members and shall be read publicly at the next meeting held subsequent to the filing of the Memorandum of Voting Conflict. The Board member's vote is unaffected by this filing.
- (c) It is not a conflict of interest for a Board member, the District Manager, or an employee of the District to be a stockholder, officer or employee of a landowner or of an entity affiliated with a landowner.
- (d) In the event that a Board member elected at a landowner's election or appointed to fill a vacancy of a seat last filled at a landowner's election, has a continuing conflict of interest, such Board member is permitted to file a Memorandum of Voting Conflict at any time in which it shall state the nature of the continuing conflict. Only one such continuing Memorandum of Voting Conflict shall be required to be filed for each term the Board member is in office.

Specific Authority: §§ 190.011(5), 190.011(15), Fla. Stat.

Law Implemented: §§ 112.3143, 190.006, 190.007, Fla. Stat.

Rule 1.2 District Offices; Public Information and Inspection of Records; Policies; Service Contract Requirements; Financial Disclosure Coordination.

- (1) District Offices. Unless otherwise designated by the Board, the official District office shall be the District Manager's office identified by the District Manager. If the District Manager's office is not located within the county in which the District is located, the Board shall designate a local records office within such county which shall at a minimum contain, but not be limited to, the following documents:
- (a) Agenda packages for prior 24 months and next meeting;
 - (b) Official minutes of meetings, including adopted resolutions of the Board;
 - (c) Names and addresses of current Board members and District Manager, unless such addresses are protected from disclosure by law;
 - (d) Adopted engineer's reports;
 - (e) Adopted assessment methodologies/reports;
 - (f) Adopted disclosure of public financing;
 - (g) Limited Offering Memorandum for each financing undertaken by the District;
 - (h) Proceedings, certificates, bonds given by all employees, and any and all corporate acts;
 - (i) District policies and rules;
 - (j) Fiscal year end audits; and
 - (k) Adopted budget for the current fiscal year.

The District Manager shall ensure that each District records office contains the documents required by Florida law.

- (2) Public Records. District public records include all documents, papers, letters, maps, books, tapes, photographs, films, sound recordings, data processing software, or other material, regardless of the physical form, characteristics, or means of transmission, made or received in connection with the transaction of official business of the District. All District public records not otherwise restricted by law may be copied or inspected at the District Manager's office during regular business hours. Certain District records can also be inspected and copied at the District's local records office during regular business hours. All written public records requests shall be directed to the Secretary who by these rules is appointed as the District's records custodian. Regardless of the form of the request, any Board member or staff member who receives a public records request shall immediately forward or communicate such request to the Secretary for coordination of a prompt

response. The Secretary, after consulting with District Counsel as to the applicability of any exceptions under the public records laws, shall be responsible for responding to the public records request. At no time can the District be required to create records or summaries of records, or prepare opinions regarding District policies, in response to a public records request.

- (3) Service Contracts. Any contract for services, regardless of cost, shall include provisions required by law that require the contractor to comply with public records laws. The District Manager shall be responsible for initially enforcing all contract provisions related to a contractor's duty to comply with public records laws.
- (4) Fees; Copies. Copies of public records shall be made available to the requesting person at a charge of \$0.15 per page for one-sided copies and \$0.20 per page for two-sided copies if not more than 8 ½ by 14 inches. For copies of public records in excess of the sizes listed in this section and for outside duplication services, the charge shall be equal to the actual cost of reproduction. Certified copies of public records shall be made available at a charge of one dollar (\$1.00) per page. If the nature or volume of records requested requires extensive use of information technology resources or extensive clerical or supervisory assistance, the District may charge, in addition to the duplication charge, a special service charge that is based on the cost the District incurs to produce the records requested. This charge may include, but is not limited to, the cost of information technology resource, employee labor, and fees charged to the District by consultants employed in fulfilling the request. In cases where the special service charge is based in whole or in part on the costs incurred by the District due to employee labor, consultant fees, or other forms of labor, those portions of the charge shall be calculated based on the lowest labor cost of the individual(s) who is/are qualified to perform the labor, taking into account the nature or volume of the public records to be inspected or copied. The charge may include the labor costs of supervisory and/or clerical staff whose assistance is required to complete the records request, in accordance with Florida law. For purposes of this Rule, the word "extensive" shall mean that it will take more than 15 minutes to locate, review for confidential information, copy and re-file the requested material. In cases where extensive personnel time is determined by the District to be necessary to safeguard original records being inspected, the special service charge provided for in this section shall apply. If the total fees, including but not limited to special service charges, are anticipated to exceed twenty-five dollars (\$25.00), then, prior to commencing work on the request, the District will inform the person making the public records request of the estimated cost, with the understanding that the final cost may vary from that estimate. If the person making the public records request decides to proceed with the request, payment of the estimated cost is required in advance. Should the person fail to pay the estimate, the District is under no duty to produce the requested records. After the request has been fulfilled, additional payments or credits may be due. The District is under no duty to produce records in response to future records requests if the person making the request owes the District for past unpaid duplication charges, special service charges, or other required payments or credits.
- (5) Records Retention. The Secretary of the District shall be responsible for retaining the District's records in accordance with applicable Florida law.

- (6) Policies. The Board may adopt policies related to the conduct of its business and the provision of services either by resolution or motion.
- (7) Financial Disclosure Coordination. Unless specifically designated by Board resolution otherwise, the Secretary shall serve as the Financial Disclosure Coordinator (“Coordinator”) for the District as required by the Florida Commission on Ethics (“Commission”). The Coordinator shall create, maintain and update a list of the names, e-mail addresses, physical addresses, and names of the agency of, and the office or position held by, all Supervisors and other persons required by Florida law to file a statement of financial interest due to his or her affiliation with the District (“Reporting Individual”). The Coordinator shall provide this list to the Commission by February 1 of each year, which list shall be current as of December 31 of the prior year. Each Supervisor and Reporting Individual shall promptly notify the Coordinator in writing if there are any changes to such person’s name, e-mail address, or physical address. Each Supervisor and Reporting Individual shall promptly notify the Commission in the manner prescribed by the Commission if there are any changes to such person’s e-mail address.

Specific Authority: §§ 190.011(5), 190.011(15), Fla. Stat.

Law Implemented: §§ 112.31446(3), 112.3145(8)(a)1., 119.07, 119.0701, 190.006, Fla. Stat.

Rule 1.3 Public Meetings, Hearings, and Workshops.

- (1) Notice. Except in emergencies, or as otherwise authorized or required by statute or these Rules, at least seven (7) days' public notice shall be given of any public meeting, hearing or workshop of the Board. Public notice shall be given by publication in a newspaper of general circulation in the District and in the county in which the District is located. A newspaper is deemed to be a newspaper of "general circulation" within the District and county in which the District is located if such newspaper has been in existence for two (2) years at the time of publication of the applicable notice (unless no newspaper within the county has been published for such length) and satisfies the criteria of section 50.011(1), Florida Statutes, or if such newspaper is a direct successor of a newspaper which has been so published, as such provisions may be amended from time to time by law. The annual meeting notice required to be published by Section 189.015 of the Florida Statutes, shall be published as provided in Chapter 50, Florida Statutes, and such notice published consistent with Chapter 50 shall satisfy the requirement to give at least seven (7) days' public notice stated herein. Each Notice shall state, as applicable:
 - (a) The date, time and place of the meeting, hearing or workshop;
 - (b) A brief description of the nature, subjects, and purposes of the meeting, hearing, or workshop;
 - (c) The District office address for the submission of requests for copies of the agenda, as well as a contact name and telephone number for verbal requests for copies of the agenda; and
 - (d) The following or substantially similar language: "Pursuant to provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting/hearing/workshop is asked to advise the District Office at least forty-eight (48) hours before the meeting/hearing/workshop by contacting the District Manager at (407) 841-5524. If you are hearing or speech impaired, please contact the Florida Relay Service at 1 (800) 955-8770 or 1 (800) 955-8771, who can aid you in contacting the District Office."
 - (e) The following or substantially similar language: "A person who decides to appeal any decision made at the meeting/hearing/workshop with respect to any matter considered at the meeting/hearing/workshop is advised that person will need a record of the proceedings and that accordingly, the person may need to ensure that a verbatim record of the proceedings is made including the testimony and evidence upon which the appeal is to be based."
 - (f) The following or substantially similar language: "The meeting [or hearing or workshop] may be continued in progress without additional notice to a time, date, and location stated on the record."

The date, time, and place of each meeting, hearing, or workshop of the Board shall additionally be posted on the District's website at least seven (7) days before each meeting, hearing, or workshop.

- (2) Mistake. In the event that a meeting is held under the incorrect assumption that notice required by law and these Rules has been given, the Board at its next properly noticed meeting shall cure such defect by considering the agenda items from the prior meeting individually and anew.
- (3) Agenda. The District Manager, under the guidance of District Counsel and the Chairperson or Vice-Chairperson, shall prepare an agenda of the meeting/hearing/workshop. The agenda and any meeting materials available in an electronic format, excluding any confidential and any confidential and exempt information, shall be available to the public at least seven days before the meeting/hearing/workshop, except in an emergency. Meeting materials shall be defined as, and limited to, the agenda, meeting minutes, resolutions, and agreements of the District that District staff deems necessary for Board approval. Inclusion of additional materials for Board consideration other than those defined herein as "meeting materials" shall not convert such materials into "meeting materials." For good cause, the agenda may be changed after it is first made available for distribution, and additional materials may be added or provided under separate cover at the meeting. The requirement of good cause shall be liberally construed to allow the District to efficiently conduct business and to avoid the expenses associated with special meetings.

The District may, but is not required to, use the following format in preparing its agenda for its regular meetings:

- Call to order
- Roll call
- Public comment
- Organizational matters
- Review of minutes
- Specific items of old business
- Specific items of new business
- Staff reports
 - (a) District Counsel
 - (b) District Engineer
 - (c) District Manager
 1. Financial Report
 2. Approval of Expenditures
- Supervisor's requests and comments
- Public comment
- Adjournment

- (4) Minutes. The Secretary shall be responsible for preparing and keeping the minutes of each meeting of the Board. Minutes shall be corrected and approved by the Board at a subsequent meeting. The Secretary may work with other staff members in preparing draft minutes for the Board's consideration.

- (5) Special Requests. Persons wishing to receive, by mail, notices or agendas of meetings, may so advise the District Manager or Secretary at the District Office. Such persons shall furnish a mailing address in writing and shall be required to pre-pay the cost of the copying and postage.
- (6) Emergency Meetings. The Chairperson, or Vice-Chairperson if the Chairperson is unavailable, upon consultation with the District Manager and District Counsel, if available, may convene an emergency meeting of the Board without first having complied with sections (1) and (3) of this Rule, to act on emergency matters that may affect the public health, safety, or welfare. Whenever possible, the District Manager shall make reasonable efforts to provide public notice and notify all Board members of an emergency meeting twenty-four (24) hours in advance. Reasonable efforts may include telephone notification. Notice of the emergency meeting must be provided both before and after the meeting on the District's website, if it has one. Whenever an emergency meeting is called, the District Manager shall be responsible for notifying at least one newspaper of general circulation in the District. After an emergency meeting, the Board shall publish in a newspaper of general circulation in the District, the time, date and place of the emergency meeting, the reasons why an emergency meeting was necessary, and a description of the action taken. Actions taken at an emergency meeting may be ratified by the Board at a regularly noticed meeting subsequently held.
- (7) Public Comment. The Board shall set aside a reasonable amount of time at each meeting for public comment and members of the public shall be permitted to provide comment on any proposition before the Board. The portion of the meeting generally reserved for public comment shall be identified in the agenda. Policies governing public comment may be adopted by the Board in accordance with Florida law.
- (8) Budget Hearing. Notice of hearing on the annual budget(s) shall be in accord with Section 190.008 of the Florida Statutes. Once adopted in accord with Section 190.008 of the Florida Statutes, the annual budget(s) may be amended from time to time by action of the Board. Approval of invoices by the Board in excess of the funds allocated to a particular budgeted line item shall serve to amend the budgeted line item.
- (9) Public Hearings. Notice of required public hearings shall contain the information required by applicable Florida law and by these Rules applicable to meeting notices and shall be mailed and published as required by Florida law. The District Manager shall ensure that all such notices, whether mailed or published, contain the information required by Florida law and these Rules and are mailed and published as required by Florida law. Public hearings may be held during Board meetings when the agenda includes such public hearing.
- (10) Participation by Teleconference/Videoconference. District staff may participate in Board meetings by teleconference or videoconference. Board members may also participate in Board meetings by teleconference or videoconference if in the good judgment of the Board extraordinary circumstances exist; provided however, at

least three Board members must be physically present at the meeting location to establish a quorum. Such extraordinary circumstances shall be presumed when a Board member participates by teleconference or videoconference, unless a majority of the Board members physically present determines that extraordinary circumstances do not exist.

- (11) Board Authorization. The District has not adopted Robert's Rules of Order. For each agenda item, there shall be discussion permitted among the Board members during the meeting. Unless such procedure is waived by the Board, approval or disapproval of resolutions and other proposed Board actions shall be in the form of a motion by one Board member, a second by another Board member, and an affirmative vote by the majority of the Board members present. Any Board member, including the Chairperson, can make or second a motion.
- (12) Continuances. Any meeting or public hearing of the Board may be continued without re-notice or re-advertising provided that:
 - (a) The Board identifies on the record at the original meeting a reasonable need for a continuance;
 - (b) The continuance is to a specified date, time, and location publicly announced at the original meeting; and
 - (c) The public notice for the original meeting states that the meeting may be continued to a date and time and states that the date, time, and location of any continuance shall be publicly announced at the original meeting and posted at the District Office immediately following the original meeting.
- (13) Attorney-Client Sessions. An Attorney-Client Session is permitted when the District's attorneys deem it necessary to meet in private with the Board to discuss pending litigation to which the District is a party before a court or administrative agency or as may be authorized by law. The District's attorney must request such session at a public meeting. Prior to holding the Attorney-Client Session, the District must give reasonable public notice of the time and date of the session and the names of the persons anticipated to attend the session. The session must commence at an open meeting in which the Chairperson or Vice-Chairperson announces the commencement of the session, the estimated length of the session, and the names of the persons who will be attending the session. The discussion during the session is confined to settlement negotiations or strategy related to litigation expenses or as may be authorized by law. Only the Board, the District's attorneys (including outside counsel), the District Manager, and the court reporter may attend an Attorney-Client Session. During the session, no votes may be taken and no final decisions concerning settlement can be made. Upon the conclusion of the session, the public meeting is reopened, and the Chairperson or Vice-Chairperson must announce that the session has concluded. The session must be transcribed by a court-reporter and the transcript of the session filed with the District Secretary within a reasonable time after the session. The transcript shall not be available for public inspection until after the conclusion of the litigation.

- (14) Security and Firesafety Board Discussions. Portions of a meeting which relate to or would reveal a security or firesafety system plan or portion thereof made confidential and exempt by section 119.071(3)(a), Florida Statutes, are exempt from the public meeting requirements and other requirements of section 286.011, Florida Statutes, and section 24(b), Article 1 of the State Constitution. Should the Board wish to discuss such matters, members of the public shall be required to leave the meeting room during such discussion. Any records of the Board's discussion of such matters, including recordings or minutes, shall be maintained as confidential and exempt records in accordance with Florida law.

Specific Authority: §§ 190.011(5), 190.011(15), Fla. Stat.

Law Implemented: §§ 50.011, 50.031, 189.015, 189.069(2)(a)15, 190.006, 190.007, 190.008, 286.0105, 286.011, 286.0113, 286.0114, Fla. Stat.

Rule 1.4 Internal Controls to Prevent Fraud, Waste and Abuse

- (1) Internal Controls. The District shall establish and maintain internal controls designed to:
- (a) Prevent and detect “fraud,” “waste” and “abuse” as those terms are defined in section 11.45(1), Florida Statutes; and
 - (b) Promote and encourage compliance with applicable laws, rules contracts, grant agreements, and best practices; and
 - (c) Support economical and efficient operations; and
 - (d) Ensure reliability of financial records and reports; and
 - (e) Safeguard assets.
- (2) Adoption. The internal controls to prevent fraud, waste and abuse shall be adopted and amended by the District in the same manner as District policies.

Specific Authority: §§ 190.011(5), 190.011(15), Fla. Stat.

Law Implemented: § 218.33(3), Fla. Stat.

Rule 2.0 Rulemaking Proceedings.

- (1) Commencement of Proceedings. Proceedings held for adoption, amendment, or repeal of a District rule shall be conducted according to these Rules. Rulemaking proceedings shall be deemed to have been initiated upon publication of notice by the District. A “rule” is a District statement of general applicability that implements, interprets, or prescribes law or policy, or describes the procedure or practice requirements of the District (“Rule”). Nothing herein shall be construed as requiring the District to consider or adopt rules unless required by Chapter 190 of the Florida Statutes. Policies adopted by the District which do not consist of rates, fees, rentals or other monetary charges may be, but are not required to be, implemented through rulemaking proceedings.

- (2) Notice of Rule Development.
 - (a) Except when the intended action is the repeal of a Rule, the District shall provide notice of the development of a proposed rule by publication of a Notice of Rule Development in a newspaper of general circulation in the District before providing notice of a proposed rule as required by section (3) of this Rule. Consequently, the Notice of Rule Development shall be published at least twenty-nine (29) days prior to the public hearing on the proposed Rule. The Notice of Rule Development shall indicate the subject area to be addressed by rule development, provide a short, plain explanation of the purpose and effect of the proposed rule, cite the specific legal authority for the proposed rule, and include a statement of how a person may promptly obtain, without cost, a copy of any preliminary draft, if available.
 - (b) All rules as drafted shall be consistent with Sections 120.54(1)(g) and 120.54(2)(b) of the Florida Statutes.

- (3) Notice of Proceedings and Proposed Rules.
 - (a) Prior to the adoption, amendment, or repeal of any rule other than an emergency rule, the District shall give notice of its intended action, setting forth a short, plain explanation of the purpose and effect of the proposed action, a reference to the specific rulemaking authority pursuant to which the rule is adopted, and a reference to the section or subsection of the Florida Statutes being implemented, interpreted, or made specific. The notice shall include a summary of the District’s statement of the estimated regulatory costs, if one has been prepared, based on the factors set forth in Section 120.541(2) of the Florida Statutes, and a statement that any person who wishes to provide the District with a lower cost regulatory alternative as provided by Section 120.541(1), must do so in writing within twenty-one (21) days after publication of the notice. The notice shall additionally include a statement that any affected person may request a public hearing by submitting a written request within twenty-one (21) days after the date of publication of the notice. Except when intended action is the repeal of a rule, the notice shall include a reference to both the date on which and the

place where the Notice of Rule Development required by section (2) of this Rule appeared.

- (b) The notice shall be published in a newspaper of general circulation in the District and each county in which the District is located not less than twenty-eight (28) days prior to the intended action. The proposed rule shall be available for inspection and copying by the public at the time of the publication of notice.
 - (c) The notice shall be mailed to all persons named in the proposed rule and to all persons who, at least fourteen (14) days prior to such mailing, have made requests of the District for advance notice of its rulemaking proceedings. Any person may file a written request with the District Manager to receive notice by mail of District proceedings to adopt, amend, or repeal a rule. Such persons must furnish a mailing address and may be required to pay the cost of copying and mailing.
- (4) Rule Development Workshops. Whenever requested in writing by any affected person, the District must either conduct a rule development workshop prior to proposing rules for adoption or the Chairperson must explain in writing why a workshop is unnecessary. The District may initiate a rule development workshop but is not required to do so.
- (5) Petitions to Initiate Rulemaking. All Petitions to Initiate Rulemaking proceedings must contain the name, address, and telephone number of the petitioner, the specific action requested, the specific reason for adoption, amendment, or repeal, the date submitted, the text of the proposed rule, and the facts showing that the petitioner is regulated by the District or has a substantial interest in the rulemaking. Not later than sixty (60) calendar days following the date of filing a petition, the Board shall initiate rulemaking proceedings or deny the petition with a written statement of its reasons for the denial. If the petition is directed to an existing policy that the District has not formally adopted as a rule, the District may, in its discretion, notice and hold a public hearing on the petition to consider the comments of the public directed to the policy, its scope and application, and to consider whether the public interest is served adequately by the application of the policy on a case-by-case basis, as contrasted with its formal adoption as a rule. However, this section shall not be construed as requiring the District to adopt a rule to replace a policy.
- (6) Rulemaking Materials. After the publication of the notice referenced in section (3) of this Rule, the Board shall make available for public inspection and shall provide, upon request and payment of the cost of copies, the following materials:
- (a) The text of the proposed rule, or any amendment or repeal of any existing rules;
 - (b) A detailed written statement of the facts and circumstances justifying the proposed rule;

- (c) A copy of the statement of estimated regulatory costs if required by Section 120.541 of the Florida Statutes; and
 - (d) The published notice.
- (7) Hearing. The District may, or, upon the written request of any affected person received within twenty-one (21) days after the date of publication of the notice described in section (3) of this Rule, shall, provide a public hearing for the presentation of evidence, argument, and oral statements, within the reasonable conditions and limitations imposed by the District to avoid duplication, irrelevant comments, unnecessary delay, or disruption of the proceedings. The District shall publish notice of the public hearing in a newspaper of general circulation within the District either in the text of the notice described in section (3) of this Rule or in a separate publication at least seven (7) days before the scheduled public hearing. The notice shall specify the date, time, and location of the public hearing, and the name, address, and telephone number of the District contact person who can provide information about the public hearing. Written statements may be submitted by any person prior to or at the public hearing. All timely submitted written statements shall be considered by the District and made part of the rulemaking record.
- (8) Emergency Rule Adoption. The Board may adopt an emergency rule if it finds that immediate danger to the public health, safety, or welfare exists which requires immediate action. Prior to the adoption of an emergency rule, the District Manager shall make reasonable efforts to notify a newspaper of general circulation in the District. Notice of emergency rules shall be published as soon as possible in a newspaper of general circulation in the District. The District may use any procedure which is fair under the circumstances in the adoption of an emergency rule as long as it protects the public interest as determined by the District and otherwise complies with these provisions.
- (9) Negotiated Rulemaking. The District may use negotiated rulemaking in developing and adopting rules pursuant to Section 120.54(2)(d) of the Florida Statutes, except that any notices required under Section 120.54(2)(d) of the Florida Statutes, may be published in a newspaper of general circulation in the county in which the District is located.
- (10) Rulemaking Record. In all rulemaking proceedings, the District shall compile and maintain a rulemaking record. The record shall include, if applicable:
- (a) The texts of the proposed rule and the adopted rule;
 - (b) All notices given for a proposed rule;
 - (c) Any statement of estimated regulatory costs for the rule;
 - (d) A written summary of hearings, if any, on the proposed rule;
 - (e) All written comments received by the District and responses to those written comments; and

(f) All notices and findings pertaining to an emergency rule.

(11) Petitions to Challenge Existing Rules.

- (a) Any person substantially affected by a rule may seek an administrative determination of the invalidity of the rule on the ground that the rule is an invalid exercise of the District's authority.
- (b) The petition seeking an administrative determination must state with particularity the provisions alleged to be invalid with sufficient explanation of the facts or grounds for the alleged invalidity and facts sufficient to show that the person challenging a rule is substantially affected by it.
- (c) The petition shall be filed with the District. Within 10 days after receiving the petition, the Chairperson shall, if the petition complies with the requirements of subsection (b) of this section, designate any member of the Board (including the Chairperson), District Manager, District Counsel, or other person as a hearing officer who shall conduct a hearing within 30 days thereafter, unless the petition is withdrawn or a continuance is granted by agreement of the parties. The failure of the District to follow the applicable rulemaking procedures or requirements in this Rule shall be presumed to be material; however, the District may rebut this presumption by showing that the substantial interests of the petitioner and the fairness of the proceedings have not been impaired.
- (d) Within 30 days after the hearing, the hearing officer shall render a decision and state the reasons therefor in writing.
- (e) Hearings held under this section shall be de novo in nature. The petitioner has a burden of proving by a preponderance of the evidence that the existing rule is an invalid exercise of District authority as to the objections raised. The hearing officer may:
 - (i) Administer oaths and affirmations;
 - (ii) Rule upon offers of proof and receive relevant evidence;
 - (iii) Regulate the course of the hearing, including any pre-hearing matters;
 - (iv) Enter orders; and
 - (v) Make or receive offers of settlement, stipulation, and adjustment.
- (f) The petitioner and the District shall be adverse parties. Other substantially affected persons may join the proceedings as intervenors on appropriate terms which shall not unduly delay the proceedings.

- (12) Variations and Waivers. A “variance” means a decision by the District to grant a modification to all or part of the literal requirements of a rule to a person who is subject to the rule. A “waiver” means a decision by the District not to apply all or part of a rule to a person who is subject to the rule. Variations and waivers from District rules may be granted subject to the following:
- (a) Variations and waivers shall be granted when the person subject to the rule demonstrates that the purpose of the underlying statute will be or has been achieved by other means by the person, and when application of the rule would create a substantial hardship or would violate principles of fairness. For purposes of this section, "substantial hardship" means a demonstrated economic, technological, legal, or other type of hardship to the person requesting the variance or waiver. For purposes of this section, "principles of fairness" are violated when the literal application of a rule affects a particular person in a manner significantly different from the way it affects other similarly situated persons who are subject to the rule.
 - (b) A person who is subject to regulation by a District Rule may file a petition with the District, requesting a variance or waiver from the District’s Rule. Each petition shall specify:
 - (i) The rule from which a variance or waiver is requested;
 - (ii) The type of action requested;
 - (iii) The specific facts that would justify a waiver or variance for the petitioner; and
 - (iv) The reason why the variance or the waiver requested would serve the purposes of the underlying statute.
 - (c) The District shall review the petition and may request only that information needed to clarify the petition or to answer new questions raised by or directly related to the petition. If the petitioner asserts that any request for additional information is not authorized by law or by Rule of the District, the District shall proceed, at the petitioner’s written request, to process the petition.
 - (d) The Board shall grant or deny a petition for variance or waiver and shall announce such disposition at a publicly held meeting of the Board, within ninety (90) days after receipt of the original petition, the last item of timely requested additional material, or the petitioner's written request to finish processing the petition. The District’s statement granting or denying the petition shall contain a statement of the relevant facts and reasons supporting the District's action.
- (13) Rates, Fees, Rentals and Other Charges. All rates, fees, rentals, or other charges shall be subject to rulemaking proceedings. Policies adopted by the District which do not consist of rates, fees, rentals or other charges may be, but are not required to be, implemented through rulemaking proceedings.

Specific Authority: §§ 190.011(5), 190.011(15), 190.035, Fla. Stat.
Law Implemented: §§ 190.011(5), 190.035(2), Fla. Stat.

Rule 3.0 Competitive Purchase.

- (1) Purpose and Scope. In order to comply with Sections 190.033(1) through (3), 287.055 and 287.017 of the Florida Statutes, the following provisions shall apply to the purchase of Professional Services, insurance, construction contracts, design-build services, goods, supplies, and materials, Contractual Services, and maintenance services.
- (2) Board Authorization. Except in cases of an Emergency Purchase, a competitive purchase governed by these Rules shall only be undertaken after authorization by the Board.
- (3) Definitions.
 - (a) “Competitive Solicitation” means a formal, advertised procurement process, other than an Invitation to Bid, Request for Proposals, or Invitation to Negotiate, approved by the Board to purchase commodities and/or services which affords vendors fair treatment in the competition for award of a District purchase contract.
 - (b) “Continuing Contract” means a contract for Professional Services entered into in accordance with Section 287.055 of the Florida Statutes, between the District and a firm, whereby the firm provides Professional Services to the District for projects in which the costs do not exceed two million dollars (\$2,000,000), for a study activity when the fee for such Professional Services to the District does not exceed two hundred thousand dollars (\$200,000), or for work of a specified nature as outlined in the contract with the District, with no time limitation except that the contract must provide a termination clause (for example, a contract for general District engineering services). Firms providing Professional Services under Continuing Contracts shall not be required to bid against one another.
 - (c) “Contractual Service” means the rendering by a contractor of its time and effort rather than the furnishing of specific commodities. The term applies only to those services rendered by individuals and firms who are independent contractors. Contractual Services do not include auditing services, Maintenance Services, or Professional Services as defined in Section 287.055(2)(a) of the Florida Statutes, and these Rules. Contractual Services also do not include any contract for the furnishing of labor or materials for the construction, renovation, repair, modification, or demolition of any facility, building, portion of building, utility, park, parking lot, or structure or other improvement to real property entered into pursuant to Chapter 255 of the Florida Statutes, and Rules 3.5 or 3.6.
 - (d) “Design-Build Contract” means a single contract with a Design-Build Firm for the design and construction of a public construction project.
 - (e) “Design-Build Firm” means a partnership, corporation or other legal entity that:

- (i) Is certified under Section 489.119 of the Florida Statutes, to engage in contracting through a certified or registered general contractor or a certified or registered building contractor as the qualifying agent; or
 - (ii) Is certified under Section 471.023 of the Florida Statutes, to practice or to offer to practice engineering; certified under Section 481.219 of the Florida Statutes, to practice or to offer to practice architecture; or certified under Section 481.319 of the Florida Statutes, to practice or to offer to practice landscape architecture.
- (f) “Design Criteria Package” means concise, performance-oriented drawings or specifications for a public construction project. The purpose of the Design Criteria Package is to furnish sufficient information to permit Design-Build Firms to prepare a bid or a response to the District’s Request for Proposals, or to permit the District to enter into a negotiated Design-Build Contract. The Design Criteria Package must specify performance-based criteria for the public construction project, including the legal description of the site, survey information concerning the site, interior space requirements, material quality standards, schematic layouts and conceptual design criteria of the project, cost or budget estimates, design and construction schedules, site development requirements, provisions for utilities, stormwater retention and disposal, and parking requirements applicable to the project. Design Criteria Packages shall require firms to submit information regarding the qualifications, availability, and past work of the firms, including the partners and members thereof.
- (g) “Design Criteria Professional” means a firm who holds a current certificate of registration under Chapter 481 of the Florida Statutes, to practice architecture or landscape architecture, or a firm who holds a current certificate as a registered engineer under Chapter 471 of the Florida Statutes, to practice engineering, and who is employed by or under contract to the District to provide professional architect services, landscape architect services, or engineering services in connection with the preparation of the Design Criteria Package.
- (h) “Emergency Purchase” means a purchase necessitated by a sudden unexpected turn of events (for example, acts of God, riot, fires, floods, hurricanes, accidents, or any circumstances or cause beyond the control of the Board in the normal conduct of its business), where the Board finds that the delay incident to competitive purchase would be detrimental to the interests of the District. This includes, but is not limited to, instances where the time to competitively award the project will jeopardize the funding for the project, will materially increase the cost of the project, or will create an undue hardship on the public health, safety, or welfare.
- (i) “Invitation to Bid” is a written solicitation for sealed bids with the title, date, and hour of the public bid opening designated specifically and defining

the commodity or service involved. It includes printed instructions prescribing conditions for bidding, qualification, evaluation criteria, and provides for a manual signature of an authorized representative. It may include one or more bid alternates.

- (j) “Invitation to Negotiate” means a written solicitation for competitive sealed replies to select one or more vendors with which to commence negotiations for the procurement of commodities or services.
- (k) “Negotiate” means to conduct legitimate, arm’s length discussions and conferences to reach an agreement on a term or price.
- (l) “Professional Services” means those services within the scope of the practice of architecture, professional engineering, landscape architecture, or registered surveying and mapping, as defined by the laws of Florida, or those services performed by any architect, professional engineer, landscape architect, or registered surveyor and mapper, in connection with the firm's or individual's professional employment or practice.
- (m) “Proposal (or Reply or Response) Most Advantageous to the District” means, as determined in the sole discretion of the Board, the proposal, reply, or response that is:
 - (i) Submitted by a person or firm capable and qualified in all respects to perform fully the contract requirements, who has the integrity and reliability to assure good faith performance;
 - (ii) The most responsive to the Request for Proposals, Invitation to Negotiate, or Competitive Solicitation as determined by the Board; and
 - (iii) For a cost to the District deemed by the Board to be reasonable.
- (n) “Purchase” means acquisition by sale, rent, lease, lease/purchase, or installment sale. It does not include transfer, sale, or exchange of goods, supplies, or materials between the District and any federal, state, regional or local governmental entity or political subdivision of the State of Florida.
- (o) “Request for Proposals” or “RFP” is a written solicitation for sealed proposals with the title, date, and hour of the public opening designated and requiring the manual signature of an authorized representative. It may provide general information, applicable laws and rules, statement of work, functional or general specifications, qualifications, proposal instructions, work detail analysis, and evaluation criteria as necessary.
- (p) “Responsive and Responsible Bidder” means an entity or individual that has submitted a bid that conforms in all material respects to the Invitation to Bid and has the capability in all respects to fully perform the contract requirements and the integrity and reliability that will assure good faith

performance. “Responsive and Responsible Vendor” means an entity or individual that has submitted a proposal, reply, or response that conforms in all material respects to the Request for Proposals, Invitation to Negotiate, or Competitive Solicitation and has the capability in all respects to fully perform the contract requirements and the integrity and reliability that will assure good faith performance. In determining whether an entity or individual is a Responsive and Responsible Bidder (or Vendor), the District may consider, in addition to factors described in the Invitation to Bid, Request for Proposals, Invitation to Negotiate, or Competitive Solicitation, the following:

- (i) The ability and adequacy of the professional personnel employed by the entity/individual;
 - (ii) The past performance of the entity/individual for the District and in other professional employment;
 - (iii) The willingness of the entity/individual to meet time and budget requirements;
 - (iv) The geographic location of the entity’s/individual’s headquarters or office in relation to the project;
 - (v) The recent, current, and projected workloads of the entity/individual;
 - (vi) The volume of work previously awarded to the entity/individual;
 - (vii) Whether the cost components of the bid or proposal are appropriately balanced; and
 - (viii) Whether the entity/individual is a certified minority business enterprise.
- (q) “Responsive Bid,” “Responsive Proposal,” “Responsive Reply,” and “Responsive Response” all mean a bid, proposal, reply, or response which conforms in all material respects to the specifications and conditions in the Invitation to Bid, Request for Proposals, Invitations to Negotiate, or Competitive Solicitation document and these Rules, and the cost components of which, if any, are appropriately balanced. A bid, proposal, reply or response is not responsive if the person or firm submitting it fails to meet any material requirement relating to the qualifications, financial stability, or licensing of the bidder.

Specific Authority: §§ 190.011(5), 190.011(15), Fla. Stat.
Law Implemented: §§ 190.033, 255.20, 287.055, Fla. Stat.

Rule 3.1 Procedure Under the Consultants' Competitive Negotiations Act.

- (1) Scope. The following procedures are adopted for the selection of firms or individuals to provide Professional Services exceeding the thresholds herein described, for the negotiation of such contracts, and to provide for protest of actions of the Board under this Rule. As used in this Rule, "Project" means that fixed capital outlay study or planning activity when basic construction cost is estimated by the District to exceed the threshold amount provided in Section 287.017 of the Florida Statutes, for CATEGORY FIVE, or for a planning study activity when the fee for Professional Services is estimated by the District to exceed the threshold amount provided in Section 287.017 for CATEGORY TWO, as such categories may be amended or adjusted from time to time.
- (2) Qualifying Procedures. In order to be eligible to provide Professional Services to the District, a consultant must, at the time of receipt of the firm's qualification submittal:
 - (a) Hold all required applicable state professional licenses in good standing;
 - (b) Hold all required applicable federal licenses in good standing, if any;
 - (c) Hold a current and active Florida corporate charter or be authorized to do business in the State of Florida in accordance with Chapter 607 of the Florida Statutes, if the consultant is a corporation; and
 - (d) Meet any qualification requirements set forth in the District's Request for Qualifications.

Evidence of compliance with this Rule may be submitted with the qualifications, if requested by the District. In addition, evidence of compliance must be submitted any time requested by the District.

- (3) Public Announcement. Except in cases of valid public emergencies as certified by the Board, the District shall announce each occasion when Professional Services are required for a Project or a Continuing Contract by publishing a notice providing a general description of the Project, or the nature of the Continuing Contract, and the method for interested consultants to apply for consideration. The notice shall appear in at least one (1) newspaper of general circulation in the District and in such other places as the District deems appropriate. The notice must allow at least fourteen (14) days for submittal of qualifications from the date of publication. The District may maintain lists of consultants interested in receiving such notices. These consultants are encouraged to submit annually statements of qualifications and performance data. The District shall make reasonable efforts to provide copies of any notices to such consultants, but the failure to do so shall not give such consultants any bid protest or other rights or otherwise disqualify any otherwise valid procurement process. The Board has the right to reject any and all qualifications, and such reservation shall be included in the published notice. Consultants not receiving a contract award shall not be entitled to recover from the District any costs of qualification package preparation or submittal.

(4) Competitive Selection.

- (a) The Board shall review and evaluate the data submitted in response to the notice described in section (3) of this Rule regarding qualifications and performance ability, as well as any statements of qualifications on file. The Board shall conduct discussions with, and may require public presentation by consultants regarding their qualifications, approach to the Project, and ability to furnish the required services. The Board shall then select and list the consultants, in order of preference, deemed to be the most highly capable and qualified to perform the required Professional Services, after considering these and other appropriate criteria:
- (i) The ability and adequacy of the professional personnel employed by each consultant;
 - (ii) Whether a consultant is a certified minority business enterprise;
 - (iii) Each consultant's past performance;
 - (iv) The willingness of each consultant to meet time and budget requirements;
 - (v) The geographic location of each consultant's headquarters, office and personnel in relation to the project;
 - (vi) The recent, current, and projected workloads of each consultant; and
 - (vii) The volume of work previously awarded to each consultant by the District.
- (b) Nothing in these Rules shall prevent the District from evaluating and eventually selecting a consultant if less than three (3) Responsive qualification packages, including packages indicating a desire not to provide Professional Services on a given Project, are received.
- (c) If the selection process is administered by any person or committee other than the full Board, the selection made will be presented to the full Board with a recommendation that competitive negotiations be instituted with the selected firms in order of preference listed.
- (d) Notice of the rankings adopted by the Board, including the rejection of some or all qualification packages, shall be provided in writing to all consultants by United States Mail, hand delivery, facsimile, or overnight delivery service. The notice shall include the following statement: "Failure to file a protest within the time prescribed in Rule 3.11 of the Rules of the District shall constitute a waiver of proceedings under those Rules," or wording to that effect. Protests of the District's ranking decisions under this Rule shall be in accordance with the procedures set forth in Rule 3.11.

- (5) Competitive Negotiation.
- (a) After the Board has authorized the beginning of competitive negotiations, the District may begin such negotiations with the firm listed as most qualified to perform the required Professional Services at a rate or amount of compensation which the Board determines is fair, competitive, and reasonable.
 - (b) In negotiating a lump-sum or cost-plus-a-fixed-fee professional contract for more than the threshold amount provided in Section 287.017 of the Florida Statutes, for CATEGORY FOUR, the firm receiving the award shall be required to execute a truth-in-negotiation certificate stating that "wage rates and other factual unit costs supporting the compensation are accurate, complete and current at the time of contracting." In addition, any professional service contract under which such a certificate is required, shall contain a provision that "the original contract price and any additions thereto, shall be adjusted to exclude any significant sums by which the Board determines the contract price was increased due to inaccurate, incomplete, or noncurrent wage rates and other factual unit costs."
 - (c) Should the District be unable to negotiate a satisfactory agreement with the firm determined to be the most qualified at a price deemed by the District to be fair, competitive, and reasonable, then negotiations with that firm shall be terminated and the District shall immediately begin negotiations with the second most qualified firm. If a satisfactory agreement with the second firm cannot be reached, those negotiations shall be terminated and negotiations with the third most qualified firm shall be undertaken.
 - (d) Should the District be unable to negotiate a satisfactory agreement with one of the top three (3) ranked consultants, additional firms shall be selected by the District, in order of their competence and qualifications. Negotiations shall continue, beginning with the first-named firm on the list, until an agreement is reached or the list of firms is exhausted.
- (6) Contracts; Public Records. In accordance with Florida law, each contract entered into pursuant to this Rule shall include provisions required by law that require the contractor to comply with public records laws.
- (7) Continuing Contract. Nothing in this Rule shall prohibit a Continuing Contract between a consultant and the District.
- (8) Emergency Purchase. The District may make an Emergency Purchase without complying with these Rules. The fact that an Emergency Purchase has occurred or is necessary shall be noted in the minutes of the next Board meeting.

Specific Authority: §§ 190.011(5), 190.011(15), Fla. Stat.

Law Implemented: §§ 119.0701, 190.011(3), 190.033, 287.055, Fla. Stat.

Rule 3.2 Procedure Regarding Auditor Selection.

In order to comply with the requirements of Section 218.391 of the Florida Statutes, the following procedures are outlined for selection of firms or individuals to provide Auditing Services and for the negotiation of such contracts. For audits required under Chapter 190 of the Florida Statutes but not meeting the thresholds of Chapter 218 of the Florida Statutes, the District need not follow these procedures but may proceed with the selection of a firm or individual to provide Auditing Services and for the negotiation of such contracts in the manner the Board determines is in the best interests of the District.

(1) Definitions.

- (a) "Auditing Services" means those services within the scope of the practice of a certified public accounting firm licensed under Chapter 473 of the Florida Statutes, and qualified to conduct audits in accordance with government auditing standards as adopted by the Florida Board of Accountancy.
- (b) "Committee" means the auditor selection committee appointed by the Board as described in section (2) of this Rule.

(2) Establishment of Auditor Selection Committee. Prior to a public announcement under section (4) of this Rule that Auditing Services are required, the Board shall establish an auditor selection committee ("Committee"), the primary purpose of which is to assist the Board in selecting an auditor to conduct the annual financial audit required by Section 218.39 of the Florida Statutes. The Committee shall include at least three individuals, at least one of which must also be a member of the Board. The establishment and selection of the Committee must be conducted at a publicly noticed and held meeting of the Board. The Chairperson of the Committee must be a member of the Board. An employee, a chief executive officer, or a chief financial officer of the District may not serve as a member of the Committee; provided however such individual may serve the Committee in an advisory capacity.

(3) Establishment of Minimum Qualifications and Evaluation Criteria. Prior to a public announcement under section (4) of this Rule that Auditing Services are required, the Committee shall meet at a publicly noticed meeting to establish minimum qualifications and factors to use for the evaluation of Auditing Services to be provided by a certified public accounting firm licensed under Chapter 473 of the Florida Statutes, and qualified to conduct audits in accordance with government auditing standards as adopted by the Florida Board of Accountancy.

- (a) Minimum Qualifications. In order to be eligible to submit a proposal, a firm must, at all relevant times including the time of receipt of the proposal by the District:
 - (i) Hold all required applicable state professional licenses in good standing;

- (ii) Hold all required applicable federal licenses in good standing, if any;
- (iii) Hold a current and active Florida corporate charter or be authorized to do business in the State of Florida in accordance with Chapter 607 of the Florida Statutes, if the proposer is a corporation; and
- (iv) Meet any pre-qualification requirements established by the Committee and set forth in the RFP or other specifications.

If requested in the RFP or other specifications, evidence of compliance with the minimum qualifications as established by the Committee must be submitted with the proposal.

- (b) Evaluation Criteria. The factors established for the evaluation of Auditing Services by the Committee shall include, but are not limited to:
 - (i) Ability of personnel;
 - (ii) Experience;
 - (iii) Ability to furnish the required services; and
 - (iv) Such other factors as may be determined by the Committee to be applicable to its particular requirements.

The Committee may also choose to consider compensation as a factor. If the Committee establishes compensation as one of the factors, compensation shall not be the sole or predominant factor used to evaluate proposals.

- (4) Public Announcement. After identifying the factors to be used in evaluating the proposals for Auditing Services as set forth in section (3) of this Rule, the Committee shall publicly announce the opportunity to provide Auditing Services. Such public announcement shall include a brief description of the audit and how interested firms can apply for consideration and obtain the RFP. The notice shall appear in at least one (1) newspaper of general circulation in the District and the county in which the District is located. The public announcement shall allow for at least seven (7) days for the submission of proposals.
- (5) Request for Proposals. The Committee shall provide interested firms with a Request for Proposals (“RFP”). The RFP shall provide information on how proposals are to be evaluated and such other information the Committee determines is necessary for the firm to prepare a proposal. The RFP shall state the time and place for submitting proposals.
- (6) Committee’s Evaluation of Proposals and Recommendation. The Committee shall meet at a publicly held meeting that is publicly noticed for a reasonable time in advance of the meeting to evaluate all qualified proposals and may, as part of the evaluation, require that each interested firm provide a public presentation where the

Committee may conduct discussions with the firm, and where the firm may present information, regarding the firm's qualifications. At the public meeting, the Committee shall rank and recommend in order of preference no fewer than three firms deemed to be the most highly qualified to perform the required services after considering the factors established pursuant to subsection (3)(b) of this Rule. If fewer than three firms respond to the RFP or if no firms respond to the RFP, the Committee shall recommend such firm as it deems to be the most highly qualified. Notwithstanding the foregoing, the Committee may recommend that any and all proposals be rejected.

(7) Board Selection of Auditor.

- (a) Where compensation was not selected as a factor used in evaluating the proposals, the Board shall negotiate with the firm ranked first and inquire of that firm as to the basis of compensation. If the Board is unable to negotiate a satisfactory agreement with the first ranked firm at a price deemed by the Board to be fair, competitive, and reasonable, then negotiations with that firm shall be terminated and the Board shall immediately begin negotiations with the second ranked firm. If a satisfactory agreement with the second ranked firm cannot be reached, those negotiations shall be terminated and negotiations with the third ranked firm shall be undertaken. The Board may reopen formal negotiations with any one of the three top-ranked firms, but it may not negotiate with more than one firm at a time. If the Board is unable to negotiate a satisfactory agreement with any of the selected firms, the Committee shall recommend additional firms in order of the firms' respective competence and qualifications. Negotiations shall continue, beginning with the first-named firm on the list, until an agreement is reached or the list of firms is exhausted.
- (b) Where compensation was selected as a factor used in evaluating the proposals, the Board shall select the highest-ranked qualified firm or document in its public records the reason for not selecting the highest-ranked qualified firm.
- (c) In negotiations with firms under this Rule, the Board may allow the District Manager, District Counsel, or other designee to conduct negotiations on its behalf.
- (d) Notwithstanding the foregoing, the Board may reject any or all proposals. The Board shall not consider any proposal, or enter into any contract for Auditing Services, unless the proposed agreed-upon compensation is reasonable to satisfy the requirements of Section 218.39 of the Florida Statutes, and the needs of the District.

(8) Contract. Any agreement reached under this Rule shall be evidenced by a written contract, which may take the form of an engagement letter signed and executed by both parties. The written contract shall include all provisions and conditions of the procurement of such services and shall include, at a minimum, the following:

- (a) A provision specifying the services to be provided and fees or other compensation for such services;
 - (b) A provision requiring that invoices for fees or other compensation be submitted in sufficient detail to demonstrate compliance with the terms of the contract;
 - (c) A provision setting forth deadlines for the auditor to submit a preliminary draft audit report to the District for review and to submit a final audit report no later than June 30 of the fiscal year that follows the fiscal year for which the audit is being conducted;
 - (d) A provision specifying the contract period, including renewals, and conditions under which the contract may be terminated or renewed. The maximum contract period including renewals shall be five (5) years. A renewal may be done without the use of the auditor selection procedures provided in this Rule but must be in writing.
 - (e) Provisions required by law that require the auditor to comply with public records laws.
- (9) Notice of Award. Once a negotiated agreement with a firm or individual is reached, or the Board authorizes the execution of an agreement with a firm where compensation was a factor in the evaluation of proposals, notice of the intent to award, including the rejection of some or all proposals, shall be provided in writing to all proposers by United States Mail, hand delivery, facsimile, or overnight delivery service. The notice shall include the following statement: "Failure to file a protest within the time prescribed in Rule 3.11 of the Rules of the District shall constitute a waiver of proceedings under those Rules," or wording to that effect. Protests regarding the award of contracts under this Rule shall be as provided for in Rule 3.11. No proposer shall be entitled to recover any costs of proposal preparation or submittal from the District.

Specific Authority: §§ 190.011(5), 190.011(15), Fla. Stat.
Law Implemented: §§ 119.0701, 218.33, 218.391, Fla. Stat.

Rule 3.3 Purchase of Insurance.

- (1) Scope. The purchases of life, health, accident, hospitalization, legal expense, or annuity insurance, or all of any kinds of such insurance for the officers and employees of the District, and for health, accident, hospitalization, and legal expenses upon a group insurance plan by the District, shall be governed by this Rule. This Rule does not apply to the purchase of any other type of insurance by the District, including but not limited to liability insurance, property insurance, and directors and officers insurance. Nothing in this Rule shall require the District to purchase insurance.

- (2) Procedure. For a purchase of insurance within the scope of these Rules, the following procedure shall be followed:
 - (a) The Board shall cause to be prepared a Notice of Invitation to Bid.
 - (b) Notice of the Invitation to Bid shall be advertised at least once in a newspaper of general circulation within the District. The notice shall allow at least fourteen (14) days for submittal of bids.
 - (c) The District may maintain a list of persons interested in receiving notices of Invitations to Bid. The District shall make reasonable efforts to provide copies of any notices to such persons, but the failure to do so shall not give such consultants any bid protest or other rights or otherwise disqualify any otherwise valid procurement process.
 - (d) Bids shall be opened at the time and place noted in the Invitation to Bid.
 - (e) If only one (1) response to an Invitation is received, the District may proceed with the purchase. If no response to an Invitation to Bid is received, the District may take whatever steps are reasonably necessary in order to proceed with the purchase.
 - (f) The Board has the right to reject any and all bids and such reservations shall be included in all solicitations and advertisements.
 - (g) Simultaneously with the review of the submitted bids, the District may undertake negotiations with those companies that have submitted reasonable and timely bids and, in the opinion of the District, are fully qualified and capable of meeting all services and requirements. Bid responses shall be evaluated in accordance with the specifications and criteria contained in the Invitation to Bid; in addition, the total cost to the District, the cost, if any, to the District officers, employees, or their dependents, the geographic location of the company's headquarters and offices in relation to the District, and the ability of the company to guarantee premium stability may be considered. A contract to purchase insurance shall be awarded to that company whose response to the Invitation to Bid best meets the overall needs of the District, its officers, employees, and/or dependents.

- (h) Notice of the intent to award, including rejection of some or all bids, shall be provided in writing to all bidders by United States Mail, by hand delivery, or by overnight delivery service. The notice shall include the following statement: "Failure to file a protest within the time prescribed in Rule 3.11 of the Rules of the District shall constitute a waiver of proceedings under those Rules," or wording to that effect. Protests of the District's procurement of insurance under this Rule shall be in accordance with the procedures set forth in Rule 3.11.

Specific Authority: §§ 190.011(5), 190.011(15), Fla. Stat.

Law Implemented: § 112.08, Fla. Stat.

Rule 3.4 Pre-qualification

- (1) Scope. In its discretion, the District may undertake a pre-qualification process in accordance with this Rule for vendors to provide construction services, goods, supplies, and materials, Contractual Services, and maintenance services.
- (2) Procedure. When the District seeks to pre-qualify vendors, the following procedures shall apply:
 - (a) The Board shall cause to be prepared a Request for Qualifications.
 - (b) For construction services exceeding the thresholds described in Section 255.20 of the Florida Statutes, the Board must advertise the proposed pre-qualification criteria and procedures and allow at least seven (7) days notice of the public hearing for comments on such pre-qualification criteria and procedures. At such public hearing, potential vendors may object to such pre-qualification criteria and procedures. Following such public hearing, the Board shall formally adopt pre-qualification criteria and procedures prior to the advertisement of the Request for Qualifications for construction services.
 - (c) The Request for Qualifications shall be advertised at least once in a newspaper of general circulation within the District and within the county in which the District is located. The notice shall allow at least seven (7) days for submittal of qualifications for goods, supplies and materials, Contractual Services, maintenance services, and construction services under two hundred fifty thousand dollars (\$250,000). The notice shall allow at least twenty-one (21) days for submittal of qualifications for construction services estimated to cost over two hundred fifty thousand dollars (\$250,000) and thirty (30) days for construction services estimated to cost over five hundred thousand dollars (\$500,000).
 - (d) The District may maintain lists of persons interested in receiving notices of Requests for Qualifications. The District shall make a good faith effort to provide written notice, by electronic mail, United States Mail, hand delivery, or facsimile, to persons who provide their name and address to the District Manager for inclusion on the list. However, failure of a person to receive the notice shall not invalidate any pre-qualification determination or contract awarded in accordance with these Rules and shall not be a basis for a protest of any pre-qualification determination or contract award.
 - (e) If the District has pre-qualified vendors for a particular category of purchase, at the option of the District, only those persons who have been pre-qualified will be eligible to submit bids, proposals, replies or responses in response to the applicable Invitation to Bid, Request for Proposals, Invitation to Negotiate, or Competitive Solicitation.
 - (f) In order to be eligible to submit qualifications, a firm or individual must, at the time of receipt of the qualifications:

- (i) Hold all required applicable state professional licenses in good standing;
- (ii) Hold all required applicable federal licenses in good standing, if any;
- (iii) Hold a current and active Florida corporate charter or be authorized to do business in the State of Florida in accordance with Chapter 607 of the Florida Statutes, if the vendor is a corporation; and
- (iv) Meet any special pre-qualification requirements set forth in the Request for Qualifications.

Evidence of compliance with these Rules must be submitted with the qualifications if required by the District. Failure to submit evidence of compliance when required may be grounds for rejection of the qualifications.

- (g) Qualifications shall be presented to the Board, or a committee appointed by the Board, for evaluation in accordance with the Request for Qualifications and this Rule. Minor variations in the qualifications may be waived by the Board. A variation is minor if waiver of the variation does not create a competitive advantage or disadvantage of a material nature.
- (h) All vendors determined by the District to meet the pre-qualification requirements shall be pre-qualified. To assure full understanding of the responsiveness to the requirements contained in a Request for Qualifications, discussions may be conducted with qualified vendors. Vendors shall be accorded fair treatment prior to the submittal date with respect to any opportunity for discussion and revision of qualifications. For construction services, any contractor pre-qualified and considered eligible by the Department of Transportation to bid to perform the type of work the project entails shall be presumed to be qualified to perform the project.
- (i) The Board shall have the right to reject all qualifications if there are not enough to be competitive or if rejection is determined to be in the best interest of the District. No vendor shall be entitled to recover any costs of qualification preparation or submittal from the District.
- (j) Notice of intent to pre-qualify, including rejection of some or all qualifications, shall be provided in writing to all vendors by United States Mail, electronic mail, hand delivery, facsimile, or overnight delivery service. The notice shall include the following statement: "Failure to file a protest within the time prescribed in Rule 3.11 of the Rules of the District shall constitute a waiver of proceedings under those Rules," or wording to that effect. Protests of the District's pre-qualification decisions under this Rule shall be in accordance with the procedures set forth in Rule 3.11; provided however, protests related to the pre-qualification criteria and procedures for construction services shall be resolved in

accordance with section (2)(b) of this Rule and Section 255.20(1)(b) of the Florida Statutes.

(3) Suspension, Revocation, or Denial of Qualification

- (a) The District, for good cause, may deny, suspend, or revoke a prequalified vendor's pre-qualified status. A suspension, revocation, or denial for good cause shall prohibit the vendor from bidding on any District construction contract for which qualification is required, shall constitute a determination of non-responsibility to bid on any other District construction or maintenance contract, and shall prohibit the vendor from acting as a material supplier or subcontractor on any District contract or project during the period of suspension, revocation, or denial. Good cause shall include the following:
- i. One of the circumstances specified under Section 337.16(2), Fla. Stat., has occurred.
 - ii. Affiliated contractors submitted more than one proposal for the same work. In this event the pre-qualified status of all of the affiliated bidders will be revoked, suspended, or denied. All bids of affiliated bidders will be rejected.
 - iii. The vendor made or submitted false, deceptive, or fraudulent statements, certifications, or materials in any claim for payment or any information required by any District contract.
 - iv. The vendor or its affiliate defaulted on any contract or a contract surety assumed control of financial responsibility for any contract of the vendor.
 - v. The vendor's qualification to bid is suspended, revoked, or denied by any other public or semi-public entity, or the vendor has been the subject of a civil enforcement proceeding or settlement involving a public or semi-public entity.
 - vi. The vendor failed to comply with contract or warranty requirements or failed to follow District direction in the performance of a contract.
 - vii. The vendor failed to timely furnish all contract documents required by the contract specifications, special provisions, or by any state or federal statutes or regulations. If the vendor fails to furnish any of the subject contract documents by the expiration of the period of suspension, revocation, or denial set forth above, the vendor's pre-qualified status shall remain suspended, revoked, or denied until the documents are furnished.
 - viii. The vendor failed to notify the District within 10 days of the vendor, or any of its affiliates, being declared in default or otherwise not completing work on a contract or being suspended from qualification to bid or denied qualification to bid by any other public or semi-public

agency.

- ix. The vendor did not pay its subcontractors or suppliers in a timely manner or in compliance with contract documents.
 - x. The vendor has demonstrated instances of poor or unsatisfactory performance, deficient management resulting in project delay, poor quality workmanship, a history of payment of liquidated damages, untimely completion of projects, uncooperative attitude, contract litigation, inflated claims or defaults.
 - xi. An affiliate of the vendor has previously been determined by the District to be non-responsible, and the specified period of suspension, revocation, denial, or non-responsibility remains in effect.
 - xii. The vendor or affiliate(s) has been convicted of a contract crime.
 1. The term “contract crime” means any violation of state or federal antitrust laws with respect to a public contract or any violation of any state or federal law involving fraud, bribery, collusion, conspiracy, or material misrepresentation with respect to a public contract.
 2. The term “convicted” or “conviction” means a finding of guilt or a conviction of a contract crime, with or without an adjudication of guilt, in any federal or state trial court of record as a result of a jury verdict, nonjury trial, or entry of a plea of guilty or nolo contendere.
- (b) A denial, suspension, or revocation shall prohibit the vendor from being a subcontractor on District work during the period of denial, suspension, or revocation, except when a prime contractor’s bid has used prices of a subcontractor who becomes disqualified after the bid, but before the request for authorization to sublet is presented.
- (c) The District shall inform the vendor in writing of its intent to deny, suspend, or revoke its pre-qualified status and inform the vendor of its right to a hearing, the procedure which must be followed, and the applicable time limits. If a hearing is requested within 10 days after the receipt of the notice of intent, the hearing shall be held within 30 days after receipt by the District of the request for the hearing. The decision shall be issued within 15 days after the hearing.
- (d) Such suspension or revocation shall not affect the vendor’s obligations under any preexisting contract.
- (e) In the case of contract crimes, the vendor’s pre-qualified status under this Rule shall be revoked indefinitely. For all violations of Rule 3.4(3)(a) other than for the vendor’s conviction for contract crimes, the revocation, denial, or suspension of a vendor’s pre-qualified status under this Rule shall be for a specific period of time based on the seriousness of the deficiency.

Examples of factors affecting the seriousness of a deficiency are:

- i. Impacts on project schedule, cost, or quality of work;
- ii. Unsafe conditions allowed to exist;
- iii. Complaints from the public;
- iv. Delay or interference with the bidding process;
- v. The potential for repetition;
- vi. Integrity of the public contracting process;
- vii. Effect on the health, safety, and welfare of the public.

Specific Authority: §§ 190.011(5), 190.011(15), Fla. Stat.

Law Implemented: §§ 190.033, 255.0525, 255.20, Fla. Stat.

Rule 3.5 Construction Contracts, Not Design-Build.

- (1) Scope. All contracts for the construction or improvement of any building, structure, or other public construction works authorized by Chapter 190 of the Florida Statutes, the costs of which are estimated by the District in accordance with generally accepted cost accounting principles to be in excess of the threshold amount for applicability of Section 255.20 of the Florida Statutes, as that amount may be indexed or amended from time to time, shall be let under the terms of these Rules and the procedures of Section 255.20 of the Florida Statutes, as the same may be amended from time to time. A project shall not be divided solely to avoid the threshold bidding requirements.
- (2) Procedure. When a purchase of construction services is within the scope of this Rule, the following procedures shall apply:
 - (a) The Board shall cause to be prepared an Invitation to Bid, Request for Proposals, Invitation to Negotiate, or Competitive Solicitation.
 - (b) Notice of the Invitation to Bid, Request for Proposals, Invitation to Negotiate, or Competitive Solicitation shall be advertised at least once in a newspaper of general circulation in the District and in the county in which the District is located. The notice shall also include the amount of the bid bond, if one is required. The notice shall allow at least twenty-one (21) days for submittal of sealed bids, proposals, replies, or responses, unless the Board, for good cause, determines a shorter period of time is appropriate. Any project projected to cost more than five hundred thousand dollars (\$500,000) must be noticed at least thirty (30) days prior to the date for submittal of bids, proposals, replies, or responses. If the Board has previously pre-qualified contractors pursuant to Rule 3.4 and determined that only the contractors that have been pre-qualified will be permitted to submit bids, proposals, replies, and responses, the Notice of Invitation to Bid, Request for Proposals, Invitation to Negotiate, or Competitive Solicitation need not be published. Instead, the Notice of Invitation to Bid, Request for Proposals, Invitation to Negotiate, or Competitive Solicitation shall be sent to the pre-qualified contractors by United States Mail, hand delivery, facsimile, or overnight delivery service.
 - (c) The District may maintain lists of persons interested in receiving notices of Invitations to Bid, Requests for Proposals, Invitations to Negotiate, and Competitive Solicitations. The District shall make a good faith effort to provide written notice, by electronic mail, United States Mail, hand delivery, or facsimile, to persons who provide their name and address to the District Manager for inclusion on the list. However, failure of a person to receive the notice shall not invalidate any contract awarded in accordance with this Rule and shall not be a basis for a protest of any contract award.
 - (d) If the District has pre-qualified providers of construction services, then, at the option of the District, only those persons who have been pre-qualified will be eligible to submit bids, proposals, replies, or responses to Invitations

to Bid, Requests for Proposals, Invitations to Negotiate, and Competitive Solicitations.

- (e) In order to be eligible to submit a bid, proposal, reply, or response, a firm or individual must, at the time of receipt of the bids, proposals, replies, or responses:
 - (i) Hold all required applicable state professional licenses in good standing;
 - (ii) Hold all required applicable federal licenses in good standing, if any;
 - (iii) Hold a current and active Florida corporate charter or be authorized to do business in the State of Florida in accordance with Chapter 607 of the Florida Statutes, if the bidder is a corporation; and
 - (iv) Meet any special pre-qualification requirements set forth in the Invitation to Bid, Request for Proposals, Invitation to Negotiate, or Competitive Solicitation.

Any contractor that has been found guilty by a court of any violation of federal labor or employment tax laws regarding subjects including but not limited to, reemployment assistance, safety, tax withholding, worker's compensation, unemployment tax, social security and Medicare tax, wage or hour, or prevailing rate laws within the past 5 years may be considered ineligible by the District to submit a bid, response, or proposal for a District project.

Evidence of compliance with these Rules must be submitted with the bid, proposal, reply, or response, if required by the District. Failure to submit evidence of compliance when required may be grounds for rejection of the bid, proposal, reply, or response.

- (f) Bids, proposals, replies, and responses, or the portions of which that include the price, shall be publicly opened at a meeting noticed in accordance with Rule 1.3, and at which at least one district representative is present. The name of each bidder and the price submitted in the bid shall be announced at such meeting and shall be made available upon request. Minutes should be taken at the meeting and maintained by the District. Bids, proposals, replies, and responses shall be evaluated in accordance with the respective Invitation to Bid, Request for Proposals, Invitation to Negotiate, or Competitive Solicitation and these Rules. Minor variations in the bids, proposals, replies, or responses may be waived by the Board. A variation is minor if waiver of the variation does not create a competitive advantage or disadvantage of a material nature. Mistakes in arithmetic extension of pricing may be corrected by the Board. Bids and proposals may not be modified or supplemented after opening; provided however, additional information may be requested and/or provided to evidence compliance,

make non-material modifications, clarifications, or supplementations, and as otherwise permitted by Florida law.

- (g) The lowest Responsive Bid submitted by a Responsive and Responsible Bidder in response to an Invitation to Bid shall be accepted. In relation to a Request for Proposals, Invitation to Negotiate, or Competitive Solicitation, the Board shall select the Responsive Proposal, Reply, or Response submitted by a Responsive and Responsible Vendor which is most advantageous to the District. To assure full understanding of the responsiveness to the solicitation requirements contained in a Request for Proposals, Invitation to Negotiate, or Competitive Solicitation, discussions may be conducted with qualified vendors. Vendors shall be accorded fair treatment prior to the submittal date with respect to any opportunity for discussion, preparation, and revision of bids, proposals, replies, and responses.
 - (h) The Board shall have the right to reject all bids, proposals, replies, or responses because they exceed the amount of funds budgeted for the purchase, if there are not enough to be competitive, or if rejection is determined to be in the best interest of the District. No contractor shall be entitled to recover any costs of bid, proposal, response, or reply preparation or submittal from the District.
 - (i) The Board may require potential contractors to furnish bid bonds, performance bonds, and/or other bonds with a responsible surety to be approved by the Board.
 - (j) Notice of intent to award, including rejection of some or all bids, proposals, replies, or responses, shall be provided in writing to all contractors by United States Mail, hand delivery, facsimile, or overnight delivery service. The notice shall include the following statement: "Failure to file a protest within the time prescribed in Rule 3.11 of the Rules of the District shall constitute a waiver of proceedings under those Rules," or wording to that effect. Protests of the District's purchase of construction services under this Rule shall be in accordance with the procedures set forth in Rule 3.11.
 - (k) If less than three (3) Responsive Bids, Proposals, Replies, or Responses are received, the District may purchase construction services or may reject the bids, proposals, replies, or responses for a lack of competitiveness. If no Responsive Bid, Proposal, Reply, or Response is received, the District may proceed with the procurement of construction services, in the manner the Board determines is in the best interests of the District, which may include but is not limited to a direct purchase of the construction services without further competitive selection processes.
- (3) Sole Source; Government. Construction services that are only available from a single source are exempt from this Rule. Construction services provided by governmental agencies are exempt from this Rule. This Rule shall not apply to the purchase of construction services, which may include goods, supplies, or materials,

that are purchased under a federal, state, or local government contract that has been competitively procured by such federal, state, or local government in a manner consistent with the material procurement requirements of these Rules. A contract for construction services is exempt from this Rule if state or federal law prescribes with whom the District must contract or if the rate of payment is established during the appropriation process.

- (4) Contracts; Public Records. In accordance with Florida law, each contract entered into pursuant to this Rule shall include provisions required by law that require the contractor to comply with public records laws.
- (5) Emergency Purchases. The District may make an Emergency Purchase without complying with these rules. The fact that an Emergency Purchase has occurred or is necessary shall be noted in the minutes of the next Board Meeting.
- (6) Exceptions. This Rule is inapplicable when:
 - (a) The project is undertaken as repair or maintenance of an existing public facility;
 - (b) The funding source of the project will be diminished or lost because the time required to competitively award the project after the funds become available exceeds the time within which the funding source must be spent;
 - (c) The District has competitively awarded a project and the contractor has abandoned the project or the District has terminated the contract; or
 - (d) The District, after public notice, conducts a public meeting under Section 286.011 of the Florida Statutes, and finds by a majority vote of the Board that it is in the public's best interest to perform the project using its own services, employees, and equipment.

Specific Authority: §§ 190.011(5), 190.011(15), Fla. Stat.

Law Implemented: §§ 119.0701, 189.053, 190.033, 255.0518, 255.0525, 255.20, 287.055, Fla. Stat.

Rule 3.6 Construction Contracts, Design-Build.

- (1) Scope. The District may utilize Design-Build Contracts for any public construction project for which the Board determines that use of such contract is in the best interest of the District. When letting a Design-Build Contract, the District shall use the following procedure:
- (2) Procedure.
 - (a) The District shall utilize a Design Criteria Professional meeting the requirements of Section 287.055(2)(k) of the Florida Statutes, when developing a Design Criteria Package, evaluating the proposals and qualifications submitted by Design-Build Firms, and determining compliance of the project construction with the Design Criteria Package. The Design Criteria Professional may be an employee of the District, may be the District Engineer selected by the District pursuant to Section 287.055

of the Florida Statutes, or may be retained pursuant to Rule 3.1. The Design Criteria Professional is not eligible to render services under a Design-Build Contract executed pursuant to the Design Criteria Package.

- (b) A Design Criteria Package for the construction project shall be prepared and sealed by the Design Criteria Professional. If the project utilizes existing plans, the Design Criteria Professional shall create a Design Criteria Package by supplementing the plans with project specific requirements, if any.
- (c) The Board may either choose to award the Design-Build Contract pursuant to the competitive proposal selection process set forth in Section 287.055(9) of the Florida Statutes, or pursuant to the qualifications-based selection process pursuant to Rule 3.1.
 - (i) Qualifications-Based Selection. If the process set forth in Rule 3.1 is utilized, subsequent to competitive negotiations, a guaranteed maximum price and guaranteed completion date shall be established.
 - (ii) Competitive Proposal-Based Selection. If the competitive proposal selection process is utilized, the Board, in consultation with the Design Criteria Professional, shall establish the criteria, standards and procedures for the evaluation of Design-Build Proposals based on price, technical, and design aspects of the project, weighted for the project. After a Design Criteria Package and the standards and procedures for evaluation of proposals have been developed, competitive proposals from qualified firms shall be solicited pursuant to the design criteria by the following procedure:
 1. A Request for Proposals shall be advertised at least once in a newspaper of general circulation in the county in which the District is located. The notice shall allow at least twenty-one (21) days for submittal of sealed proposals, unless the Board, for good cause, determines a shorter period of time is appropriate. Any project projected to cost more than five hundred thousand dollars (\$500,000) must be noticed at least thirty (30) days prior to the date for submittal of proposals.
 2. The District may maintain lists of persons interested in receiving notices of Requests for Proposals. The District shall make a good faith effort to provide written notice, by electronic mail, United States Mail, hand delivery, or facsimile, to persons who provide their name and address to the District Manager for inclusion on the list. However, failure of a person to receive the notice shall not invalidate any contract awarded in accordance with this Rule and shall not be a basis for a protest of any contract award.

3. In order to be eligible to submit a proposal, a firm must, at the time of receipt of the proposals:
 - a. Hold the required applicable state professional licenses in good standing, as defined by Section 287.055(2)(h) of the Florida Statutes;
 - b. Hold all required applicable federal licenses in good standing, if any;
 - c. Hold a current and active Florida corporate charter or be authorized to do business in the State of Florida in accordance with Chapter 607 of the Florida Statutes, if the proposer is a corporation;
 - d. Meet any special pre-qualification requirements set forth in the Request for Proposals and Design Criteria Package.

Any contractor that has been found guilty by a court of any violation of federal labor or employment tax laws regarding subjects including but not limited to reemployment assistance, safety, tax withholding, worker's compensation, unemployment tax, social security and Medicare tax, wage or hour, or prevailing rate laws within the past 5 years may be considered ineligible by the District to submit a bid, response, or proposal for a District project.

Evidence of compliance with these Rules must be submitted with the proposal if required by the District. Failure to submit evidence of compliance when required may be grounds for rejection of the proposal.

4. The proposals, or the portions of which that include the price, shall be publicly opened at a meeting noticed in accordance with Rule 1.3, and at which at least one district representative is present. The name of each bidder and the price submitted in the bid shall be announced at such meeting and shall be made available upon request. Minutes should be taken at the meeting and maintained by the District. In consultation with the Design Criteria Professional, the Board shall evaluate the proposals received based on evaluation criteria and procedures established prior to the solicitation of proposals, including but not limited to qualifications, availability, and past work of the firms and the partners and members thereof. The Board shall then select no fewer than three (3) Design-Build Firms as the most qualified.

5. The Board shall have the right to reject all proposals if [the proposals are too high](#), or rejection is determined to be in the best interest of the District. No vendor shall be entitled to recover any costs of proposal preparation or submittal from the District.
6. If less than three (3) Responsive Proposals are received, the District may purchase design-build services or may reject the proposals for lack of competitiveness. If no Responsive Proposals are received, the District may proceed with the procurement of design-build services in the manner the Board determines is in the best interests of the District, which may include but is not limited to a direct purchase of the design-build services without further competitive selection processes.
7. Notice of the rankings adopted by the Board, including the rejection of some or all proposals, shall be provided in writing to all consultants by United States Mail, hand delivery, facsimile, or overnight delivery service. The notice shall include the following statement: "Failure to file a protest within the time prescribed in Rule 3.11 of the Rules of the District shall constitute a waiver of proceedings under those Rules," or wording to that effect. Protests of the District's rankings under this Rule shall be in accordance with the procedures set forth in Rule 3.11.
8. The Board shall negotiate a contract with the firm ranking the highest based on the evaluation standards and shall establish a price which the Board determines is fair, competitive and reasonable. Should the Board be unable to negotiate a satisfactory contract with the firm considered to be the most qualified at a price considered by the Board to be fair, competitive, and reasonable, negotiations with that firm must be terminated. The Board shall then undertake negotiations with the second most qualified firm, based on the ranking by the evaluation standards. Should the Board be unable to negotiate a satisfactory contract with the firm considered to be the second most qualified at a price considered by the Board to be fair, competitive, and reasonable, negotiations with that firm must be terminated. The Board shall then undertake negotiations with the third most qualified firm. Should the Board be unable to negotiate a satisfactory contract with the firm considered to be the third most qualified at a price considered by the Board to be fair, competitive, and reasonable, negotiations with that firm must be terminated. Should the Board be unable to negotiate a satisfactory contract with any of the selected firms, the Board shall select additional firms in order of their

rankings based on the evaluation standards and continue negotiations until an agreement is reached or the list of firms is exhausted.

9. After the Board contracts with a firm, the firm shall bring to the Board for approval, detailed working drawings of the project.
 10. The Design Criteria Professional shall evaluate the compliance of the detailed working drawings and project construction with the Design Criteria Package and shall provide the Board with a report of the same.
- (3) Contracts; Public Records. In accordance with Florida law, each contract entered into pursuant to this Rule shall include provisions required by law that require the contractor to comply with public records laws.
- (4) Emergency Purchase. The Board may, in case of public emergency, declare an emergency and immediately proceed with negotiations with the best qualified Design-Build Firm available at the time. The fact that an Emergency Purchase has occurred shall be noted in the minutes of the next Board meeting.
- (5) Exceptions. This Rule is inapplicable when:
- (a) The project is undertaken as repair or maintenance of an existing public facility;
 - (b) The funding source of the project will be diminished or lost because the time required to competitively award the project after the funds become available exceeds the time within which the funding source must be spent;
 - (c) The District has competitively awarded a project and the contractor has abandoned the project or the District has terminated the contractor; or
 - (d) The District, after public notice, conducts a public meeting under Section 286.011 of the Florida Statutes, and finds by a majority vote of the Board that it is in the public's best interest to perform the project using its own services, employees, and equipment.

Specific Authority: §§ 190.011(5), 190.011(15), Fla. Stat.

Law Implemented: §§ 119.0701, 189.053, 190.033, 255.0518, 255.0525, 255.20, 287.055, Fla. Stat.

Rule 3.7 Payment and Performance Bonds.

- (1) Scope. This Rule shall apply to contracts for the construction of a public building, for the prosecution and completion of a public work, or for repairs upon a public building or public work and shall be construed in addition to terms prescribed by any other Rule that may also apply to such contracts.

- (2) Required Bond. Upon entering into a contract for any of the services described in section (1) of this Rule in excess of \$200,000, the Board should require that the contractor, before commencing the work, execute and record a payment and performance bond in an amount equal to the contract price. Notwithstanding the terms of the contract or any other law, the District may not make payment to the contractor until the contractor has provided to the District a certified copy of the recorded bond.

- (3) Discretionary Bond. At the discretion of the Board, upon entering into a contract for any of the services described in section (1) of this Rule for an amount not exceeding \$200,000, the contractor may be exempted from executing a payment and performance bond.

Specific Authority: §§ 190.011(5), 190.011(15), Fla. Stat.

Law Implemented: § 255.05, Fla. Stat.

Rule 3.8 Goods, Supplies, and Materials.

- (1) Purpose and Scope. All purchases of goods, supplies, or materials exceeding the amount provided in Section 287.017 of the Florida Statutes, for CATEGORY FOUR, shall be purchased under the terms of this Rule. Contracts for purchases of “goods, supplies, and materials” do not include printing, insurance, advertising, or legal notices. A contract involving goods, supplies, or materials plus maintenance services may, in the discretion of the Board, be treated as a contract for maintenance services. However, a purchase shall not be divided solely in order to avoid the threshold bidding requirements.
- (2) Procedure. When a purchase of goods, supplies, or materials is within the scope of this Rule, the following procedures shall apply:
 - (a) The Board shall cause to be prepared an Invitation to Bid, Request for Proposals, Invitation to Negotiate, or Competitive Solicitation.
 - (b) Notice of the Invitation to Bid, Request for Proposals, Invitation to Negotiate, or Competitive Solicitation shall be advertised at least once in a newspaper of general circulation within the District and within the county in which the District is located. The notice shall also include the amount of the bid bond, if one is required. The notice shall allow at least seven (7) days for submittal of bids, proposals, replies, or responses.
 - (c) The District may maintain lists of persons interested in receiving notices of Invitations to Bid, Requests for Proposals, Invitations to Negotiate, or Competitive Solicitations. The District shall make a good faith effort to provide written notice, by electronic mail, United States Mail, hand delivery, or facsimile, to persons who provide their name and address to the District Manager for inclusion on the list. However, failure of a person to receive the notice shall not invalidate any contract awarded in accordance with this Rule and shall not be a basis for a protest of any contract award.
 - (d) If the District has pre-qualified suppliers of goods, supplies, and materials, then, at the option of the District, only those persons who have been pre-qualified will be eligible to submit bids, proposals, replies, or responses.
 - (e) In order to be eligible to submit a bid, proposal, reply, or response, a firm or individual must, at the time of receipt of the bids, proposals, replies, or responses:
 - (i) Hold all required applicable state professional licenses in good standing;
 - (ii) Hold all required applicable federal licenses in good standing, if any;
 - (iii) Hold a current and active Florida corporate charter or be authorized to do business in the State of Florida in accordance with Chapter 607 of the Florida Statutes, if the vendor is a corporation; and

- (iv) Meet any special pre-qualification requirements set forth in the Invitation to Bid, Request for Proposals, Invitation to Negotiate, or Competitive Solicitation.

Evidence of compliance with these Rules must be submitted with the bid, proposal, reply or response if required by the District. Failure to submit evidence of compliance when required may be grounds for rejection of the bid, proposal, reply, or response.

Any firm or individual whose principal place of business is outside the State of Florida must also submit a written opinion of an attorney at law licensed to practice law in that foreign state, as to the preferences, if any or none, granted by the law of that foreign state to business entities whose principal places of business are in that foreign state, in the letting of any or all public contracts. Failure to submit such a written opinion or submission of a false or misleading written opinion may be grounds for rejection of the bid, proposal, reply, or response.

- (f) Bids, proposals, replies, and responses shall be publicly opened at the time and place noted on the Invitation to Bid, Request for Proposals, Invitation to Negotiate, or Competitive Solicitation. Bids, proposals, replies, and responses shall be evaluated in accordance with the respective Invitation to Bid, Request for Proposals, Invitation to Negotiate, or Competitive Solicitation, and this Rule. Minor variations in the bids, proposals, replies, or responses may be waived by the Board. A variation is minor if waiver of the variation does not create a competitive advantage or disadvantage of a material nature. Mistakes in arithmetic extension of pricing may be corrected by the Board. Bids and proposals may not be modified or supplemented after opening; provided however, additional information may be requested and/or provided to evidence compliance, make non-material modifications, clarifications, or supplementations, and as otherwise permitted by Florida law.
- (g) The lowest Responsive Bid, after taking into account the preferences provided for in this subsection, submitted by a Responsive and Responsible Bidder in response to an Invitation to Bid, Request for Proposals, Invitation to Negotiate, or Competitive Solicitation shall be accepted. If the lowest Responsive Bid is submitted by a Responsive and Responsible Bidder whose principal place of business is located in a foreign state which does not grant a preference in competitive purchase to businesses whose principal place of business are in that foreign state, the lowest Responsive and Responsible Bidder whose principal place of business is in the State of Florida shall be awarded a preference of five (5) percent. If the lowest Responsive Bid is submitted by a Responsive and Responsible Bidder whose principal place of business is located in a foreign state which grants a preference in competitive purchase to businesses whose principal place of business are in that foreign state, the lowest Responsive and Responsible

Bidder whose principal place of business is in the State of Florida shall be awarded a preference equal to the preference granted by such foreign state.

To assure full understanding of the responsiveness to the solicitation requirements contained in an Invitation to Bid, Request for Proposals, Invitation to Negotiate, or Competitive Solicitation, discussions may be conducted with qualified vendors. Vendors shall be accorded fair treatment prior to the submittal date with respect to any opportunity for discussion, preparation, and revision of bids, proposals, replies, and responses.

- (h) The Board shall have the right to reject all bids, proposals, replies, or responses because they exceed the amount of funds budgeted for the purchase, if there are not enough to be competitive, or if rejection is determined to be in the best interest of the District. No vendor shall be entitled to recover any costs of bid, proposal, reply, or response preparation or submittal from the District.
 - (i) The Board may require bidders and proposers to furnish bid bonds, performance bonds, and/or other bonds with a responsible surety to be approved by the Board.
 - (j) Notice of intent to award, including rejection of some or all bids, proposals, replies, or responses shall be provided in writing to all vendors by United States Mail, hand delivery, facsimile, or overnight delivery service. The notice shall include the following statement: "Failure to file a protest within the time prescribed in Rule 3.11 of the Rules of the District shall constitute a waiver of proceedings under those Rules," or wording to that effect. Protests of the District's purchase of goods, supplies, and materials under this Rule shall be in accordance with the procedures set forth in Rule 3.11.
 - (k) If less than three (3) Responsive Bids, Proposals, Replies, or Responses are received, the District may purchase goods, supplies, or materials, or may reject the bids, proposals, replies, or responses for a lack of competitiveness. If no Responsive Bid, Proposal, Reply, or Response is received, the District may proceed with the procurement of goods, supplies, and materials, in the manner the Board determines is in the best interests of the District, which may include but is not limited to a direct purchase of the goods, supplies, and materials without further competitive selection processes.
- (3) Goods, Supplies, and Materials included in a Construction Contract Awarded Pursuant to Rule 3.5 or 3.6. There may be occasions where the District has undergone the competitive purchase of construction services which contract may include the provision of goods, supplies, or materials. In that instance, the District may approve a change order to the contract and directly purchase the goods, supplies, and materials. Such purchase of goods, supplies, and materials deducted from a competitively purchased construction contract shall be exempt from this Rule.

- (4) Exemption. Goods, supplies, and materials that are only available from a single source are exempt from this Rule. Goods, supplies, and materials provided by governmental agencies are exempt from this Rule. A contract for goods, supplies, or materials is exempt from this Rule if state or federal law prescribes with whom the District must contract or if the rate of payment is established during the appropriation process. This Rule shall not apply to the purchase of goods, supplies or materials that are purchased under a federal, state, or local government contract that has been competitively procured by such federal, state, or local government in a manner consistent with the material procurement requirements of these Rules.
- (5) Renewal. Contracts for the purchase of goods, supplies, and/or materials subject to this Rule may be renewed for a maximum period of five (5) years.
- (6) Emergency Purchases. The District may make an Emergency Purchase without complying with these rules. The fact that an Emergency Purchase has occurred or is necessary shall be noted in the minutes of the next Board meeting.

Specific Authority: §§ 190.011(5), 190.011(15), Fla. Stat.

Law Implemented: §§ 189.053, 190.033, 287.017, 287.084, Fla. Stat.

Rule 3.9 Maintenance Services.

- (1) Scope. All contracts for maintenance of any District facility or project shall be set under the terms of this Rule if the cost exceeds the amount provided in Section 287.017 of the Florida Statutes, for CATEGORY FOUR. A contract involving goods, supplies, and materials plus maintenance services may, in the discretion of the Board, be treated as a contract for maintenance services. However, a purchase shall not be divided solely in order to avoid the threshold bidding requirements.
- (2) Procedure. When a purchase of maintenance services is within the scope of this Rule, the following procedures shall apply:
 - (a) The Board shall cause to be prepared an Invitation to Bid, Request for Proposals, Invitation to Negotiate, or Competitive Solicitation.
 - (b) Notice of the Invitation to Bid, Request for Proposals, Invitation to Negotiate, or Competitive Solicitation shall be advertised at least once in a newspaper of general circulation within the District and within the county in which the District is located. The notice shall also include the amount of the bid bond, if one is required. The notice shall allow at least seven (7) days for submittal of bids, proposals, replies, or responses.
 - (c) The District may maintain lists of persons interested in receiving notices of Invitations to Bid, Requests for Proposals, Invitations to Negotiate, and Competitive Solicitations. The District shall make a good faith effort to provide written notice, by electronic mail, United States Mail, hand delivery, or facsimile, to persons who provide their name and address to the District Manager for inclusion on the list. However, failure of a person to receive the notice shall not invalidate any contract awarded in accordance with this Rule and shall not be a basis for a protest of any contract award.
 - (d) If the District has pre-qualified suppliers of maintenance services, then, at the option of the District, only those persons who have been pre-qualified will be eligible to submit bids, proposals, replies, and responses.
 - (e) In order to be eligible to submit a bid, proposal, reply, or response, a firm or individual must, at the time of receipt of the bids, proposals, replies, or responses:
 - (i) Hold all required applicable state professional licenses in good standing;
 - (ii) Hold all required applicable federal licenses in good standing, if any;
 - (iii) Hold a current and active Florida corporate charter or be authorized to do business in the State of Florida in accordance with Chapter 607 of the Florida Statutes, if the vendor is a corporation; and

- (iv) Meet any special pre-qualification requirements set forth in the Invitation to Bid, Request for Proposals, Invitation to Negotiate, or Competitive Solicitation.

Evidence of compliance with these Rules must be submitted with the bid, proposal, reply, or response if required by the District. Failure to submit evidence of compliance when required may be grounds for rejection of the bid, proposal, reply, or response.

- (f) Bids, proposals, replies, and responses shall be publicly opened at the time and place noted on the Invitation to Bid, Request for Proposals, Invitation to Negotiate, or Competitive Solicitation. Bids, proposals, replies, and responses shall be evaluated in accordance with the respective Invitation to Bid, Request for Proposals, Invitation to Negotiate, or Competitive Solicitation, and these Rules. Minor variations in the bids, proposals, replies, and responses may be waived by the Board. A variation is minor if waiver of the variation does not create a competitive advantage or disadvantage of a material nature. Mistakes in arithmetic extension of pricing may be corrected by the Board. Bids and proposals may not be modified or supplemented after opening; provided however, additional information may be requested and/or provided to evidence compliance, make non-material modifications, clarifications, or supplementations, and as otherwise permitted by Florida law.
- (g) The lowest Responsive Bid submitted in response to an Invitation to Bid by a Responsive and Responsible Bidder shall be accepted. In relation to a Request for Proposals, Invitation to Negotiate or Competitive Solicitation the Board shall select the Responsive Proposal, Reply, or Response submitted by a Responsive and Responsible Vendor which is most advantageous to the District. To assure full understanding of the responsiveness to the solicitation requirements contained in a Request for Proposals, Invitation to Negotiate, or Competitive Solicitation, discussions may be conducted with qualified vendors. Vendors shall be accorded fair treatment prior to the submittal date with respect to any opportunity for discussion, preparation, and revision of bids, proposals, replies, or responses.
- (h) The Board shall have the right to reject all bids, proposals, replies, or responses because they exceed the amount of funds budgeted for the purchase, if there are not enough to be competitive, or if rejection is determined to be in the best interest of the District. No Vendor shall be entitled to recover any costs of bid, proposal, reply, or response preparation or submittal from the District.
- (i) The Board may require bidders and proposers to furnish bid bonds, performance bonds, and/or other bonds with a responsible surety to be approved by the Board.

- (j) Notice of intent to award, including rejection of some or all bids, proposals, replies, or responses shall be provided in writing to all vendors by United States Mail, hand delivery, facsimile, or overnight delivery service. The notice shall include the following statement: "Failure to file a protest within the time prescribed in Rule 3.11 of the Rules of the District shall constitute a waiver of proceedings under those Rules," or wording to that effect. Protests of the District's procurement of maintenance services under this Rule shall be in accordance with the procedures set forth in Rule 3.11.
 - (k) If less than three (3) Responsive Bids, Proposals, Replies, or Responses are received, the District may purchase the maintenance services or may reject the bids, proposals, replies, or responses for a lack of competitiveness. If no Responsive Bid, Proposal, Reply, or Response is received, the District may proceed with the procurement of maintenance services, in the manner the Board determines is in the best interests of the District, which may include but is not limited to a direct purchase of the maintenance services without further competitive selection processes.
- (3) Exemptions. Maintenance services that are only available from a single source are exempt from this Rule. Maintenance services provided by governmental agencies are exempt from this Rule. A contract for maintenance services is exempt from this Rule if state or federal law prescribes with whom the District must contract or if the rate of payment is established during the appropriation process.
 - (4) Renewal. Contracts for the purchase of maintenance services subject to this Rule may be renewed for a maximum period of five (5) years.
 - (5) Contracts; Public Records. In accordance with Florida law, each contract entered into pursuant to this Rule shall include provisions required by law that require the contractor to comply with public records laws.
 - (6) Emergency Purchases. The District may make an Emergency Purchase without complying with these rules. The fact that an Emergency Purchase has occurred or is necessary shall be noted in the minutes of the next Board meeting.

Specific Authority: §§ 190.011(5), 190.011(15), 190.033, Fla. Stat.

Law Implemented: §§ 119.0701, 190.033, 287.017, Fla. Stat.

Rule 3.10 Contractual Services.

- (1) Exemption from Competitive Purchase. Pursuant to Section 190.033(3) of the Florida Statutes, Contractual Services shall not be subject to competitive purchasing requirements. If an agreement is predominantly for Contractual Services, but also includes maintenance services or the purchase of goods and services, the contract shall not be subject to competitive purchasing requirements. Regardless of whether an advertisement or solicitation for Contractual Services is identified as an Invitation to Bid, Request for Proposals, Invitation to Negotiate, or Competitive Solicitation, no rights or remedies under these Rules, including but not limited to protest rights, are conferred on persons, firms, or vendors proposing to provide Contractual Services to the District.

- (2) Contracts; Public Records. In accordance with Florida law, each contract for Contractual Services shall include provisions required by law that require the contractor to comply with public records laws.

Specific Authority: §§ 190.011(5), 190.011(15), Fla. Stat.

Law Implemented: §§ 119.0701, 190.011(3), 190.033, Fla. Stat.

Rule 3.11 Protests with Respect to Proceedings under Rules 3.1, 3.2, 3.3, 3.4, 3.5, 3.6, 3.8, and 3.9.

The resolution of any protests with respect to proceedings under Rules 3.1, 3.2, 3.3, 3.4, 3.5, 3.6, 3.8, and 3.9 shall be in accordance with this Rule.

(1) Filing.

- (a) With respect to a protest regarding qualifications, specifications, documentation, or other requirements contained in a Request for Qualifications, Request for Proposals, Invitation to Bid, or Competitive Solicitation issued by the District, the notice of protest shall be filed in writing within seventy-two (72) calendar hours (excluding Saturdays, Sundays, and state holidays) after the first advertisement of the Request for Qualifications, Request for Proposals, Invitation to Bid, or Competitive Solicitation. A formal protest setting forth with particularity the facts and law upon which the protest is based shall be filed within seven (7) calendar days (including Saturdays, Sundays, and state holidays) after the initial notice of protest was filed. For purposes of this Rule, wherever applicable, filing will be perfected and deemed to have occurred upon receipt by the District. Failure to file a notice of protest shall constitute a waiver of all rights to protest the District's intended decision. Failure to file a formal written protest shall constitute an abandonment of the protest proceedings and shall automatically terminate the protest proceedings.

- (b) Except for those situations covered by subsection (1)(a) of this Rule, any firm or person who is affected adversely by a District's ranking or intended award under Rules 3.1, 3.2, 3.3, 3.4, 3.5, 3.6, 3.8, or 3.9 and desires to contest the District's ranking or intended award, shall file with the District a written notice of protest within seventy-two (72) calendar hours (excluding Saturdays, Sundays, and state holidays) after receipt of the notice of the District's ranking or intended award. A formal protest setting forth with particularity the facts and law upon which the protest is based shall be filed within seven (7) calendar days (including Saturdays, Sundays, and state holidays) after the initial notice of protest was filed. For purposes of this Rule, wherever applicable, filing will be perfected and deemed to have occurred upon receipt by the District. Failure to file a notice of protest shall constitute a waiver of all rights to protest the District's ranking or intended award. Failure to file a formal written protest shall constitute an abandonment of the protest proceedings and shall automatically terminate the protest proceedings.

- (c) If the requirement for the posting of a protest bond and the amount of the protest bond, which may be expressed by a percentage of the contract to be awarded or a set amount, is disclosed in the District's competitive solicitation documents for a particular purchase under Rules 3.1, 3.2, 3.3, 3.4, 3.5, 3.6, 3.8, or 3.9, any person who files a notice of protest must post the protest bond. The amount of the protest bond shall be determined by District staff after consultation with the Board and within the limits, if any,

imposed by Florida law. In the event the protest is successful, the protest bond shall be refunded to the protestor. In the event the protest is unsuccessful, the protest bond shall be applied towards the District's costs, expenses, and attorney's fees associated with hearing and defending the protest. In the event the protest is settled by mutual agreement of the parties, the protest bond shall be distributed as agreed to by the District and protestor.

- (d) The District does not accept documents filed by electronic mail or facsimile transmission. Filings are only accepted during normal business hours.
- (2) Contract Execution. Upon receipt of a notice of protest which has been timely filed, the District shall not execute the contract under protest until the subject of the protest is resolved. However, if the District sets forth in writing particular facts and circumstances showing that delay incident to protest proceedings will jeopardize the funding for the project, will materially increase the cost of the project, or will create an immediate and serious danger to the public health, safety, or welfare, the contract may be executed.
- (3) Informal Proceeding. If the Board determines a protest does not involve a disputed issue of material fact, the Board may, but is not obligated to, schedule an informal proceeding to consider the protest. Such informal proceeding shall be at a time and place determined by the Board. Notice of such proceeding shall be sent via facsimile, United States Mail, or hand delivery to the protestor and any substantially affected persons or parties not less than three (3) calendar days prior to such informal proceeding. Within thirty (30) calendar days following the informal proceeding, the Board shall issue a written decision setting forth the factual, legal, and policy grounds for its decision.
- (4) Formal Proceeding. If the Board determines a protest involves disputed issues of material fact or if the Board elects not to use the informal proceeding process provided for in section (3) of this Rule, the District shall schedule a formal hearing to resolve the protest. The Chairperson shall designate any member of the Board (including the Chairperson), District Manager, District Counsel, or other person as a hearing officer to conduct the hearing. The hearing officer may:
- (a) Administer oaths and affirmations;
 - (b) Rule upon offers of proof and receive relevant evidence;
 - (c) Regulate the course of the hearing, including any pre-hearing matters;
 - (d) Enter orders; and
 - (e) Make or receive offers of settlement, stipulation, and adjustment.

The hearing officer shall, within thirty (30) days after the hearing or receipt of the hearing transcript, whichever is later, file a recommended order which shall include a caption, time and place of hearing, appearances entered at the hearing, statement

of the issues, findings of fact and conclusions of law, separately stated, and a recommendation for final District action. The District shall allow each party fifteen (15) days in which to submit written exceptions to the recommended order. The District shall issue a final order within sixty (60) days after the filing of the recommended order.

- (5) Intervenors. Other substantially affected persons may join the proceedings as intervenors on appropriate terms which shall not unduly delay the proceedings.
- (6) Rejection of all Qualifications, Bids, Proposals, Replies and Responses after Receipt of Notice of Protest. If the Board determines there was a violation of law, defect, or an irregularity in the competitive solicitation process, the Bids, Proposals, Replies, and Responses are too high, or if the Board determines it is otherwise in the District's best interest, the Board may reject all qualifications, bids, proposals, replies, and responses and start the competitive solicitation process anew. If the Board decides to reject all qualifications, bids, proposals, replies, and responses and start the competitive solicitation process anew, any pending protests shall automatically terminate.
- (7) Settlement. Nothing herein shall preclude the settlement of any protest under this Rule at any time.

Specific Authority: §§ 190.011(5), 190.011(15), Fla. Stat.
Law Implemented: § 190.033, Fla. Stat.

Rule 4.0 Effective Date.

These Rules shall be effective May 11, 2022, except that no election of officers required by these Rules shall be required until after the next regular election for the Board.

Specific Authority: §§ 190.011(5), 190.011(15), Fla. Stat.

Law Implemented: §§ 190.011(5), 190.011(15), Fla. Stat.

SECTION D

RESOLUTION 2023-06

THE ANNUAL APPROPRIATION RESOLUTION OF THE LANDING COMMUNITY DEVELOPMENT DISTRICT (“DISTRICT”) RELATING TO THE ANNUAL APPROPRIATIONS AND ADOPTING THE BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2021, AND ENDING SEPTEMBER 30, 2022, AND FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2022, AND ENDING SEPTEMBER 30, 2023; AUTHORIZING BUDGET AMENDMENTS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Landing Community Development District (the “District”) was established by Ordinance No. 2022-17, adopted by the City Commission of the City of Palm Coast, Florida, effective as of September 6, 2022 (together, the “**Proposed Budgets**”); and

WHEREAS, the District Manager has prepared and submitted to the Board of Supervisors of the Landing Community Development District (the “Board”) the proposed budget for the Fiscal Year 2022 which concludes September 30, 2022, and for the Fiscal Year 2023, which concludes September 30, 2023; and

WHEREAS, the Board set a public hearing thereon and caused notice of such public hearing to be given by publication pursuant to Section 190.008(2)(a), *Florida Statutes*; and

WHEREAS, the District Manager posted the Proposed Budgets on the District’s website at least two days before the public hearing; and

WHEREAS, Section 190.008(2)(a), *Florida Statutes*, requires that, prior to October 1st of each year, the Board, by passage of the Annual Appropriation Resolution, shall adopt a budget for the ensuing fiscal year and appropriate such sums of money as the Board deems necessary to defray all expenditures of the District during the ensuing fiscal year; and

WHEREAS, the District Manager has prepared Proposed Budgets, whereby the budgets shall project the cash receipts and disbursements anticipated during a given time period, including reserves for contingencies for emergency or other unanticipated expenditures during the fiscal year.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE LANDING COMMUNITY DEVELOPMENT DISTRICT:

SECTION 1. BUDGET

- a. The Board has reviewed the Proposed Budgets, copies of which are on file with the office of the District Manager and at the District’s Local Records Office, and hereby approves certain amendments thereto, as shown in Section 2 below.

- b. The Proposed Budgets, attached hereto as **Exhibit “A,”** as amended by the Board, is hereby adopted in accordance with the provisions of Section 190.008(2)(a), *Florida Statutes* (together, the “**Adopted Budget**”), and incorporated herein by reference; provided, however, that the comparative figures contained in the Adopted Budget may be subsequently revised as deemed necessary by the District Manager to reflect actual revenues and expenditures.
- c. The Adopted Budget, as amended, shall be maintained in the office of the District Manager and at the District’s Local Records Office and identified as “The Budget for the Landing Community Development District for the Fiscal Year Ending September 30, 2022, and Fiscal Year Ending September 30, 2023”.
- d. The Adopted Budgets shall be posted by the District Manager on the District’s official website within thirty (30) days after adoption, and shall remain on the website for at least 2 years.

SECTION 2. APPROPRIATIONS

There is hereby appropriated out of the revenues of the District, for Fiscal Year 2021/2022, the sum of \$ 36,057 to be raised by the levy of assessments and/or otherwise; and

There is hereby appropriated out of the revenues of the District, for Fiscal Year 2022/2023, the sum of \$ 136,810 to be raised by the levy of assessments and/or otherwise.

Which sums are deemed by the Board to be necessary to defray all expenditures of the District during said budget year, to be divided and appropriated in the following fashion;

TOTAL GENERAL FUND (Fiscal Year 2021/2022)	<u>\$ 36,057</u>
TOTAL GENERAL FUND (Fiscal Year 2022/2023)	<u>\$ 136,810</u>
TOTAL ALL FUNDS	<u>\$ 172,867</u>

SECTION 3. BUDGET AMENDMENTS

Pursuant to Section 189.016, *Florida Statutes*, the District at any time within Fiscal Year 2021/2022 and/or Fiscal Year 2022/2023 (together, the “**Fiscal Years**”), or within 60 days following the end of the Fiscal Years may amend its Adopted Budget for that fiscal year as follows:

- a. A line-item appropriation for expenditures within a fund may be decreased or increased by motion of the Board recorded in the minutes, and approving the expenditure, if the total appropriations of the fund do not increase.

- b. The District Manager or Treasurer may approve an expenditure that would increase or decrease a line-item appropriation for expenditures within a fund if the total appropriations of the fund do not increase and if either (i) the aggregate change in the original appropriation item does not exceed the greater of \$15,000 or 15% of the original appropriation, or (ii) such expenditure is authorized by separate disbursement or spending resolution.

- c. Any other budget amendments shall be adopted by resolution and consistent with Florida law.

The District Manager or Treasurer must ensure that any amendments to the budgets under paragraph c. above are posted on the District's website within 5 days after adoption and remain on the website for at least 2 years.

SECTION 4. EFFECTIVE DATE. This Resolution shall take effect immediately upon adoption.

PASSED AND ADOPTED THIS 18th DAY OF November 2022.

ATTEST:

**LANDING COMMUNITY
DEVELOPMENT DISTRICT**

Secretary/Assistant Secretary

By: _____

Its: _____

Exhibit A

Landings
Community Development District

Proposed Budget
FY2022 - FY2023



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1 General Fund

2-4 General Fund Narrative

Landings
Community Development District
Proposed Budget
General Fund

Description	Proposed Budget FY2022*	Proposed Budget FY2023
Revenues		
Developer Contributions	\$ 36,057	\$ 136,810
Total Revenues	\$ 36,057	\$ 136,810
Expenditures		
<i>General & Administrative</i>		
Supervisor Fees	\$ 1,000	\$ 12,000
Engineering	\$ 1,250	\$ 15,000
Attorney	\$ 10,000	\$ 25,000
Annual Audit	\$ -	\$ 4,000
Assessment Administration	\$ -	\$ 5,000
Arbitrage	\$ -	\$ 450
Dissemination	\$ -	\$ 5,000
Trustee Fees	\$ -	\$ 3,600
Management Fees	\$ 3,333	\$ 40,000
Information Technology	\$ 150	\$ 1,800
Website Maintenance **	\$ 1,850	\$ 1,200
Telephone	\$ 25	\$ 300
Postage & Delivery	\$ 83	\$ 1,000
Insurance	\$ 5,000	\$ 5,000
Copies	\$ 83	\$ 1,000
Legal Advertising	\$ 10,000	\$ 10,000
Contingencies	\$ 3,000	\$ 5,000
Office Supplies	\$ 52	\$ 625
Travel Per Diem	\$ 55	\$ 660
Dues, Licenses & Subscriptions	\$ 175	\$ 175
Total Expenditures	\$ 36,057	\$ 136,810
Excess Revenues/(Expenditures)	\$ -	\$ -

*Budget is prorated to September 2022

** FY22 Budget amount includes a one-time website creation fee.

Landings

Community Development District

General Fund Budget

Revenues:

Developer Contributions

The District will enter into a funding agreement with the Developer to fund the General Fund expenditures for the Fiscal Year.

Expenditures:

General & Administrative:

Supervisor Fees

Chapter 190, Florida Statutes, allows for each Board member to receive \$200 per meeting, not to exceed \$4,800 per year paid to each Supervisor for the time devoted to District business and meetings.

Engineering

The District's engineer will be providing general engineering services to the District, e.g. attendance and preparation for monthly board meetings, review invoices and various projects as directed by the Board of Supervisors and the District Manager.

Attorney

The District's legal counsel will be providing general legal services to the District, e.g. attendance and preparation for meetings, preparation and review of agreements, resolutions, etc. as directed by the Board of Supervisors and the District Manager.

Annual Audit

The District is required by Florida Statutes to arrange for an independent audit of its financial records on an annual basis.

Assessment Administration

The District will contract to levy and administer the collection of non-ad valorem assessment on all assessable property within the District.

Arbitrage

The District will contract with an independent certified public accountant to annually calculate the District's Arbitrage Rebate Liability on an anticipated bond issuance.

Dissemination

The District is required by the Security and Exchange Commission to comply with Rule 15c2-12(b)(5) which relates to additional reporting requirements for unrated bond issues. This cost is based upon an anticipated bond issuance.

Landings

Community Development District

General Fund Budget

Trustee Fees

The District will incur trustee related costs with the issuance of its' issued bonds.

Management Fees

The District receives Management, Accounting and Administrative services as part of a Management Agreement with Governmental Management Services-Central Florida, LLC. The services include but are not limited to, recording and transcription of board meetings, administrative services, budget preparation, all financial reports, annual audits, etc.

Information Technology

Represents costs related to the District's information systems, which include but are not limited to video conferencing services, cloud storage services and servers, security, accounting software, etc.

Website Maintenance

Represents the costs associated with monitoring and maintaining the District's website created in accordance with Chapter 189, Florida Statutes. These services include site performance assessments, security and firewall maintenance, updates, document uploads, hosting and domain renewals, website backups, etc.

Telephone

Telephone and fax machine.

Postage & Delivery

The District incurs charges for mailing of Board meeting agenda packages, overnight deliveries, correspondence, etc.

Insurance

The District's general liability and public official's liability insurance coverages.

Printing & Binding

Printing and Binding agenda packages for board meetings, printing of computerized checks, stationary, envelopes, etc.

Legal Advertising

The District is required to advertise various notices for monthly Board meetings, public hearings, etc. in a newspaper of general circulation.

Other Current Charges

Bank charges and any other miscellaneous expenses incurred during the year.

Landings
Community Development District
General Fund Budget

Office Supplies

Any supplies that may need to be purchased during the fiscal year, e.g., paper, minute books, file folders, labels, paper clips, etc.

Travel Per Diem

The Board of Supervisors can be reimbursed for travel expenditures related to the conducting of District business.

Dues, Licenses & Subscriptions

The District is required to pay an annual fee to the Florida Department of Economic Opportunity for \$175. This is the only expense under this category for the District.

SECTION VI

**Request for Qualifications for Engineering Services for
the Landings Community Development District
November 10, 2022**



District Manager's Office
George S. Flint
Governmental Management Services-Central Florida, LLC
219 E. Livingston Street
Orlando, Florida 32801

November 10, 2022

Reference: Statement of Qualifications for Engineering Services for the Landings Community Development District

Dear Mr. Flint,

England-Thims & Miller, Inc. (ETM) is proud to respond to the Landings Community Development District's (CDD) request for proposals for professional engineering services for the District's stormwater management system, stormwater retention ponds, stormwater collection infrastructure, lift stations, public roadways, and other public improvements required under this contract. The Landings CDD will create a spectacular and high-quality community infrastructure that will go above and beyond serving the needs of the residents of the District for years to come. To accomplish this, it is important that the Landings CDD engage a District Engineer that understands your true vision and possesses the experience to deliver effective infrastructure delivering strategies that will create the desired sense of place with solutions that meet the budget and time constraints.

In our 45 years, ETM has emerged as THE Premier District Engineer in the Northeast Florida market. Clients select ETM as their partner due to our exceptional quality service and our experience providing engineering services for the largest and most successful communities in Northeast Florida.

As a locally based engineering firm, ETM holds all applicable federal, state and local licenses and is authorized to do business in the state of Florida. We employ a large team of development managers, engineers, landscape architects, planners, and construction field representatives. This large team of professionals is able to provide the following:

Experienced Personnel: ETM maintains a staff of nearly 300 professionals, including 75+ Land Development Specialists, who have extensive experience as District Engineer for over 40 CDDs throughout Northeast Florida. We have developed deep-seated relationships while working closely with local and state agencies, and public-sector management. Our depth of resources coupled with our experience uniquely qualifies ETM to serve as your District Engineer.

ETM understands the District's focus on schedule and budget, and we know that the most efficient way to complete a project is to develop a well thought-out, high-level strategic approach.

Accessibility: Due to the size of the Landings CDD and the multitude of simultaneous projects within the District, having a readily accessible District Engineer is imperative. With our headquarters located less than an hour away and our local office in Daytona Beach less than 30 minutes away, the District can count on an immediate response to any onsite needs.

Extensive Experience with Community Development Districts: Our team has extensive experience with large-scale Community Development Districts. Because of this experience, we are able to apply lessons learned, effective project management, and creative solutions to minimize costs and accelerate schedules.

Effective Development Strategies that Create the Desired Sense of Place: The creation of a sense of place requires attention to detail and an eye for design. Our project team members understand the relationship between human scale and sense of place, and have the knowledge to create each. We engage with our in-house planning, landscape architecture, CEI, and transportation departments to achieve the desired vision and goal of the District. Because of our partnerships with multiple CDDs, we grasp the importance of community features and fully comprehend the importance of anticipating any negative impacts that traditional design features may impose. Our professionals are trained to avoid these mistakes and will ensure that our design enhances the overall feel of this community.

ETM appreciates the opportunity to submit our statement of qualifications to serve as the District Engineer for this rising community. We look forward to lending our time, talent, and expertise to the District to help you obtain your goal of building an exquisite Florida community.

Sincerely,
ENGLAND-THIMS & MILLER, INC.

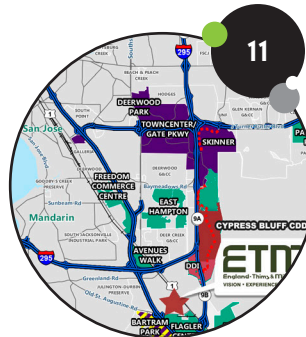


Daniel Welch, PE
Project Manager/Shareholder

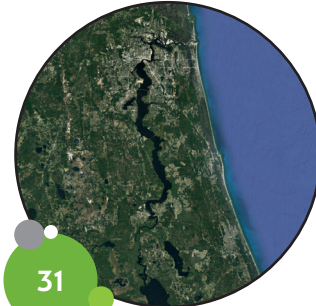
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2019	16.30%	A
2020	21.39%	A+

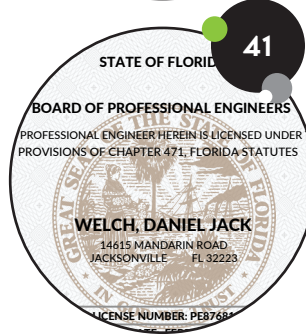
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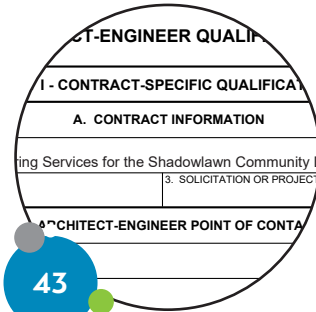
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1. Ability and Adequacy of Professional Personnel



ABILITY AND ADEQUACY OF PROFESSIONAL PERSONNEL

Because ETM has served as the District Engineer for over 40 Community Development Districts, we have acquired a wealth of CDD knowledge, experience, and an unrivaled familiarity with local governing agencies.

OUR COMMUNITY DEVELOPMENT DISTRICT EXPERIENCE

Community Development Districts (CDDs) are unique. The potential is greater, the focus is larger, and the associated risks are much higher. But when we successfully design a community together, the professional and emotional satisfaction is incomparable.

Our engineers have a solid reputation in the industry that is underscored by our extensive experience as District Engineer for multiple Master Planned Communities (MPCs) throughout Northeast Florida. Additionally, 45 years in business has resulted in valued relationships with local governments, utility and regulatory agencies, and trusted teaming partners. These relationships enable us to provide the Landings CDD with exceptional service and dedication.

OUR HISTORY AND CURRENT PROFILE

ETM has progressed from a two-person, land development engineering company to the award-winning, full-service civil engineering firm known and recognized today. Founded in 1977, our primary focus was to support private sector growth in Northeast Florida. As we grew, so did our client base and reputation. As a result, we became known for providing innovative quality engineering services for land development efforts.

Due to our success, the leadership of ETM felt encouraged to expand the company's service lines to meet the needs of both public and private sector clients. Today, these additional services position us as a one-stop shop and encompass the entire lifespan of a project, beginning with strategy, development, and planning, and culminating with inspection and closeout.

- Planning/Entitlements
- Land Development
- Utility Master Planning and Design
- Placemaking and Landscape Architecture
- Program Management
- Water Resources and Environmental Permitting
- Transportation and Traffic Engineering
- Construction Engineering and Inspection (CEI)
- Geographic Information Systems (GIS)
- Surveying and Mapping
- Aerial Solutions



Today, CDDs and MPCs represent our single largest business sector and generate 25% of our annual volume. ETM employs nearly 300 professionals spanning offices in Jacksonville, Daytona Beach, Orlando, Yulee, and Gainesville. With engineering capabilities ranging from master planning and alternatives evaluation through final design and construction administration, we offer the expertise required to deliver any project anticipated by the Landings CDD.

PROFESSIONAL SNAPSHOT

Successfully delivering results will require a diversified group of experienced engineering professionals with an excellent track record and the expertise necessary to meet the goals for the Landings CDD. ETM currently employs the following professionals, all available to help meet the needs of the Landings CDD:

- 39 Civil Engineers
- 27 Project Managers
- 7 Planners
- 12 GIS Specialists
- 25 CAD Technicians/Designers
- 43 Construction Inspectors/Managers
- 8 Landscape Architects
- 75 Survey Personnel
- 41 Administrative Personnel



EXECUTIVE MANAGEMENT

The day-to-day management and ownership of the firm has been successfully transitioned from the founder to the next generation, and is composed of a hands-on executive leadership team of 33 shareholders. We practice a debt-free approach to business that provides our clients with the assurance of our financial stability to continue steady growth and expansion of services. To ensure our focus on quality, we adhere to a stringent Executive Vice President led Quality Assurance/Quality Control process as part of our everyday practice.

QUALIFIED PROJECT TEAM

To address the projects anticipated as part of the Landings CDD, we have assembled an experienced core project team that will be supported by additional ETM staff, as needed. The technical excellence you will receive is a direct result of the experience of our professionals who possess the commitment and resolution to foster innovation and drive performance. Our team has the ability to anticipate project challenges and leverage lessons learned to develop cost-effective and schedule-sensitive solutions.

The ETM team has collectively served the needs of over 40 CDDs in Northeast Florida. We have experience coordinating with many public agencies, including Flagler County, the City of Palm Coast, the City of Jacksonville, the Florida Department of Environmental Protection, the Florida Department of Transportation, and the St. Johns River Water Management District.

We proudly present our key team contributors on the following pages. Each has established themselves as deeply respected, well-seasoned professionals within their area of expertise.

PROJECT TEAM



Daniel Welch, PE
Project Manager/Client Relations & Project Strategy

Daniel has seven years of experience in real estate consulting, management, and the design of residential, commercial, and roadway infrastructure projects. As a Project Manager, he has a keen understanding of the complexities of land development timelines and works closely with his client partners to help them achieve their goals. Daniel has been involved in the design of several master planned communities throughout Northeast Florida including the Silverleaf, Cross Creek, Reinhold, and Grand Landings developments. Daniel will serve as the District's Point-of-Contact and will be responsible for handling District meetings, construction services, and other engineering tasks, as required under this contract.

CDD Experience:

- Cypress Bluff CDD
- Cross Creek North CDD
- Shadowlawn CDD



Brad Weeber, PE, LEED AP
Senior Project Engineer

Brad has 17 years of experience, providing services to public and private clients. He has been involved with many projects throughout Northeast Florida, including SilverLeaf, Brooklyn Apartments, Shops of Sawgrass, The Strand and Crossing at Town Center, Trail Ridge Landfill, and the neighborhoods of Nocatee.

CDD Experience:

- Brandy Creek CDD
- Cross Creek North CDD
- Cypress Bluff CDD
- Double Branch CDD
- Middle Village CDD



Brian Landeweer, PE
Transportation Engineer

Brian has 22 years of complex highway design and construction engineering experience for federal, state, and local roadway systems. As a Senior Project Engineer at ETM, Brian has served as Project Manager and Engineer-of-Record on many projects throughout Northeast Florida.

CDD Experience:

- Tolomato CDD
- Cross Creek North CDD
- Beach CDD
- Shadowlawn CDD



Karl Soderholm, PLA, AICP
Landscape Architect

Karl has 22 years of landscape architecture experience and has overseen many large-scale landscape and planning projects. He will provide the District the community look and feel they desire. He specializes in site and transit planning, landscape and hardscape design, pedestrian and community movement, and project sustainability. He will provide any planning and landscape architecture services for the District on this contract.

CDD Experience:

- Tolomato CDD
- East Nassau Stewardship District
- Double Branch CDD
- Brandy Creek CDD
- Middle Village CDD



Buckley Williams, CCCA
Construction Administration

Buckley has 30 years of experience which includes managing quality inspection personnel who serve as client advocates in the field. Buckley is committed to providing not only responsive services to the District, but also the requisite technical inspections and proactive contract administration services needed to meet project objectives. Under this contract, he will lend insight to the project team, and ensure that the highest level of quality CEI services are provided to the Landings CDD.

CDD Experience:

- East Nassau Stewardship District
- Tolomato CDD
- Double Branch CDD
- Beach CDD



Jim Donchez
Construction Administration

With 40 years of experience, Jim Donchez has served as Senior Project Manager for numerous projects ranging in size from small to large scale, and including project types such as retail, mixed-use, urban multi-lane, and rural highway construction. He served as Project Manager on DRI developments such as Aberdeen, Durbin Crossing, Rivertown, and Bartram Springs where his responsibilities included project administration and the management of the CEI inspection staff who monitored construction activities and ensured plan and specification compliance.

CDD Experience:

- Aberdeen CDD
- Durbin Crossing CDD

2. Consultant's Past Performance



2

CONSULTANT'S PAST PERFORMANCE

ETM is honored to be involved in the development of the region's most notable communities and their infrastructure. We are recognized for the solutions that emerged from our holistic approach during the development of these communities. The depth of our experiences and our relationships with local regulatory agencies are invaluable assets to our clients.

The table below is a sampling of ETM's experience with CDDs.

Project*	County	Size	Dwelling Units	Non-Residential S.B.
East Nassau Stewardship District	Nassau	24,000 Acres	24,000 Residential	11.5 Million SF Non-Residential
Tolomato CDD (Nocatee)	Duval & St. Johns	15,000 Acres	11,000 Single Family 4,000 Multifamily	4 Million SF Office 1 Million SF Commercial/Retail 250,000 SF Industrial
Oakleaf (Double Branch CDD)	Clay	6,000 Acres	5,000 Residential	1 Million SF Commercial/Retail 2 Amenity Centers 82 Acre Park, Golf Course Community
Argyle Forest	Clay & Duval	10,000 Acres	25,000 Residential	5 Million SF Non-Residential
Julington Creek Plantation	St. Johns	5,000 Acres	5,800 Residential	750,000 SF Non-Residential
Southhaven	St. Johns	314 Acres	345 Residential	\$2.2 Million Amenity/Recreation
Heritage Landing	St. Johns	597 Acres	1,154 Residential	27 Acre Park/Recreation \$6.1 Million Amenity
Beach CDD (Tamaya)	Duval	780 Acres	2,400 Residential	500,000 SF Commercial/Retail 10,000 SF Clubhouse
Aberdeen	St. Johns	1,300 Acres	1,623 Single Family 395 Multifamily	40,000 SF Office 60,000 SF Commercial 10,000 SF Community Park
Durbin Crossing	St. Johns	2,047 Acres	2,500 Residential	170,000 SF Office/Retail
Bartram Park	Duval & St. Johns	3,600 Acres	2,000 Single Family 7,000 Multifamily 330 Hotel Rooms	1.3 Million SF Commercial 1.6 Million SF Office
Bartram Springs	Duval	1,000 Acres	1,400 Residential	19 Acre School Site 7 Acre City Park
Six Mile Creek (TrailMark)	St. Johns	1,282 Acres	2,278 Residential	7 Acre Amenity Village 30 Acre Community Park 17 Acre Neighborhood Park

*Note: CDD names may differ from project title.

ETM Master Planned Communities & Large Scale Development Experience

Legend

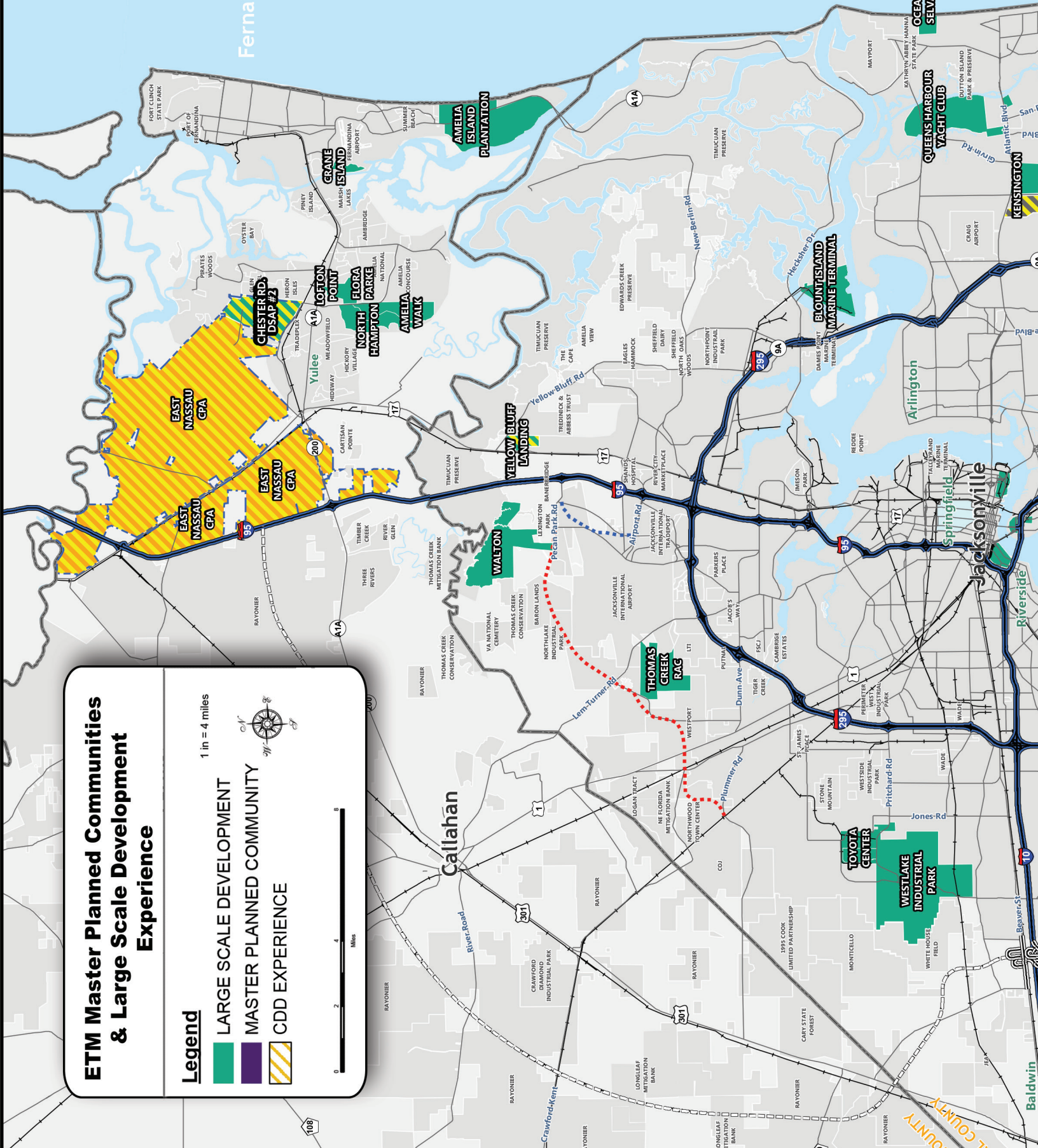
- LARGE SCALE DEVELOPMENT
- MASTER PLANNED COMMUNITY
- CDD EXPERIENCE

1 in = 4 miles



Fernandina Beach

Atlantic Beach



Baldwin

County

Community Development and Special District experience includes:

- Boggy Branch
- Celebration Pointe
- Cypress Bluff
- Deer Run
- Kindlewood
- Durbin Crossing
- East Nassau Stewardship
- Heritage Landing
- Isles of Bartram
- Julington Creek Plantation
- Las Calinas
- Mainstreet
- Marshall Creek
- Meadow View at Twin Creeks
- Middle Village
- Oakleaf
- OTC
- Palm Coast
- Pine Ridge
- Pioneer
- Rivers Edge
- Ryals Creek
- Six Mile Creek
- South Village
- Split Pine
- Sweetwater Creek
- The Dunes
- Timucuan South
- Tison's Landing
- Tolomato
- Treaty Oaks
- Turnbull Creek
- Wynnfield Lakes

RELATIONSHIP MANAGEMENT

All of our Master Planned Communities (MPCs) have one thing in common - the entire team must earn the trust and maintain great relationships with agency regulators. For this reason, municipality experience is essential. **ETM brings established relationships and experience to the team.**

PROJECT CASE STUDIES

ETM has assisted with the design, engineering, and construction of a multitude of projects. The following examples best showcase our experience:



▲ Aberdeen

▼ Bartram Springs



▼ Julington Creek



East Nassau Stewardship District

Location: Nassau County, Florida
Client: East Nassau Stewardship District
Contact: Mike Hahaj
Phone: (904) 321-1030
Completion: Ongoing

- Project Tasks:**
- District Engineer
 - Site Engineering
 - Environmental Permitting
 - Landscape/Hardscape Architecture
 - Master Planning

ETM is the District Engineer for the East Nassau Stewardship District, which is a 24,000-acre DRI project, that includes 640-acres of commercial development. At total build-out, this project will include 11,000,000 SF of non-residential space, 550,000 SF of commercial space and 24,000 residential units. ETM is responsible for providing engineering reports, cost estimates, and plan reviews to ensure the proper construction of improvements within the District.



Tolomato CDD (Nocatee)

Location: Jacksonville, Florida
Client: The PARC Group, Inc.
Contact: Rick Ray
Phone: (904) 992-9750
Project Costs: \$200 Million
Completion: Ongoing

Project Tasks:

- District Engineer
- Master Planning
- Project Management
- Engineering Design
- Environmental Permitting
- Transportation Engineering
- Surveying
- Construction Administration
- Landscape Architecture

“ETM has designed and managed more than \$200 Million in roadway and utility construction for The PARC Group over the past five years... We have found ETM’s capability to handle the dynamic requirements in a project with both environmental and public interest to be professional and effective.”
~ Gregory J. Barbour
The PARC Group, Inc.

Nocatee is one of the top 10 best selling communities in the nation. This 15,000 acre parcel at total build-out will consist of 11,000 residential units, 5 million SF of non-residential space and recreation/open spaces, churches, schools and civic uses. ETM has been involved with this project since 1997 when PARC Group began the conceptual planning process and we are proud of our involvement in the engineering design, planning and landscape architecture of this project.

In addition to providing the lead design consulting services, ETM was responsible for the design, permitting, and construction management of over 4 miles of Greenway Trails within Nocatee. The trails provide connections between communities, parks and commercial districts. As part of an overall circulation plan within Nocatee, the trails and shared-use paths are 16 feet wide in order to accommodate pedestrians, bicycles, golf carts, and low-speed vehicles.



Double Branch CDD (Argyle Forest)

Location:	Jacksonville, Florida
Client:	The Hutson Companies, LLC
Contact:	David Hutson
Phone:	(904) 262-7718
Project Costs:	\$100 Million
Completion:	Ongoing

Project Tasks:

- District Engineer
- Site Engineering
- Environmental Permitting
- Landscape/Hardscape Architecture
- Master Planning

ETM was responsible for the master planning of this 10,000-acre DRI project which included roadway design, utility design, and master stormwater management design and permitting. In 1999, ETM served as lead consultant in a major modification to the Argyle Forest DRI.

The land development work included engineering and landscape design of over 5,000 residential units, two amenity centers (each over \$7 Million), a regional baseball park, a regional soccer park, and over 1 million SF of retail and commercial space. ETM was responsible for the day-to-day coordination efforts of six residential and connector highway construction projects in addition to amenity site construction. This project includes over 10 miles of connector roadway and infrastructure improvements, JEA and Clay County Utility Authority improvements, amenity center construction, box culvert construction, landscape and irrigation improvements, and lot development services.



Bartram Springs CDD

Location: Jacksonville, Florida
Client: SouthStar Development Partners, Inc.
Contact: Kimball Woodbury
Phone: (305) 476-1514
Project Costs: \$45 Million
Completion: Ongoing

Project Tasks:

- District Engineer
- Master Planning
- Project Management
- Engineering Design
- Environmental Permitting
- Surveying and Mapping
- Construction Administration

Bartram Springs is a 1,400-lot single-family development in Southeast Duval County located on the northside of Race Track Road (immediately west of Philips Highway). The site is over 1,000 acres, half of which are wetlands that discharge to a Durbin Creek tributary. Additional features and elements include a multi-family parcel, a retail component, a city park site, an elementary school, and an amenity area.



Bartram Park

Location: Jacksonville, Florida
Client: Eastland
Contact: Tom Dodson
Phone: (904) 280-7100
Completion: Ongoing

Project Tasks:

- Master Planning and Engineering
- Sewer Collection
- Reuse Water Distribution
- Stormwater Management
- Roadway Construction
- CDD Engineering

Bartram Park is a 3,600-acre, mixed-use DRI. The project is located in South Duval County and North St. Johns County along I-95. The development consists of 2,000± single-family units, 7,000± multi-family units, 1.3 million SF of commercial space, 1.6 million SF of office space, and 330± hotel rooms. As part of the DRI, over 2,000± acres of preservation land was provided along Julington and Durbin Creek.

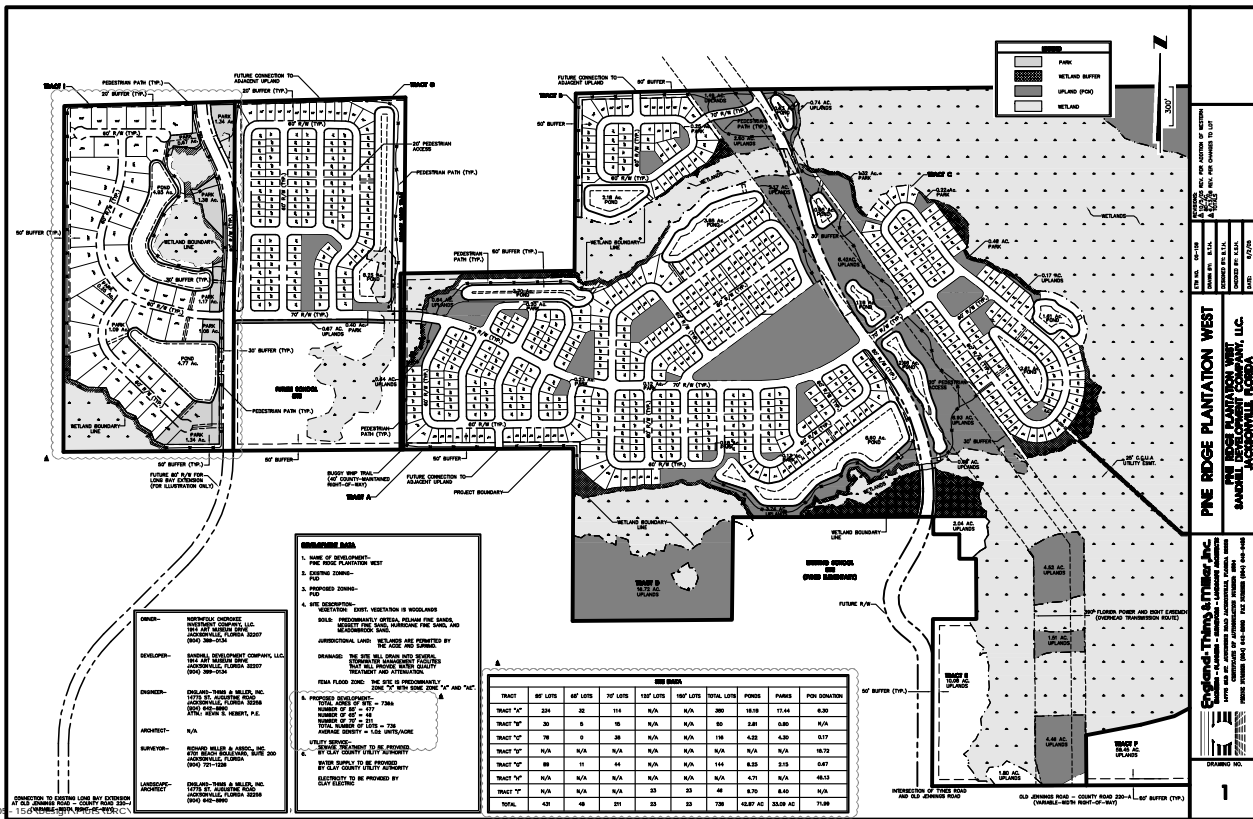


Pine Ridge Plantation

Location: Clay County, Florida
Client: Tynes Partners, LLC
Contact: Levi Ritter
Phone: (904) 399-0134

- Project Tasks:**
- Master Site Plan
 - Water and Sewer Design
 - Stormwater Collection System Design
 - Roadway Design
 - Permitting
 - Construction Administration

Since 2003, ETM provided professional engineering services for this 735 single-family lot MPC located in Clay County. ETM's efforts for this project have included master site plan, water and sewer design, stormwater collection system design, roadway design, regulatory permitting, and construction administration.



Beach CDD (Tamaya)

Location: Duval County, Florida
Client: Beach CDD
Contact: Jill Cupps
Phone: (407) 382-3256
Completion: Ongoing

Project Tasks:

- District Engineering
- Coordination with Utility Providers
- Coordination with Contractors
- Coordination with Surveyors, Architects and Other Consultants
- Permitting
- Master Planning and Engineering
- Project Management
- Requisition Processing

ETM was contracted by Beach CDD in Duval County to provide professional engineering support services. ETM's efforts for this project included coordination with utility providers and contractors, permitting, engineering services, project management, coordination with surveyors, architects and other consultants, and requisition processing.



REPEAT BUSINESS

ETM's ability to achieve project goals and produce a high quality product allows us to develop lasting relationships with our clients. In every project, large or small, complex or simple, our attention to detail translates to excellence. ETM's standing in the industry is reflective of our caliber in many different ways: through innovation, by developing cost-effective solutions to difficult problems, and by efficiently coordinating the many inter-related elements that are critical to every project.

ETM is proud of the fact that 95% of our clients provide us with recurring business. Following is a partial list of our repeat business.

Clay County

- Baker Road
- Foxtail Avenue
- Doctor's Lake Shared-Use Path
- CR 315C Shoulder Improvements and Resurfacing
- Henley Road/CR 220 Traffic Study
- Continuing Services for CEI
- Continuing Services for Transportation Engineering Services

Dream Finders Homes

- Silverleaf
- Bannon Lakes
- Durbin Creek Crossing
- Beacon Lake
- Cordova Palms
- Eagle Landing
- Sunbeam Townhomes
- Reinhold Parcel 61
- Challenger Center
- Grand Landings Phase 5 - 6

Reinhold

- CR 218 Extension Parkway
- Master Utility Plan
- Master Stormwater Design
- CEI Services

Double Branch CDD

- Double Branch Boulevard - 2-Lane
- Double Branch CDD
- Double Branch Fitness Center
- Oakleaf-East Main Entrance
- Oakleaf - Old Middleburg Road - 4-Lane
- Oakleaf - Stonebrier
- Old Middleburg Road - 2-Lane
- The Village Center Improvements
- Waverly Neighborhood Park Engineering

Flagler County

- Matanzas Woods Parkway Overpass CEI
- SR 100 Sidewalk Improvements
- Water Oak Road Paving involving State Funding
- Marineland Acres Drainage Improvements
- Old Kings Road Extension

City of Palm Coast

- Traffic Signal Clearance Intervals
- Belle Terre Boulevard Turn Lane
- Red Light Camera Testimony
- Whiteview Parkway Road Diet
- Marineland Acres Water Main Replacement
- Old Kings Road Traffic Signalization

FDOT District 2

- Gold Star Family Parkway
- East Hybrid Construction Engineering & Inspection Services
- CEI Districtwide Continuing Services Contract
- SR 15 (US 17) Doctors Inlet Bridge Widening
- SR 9B Phase I (US 1 to SR9A, Design/Build) - New Interstate Facility
- SR 9B Phase II (US 1 to I-95, Design/Build/Finance) - New Interstate Facility
- SR 9B - Phase III (US 1 to I-95, Design/Build) New Interstate Facilit
- I-295/SR 9A Heckscher Drive Interchange
- Newnan Street/Hubbard Street; from Just S. of Orange Street to S. of Confederate Street
- SR 200 - 4-Lane Widening
- SR 200 Reconstruction Phase II, (from West of Rubin Davis Lane to East of O'Neil Scott Road)
- SR 200/SR A1A from West of Rubin Road to East of CR-107/Scott Road
- SR 15 (US 17) Dunn's Creek Road and Bridge Reconstruction

Pulte Homes

- Anderson/Greenbrier
- Arrowood - Bartram
- Avenues Walk
- Bayberry Modifications
- Clifton Village
- Cypress Bay
- Delwebb at Plum Creek
- Fish Island
- Flagler Station
- Greenbrier - Bartram
- Helow Property - CR 210
- Highwood

- Ironwood
- Marineland Lift Station Rehabilitation
- Midtowne
- Nocatee Oak Hammock
- Nocatee Tidewater
- Silverleaf
- Skinner/Point Meadows
- Summerfield
- Sweetwater - Del Webb
- Twinleaf
- Village Walk

St. Johns County

- Armstrong Road Sidewalk Improvements
- Bishop Estates Road Crosswalk
- Continuing Engineering Services
- Continuing Traffic Engineering Services
- CR 210 Preliminary Roadway Engineering
- CR 210 West Traffic Signal Retiming
- Greenbrier Road/Roberts Road Traffic Signalization
- Kenton Morrison Road Intersection
- Mickler Road Preliminary Roadway Engineering
- Palmer Street/Evergreen Street Intersection Improvements
- Palm Valley Sidewalk Improvements
- PGA Tour/Marsh Landing/Solana Traffic Signalization
- Pope Road/CR A1A Traffic Signalization
- Pope Road/Mizell Road Sidewalk
- Race Track Road Median Closure Analysis
- Race Track Road Widening & Post Design
- Solana Road Crosswalk
- Traffic Counts/Delay Study
- US 1 Traffic Signal Warrant Analysis
- West Augustine In-Fill Housing/Preliminary Engineering Study

REFERENCES

ETM's dedication to excellence has led to significant repeat business with our clients. Below are excerpts from several letters of recommendation we received from clients that reflect our performance.



"...ETM's professional staff has worked closely with the County to provide planning, design, permitting and construction administration services...It is without hesitation that I recommend ETM, and I am confident that they will provide you with the same outstanding service..."

Faith Alkhatib, PE
Flagler County Engineer



"...ETM's staff has continually exhibited a commitment to maintaining project schedules and providing the necessary resources and technical expertise needed to assure the County's goals and objectives have been met on each work assignment. I am pleased with the professional services they have provided and would highly recommend their services to an agency..."

Shawn Thomas, PE
Former Clay County Project Administrator



"... They have routinely provided superior engineering services, based upon the population of engineering firms from whom we process (permit) applications... Based upon their professional execution and responsive character, I am pleased to recommend ETM for any similar services."

David Miracle
SJRWMD Director



"...ETM's staff are professional, responsive and [have] proven to be very well qualified and competent. The Department looks forward to a continued relationship with ETM and we would not hesitate to recommend them to your organization."

Alan Obaigbena, PE
FDOT Project Engineer/NPDES Administrator



"...In addition to the engineering aspects of the Riberia Street project, ETM has assisted the City in obtaining grant funding in the form of a \$450,000 Florida Section 319 grant... Their staff members have been professional, responsive and easy to work with and I would not hesitate to work with them on future projects..."

Martha Graham
City of St. Augustine Public Works Director



Subject: Letter of Recommendation
England, Thims & Miller, Inc. (ETM)

To Whom It May Concern,

I have been asked to provide a letter of recommendation for the engineering and design firm of England, Thims & Miller, Inc. ETM has designed and managed more than \$200 million in roadway and utility construction for The PARC Group over the past ten years. Since the inception of the Nocatee development, ETM has served as our design and engineering consultant. Their efforts associated with this significant project have always been performed in the most professional manner.

ETM's responsibilities have included master drainage design, utilities, civil engineering, roadway planning and design, project bidding and preparation of programmatic budgets. They are currently engaged in large scale construction administration for our project and have coordinated effectively with regulatory and cooperating agencies including SJRWMD, USACE, FDOT, and JEA for timely project completion. We have found ETM's capability to handle the dynamic requirements in a project with both environmental and public interest to be professional and effective.

I am pleased to recommend England, Thims & Miller, Inc.

Sincerely,

A handwritten signature in blue ink, appearing to read "Gregory J. Barbour", is written over the typed name.

Gregory J. Barbour



To Whom It May Concern:

It is with great pleasure that I write a recommendation for England-Thims & Miller, Inc. Over the last three decades, ICI Homes has built thousands of quality new homes in many of the finest master planned communities in Florida. ETM has supported our success by providing professional engineering services in communities such as Tamaya and Palencia. Their focus, attention to detail, and ability to bring solutions and a willingness to dig in to the many issues, sets them apart.

I have always been impressed with the reliability and level of commitment exhibited by England-Thims & Miller. Their teams are responsive, willing to adjust, and cognizant of program requirements critical to the success of the project. Their knowledge and familiarity with local governing agencies has proven instrumental in obtaining entitlements and permitting approvals from local and state governing agencies. They are currently engaged in large-scale construction administration services for our projects and have coordinated effectively with regulatory and cooperating agencies including SJRWMD, USACOE, FDOT, St. Johns County, City of Jacksonville and JEA.

Their engineering responsibilities have included stormwater master planning and design, utility master planning and design, site development, transportation planning, CEI services, and preparation of programmatic budgets. They are exceptionally qualified to handle peak workloads, ensure proper management and positively impact quality and performance of the end product.

ETM has performed these tasks in a timely, cost-effective, and accurate manner. The work has been completed at the highest professional level with regard to local and state policies and regulations. Based upon their professional execution and responsiveness, I am pleased to recommend ETM.

Sincerely,

A handwritten signature in black ink, appearing to read "M. David Haas", with a stylized flourish at the end.

M. David Haas
Chief Development Officer

Intervest Construction, Inc.

2379 Beville Road, Daytona Beach, FL 32119 • Voice 386.788.0820 • Fax 386.760.2237 • www.ICIHomes.com

Tolomato Community Development District

14875 Old St. Augustine Road, Jacksonville, Florida 32258
Tel. (904) 288-9130 Fax (904) 288-9187

FICE Engineering Excellence Awards
125 South Gadsden Street
Tallahassee, FL 32301-1525
Attn: Kate Ray, IOM

Subject: Town of Nocatee Phase 1
Re: Client/Owner Letter

To Whom It May Concern:

I am pleased to provide this Owner's Letter for the 2008 FICE Engineering Excellence Award. Our engineer is currently designing and managing more than \$200 million dollars of roadway and utility construction for the Tolomato Community Development District. Since the inception of the Nocatee development in 1998 our engineer has served as our design and engineering consultant and we are pleased that the same key professionals have remained assigned to our project throughout. Their efforts associated with this significant project have always been performed in the most professional manner.

Their responsibilities have included: stormwater master planning and design, utility master planning and design, transportation planning and design, construction engineering and inspection (CEI) and preparation of programmatic budgets. They are currently engaged in large scale construction administration services for our project and have coordinated effectively with regulatory and cooperating agencies including SJRWMD, USACOE, FDOT, St. Johns County, City of Jacksonville and JEA for timely project completion. We have found their capability to handle the dynamic requirements in a project with both significant environmental and public interest to be professional and highly effective.

Should you have any questions please feel free to contact our office.

Sincerely,

Tolomato Community Development District


Rick Ray, Chairman
Board of Supervisors



St. Johns River Water Management District

Hans G. Tanzler III, Executive Director • David W. Fisk, Assistant Executive Director
David Miracle, Jacksonville Service Center Director

7775 Baymeadows Way • Suite 102 • Jacksonville, FL 32256 • (904) 730-6270 • Fax (904) 730-6292
On the Internet at floridaswater.com.

**SUBJECT: Letter of Recommendation
England-Thims & Miller, Inc.**

To Whom It May Concern:

England-Thims & Miller, Inc. (ETM) has provided professional engineering services in North Florida since 1977. During this time, they have submitted thousands of ERP permit applications to our office.

They have routinely provided superior engineering services, based upon the population of engineering firms from whom we process applications. In many cases, the significant projects which are designed by their engineering staff are among the most complex in our area.

Based upon their professional execution and responsive character, I am pleased to recommend ETM for any similar services.

Sincerely,

A handwritten signature in black ink, appearing to read 'D. Miracle'.

David L. Miracle, P.E.
Director, Jacksonville Service Center
St. Johns River Water Management District

GOVERNING BOARD

Lad Daniels, CHAIRMAN
JACKSONVILLE

John A. Miklos, VICE CHAIRMAN
ORLANDO

Douglas C. Bournique, SECRETARY
VERO BEACH

Maryam H. Ghyabi, TREASURER
ORMOND BEACH

*Julington Creek Plantation
Community Development District*

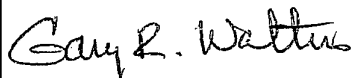
950 Davis Pond Blvd. • Jacksonville, Florida 32259 • (904) 287-4180

To Whom It May Concern:

The firm of England Thims & Miller has served as District Engineer for the Julington Creek Community Development District since it was formed in October of 1994. In addition to providing general engineering guidance for the District, they have been in charge of major infrastructure development for the District. In that capacity they have been responsible for overseeing the design and provided construction management of the District's recreation and swimpark complex, and full responsibility for the design and construction management (currently underway) for the expansion of State Route 13 and Racetrack Roads.

We have found England Thims & Miller to be a very well qualified and competent engineering firm, and look forward to a continued relationship. We would not hesitate to recommend them to your organization. If have any additional questions, please feel free to contact me at (904) 676-0105.

Sincerely,



Gary R. Walters
District Manager

3. Geographic Location



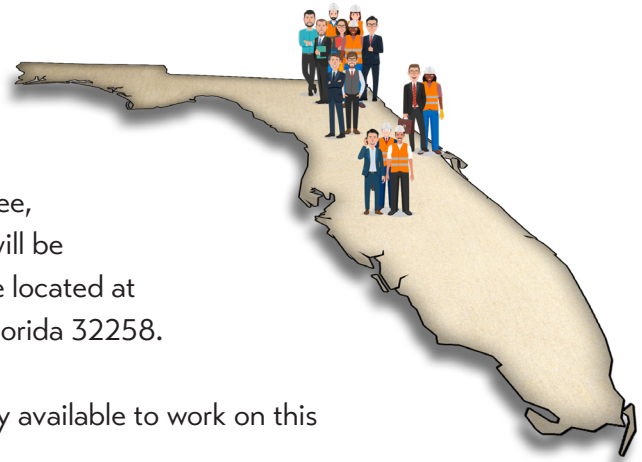
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GEOGRAPHIC LOCATION

The District Engineer's ability to provide responsive and timely support is critical to the successful execution of this project. ETM has offices in Jacksonville, Daytona Beach, Yulee, Gainesville, and Orlando. All project aspects will be managed from our headquarters in Jacksonville located at 14775 Old St. Augustine Road, Jacksonville, Florida 32258.

Our local team of professionals are immediately available to work on this project.

Since our main office is located less than an hour from the District, ETM can quickly respond to meeting requests or field reviews, and staff can be on-site to address needs. Our staff at our Daytona Beach office are located less than 25 miles from Landings CDD and are available to provide support as needed.



4. Willingness to Meet Time and Budget Requirements



4

WILLINGNESS TO MEET TIME AND BUDGET REQUIREMENTS

Because we recognize that the best solutions come from diverse experiences and perspectives, we bring together representatives from all facets of our business to identify effective solutions. In our experience, this level of collaboration has resulted in innovative solutions that create cost saving benefits for our clients.

BUDGETING METHODS

ETM is recognized by our clients for the value we bring to their projects. We are defined by our ability to understand our clients' needs and we provide innovative solutions which render high-quality, cost effective designs. The ability to influence the technical and economic outcome of a project is greatest in the early planning phase. As a result, we never take shortcuts in the planning process. The small-incremental investments we make in the early planning phases often result in tremendous reductions in engineering and construction costs.

AVAILABILITY

Services provided by ETM will be completed by staff located in Jacksonville. Our team is comprised of local professionals who are immediately available to meet with the stakeholders, coordinate with local permitting agencies, and review projects in the field whenever necessary.

SCHEDULE

Maintaining project schedules to eliminate delay and minimize cost is fundamentally important. The District can rely on ETM to meet all time and budget requirements and maintain a high level of service. We will accomplish this by:

- Developing a detailed work approach
- Developing a detailed schedule
- Identifying potential issues
- Sound project management
- Principal involvement
- Committing effective Project Managers
- Clear, constant communication between all dedicated team members





QUALITY ASSURANCE/ QUALITY CONTROL PROGRAM

In order to meet the needs of our clients, ETM strives to balance three main elements that contribute to a successful project: quality, budget, and schedule. Maintaining project schedules to eliminate delay and minimize cost is fundamentally important and is reflected in our work. However, meeting budget constraints and schedule time frames is meaningless if the deliverables are subpar and lead to construction delays or change orders.

Therefore, adherence to our strict Quality Assurance/Quality Control (QA/QC) procedures is an everyday practice at ETM, regardless of the size of the project. This adherence is of such importance that we schedule separate QA/QC and constructability reviews prior to each phase submittal.

ETM's emphasis is placed on monitoring the following items:

- The sufficiency and quality of the design
- The proper presentation of the design on the contract documents
- The accuracy of the plans
- Our compliance with the Scope of Services

Quality Assurance Plan

The objective of ETM's Quality Assurance plan is the continual improvement of our design and production methods to enhance the quality of the services we provide and is comprised of two elements: Quality Control and Internal Peer Review. Our Project Manager, Daniel Welch, PE, will ensure that company procedures are being followed throughout the life of this contract.

We believe that most effective QA/QC includes maintaining the involvement of senior staff from project beginning to end. Daniel Welch, PE will be involved throughout the life of the contract.

Internal Peer Review

To further ensure quality, ETM's Peer Review Committee reviews check prints for each project at least twice during the design phase by the Peer Review Committee composed of subject-matter experts, including three ETM Executive Vice Presidents who ensure compliance with corporate procedures. The Peer Review is an internal quality assurance check which is never billed to our clients.

Constructability Review

Our in-house CEI personnel have tremendous construction experience, and we regularly leverage that experience to help produce efficient construction plans. Constructability reviews will be conducted on the design plans by our Construction Administration Officer, Buckley Williams, CCCA who will be supported by Jim Donchez. These constructability reviews will focus on construction related efficiency and cost avoidance. These reviews will be conducted prior to each phase submittal to the District.

5. Certified Minority Business Enterprise



5

CERTIFIED MINORITY BUSINESS ENTERPRISE

Although ETM is not a certified Minority Business Enterprise, we are committed to growing diversity in the engineering and professional services community. We accomplish this in the following ways:

1. Utilizing minority, disadvantaged, and underutilized subconsultant partners.
2. Sponsoring University scholarships focused on minority and disadvantaged individuals entering the profession.
3. Being a leader in the Hispanic business community.
4. Partnering with the FDOT for the Construction Career Days program which is focused on introducing the surveying, engineering and construction industry to high school students across five counties.

During the last five years, ETM contracted \$27 Million to subconsultant firms. Overall \$9.5 Million was subcontracted to Minority firms (35.2% of the subconsultant services).

FDOT DBE USAGE		
Year	DBE Usage	Grade
2008	24.98%	A+
2009	18.17%	A+
2010	10.6%	B
2011	17.02%	A+
2012	12.25%	A
2013	15.96%	A+
2014	10.39%	B
2015	28.66%	A+
2016	10.59%	B
2017	20.73%	A+
2018	20.19%	A+
2019	16.30%	A
2020	21.39%	A+
2021	8.42%	C
Average: 22.42%		

Diversity within the engineering profession is supported by ETM’s identification of opportunities to assist those who may be disadvantaged. One example is our Platinum Sponsorship of the John Delaney Endowment at the University of North Florida. This endowment provides a scholarship each year to minority students pursuing a degree in the field of engineering.

The District’s ability to meet applicable Minority Business Enterprise (MBE) utilization goals will be enhanced by our long-standing commitment and proven track record of meeting or exceeding minimum participation requirement established by public agencies.

Our DBE utilization program undergoes extensive audits by the FDOT. The table to the left is a listing of ETM’s usage since 2008.

6. Recent, Current and Projected Workloads





Our forecasting methods allow us to review backlog, scheduled submittals, and proposed staff commitments. The ETM team has evaluated our current workload and has assessed that we have more than sufficient capacity to continue working as the District Engineer.

Our Project Manager, Daniel Welch, PE has extensive experience with Community Development Districts and Master Planned Communities. Daniel has established himself as a proven client advocate with an essential understanding of the challenges and opportunities facing the District, and is personally committed to seeing this project through to completion.

There are no known commitments that will conflict with the availability of any of our key personnel on this contract. All team members currently assigned to the District will continue to be assigned, will perform the work, and will be available throughout the life of this contract.

The table shown on the following page indicates the projects currently being performed by the key ETM team members identified in Section 1, the stage of completion, and the projected availability of the team members to support Landings CDD.

Project Team Members	Current Projects	Stage of Completion	Projected Availability
Daniel Welch, PE	Reinhold Parcel 61	80%	55%
	Pecan Park Residential	70%	
	Cascade at Grand Landings	20%	
Brad Weeber, PE, LEED AP	Silverleaf	60%	10%
	Bellbrooke	85%	
	Wolfe Property	5%	
Brian Landeweer, PE	CR 315 Interchange	90%	40%
	CR 2209 Extension	5%	
	SR 200 Auxillary Lanes	50%	
Karl Soderholm, PLA, AICP	East Nassau Stewardship District	20%	30%
	Shipyards	5%	
	SilverLeaf	60%	
Buckley Williams, CCCA	FDOT Continuing Services Contract	15%	30%
	Flagler County Graham Swamp Trail	75%	
	Miscellaneous	30%	
Jim Donchez	Clay County Continuing Services Projects	50%	40%
	SilverLeaf	75%	
	Creekview	25%	

7. Volume of Work Previously Awarded to Consultant by District





ETM is in the process of designing the following projects within the limits of the District:

- Supplemental Engineers Report Development
- Master Utility Plan/Modeling/Permitting
- Master Stormwater Plan/Permitting
- Construction Document Preparation

The Landings CDD requires:

- A high-level thinking approach
- Issue identification
- Solution strategy
- Implementation production
- “Boots on the ground”

8. Professional Licenses



Ron DeSantis, Governor

STATE OF FLORIDA

FBPE
FLORIDA BOARD OF PROFESSIONAL ENGINEERS


BOARD OF PROFESSIONAL ENGINEERS

THE PROFESSIONAL ENGINEER HEREIN IS LICENSED UNDER THE PROVISIONS OF CHAPTER 471, FLORIDA STATUTES

WELCH, DANIEL JACK
14615 MANDARIN ROAD
JACKSONVILLE FL 32223

LICENSE NUMBER: PE87681
EXPIRATION DATE: FEBRUARY 28, 2023
Always verify licenses online at MyFloridaLicense.com

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Ron DeSantis, Governor

STATE OF FLORIDA

FBPE
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BOARD OF PROFESSIONAL ENGINEERS

THE PROFESSIONAL ENGINEER HEREIN IS LICENSED UNDER THE PROVISIONS OF CHAPTER 471, FLORIDA STATUTES

LANDEWEER, BRIAN J.
4323 BLUE HERON DRIVE
PONTE VEDRA BEACH FL 32082

LICENSE NUMBER: PE62168
EXPIRATION DATE: FEBRUARY 28, 2023
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Ron DeSantis, Governor

STATE OF FLORIDA

FBPE
FLORIDA BOARD OF PROFESSIONAL ENGINEERS


BOARD OF PROFESSIONAL ENGINEERS

THE PROFESSIONAL ENGINEER HEREIN IS LICENSED UNDER THE PROVISIONS OF CHAPTER 471, FLORIDA STATUTES

WEEBER, BRADLEY LEHMAN
14094 MAHOGANY AVENUE
JACKSONVILLE FL 32258

LICENSE NUMBER: PE70005
EXPIRATION DATE: FEBRUARY 28, 2023
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Ron DeSantis, Governor

STATE OF FLORIDA

dbpr
FLORIDA DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

BOARD OF LANDSCAPE ARCHITECTURE

THE LANDSCAPE ARCHITECT HEREIN HAS REGISTERED UNDER THE PROVISIONS OF CHAPTER 481, FLORIDA STATUTES

SODERHOLM, KARL M
ENGLAND THIMS & MILLER INC
14775 OLD ST. AUGUSTINE ROAD
JACKSONVILLE FL 32258

LICENSE NUMBER: LA6666736
EXPIRATION DATE: NOVEMBER 30, 2023
Always verify licenses online at MyFloridaLicense.com

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9. Architect-Engineer Standard Form No. 330



ARCHITECT-ENGINEER QUALIFICATIONS

PART I - CONTRACT-SPECIFIC QUALIFICATIONS

A. CONTRACT INFORMATION

1. TITLE AND LOCATION <i>(City and State)</i> Request for Qualifications for Engineering Services for the Landings Community Development District	
2. PUBLIC NOTICE DATE 10/26/2022	3. SOLICITATION OR PROJECT NUMBER

B. ARCHITECT-ENGINEER POINT OF CONTACT

4. NAME AND TITLE Daniel Welch, PE, Project Manager/Shareholder		
5. NAME OF FIRM England-Thims & Miller, Inc.		
6. TELEPHONE NUMBER (904) 642-8990	7. FAX NUMBER (904) 646-9485	8. E-MAIL ADDRESS WelchD@etminc.com

C. PROPOSED TEAM

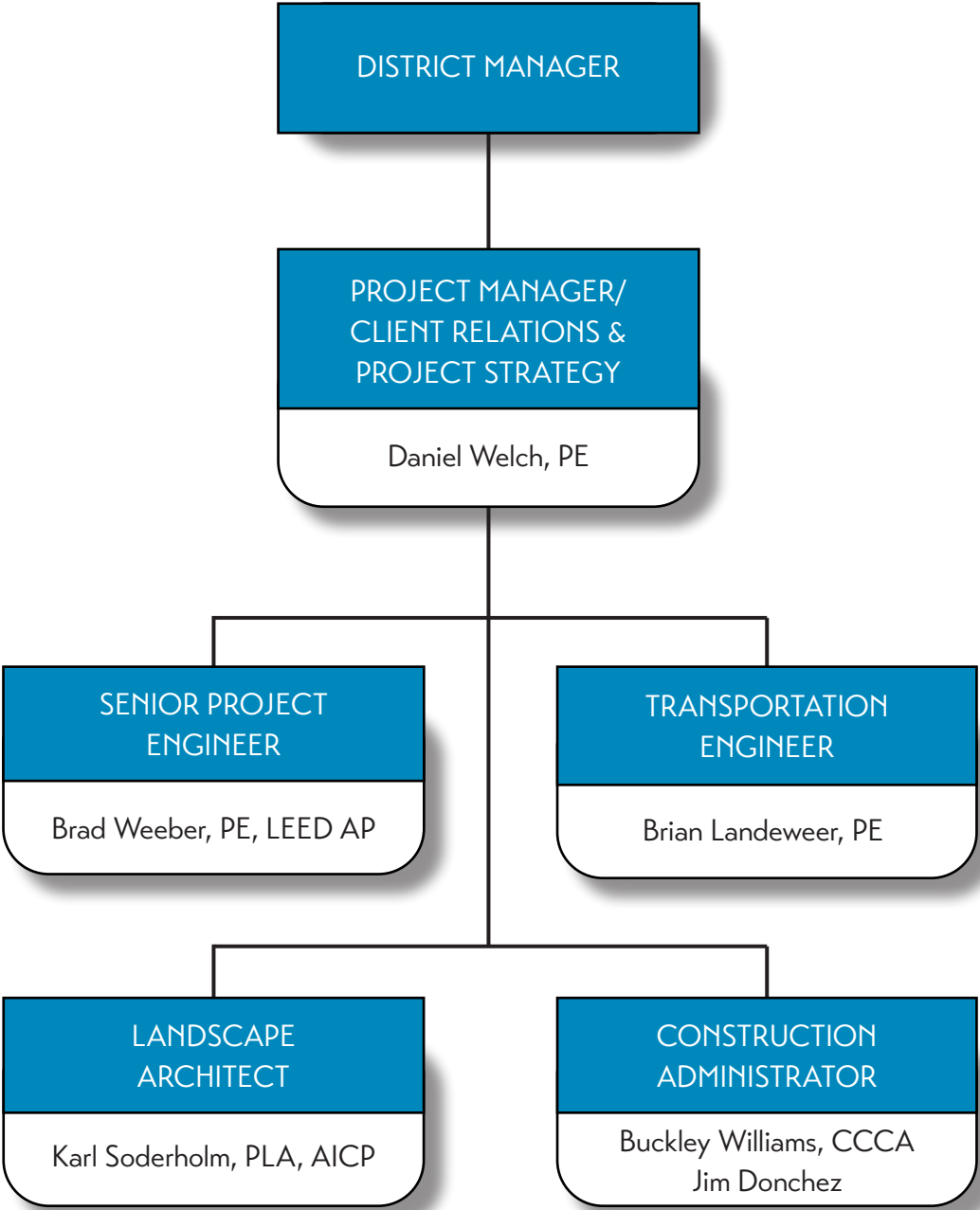
(Complete this section for the prime contractor and all key subcontractors.)

	(Check)				9. FIRM NAME	10. ADDRESS	11. ROLE IN THIS CONTRACT
	PRIME	JV	PARTNER	SUBCON-TRACTOR			
a.	✓				England-Thims & Miller, Inc. <input type="checkbox"/> CHECK IF BRANCH OFFICE	14775 Old St. Augustine Road Jacksonville, Florida 32258	District Engineer
b.					 <input type="checkbox"/> CHECK IF BRANCH OFFICE		
c.					 <input type="checkbox"/> CHECK IF BRANCH OFFICE		
d.					 <input type="checkbox"/> CHECK IF BRANCH OFFICE		
e.					 <input type="checkbox"/> CHECK IF BRANCH OFFICE		
f.					 <input type="checkbox"/> CHECK IF BRANCH OFFICE		

D. ORGANIZATIONAL CHART OF PROPOSED TEAM

(Attached)

ORGANIZATIONAL CHART



E. RESUMES OF KEY PERSONNEL PROPOSED FOR THIS CONTRACT*(Complete one Section E for each key person.)*

12. NAME Daniel Welch, PE	13. ROLE IN THIS CONTRACT Project Manager	14. YEARS EXPERIENCE	
		a. TOTAL 7	b. WITH CURRENT FIRM 7
15. FIRM NAME AND LOCATION <i>(City and State)</i> England-Thims & Miller, Inc., Jacksonville, Florida			
16. EDUCATION <i>(Degree and Specialization)</i> BS, Civil Engineering, University of North Florida		17. CURRENT PROFESSIONAL REGISTRATION <i>(State and Discipline)</i> Florida Professional Engineer, No. 87681	
18. OTHER PROFESSIONAL QUALIFICATIONS <i>(Publications, Organizations, Training, Awards, etc.)</i> Urban Land Institute, ACE Mentor Program, MathCounts			

19. RELEVANT PROJECTS

(1) TITLE AND LOCATION <i>(City and State)</i>		(2) YEAR COMPLETED	
a. Silverleaf Master Development Plan, St. Johns County, Florida		PROFESSIONAL SERVICES Ongoing	CONSTRUCTION <i>(If applicable)</i>
(3) BRIEF DESCRIPTION <i>(Brief scope, size, cost, etc.)</i> AND SPECIFIC ROLE <input checked="" type="checkbox"/> Check if project performed with current firm Professional Engineer providing services for the master drainage design and permitting for an 8,400-acre project. Responsibilities include master stormwater design and modeling, coordination with geotechnical and environmental companies, cost estimates of alternatives to ensure cost effective design, and coordination of traffic studies.			
b. Cross Creek, Clay County, Florida		PROFESSIONAL SERVICES Ongoing	CONSTRUCTION <i>(If applicable)</i>
(3) BRIEF DESCRIPTION <i>(Brief scope, size, cost, etc.)</i> AND SPECIFIC ROLE <input checked="" type="checkbox"/> Check if project performed with current firm Project Manager and Professional Engineer assisting with master development plan submittal, civil engineering construction plans, stormwater collection system design, water and sewer design, utility coordination, regulatory permitting, landscape and irrigation design, and construction representation for the 878-unit subdivision.			
c. Silverleaf Mass Grading, St. Johns County, Florida		PROFESSIONAL SERVICES Ongoing	CONSTRUCTION <i>(If applicable)</i>
(3) BRIEF DESCRIPTION <i>(Brief scope, size, cost, etc.)</i> AND SPECIFIC ROLE <input checked="" type="checkbox"/> Check if project performed with current firm Project Manager and Project Engineer responsible for master stormwater design, civil engineering construction plans, stormwater collection system design, regulatory permitting, and construction representation for multiple parcels throughout Silverleaf totaling over 2,000 acres and over 109 stormwater management facilities.			
d. Creekview Trail, Clay County, Florida		PROFESSIONAL SERVICES Ongoing	CONSTRUCTION <i>(If applicable)</i>
(3) BRIEF DESCRIPTION <i>(Brief scope, size, cost, etc.)</i> AND SPECIFIC ROLE <input checked="" type="checkbox"/> Check if project performed with current firm Project Engineer responsible for master stormwater design, civil engineering construction plans, stormwater collection system design, nutrient analysis, site planning, and regulatory permitting for proposed 1,000-acre master planned community.			
e. Grand Creek, St. Johns County, Florida		PROFESSIONAL SERVICES 2018 - 2021	CONSTRUCTION <i>(If applicable)</i>
(3) BRIEF DESCRIPTION <i>(Brief scope, size, cost, etc.)</i> AND SPECIFIC ROLE <input checked="" type="checkbox"/> Check if project performed with current firm Project Manager and Professional Engineer assisting with master development plan submittal, civil engineering construction plans, stormwater collection design, water and sewer design, utility coordination, mass grading design, floodplain analysis, regulatory permitting, and construction representation for the 400-unit subdivision.			

E. RESUMES OF KEY PERSONNEL PROPOSED FOR THIS CONTRACT

(Complete one Section E for each key person.)

12. NAME Brad Weeber, PE, LEED AP	13. ROLE IN THIS CONTRACT Senior Project Engineer	14. YEARS EXPERIENCE	
		a. TOTAL 17	b. WITH CURRENT FIRM 17
15. FIRM NAME AND LOCATION <i>(City and State)</i> England-Thims & Miller, Inc., Jacksonville, Florida			
16. EDUCATION <i>(Degree and Specialization)</i> MS, Biosystems Engineering, Clemson University BS, Biosystems Engineering, Clemson University		17. CURRENT PROFESSIONAL REGISTRATION <i>(State and Discipline)</i> Florida Professional Engineer, No. 70005 Georgia Professional Engineer, No. 038317	
18. OTHER PROFESSIONAL QUALIFICATIONS <i>(Publications, Organizations, Training, Awards, etc.)</i> Northeast Florida Builders Association, Urban Land Institute, US Green Building Council			

19. RELEVANT PROJECTS

	(1) TITLE AND LOCATION <i>(City and State)</i>	(2) YEAR COMPLETED	
		PROFESSIONAL SERVICES	CONSTRUCTION <i>(If applicable)</i>
a.	Silverleaf Master Development Plan, St. Johns County, Florida	Ongoing	
	(3) BRIEF DESCRIPTION <i>(Brief scope, size, cost, etc.)</i> AND SPECIFIC ROLE <input checked="" type="checkbox"/> Check if project performed with current firm Responsible for the master drainage design and permitting for an 8,500-acre project. Responsibilities include coordination with geotechnical and environmental companies, cost estimates of alternatives to ensure cost effective design, coordination of traffic studies for multiple public roads through project, and implementation of design changes.		
b.	Lakeside at Town Center (Nocatee), St. Johns County, Florida	2012	
	(3) BRIEF DESCRIPTION <i>(Brief scope, size, cost, etc.)</i> AND SPECIFIC ROLE <input checked="" type="checkbox"/> Check if project performed with current firm Responsible for the site civil engineering and permitting of a 13-acre, 43 lot subdivision within the Nocatee development. The utilities were required to tie into existing systems, as well as be designed for future expansion that would be served through this development.		
c.	Carlyle at Bartram Park (Amenity Center), Jacksonville, Florida	2009	
	(3) BRIEF DESCRIPTION <i>(Brief scope, size, cost, etc.)</i> AND SPECIFIC ROLE <input checked="" type="checkbox"/> Check if project performed with current firm Responsible for the civil engineering design and permitting for the residential area along with the amenity center. Mr. Weeber assisted the client with the determination of the most desirable and cost-effective LEED credits for the amenity center, as well as the design and documentation required by USGBC. Project achieved LEED Certified status.		
d.	Davis/9B - Cypress Bluff, Jacksonville, Florida	Ongoing	
	(3) BRIEF DESCRIPTION <i>(Brief scope, size, cost, etc.)</i> AND SPECIFIC ROLE <input checked="" type="checkbox"/> Check if project performed with current firm Project Engineer responsible for providing professional engineering services related to a 179-lot subdivision located in Duval County. ETM's efforts for this project included civil engineering construction plans, roadway design, stormwater collection system design, pump station design, regulatory permitting, and streetlight design.		
e.	Grace Farms, Jacksonville, Florida	2014	
	(3) BRIEF DESCRIPTION <i>(Brief scope, size, cost, etc.)</i> AND SPECIFIC ROLE <input checked="" type="checkbox"/> Check if project performed with current firm Project Designer/Engineer responsible for providing engineering services related to a 22-acre single family development located in Jacksonville, Florida. ETM's efforts for this project included site planning, rezoning, concurrency, permitting, construction plans, landscape plans, and construction administration.		

E. RESUMES OF KEY PERSONNEL PROPOSED FOR THIS CONTRACT*(Complete one Section E for each key person.)*

12. NAME Brian Landeweer, PE	13. ROLE IN THIS CONTRACT Transportation Engineer	14. YEARS EXPERIENCE	
		a. TOTAL 22	b. WITH CURRENT FIRM 15
15. FIRM NAME AND LOCATION <i>(City and State)</i> England-Thims & Miller, Inc., Jacksonville, Florida			
16. EDUCATION <i>(Degree and Specialization)</i> BS, Civil Engineering (with Honors), University of Illinois		17. CURRENT PROFESSIONAL REGISTRATION <i>(State and Discipline)</i> Florida Professional Engineer, No. 62168 Illinois Professional Engineer, No. 062-057547	
18. OTHER PROFESSIONAL QUALIFICATIONS <i>(Publications, Organizations, Training, Awards, etc.)</i>			

19. RELEVANT PROJECTS

(1) TITLE AND LOCATION <i>(City and State)</i> CR 218 Extension, Clay County, Florida	(2) YEAR COMPLETED	
	PROFESSIONAL SERVICES Ongoing	CONSTRUCTION <i>(If applicable)</i>
a. (3) BRIEF DESCRIPTION <i>(Brief scope, size, cost, etc.)</i> AND SPECIFIC ROLE <input checked="" type="checkbox"/> Check if project performed with current firm Project Manager and EOR for the design of this 2-mile new roadway alignment. This suburban roadway is being designed as a 2-lane of a future 4-lane facility with a curbed median and roadway swales, along with a shared-use path and sidewalk. This new road will provide a connection to a new First Coast Expressway interchange.		
(1) TITLE AND LOCATION <i>(City and State)</i> Governor's Park Interchange, Clay County, Florida	(2) YEAR COMPLETED	
	PROFESSIONAL SERVICES Ongoing	CONSTRUCTION <i>(If applicable)</i>
b. (3) BRIEF DESCRIPTION <i>(Brief scope, size, cost, etc.)</i> AND SPECIFIC ROLE <input checked="" type="checkbox"/> Check if project performed with current firm Project Manager for the design and permitting of a new limited access interchange on the First Coast Expressway in Clay County between SR 16 and US 17. Project will accommodate tolling facilities on the ramps and includes box culvert extensions, modifications to stormwater treatment facilities, signage, and lighting.		
(1) TITLE AND LOCATION <i>(City and State)</i> US 1/SR 313 Intersection Improvements, St. Johns County, Florida	(2) YEAR COMPLETED	
	PROFESSIONAL SERVICES 2021	CONSTRUCTION <i>(If applicable)</i>
c. (3) BRIEF DESCRIPTION <i>(Brief scope, size, cost, etc.)</i> AND SPECIFIC ROLE <input checked="" type="checkbox"/> Check if project performed with current firm Project Manager and EOR for this project that involved the reconstruction of a quarter mile of a 4-lane, divided, rural section to raise the profile of US 1 for a new intersection with SR 313. Project included extensive coordination with FEC Railway for the installation of a new at-grade railroad crossing and the jack and bore installation of water and force main.		
(1) TITLE AND LOCATION <i>(City and State)</i> Crosswater Parkway Extension, Nocatee, Florida	(2) YEAR COMPLETED	
	PROFESSIONAL SERVICES 2018	CONSTRUCTION <i>(If applicable)</i>
d. (3) BRIEF DESCRIPTION <i>(Brief scope, size, cost, etc.)</i> AND SPECIFIC ROLE <input checked="" type="checkbox"/> Check if project performed with current firm Project Manager and EOR for the design and contract administration for this 2-mile, 4-lane divided suburban facility. Project included five stormwater detention ponds for treatment and attenuation, and infiltration swales to remove nutrients in this impaired basin. Permits were acquired from St. Johns County, SJRWMD, and FDEP.		
(1) TITLE AND LOCATION <i>(City and State)</i> Gold Star Family Parkway, Duval County, Florida	(2) YEAR COMPLETED	
	PROFESSIONAL SERVICES 2022	CONSTRUCTION <i>(If applicable)</i>
e. (3) BRIEF DESCRIPTION <i>(Brief scope, size, cost, etc.)</i> AND SPECIFIC ROLE <input checked="" type="checkbox"/> Check if project performed with current firm Project Manager and EOR for the design of a new 3.5-mile, 2-lane rural facility. The new road provided access to the National Cemetery by connecting Arnold Road to Lannie Road. Along with preparing project plans, specifications, and estimates, a Pavement Type Selection Report, a Typical Selection Package, and a Pond Siting Report were prepared.		

E. RESUMES OF KEY PERSONNEL PROPOSED FOR THIS CONTRACT

(Complete one Section E for each key person.)

12. NAME Karl Soderholm, PLA, AICP, LEED AP	13. ROLE IN THIS CONTRACT Landscape Architect	14. YEARS EXPERIENCE	
		a. TOTAL 22	b. WITH CURRENT FIRM 18

15. FIRM NAME AND LOCATION <i>(City and State)</i> England-Thims & Miller, Inc. (Jacksonville, Florida)
--

16. EDUCATION <i>(Degree and Specialization)</i> BS, Landscape Architecture, University of Florida, 1999	17. CURRENT PROFESSIONAL REGISTRATION <i>(State and Discipline)</i> Florida Landscape Architect, No. LA 6666736 CLARB No. 4725 American Institute of Certified Planners, No. 023714 Certified Arborist, No. FL-6054A
---	--

18. OTHER PROFESSIONAL QUALIFICATIONS <i>(Publications, Organizations, Training, Awards, etc.)</i> American Society of Landscape Architects, American Planning Association, Florida Planning and Zoning Association, International Society of Arboriculture
--

19. RELEVANT PROJECTS

a. (1) TITLE AND LOCATION <i>(City and State)</i> Nocatee, Ponte Vedra, Florida	(2) YEAR COMPLETED	
	PROFESSIONAL SERVICES Ongoing	CONSTRUCTION <i>(If applicable)</i>
(3) BRIEF DESCRIPTION <i>(Brief scope, size, cost, etc.)</i> AND SPECIFIC ROLE <input checked="" type="checkbox"/> Check if project performed with current firm Leading Site Planner for Nocatee, developing site plans for many of the projects developed within the DRI including the commercial town center. In addition, he has served as Landscape Architect for the development of several projects within the development.		
b. (1) TITLE AND LOCATION <i>(City and State)</i> Cordova Palms DRI, St. Johns County, Florida	(2) YEAR COMPLETED	
	PROFESSIONAL SERVICES Ongoing	CONSTRUCTION <i>(If applicable)</i>
(3) BRIEF DESCRIPTION <i>(Brief scope, size, cost, etc.)</i> AND SPECIFIC ROLE <input checked="" type="checkbox"/> Check if project performed with current firm The Cordova Palms DRI situated along US 1 is a Master Planned Community of 580 acres. The development program includes 1,700 multi-family units, 1 million SF of retail and office space, as well as an elementary school and public park to serve the needs of the community.		
c. (1) TITLE AND LOCATION <i>(City and State)</i> Nocatee Town Center, Ponte Vedra, Florida	(2) YEAR COMPLETED	
	PROFESSIONAL SERVICES 2008	CONSTRUCTION <i>(If applicable)</i>
(3) BRIEF DESCRIPTION <i>(Brief scope, size, cost, etc.)</i> AND SPECIFIC ROLE <input checked="" type="checkbox"/> Check if project performed with current firm Senior Landscape Architect for this project which is a new town covering 14,000 acres of land bridging two counties. Scope of work included conceptual site planning, hardscape, landscape, irrigation design, as well as CEI Services. The first phase of a large planned town center development incorporates significant hardscape and pedestrian elements.		
d. (1) TITLE AND LOCATION <i>(City and State)</i> Silverleaf Plantation DRI, St. Johns County, Florida	(2) YEAR COMPLETED	
	PROFESSIONAL SERVICES Ongoing	CONSTRUCTION <i>(If applicable)</i>
(3) BRIEF DESCRIPTION <i>(Brief scope, size, cost, etc.)</i> AND SPECIFIC ROLE <input checked="" type="checkbox"/> Check if project performed with current firm Silverleaf Plantation DRI is a Master Planned Community encompassing 7,300 acres. Included in the project is the design of 10,700 Residential Units and 1.7 million SF of retail, office, and light Industrial uses.		
e. (1) TITLE AND LOCATION <i>(City and State)</i> Governors Park DRI, Clay County, Florida	(2) YEAR COMPLETED	
	PROFESSIONAL SERVICES Ongoing	CONSTRUCTION <i>(If applicable)</i>
(3) BRIEF DESCRIPTION <i>(Brief scope, size, cost, etc.)</i> AND SPECIFIC ROLE <input checked="" type="checkbox"/> Check if project performed with current firm The Governors Park DRI situated along the proposed First Coast Outer Beltway in Clay County is a Master Planned Community of 3,200 acres. The development program includes 3.5 million SF of non-residential development, 6,000 residential units, as well as schools and public parks to serve the needs of the community.		

E. RESUMES OF KEY PERSONNEL PROPOSED FOR THIS CONTRACT*(Complete one Section E for each key person.)*

12. NAME Buckley Williams, CCCA	13. ROLE IN THIS CONTRACT Construction Administration	14. YEARS EXPERIENCE	
		a. TOTAL 30	b. WITH CURRENT FIRM 29
15. FIRM NAME AND LOCATION <i>(City and State)</i> England-Thims & Miller, Inc., Jacksonville, Florida			
16. EDUCATION <i>(Degree and Specialization)</i> BS, Building Construction, University of Florida, 1992		17. CURRENT PROFESSIONAL REGISTRATION <i>(State and Discipline)</i> N/A	
18. OTHER PROFESSIONAL QUALIFICATIONS <i>(Publications, Organizations, Training, Awards, etc.)</i> Certified Construction Contract Administrator (CCCA), ASCE Construction Engineering Certificate Program			

19. RELEVANT PROJECTS

(1) TITLE AND LOCATION <i>(City and State)</i>	(2) YEAR COMPLETED	
	PROFESSIONAL SERVICES	CONSTRUCTION <i>(If applicable)</i>
Six Mile Creek, St. Johns County, Florida	Ongoing	
a. (3) BRIEF DESCRIPTION <i>(Brief scope, size, cost, etc.)</i> AND SPECIFIC ROLE <input checked="" type="checkbox"/> Check if project performed with current firm Duties included construction management, directing an inspection team, complete utility coordination with BellSouth, Florida Power & Light, Co., Media One, Peoples Gas, and other utility companies, presiding over weekly coordination meetings, shop drawing review, schedule analysis, claims tracking, change order procurement, and monthly reports.		
Oakleaf Plantation, Double Branch Community Development District, Clay County, Florida	Ongoing	
b. (3) BRIEF DESCRIPTION <i>(Brief scope, size, cost, etc.)</i> AND SPECIFIC ROLE <input checked="" type="checkbox"/> Check if project performed with current firm Construction Manager responsible for the day-to-day coordination efforts of six residential and connector highway construction projects, including Amenity Site Construction, totaling approximately \$22 Million. Responsible for addressing Owner initiatives and the introduction of multiple utility agency infrastructure improvements within limits.		
Aberdeen and Durbin Crossing Community Development Districts, St. Johns County, Florida	2007	2007
c. (3) BRIEF DESCRIPTION <i>(Brief scope, size, cost, etc.)</i> AND SPECIFIC ROLE <input checked="" type="checkbox"/> Check if project performed with current firm Project Administrator for a large subdivision and county roadway project (over \$120 Million) located between CR 210 and Race Track Road. His responsibilities included project management, contract administration, and the supervision of inspection staff.		
Trail Ridge Landfill Closure, Duval County, Florida	2018	2018
d. (3) BRIEF DESCRIPTION <i>(Brief scope, size, cost, etc.)</i> AND SPECIFIC ROLE <input checked="" type="checkbox"/> Check if project performed with current firm Senior Quality Control Monitor for a 24-acre, multi-terrace, closure system including oversight of intermediate cover, clay liner system, HDPE downcomer drainage system, terrace underdrain installations, 24" final topsoil cover, etc. Responsible for inspection duties and direct sampling of regulatory testing for permeability, gradation, etc.		
Nocatee DRI, Duval and St. Johns Counties, Florida	Ongoing	Ongoing
e. (3) BRIEF DESCRIPTION <i>(Brief scope, size, cost, etc.)</i> AND SPECIFIC ROLE <input checked="" type="checkbox"/> Check if project performed with current firm Senior Project Manager on a 15,000-acre, 30,000-person, mixed-use DRI. Responsibilities include day-to-day coordination efforts of the complex inspection program including infrastructure improvements such as roadway, stormwater management facilities, water/sewer/reuse utility improvements, bridge, and box culvert improvements.		

E. RESUMES OF KEY PERSONNEL PROPOSED FOR THIS CONTRACT

(Complete one Section E for each key person.)

12. NAME Jim Donchez	13. ROLE IN THIS CONTRACT Construction Administration	14. YEARS EXPERIENCE	
		a. TOTAL 40	b. WITH CURRENT FIRM 21

15. FIRM NAME AND LOCATION *(City and State)*
England-Thims & Miller, Inc., Jacksonville, Florida

16. EDUCATION <i>(Degree and Specialization)</i>	17. CURRENT PROFESSIONAL REGISTRATION <i>(State and Discipline)</i>

18. OTHER PROFESSIONAL QUALIFICATIONS *(Publications, Organizations, Training, Awards, etc.)*
MISC: Nuclear Safety w/ Hazmat

19. RELEVANT PROJECTS

(1) TITLE AND LOCATION <i>(City and State)</i>	(2) YEAR COMPLETED	
	PROFESSIONAL SERVICES	CONSTRUCTION <i>(If applicable)</i>
Rivertown Community Development District St. Johns County, Florida	2010	2010
a. (3) BRIEF DESCRIPTION <i>(Brief scope, size, cost, etc.)</i> AND SPECIFIC ROLE <input checked="" type="checkbox"/> Check if project performed with current firm Project Administrator for this \$67.4 Million development. New utilities included potable water mains, reclaimed water mains, sanitary sewer force mains, sanitary sewer gravity mains, sanitary sewer lift station installations, master re-pump stations, and underground/overhead electric. Supervised staff and coordinated with JEA and St. Johns County.		
Aberdeen and Durbin Crossing Community Development Districts St. Johns County, Florida	2008	2008
b. (3) BRIEF DESCRIPTION <i>(Brief scope, size, cost, etc.)</i> AND SPECIFIC ROLE <input checked="" type="checkbox"/> Check if project performed with current firm Project Administrator for this +\$120 Million project. Responsibilities included project management/contract administration and supervision of inspection staff. Project included a large drainage network with multiple stormwater management facilities and new utilities.		
Bartram Springs Development and Race Track Road Widening St. Johns County, Florida	2005	2005
c. (3) BRIEF DESCRIPTION <i>(Brief scope, size, cost, etc.)</i> AND SPECIFIC ROLE <input checked="" type="checkbox"/> Check if project performed with current firm Project Representative for all aspects of subdivision and roadway widening construction (over \$20 Million) encompassing approximately one mile of Race Track Road and a 1,400-lot subdivision. This work included project management and contract administration.		
Parkland Trail/Tree of Life Projects, World Golf Village St. Johns County, Florida	2002	2002
d. (3) BRIEF DESCRIPTION <i>(Brief scope, size, cost, etc.)</i> AND SPECIFIC ROLE <input checked="" type="checkbox"/> Check if project performed with current firm Responsible for Contractor supervision and contract administration for a \$3 Million project including utility installations, drainage improvements, and new road construction including the site development of the Tree of Life facility.		
Clay County Continuing Services Projects Clay County, Florida	Ongoing	Ongoing
e. (3) BRIEF DESCRIPTION <i>(Brief scope, size, cost, etc.)</i> AND SPECIFIC ROLE <input checked="" type="checkbox"/> Check if project performed with current firm Project Manager for over 30 subdivision projects, managing multiple inspectors representing Clay Count. Work includes stormwater construction, subgrade, base construction, asphalt pavement, ADA sidewalks, signalization, signing, and striping. Mr. Donchez monitors project budget and schedules and provides daily and weekly reporting.		

F. EXAMPLE PROJECTS WHICH BEST ILLUSTRATE PROPOSED TEAM'S QUALIFICATIONS FOR THIS CONTRACT
(Present as many projects as requested by the agency, or 10 projects, if not specified. Complete one Section F for each project.)

20. EXAMPLE PROJECT KEY NUMBER
 1

21. TITLE AND LOCATION <i>(City and State)</i> SilverLeaf Plantation St. Johns County, Florida	22. YEAR COMPLETED	
	PROFESSIONAL SERVICES Ongoing	CONSTRUCTION <i>(If applicable)</i>

23. PROJECT OWNER'S INFORMATION

a. PROJECT OWNER Hutson Companies	b. POINT OF CONTACT NAME John Metcalf	c. POINT OF CONTACT TELEPHONE NUMBER (904) 262-7718
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24. BRIEF DESCRIPTION OF PROJECT AND RELEVANCE TO THIS CONTRACT *(Include scope, size, and cost)*

SilverLeaf Plantation is a 7,285 +/- acre mixed use Development of Regional Impact. The project includes approximately 1,140,000 SF of commercial space, 330,000 SF of industrial space, 300,000 SF of office space, 6,800 single-family residential units, and 3,900 multifamily units, six schools including an Academic Village, with a community college campus.



25. FIRMS FROM SECTION C INVOLVED WITH THIS PROJECT

a.	(1) FIRM NAME England-Thims & Miller, Inc.	(2) FIRM LOCATION <i>(City and State)</i> Jacksonville, Florida	(3) ROLE District Engineer
b.	(1) FIRM NAME	(2) FIRM LOCATION <i>(City and State)</i>	(3) ROLE
c.	(1) FIRM NAME	(2) FIRM LOCATION <i>(City and State)</i>	(3) ROLE
d.	(1) FIRM NAME	(2) FIRM LOCATION <i>(City and State)</i>	(3) ROLE
e.	(1) FIRM NAME	(2) FIRM LOCATION <i>(City and State)</i>	(3) ROLE
f.	(1) FIRM NAME	(2) FIRM LOCATION <i>(City and State)</i>	(3) ROLE

F. EXAMPLE PROJECTS WHICH BEST ILLUSTRATE PROPOSED TEAM'S QUALIFICATIONS FOR THIS CONTRACT
 (Present as many projects as requested by the agency, or 10 projects, if not specified.
 Complete one Section F for each project.)

20. EXAMPLE PROJECT KEY NUMBER
 2

21. TITLE AND LOCATION (City and State) East Nassau Stewardship District Nassau County, Florida	22. YEAR COMPLETED	
	PROFESSIONAL SERVICES Ongoing	CONSTRUCTION (If applicable)

23. PROJECT OWNER'S INFORMATION

a. PROJECT OWNER East Nassau Stewardship District	b. POINT OF CONTACT NAME Tommy Jinx	c. POINT OF CONTACT TELEPHONE NUMBER (904) 321-1007
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24. BRIEF DESCRIPTION OF PROJECT AND RELEVANCE TO THIS CONTRACT (Include scope, size, and cost)

ETM is the District Engineer for the East Nassau Stewardship District, which is a 24,000-acre DRI project that includes 640 acres of commercial development. At total build-out, this project will include 11 million SF of non-residential space, 550,000 SF of commercial space, and 24,000 residential units. ETM is responsible for providing engineering, cost estimates, and plan review to ensure the proper construction of improvements within the District.



25. FIRMS FROM SECTION C INVOLVED WITH THIS PROJECT

a.	(1) FIRM NAME England-Thims & Miller, Inc.	(2) FIRM LOCATION (City and State) Jacksonville, Florida	(3) ROLE District Engineer
b.	(1) FIRM NAME	(2) FIRM LOCATION (City and State)	(3) ROLE
c.	(1) FIRM NAME	(2) FIRM LOCATION (City and State)	(3) ROLE
d.	(1) FIRM NAME	(2) FIRM LOCATION (City and State)	(3) ROLE
e.	(1) FIRM NAME	(2) FIRM LOCATION (City and State)	(3) ROLE
f.	(1) FIRM NAME	(2) FIRM LOCATION (City and State)	(3) ROLE

F. EXAMPLE PROJECTS WHICH BEST ILLUSTRATE PROPOSED TEAM'S QUALIFICATIONS FOR THIS CONTRACT <i>(Present as many projects as requested by the agency, or 10 projects, if not specified. Complete one Section F for each project.)</i>		20. EXAMPLE PROJECT KEY NUMBER 3
21. TITLE AND LOCATION <i>(City and State)</i> Tolomato CDD (Nocatee) St. Johns County, Florida		22. YEAR COMPLETED PROFESSIONAL SERVICES Ongoing CONSTRUCTION <i>(If applicable)</i>

23. PROJECT OWNER'S INFORMATION

a. PROJECT OWNER The PARC Group	b. POINT OF CONTACT NAME Greg Barbour	c. POINT OF CONTACT TELEPHONE NUMBER (904) 992-9750
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24. BRIEF DESCRIPTION OF PROJECT AND RELEVANCE TO THIS CONTRACT *(Include scope, size, and cost)*

Nocatee, one of the top 10 best selling communities in the nation, is the one project in the Jacksonville region that is most similar to Big Island CDD. This 15,000-acre parcel, at total build-out, will consist of 14,000 residential units, 5 million SF of nonresidential space and recreation/open spaces, churches, schools and civic uses. ETM is proud of our involvement in the engineering design, planning and landscape architecture of this project. We have been involved with this project since 1997, when The PARC Group began the conceptual planning process.

In addition to providing the lead design consulting services, ETM was responsible for the design, permitting, and construction management of over \$200 Million of transportation, stormwater, and utility infrastructure.



25. FIRMS FROM SECTION C INVOLVED WITH THIS PROJECT

a.	(1) FIRM NAME England-Thims & Miller, Inc.	(2) FIRM LOCATION <i>(City and State)</i> Jacksonville, Florida	(3) ROLE District Engineer
b.	(1) FIRM NAME	(2) FIRM LOCATION <i>(City and State)</i>	(3) ROLE
c.	(1) FIRM NAME	(2) FIRM LOCATION <i>(City and State)</i>	(3) ROLE
d.	(1) FIRM NAME	(2) FIRM LOCATION <i>(City and State)</i>	(3) ROLE
e.	(1) FIRM NAME	(2) FIRM LOCATION <i>(City and State)</i>	(3) ROLE
f.	(1) FIRM NAME	(2) FIRM LOCATION <i>(City and State)</i>	(3) ROLE

F. EXAMPLE PROJECTS WHICH BEST ILLUSTRATE PROPOSED TEAM'S QUALIFICATIONS FOR THIS CONTRACT
(Present as many projects as requested by the agency, or 10 projects, if not specified. Complete one Section F for each project.)

20. EXAMPLE PROJECT KEY NUMBER
4

21. TITLE AND LOCATION <i>(City and State)</i> Double Branch Community Development District Jacksonville, Florida	22. YEAR COMPLETED	
	PROFESSIONAL SERVICES Ongoing	CONSTRUCTION <i>(If applicable)</i>

23. PROJECT OWNER'S INFORMATION

a. PROJECT OWNER The Hutson Companies	b. POINT OF CONTACT NAME David Hutson	c. POINT OF CONTACT TELEPHONE NUMBER (904) 262-7718
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24. BRIEF DESCRIPTION OF PROJECT AND RELEVANCE TO THIS CONTRACT *(Include scope, size, and cost)*

ETM was responsible for the master planning of this 10,000-acre DRI project. The project included roadway design, utility design and master stormwater management design and permitting. In 1999, ETM served as lead consultant in a major modification to the Argyle Forest DRI.

The land development work included engineering and landscape design of over 5,000 residential units, two amenity centers with each over \$7 Million, a regional baseball softball park, a regional soccer park, and over 1 million SF of retail and commercial space. ETM was responsible for the day-to-day coordination efforts of six residential and connector highway construction projects including Amenity Site Construction, totaling approximately \$22 Million. This project includes over 10 miles of connector roadway and infrastructure improvements, JEA and Clay County Utility Authority improvements, amenity center construction, box culvert construction, landscape and irrigation improvements, and lot development services.



25. FIRMS FROM SECTION C INVOLVED WITH THIS PROJECT

a.	(1) FIRM NAME England-Thims & Miller, Inc.	(2) FIRM LOCATION <i>(City and State)</i> Jacksonville, Florida	(3) ROLE District Engineer
b.	(1) FIRM NAME	(2) FIRM LOCATION <i>(City and State)</i>	(3) ROLE
c.	(1) FIRM NAME	(2) FIRM LOCATION <i>(City and State)</i>	(3) ROLE
d.	(1) FIRM NAME	(2) FIRM LOCATION <i>(City and State)</i>	(3) ROLE
e.	(1) FIRM NAME	(2) FIRM LOCATION <i>(City and State)</i>	(3) ROLE
f.	(1) FIRM NAME	(2) FIRM LOCATION <i>(City and State)</i>	(3) ROLE

F. EXAMPLE PROJECTS WHICH BEST ILLUSTRATE PROPOSED TEAM'S QUALIFICATIONS FOR THIS CONTRACT
 (Present as many projects as requested by the agency, or 10 projects, if not specified.
 Complete one Section F for each project.)

20. EXAMPLE PROJECT KEY NUMBER
 5

21. TITLE AND LOCATION (City and State) Bartram Springs Community Development District Jacksonville, Florida	22. YEAR COMPLETED	
	PROFESSIONAL SERVICES 2022	CONSTRUCTION (If applicable)

23. PROJECT OWNER'S INFORMATION

a. PROJECT OWNER Southstar Development Partners, Inc.	b. POINT OF CONTACT NAME Kimball Woodbury	c. POINT OF CONTACT TELEPHONE NUMBER (305) 476-1514
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24. BRIEF DESCRIPTION OF PROJECT AND RELEVANCE TO THIS CONTRACT (Include scope, size, and cost)

Bartram Springs is a 1,400 lot single family development in Southeast Duval County located on the northside of Race Track Road immediately west of Philips Highway. The site is over 1,000 acres, half of which are wetlands that discharge to a Durbin Creek tributary. Additional features and elements include a multifamily parcel, a retail component, a city park site, an elementary school and an amenity area.



25. FIRMS FROM SECTION C INVOLVED WITH THIS PROJECT

a.	(1) FIRM NAME England-Thims & Miller, Inc.	(2) FIRM LOCATION (City and State) Jacksonville, Florida	(3) ROLE District Engineer
b.	(1) FIRM NAME	(2) FIRM LOCATION (City and State)	(3) ROLE
c.	(1) FIRM NAME	(2) FIRM LOCATION (City and State)	(3) ROLE
d.	(1) FIRM NAME	(2) FIRM LOCATION (City and State)	(3) ROLE
e.	(1) FIRM NAME	(2) FIRM LOCATION (City and State)	(3) ROLE
f.	(1) FIRM NAME	(2) FIRM LOCATION (City and State)	(3) ROLE

F. EXAMPLE PROJECTS WHICH BEST ILLUSTRATE PROPOSED TEAM'S QUALIFICATIONS FOR THIS CONTRACT <i>(Present as many projects as requested by the agency, or 10 projects, if not specified. Complete one Section F for each project.)</i>	20. EXAMPLE PROJECT KEY NUMBER 6
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21. TITLE AND LOCATION <i>(City and State)</i> Bartram Park Jacksonville, Florida	22. YEAR COMPLETED	
	PROFESSIONAL SERVICES Ongoing	CONSTRUCTION <i>(If applicable)</i>

23. PROJECT OWNER'S INFORMATION

a. PROJECT OWNER Eastland	b. POINT OF CONTACT NAME Tom Dodson	c. POINT OF CONTACT TELEPHONE NUMBER (904) 280-7100
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24. BRIEF DESCRIPTION OF PROJECT AND RELEVANCE TO THIS CONTRACT *(Include scope, size, and cost)*

Bartram Park is a 3,600-acre mixed-use DRI. The project is located in south Duval County and north St. Johns County along I-95. The proposed development consists of 2,000± single-family units, 7,000± multifamily units, 1.3 million SF of commercial space, 1.6 million SF office space, and 330± hotel rooms. As part of the DRI, over 2,00± acres of preservation land was provided along Julington and Durbin Creek.



25. FIRMS FROM SECTION C INVOLVED WITH THIS PROJECT

a.	(1) FIRM NAME England-Thims & Miller, Inc.	(2) FIRM LOCATION <i>(City and State)</i> Jacksonville, Florida	(3) ROLE District Engineer
b.	(1) FIRM NAME	(2) FIRM LOCATION <i>(City and State)</i>	(3) ROLE
c.	(1) FIRM NAME	(2) FIRM LOCATION <i>(City and State)</i>	(3) ROLE
d.	(1) FIRM NAME	(2) FIRM LOCATION <i>(City and State)</i>	(3) ROLE
e.	(1) FIRM NAME	(2) FIRM LOCATION <i>(City and State)</i>	(3) ROLE
f.	(1) FIRM NAME	(2) FIRM LOCATION <i>(City and State)</i>	(3) ROLE

F. EXAMPLE PROJECTS WHICH BEST ILLUSTRATE PROPOSED TEAM'S QUALIFICATIONS FOR THIS CONTRACT
 (Present as many projects as requested by the agency, or 10 projects, if not specified.
 Complete one Section F for each project.)

20. EXAMPLE PROJECT KEY NUMBER
 7

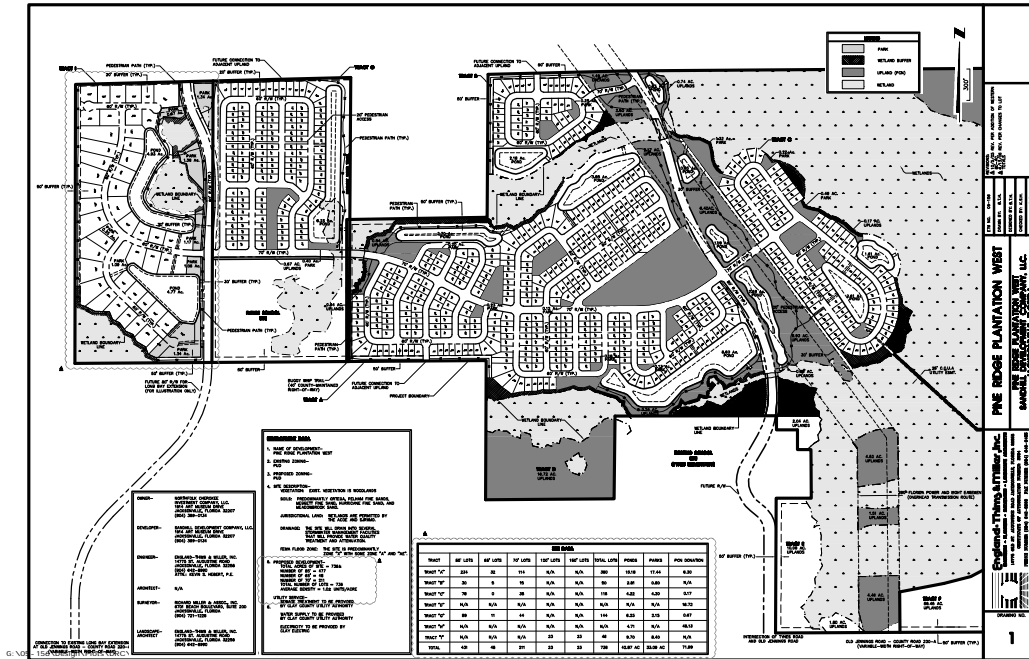
21. TITLE AND LOCATION (City and State) Pine Ridge Plantation (Clay County, Florida)	22. YEAR COMPLETED	
	PROFESSIONAL SERVICES 2016	CONSTRUCTION (If applicable)

23. PROJECT OWNER'S INFORMATION

a. PROJECT OWNER Tynes Partners, LLC	b. POINT OF CONTACT NAME Levi Ritter	c. POINT OF CONTACT TELEPHONE NUMBER (904) 399-0134
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24. BRIEF DESCRIPTION OF PROJECT AND RELEVANCE TO THIS CONTRACT (Include scope, size, and cost)

ETM was contracted by Tynes Partners, LLC to provide professional engineering services related to a 116 single family lot subdivision located within the Pine Ridge Development in Clay County. ETM's efforts for this project included a master site plan, water and sewer design, stormwater collection system design, roadway design, regulatory permitting and construction administration.



25. FIRMS FROM SECTION C INVOLVED WITH THIS PROJECT

a.	(1) FIRM NAME England-Thims & Miller, Inc.	(2) FIRM LOCATION (City and State) Jacksonville, Florida	(3) ROLE District Engineer
b.	(1) FIRM NAME	(2) FIRM LOCATION (City and State)	(3) ROLE
c.	(1) FIRM NAME	(2) FIRM LOCATION (City and State)	(3) ROLE
d.	(1) FIRM NAME	(2) FIRM LOCATION (City and State)	(3) ROLE
e.	(1) FIRM NAME	(2) FIRM LOCATION (City and State)	(3) ROLE
f.	(1) FIRM NAME	(2) FIRM LOCATION (City and State)	(3) ROLE

F. EXAMPLE PROJECTS WHICH BEST ILLUSTRATE PROPOSED TEAM'S QUALIFICATIONS FOR THIS CONTRACT <i>(Present as many projects as requested by the agency, or 10 projects, if not specified. Complete one Section F for each project.)</i>		20. EXAMPLE PROJECT KEY NUMBER 8
21. TITLE AND LOCATION <i>(City and State)</i> Beach CDD (Duval County, Florida)	22. YEAR COMPLETED	
	PROFESSIONAL SERVICES 2020	CONSTRUCTION <i>(If applicable)</i>

23. PROJECT OWNER'S INFORMATION		
a. PROJECT OWNER Beach CDD	b. POINT OF CONTACT NAME Jill Cupps	c. POINT OF CONTACT TELEPHONE NUMBER (407) 382-3256
24. BRIEF DESCRIPTION OF PROJECT AND RELEVANCE TO THIS CONTRACT <i>(Include scope, size, and cost)</i>		

ETM was contracted by Beach Community Development District (CDD) to provide professional engineering support services related to the operation of the CDD in Duval County. ETM's efforts for this project included, coordination with utility providers, coordination with contractors, permitting, engineering services, project management, coordination with surveyors, architects and other consultants and requisition processing.



25. FIRMS FROM SECTION C INVOLVED WITH THIS PROJECT		
a. (1) FIRM NAME England-Thims & Miller, Inc.	(2) FIRM LOCATION <i>(City and State)</i> Jacksonville, Florida	(3) ROLE District Engineer
b. (1) FIRM NAME	(2) FIRM LOCATION <i>(City and State)</i>	(3) ROLE
c. (1) FIRM NAME	(2) FIRM LOCATION <i>(City and State)</i>	(3) ROLE
d. (1) FIRM NAME	(2) FIRM LOCATION <i>(City and State)</i>	(3) ROLE
e. (1) FIRM NAME	(2) FIRM LOCATION <i>(City and State)</i>	(3) ROLE
f. (1) FIRM NAME	(2) FIRM LOCATION <i>(City and State)</i>	(3) ROLE

G. KEY PERSONNEL PARTICIPATION IN EXAMPLE PROJECTS

26. NAMES OF KEY PERSONNEL <i>(From Section E, Block 12)</i>	27. ROLE IN THIS CONTRACT <i>(From Section E, Block 13)</i>	28. EXAMPLE PROJECTS LISTED IN SECTION F <i>(Fill in "Example Projects Key" section below before completing table. Place "X" under project key number for participation in same or similar role.)</i>									
		1	2	3	4	5	6	7	8	9	10
Daniel Welch, PE	Project Manager/Client Relations & Project Strategy	X									
Brad Weeber, PE, LEED AP	Senior Project Engineer						X				
Brian Landeweer, PE	Transportation Engineer			X					X		
Karl Soderholm, PLA, AICP	Landscape Architect		X	X	X	X	X				
Buckley Williams, CCCA	Construction Administrator		X	X	X	X	X	X	X		
Jim Donchez	Construction Administrator					X					

29. EXAMPLE PROJECTS KEY

NUMBER	TITLE OF EXAMPLE PROJECT <i>(From Section F)</i>	NUMBER	TITLE OF EXAMPLE PROJECT <i>(From Section F)</i>
1	SilverLeaf Plantation	6	Bartram Park
2	East Nassau Stewardship District	7	Pine Ridge Plantation
3	Tolomato Community Development District	8	Beach Community Development District
4	Double Branch Community Development District	9	
5	Bartram Springs	10	

H. ADDITIONAL INFORMATION

30. PROVIDE ANY ADDITIONAL INFORMATION REQUESTED BY THE AGENCY. ATTACH ADDITIONAL SHEETS AS NEEDED.

I. AUTHORIZED REPRESENTATIVE

The foregoing is a statement of facts.

31. SIGNATURE



32. DATE

11/10/2022

33. NAME AND TITLE

Brad Weeber, PE, LEED AP, Executive Vice President

ARCHITECT-ENGINEER QUALIFICATIONS

1. SOLICITATION NUMBER (If any)

PART II - GENERAL QUALIFICATIONS

(If a firm has branch offices, complete for each specific branch office seeking work.)

2a. FIRM (or Branch Office) NAME England-Thims & Miller, Inc.			3. YEAR ESTABLISHED 1983	4. UNIQUE ENTITY IDENTIFIER 09-783-0251
2b. STREET 14775 Old St. Augustine Road			5. OWNERSHIP	
2c. CITY Jacksonville	2d. STATE FL	2e. ZIP CODE 32258	a. TYPE Corporation	
6a. POINT OF CONTACT NAME AND TITLE Daniel Welch, PE, Project Manager/Shareholder			b. SMALL BUSINESS STATUS N/A	
6b. TELEPHONE NUMBER (904) 642-8990		6c. EMAIL ADDRESS WelchD@etminc.com		
7. NAME OF FIRM (If Block 2a is a Branch Office)				


8a. FORMER FIRM NAME(S) (If any) Bassett, England & Thims, Inc.		8b. YEAR ESTABLISHED 1977	8c. UNIQUE ENTITY IDENTIFIER 09-783-0251
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9. EMPLOYEES BY DISCIPLINE				10. PROFILE OF FIRM'S EXPERIENCE AND ANNUAL AVERAGE REVENUE FOR LAST 5 YEARS		
a. Function Code	b. Discipline	c. Number of Employees		a. Profile Code	b. Experience	c. Revenue Index Number (see below)
		(1) FIRM	(2) BRANCH			
02	Administrative	41		C10	Shopping Center	6
08	CADD Technician	25		C15	Construction Management	8
12	Civil Engineer	39		E12	Environmental Remediation	4
15	Construction Inspector	36		H07	Highway/Streets	5
16	Construction Manager	7		H09	Hospital & Medical Facilities	4
29	GIS Specialist	12		H11	Housing	7
39	Landscape Architect	8		I01	Industrial Buildings	2
47	Planner: Urban/Regional	7		I06	Irrigation/Drainage	2
48	Project Manager	27		L03	Landscape Architecture	2
58	Survey	75		O01	Office Building	3
				O03	Utilities	3
				P05	Planning-Area	5
				P06	Planning-Site	6
				P07	Land Fills	2
				R04	Recreation	2
				S04	Sewage Treatment	3
				S10	Surveying	6
				S13	Storm Water	4
				T03	Traffic Engineering	6
				U02	Community Development	2
	Other Employees	15		W02	Ground Water	2
	Total	286		W03	Water Treatment	4

11. ANNUAL AVERAGE PROFESSIONAL SERVICES REVENUES OF FIRM FOR LAST 3 YEARS (Insert revenue index number shown at right)		PROFESSIONAL SERVICES REVENUE INDEX NUMBER			
a. Federal Work	2	1. Less than \$100,000	6. \$2 million to less than \$5 million	7. \$5 million to less than \$10 million	8. \$10 million to less than \$25 million
b. Non-Federal Work	9	2. \$100,000 to less than \$250,000	8. \$10 million to less than \$25 million	9. \$25 million to less than \$50 million	10. \$50 million or greater
c. Total Work	9	3. \$250,000 to less than \$500,000	4. \$500,000 to less than \$1 million	5. \$1 million to less than \$2 million	

12. AUTHORIZED REPRESENTATIVE

The foregoing is a statement of facts.

a. SIGNATURE 	b. DATE 11/10/2022
c. NAME AND TITLE Brad Weeber, PE, LEED AP, Executive Vice President	

A family consisting of a man, a woman, and a baby in a stroller is walking on a paved sidewalk in front of a large, modern, two-story house. The house has a grey roof, white trim, and large windows. Several palm trees are scattered around the property, and the sky is bright blue with some light clouds. The overall scene is bright and sunny, suggesting a warm climate.

ETM

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Jacksonville, Florida 32258

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