

TOWN OF DAVIE

TOWN COUNCIL AGENDA REPORT

TO: Mayor and Councilmembers

FROM/PHONE: Herb Hyman/797-1016 for Bill Underwood and Bruce Bernard

SUBJECT: Resolution

AFFECTED DISTRICT: All

TITLE OF AGENDA ITEM: A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, SELECTING THE FIRM OF GOVERNMENT SERVICES GROUP, INC., TO PERFORM SERVICES RELATING TO THE DEVELOPMENT AND IMPLEMENTATION OF A NON-AD VALOREM ASSESSMENT PROGRAM FOR STORMWATER MANAGEMENT SERVICES.

REPORT IN BRIEF: During the annual budget process, Town Council approved a new Storm Water Fund to mitigate water event runoff that adversely affects the Town's residents. In order to implement the new drainage fee, the Town should develop and implement a special assessment program for storm water management services. The firm of Government Services Group, Inc. (GSG) has unique expertise in this field and has previously provided the Town with satisfactory results on the fire rescue assessment. Ordinance 96-3 exempts professional services from the competitive selection process. The proposal from GSG which is attached and identified as Attachment "A" assumes that the Town intends to collect the proposed assessments using a separate bill for the current fiscal Year, and will transition to the tax bill collection method for Fiscal Year 2004-5. The objective of the project is to develop a non-ad valorem assessment based on public policy set forth by the Town Council within the constraints of readily available data and legal precedent.

PREVIOUS ACTIONS: Adopted Storm Water Fund Estimated Revenue and Appropriations in Ordinance 2003-35.

CONCURRENCES: Not applicable

FISCAL IMPACT:

Has request been budgeted? yes

If yes, expected cost: \$34,558.00

Account Name: Stormwater-Professional Services Account

Additional Comments: Not applicable

RECOMMENDATION(S): Motion to approve the resolution.

Attachment(s):

Procurement Authorization

GSG Proposal identified as Attachment "A"

RESOLUTION NO. _____

A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, SELECTING THE FIRM OF GOVERNMENT SERVICES GROUP, INC. TO PERFORM SERVICES RELATING TO THE DEVELOPMENT AND IMPLEMENTATION OF A NON-AD VALOREM ASSESSMENT PROGRAM FOR STORMWATER MANAGEMENT SERVICES.

WHEREAS, the Town is in need of a firm to acquire the information necessary to develop and implement the annual assessment for storm water management services; and

WHEREAS, Ordinance 96-3 exempts professional services from competitive bidding; and

WHEREAS, Government Services Group, Inc. has provided the Town with positive results on their work with the fire rescue assessment; and

WHEREAS, after review, the Town Council wishes to select the firm of Government Services Group, Inc., to provide services to the Town as they relate to the development and implementation of a non-ad valorem assessment program for storm water management services.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF DAVIE, FLORIDA:

SECTION 1. The Town Council hereby selects the firm of Government Services Group, Inc., to provide services to the Town as they relate to the development and implementation of a non-ad valorem assessment program for storm water management as delineated in Attachment "A" in the amount of \$34,558.00.

SECTION 2. The Town Council hereby authorizes the expenditure from the Storm water-Professional Services Account.

SECTION 3. This resolution shall take effect immediately upon its passage and adoption.

PASSED AND ADOPTED THIS _____ DAY OF _____, 2004

MAYOR/COUNCILMEMBER

Attest:

TOWN CLERK

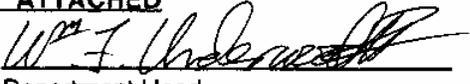
APPROVED THIS _____ DAY OF _____, 2004

TOWN OF DAVIE PROCUREMENT AUTHORIZATION

ACCOUNT NUMBER, BUDGET ITEM & DESCRIPTION APPROXIMATE COST
 046-0720-538-0320 ASSESSMENT PROGRAM \$34,558.
 STORMWATER PLAN. SVCS. FOR STORMWATER MGMT SVCS.
METHOD OF PROCUREMENT (check the one that applies)

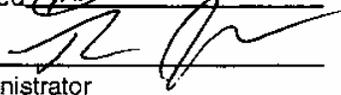
- Open Competitive Bidding
- Piggyback on Contract Number _____
- Sole Source - PROFESSIONAL SERVICES
- Request For Proposals

SPECIFICATIONS & LIST OF VENDORS MUST BE ATTACHED

Signed 
 Department Head

Have Funds been Reserved RESUM 31122

Date 2/2/04 Signed 

Signed 
 Town Administrator

VENDOR	BIDS SUBMITTED	COST
GOVERNMENT SERVICES GROUP, INC.		\$ 34,558.00

Signed 
 Procurement Manager

TOWN ADMINISTRATOR'S RECOMMENDATION	
Vendor	Cost
GOVERNMENT SERVICES GROUP, INC.	\$ 34,558.00
Signed <u></u> Town Administrator	

+

Attachment "A"



Government Services Group, Inc.
Dedicated to solving funding and service delivery issues in the public sector

1500 Mahan Drive, Suite 250 • Tallahassee, FL 32308 • Phone (850) 681-3717 • Fax (850) 224-7206 • E-mail: gsg@govserv.com

January 15, 2004

VIA ELECTRONIC TRANSMISSION

William Underwood
Finance Director
Town of Davie
6591 Orange Drive
Davie, Florida 33314-1087

Re: Revised Workplan for Development and Implementation of a Non-Ad Valorem Assessment Program for Stormwater Management Services

Dear Bill:

This correspondence is written to present a revised scope of services for Government Services Group, Inc. (GSG) and Nabors, Giblin & Nickerson, P.A. (NG&N) to provide specialized assistance to the Town of Davie (Town) and its staff in the development and implementation of a special assessment program for stormwater management services within the Town. The proposal is based on our discussions yesterday with you and other Town staff. Based on that discussion, we have deleted two tasks related to assessment rate calculation and have reduced our proposed fees accordingly.

The proposal assumes that the Town intends to collect these proposed assessments using a separate bill for Fiscal Year 2003-04 and will transition to the tax bill collection method for Fiscal Year 2004-05. Accordingly, this proposal includes the tasks necessary to develop and implement the special assessment program to fund a portion of the Fiscal Year 2003-04 budget to be collected by separate bills mailed no later than May 1, 2004. Upon completion of the Fiscal Year 2003-04 assessment program, we will provide a scope of services for the transition to the tax bill collection method for Fiscal Year 2004-05.

The objective of this project is to develop a non-ad valorem assessment based on public policy set forth by the Town's elected officials within the constraints of readily available data and legal precedent.

To accomplish this objective, we will complete the following tasks:

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January 15, 2004
Page 2

- Provide implementation services that assist the Town to develop a legally defensible method of apportionment that is conducive to using a separate bill for Fiscal Year 2003-04 and transitioning to the tax bill collection method for future years;
- Provide the implementation documents for the separate bill and tax bill collection methods which meets all case law and statutory requirements; and
- Provide an assessment roll that is capable of being efficiently updated annually and used in subsequent years.

The proposed workplan is designed to develop the following deliverables during this project:

- An Assessment Report which provides the description of the apportionment methodology and an implementation schedule;
- Home rule assessment ordinance and all implementing resolutions for the assessment program;
- The statutorily required notice and billing documentation required for using the separate bill and tax bill collection methods for the assessment program;
- Billing algorithms necessary to calculate the stormwater assessments pursuant to the approved methodology; and,
- Assessment roll in an electronic format capable of merging with the County's ad valorem tax roll.

The attached scope of services and implementation timeframe are based on the assumptions that the Town Engineer will generate all of the impervious area information for the stormwater assessment program and an electronic format and has correlated it to a parcel identification number.

Attached as Appendix A is a work plan which articulates the services required by the firms to assist the Town in implementing the non-ad valorem assessment program in a manner that is conducive to the imposition and collection of the assessments using a separate bill for Fiscal Year 2003-04. The use of the separate billing and collection method for Fiscal Year 2003-04 will require one mailing to provide notice to the affected property owners of their proposed Fiscal Year 2003-04 assessment and the actual bills for Fiscal Year 2003-04.

For services provided by the firms, we will work under a lump sum professional fee arrangement described in the attached scope of service and receive payment on a

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monthly basis pursuant to the schedule in Appendix B. A lump sum method of compensation eliminates any uncertainty in the total fee.

We have also attached as Appendix B a list of project deliverables, delivery schedule and payment schedule. Upon Notice to Proceed we will provide a detailed critical events calendar and a schedule for project deliverables tailored to the specific circumstances that are unique to Davie. Appendix C is an hours and fees matrix that illustrates the work effort for each task.

The professional fees required to assist the Town in developing and implementing the contemplated assessment program do not include litigation defense services. However, we do all of our work in developing and implementing assessment programs with an eye on potential legal challenges in an attempt to maximize both the efficiency and the effectiveness of any defense. In the event there is a challenge, we would be available, on an hourly basis, to assist the Town in its defense.

We look forward to working with the Town of Davie on this very important project. If you, or any other Town officials have any questions, please feel free to telephone either Heather Encinosa, with Nabors, Giblin & Nickerson at (850) 224-4070, or me.

Sincerely,

Camille P. Tharpe

CPT/jdo

Enclosures

cc: Heather Encinosa

APPENDIX A

**PROPOSED ASSESSMENT PROGRAM FOR
STORMWATER MANAGEMENT SERVICES**

APPENDIX A

SCOPE OF SERVICES FOR STORMWATER MANAGEMENT SERVICES ASSESSMENT PROGRAM

Task 1: Project Initiation

Meet with Town staff in a kick-off meeting to discuss the proposed project, obtain data and information and explain the preliminary approach to the stormwater utility program and a general method for identifying and apportioning the Town's stormwater costs. Evaluate impervious area information developed by the Town, existing legal documents, engineering information, public works data, reports and all other data relating to the provision and proposed provision of stormwater services and facilities in the Town.

Task 2: Develop a Method of Apportioning the Costs

Using the current ad valorem tax roll, the impervious area information provided by the Town, the stormwater services data, and the identified benefit areas, develop a method of apportioning the costs. The methodology will also include a credit and adjustment policy to meet specific stormwater characteristics of the Town. Review and revise the assessment methodology for legal sufficiency and compatibility with the separate bill/tax bill method of collection.

Task 3: Generate Preliminary Billing Data

Develop a billing database from the Broward County Property Appraiser's records, the Town's impervious area information and other data that the Town may provide and that is available in a timely manner, in electronic form. This scope provides for the performance of data collection tasks to be conducted by Town staff including, but not limited to field measurement, field research, and verification of parcel data needed for database population. The magnitude of this data collection effort will be dependent on the quality of data available in the Town records. Provisions for support of this task is outlined in the "Additional Services" portion of this Scope.

Task 4: Draft a Home Rule Service Assessment Ordinance

Draft a home rule service assessment ordinance, which provides the Town with the flexibility to impose and collect stormwater assessments using the separate bill/tax bill collection method.

Task 5: Draft Initial Assessment Resolution

Draft an initial assessment resolution that conforms to the service assessment ordinance to impose the stormwater assessment to implement the Town's policy decisions and proposed methodology.

Task 6: Draft Final Assessment Resolution

Draft a final assessment resolution that conforms to the service assessment ordinance to impose the stormwater assessment and adopt final assessment rates.

Task 7: Assist with Rate Adoption Process

Advise and assist with the legal requirements for the adoption of the final assessment rate resolution including: (a) the development any notices if required, (b) publication of the public hearing, (c) development of a public information sheet, and (d) attendance at the public hearing.

Task 8: Assist in Development of Procedures for Billing and Collection

Coordinate with appropriate Town officials concerning the Town's establishment of systems and procedures for the Town to collect and account for the payment of the stormwater assessment for parcels located in the Town. Assist the Town developing a protocol for the monthly maintenance of the stormwater billing system.

ADDITIONAL SERVICES

Generation of Data

The amount of field measurement necessary to generate a valid billing file will not be known until the completion of Task 1. All generation of data outside that delivered to GSG in compatible electronic form will be addressed through this optional task. All services in this task are priced based on an hourly rate table and billed only for hours actually required.

At a minimum, that the following data must be collected, validated and verified:

1. The amount of impervious area on each parcel in the service area. Note that while the Property Appraiser's data is a good starting point for many classes of parcels, most appraisal systems do not have adequate information to estimate impervious area for condominium complexes, mobile home parks, and government owned parcels. These must typically be field measured. Likewise, it is not uncommon to list the "footprint" of a single-family residence, but not the associated driveway. A sample of driveways will need to be field measured should the Broward County Property Appraiser not list the square footage of paved driveways.
2. A list of all parcel numbers with on-site stormwater mitigation facilities which are privately maintained and an estimate of the year in which those facilities were put in place; and
3. A list of all parcels by parcel number which are inside the service benefit area and each improvement benefit area.

In addition, depending on the nature of the Town data, various rate classes may require sampling to establish the relative billing units for each class. This involves drawing samples of parcels by rate class and field measuring the impervious area associated with the sample. GSG will provide advice on the creation of the sampling frame, and will run the statistical analysis for each sample.

GSG will specify the record layout for collection and data input purposes and will assist in the development of all work sheets and input screen forms as necessary. GSG would be pleased to provide all field data generation and validation services on an hourly cost basis to be determined at the completion of Task 1, if the Town determines that outside assistance is required.

Fee and Costs

For the services provided by GSG and NG&N, the lump sum fee for professional services for the proposed scope of services for the update to the assessment methodology will be \$34,558.

The lump sum would be due and payable each month, assuming notice to proceed occurs by February 2004, as follows:

Payment	Schedule
25% of lump sum fee	February 15, 2004
25% of lump sum fee	March 15, 2004
25% of lump sum fee	April 15, 2004
25% of lump sum fee	May 15, 2004

Special Note:

The lump sum fee does not include the costs of producing and mailing any notices or bills, if required, which will depend on the number of assessable parcels of property within the Town. Mailing and production costs average approximately \$1.25 per parcel, with the amount due and payable at the time of the adoption of the initial assessment resolution.

In addition to two on-site visits by GSG to conduct field work, the lump sum fee for professional services for each assessment program includes a total of two more on-site visits to the Town by GSG and/or NG&N staff, including at least three meetings with Town elected officials to present the Assessment Ordinance, and the Initial Assessment Resolution and assist in the final rate adoption process. Meetings in excess of those contemplated may be arranged at our standard hourly rates.

Annual Updates

On a recurring basis, the firms shall also be available to assist the Town in the annual update of the Town's assessment program for a fee to be determined upon completion of this project. Such annual update assistance would include: assisting in the revisions to the assessment roll to correlate with changes to the ad valorem tax roll and monitoring of the apportionment methodology relative to continued defensibility.

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

APPENDIX B
DELIVERABLES AND PAYMENT SCHEDULES

APPENDIX B

DELIVERABLES AND PAYMENT SCHEDULES

<u>Deliverable</u>	<u>Schedule</u>
Notice to Proceed by the Town	February 2004
Draft Assessment Report	March 2004
Adopt Assessment Ordinance	March 2004
Initial Assessment Resolution	March 2004
Published Notice	March 2004
Final Assessment Resolution	April 2004
Bills Mailed	April 2004

Fee and Costs

For the services provided by GSG and NG&N, the lump sum fee for professional services for the proposed scope of services for the update to the assessment methodology will be \$34,558. The lump sum would be due and payable each month, assuming notice to proceed occurs by February 2004, as follows:

<i>Payment</i>	<i>Schedule</i>
25% of lump sum fee	February 15, 2004
25% of lump sum fee	March 15, 2004
25% of lump sum fee	April 15, 2004
25% of lump sum fee	May 15, 2004

APPENDIX C
HOURS AND FEES MATRIX

**APPENDIX C
HOURS/FEES MATRIX**

Tasks	Total Hours	Total Fees
Task 1 - Project Initiation		
GSG	8	\$ 1,200
NG&N	2	\$ 350
Task Total	10	\$ 1,550
Task 2 - Develop Apportionment Method		
GSG	16	\$ 2,400
NG&N	4	\$ 700
Task Total	20	\$ 3,100
Task 3 - Generate Preliminary Billing Data		
GSG	40	\$ 6,000
NG&N	-	\$ -
Task Total	40	\$ 6,000
Task 4 - Draft Ordinance		
GSG	8	\$ 1,200
NG&N	32	\$ 5,600
Task Total	40	\$ 6,800
Task 5 - Draft Initial Assessment Resolution		
GSG	8	\$ 1,200
NG&N	24	\$ 4,200
Task Total	32	\$ 5,400
Task 6 - Draft Final Assessment Resolution		
GSG	2	\$ 300
NG&N	8	\$ 1,400
Task Total	10	\$ 1,700
Task 7 - Assist with Rate Adoption		
GSG	16	\$ 2,400
NG&N	4	\$ 700
Task Total	20	\$ 3,100
Task 8 - Assist in Billing and Collection Options		
GSG	16	\$ 2,400
NG&N	-	\$ -
Task Total	16	\$ 2,400

**APPENDIX C
HOURS/FEES MATRIX (continued)**

Tasks	Total Hours	Total Fees
GSG	114	\$ 17,100
NG&N	74	\$ 12,950
GSG/NG&N FEES FOR STORMWATER ASSESSMENT PROGRAM	188	\$ 30,050
Plus travel and related expenses		\$ 4,508
TOTAL LUMP SUM FEE FOR STORMWATER ASSESSMENT PROGRAM		\$ 34,558

✓ GSC
2-98-236
99-203
99-256
2000-076
2000-199
2002-201
2003-214

046-0120-538-0320
PROF. SVCS.
8/27/2003

RESOLUTION NO. R-98-236

TOWN OF DAVIE, FLORIDA, APPROVING THE FIRM OF S GROUP, INC., A SUBSIDIARY OF NABORS, GIBLIN & ERFORM SERVICES RELATING TO THE FIRE RESCUE L YEAR 1999.

need of a firm to acquire the information necessary to implement the Fiscal Year 1999; and

e Town of Davie exempts professional services from formal bidding;

WHEREAS, the town has worked extensively with Government Services Group, Inc. and Nabors, Giblin & Nickerson, P.A. on both previous annual fire rescue assessments and has been pleased with the results; and

WHEREAS, the Town Council wishes to approve the firm of Government Services Group, Inc., a subsidiary of Nabors, Giblin & Nickerson, P.A., to provide services to the Town as they relate to the annual fire rescue assessment;

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF DAVIE, FLORIDA:

SECTION 1. The Town Council hereby approves the firm of Government Services Group, Inc., a subsidiary of Nabors, Giblin & Nickerson, P.A., to provide services as they relate to the annual fire rescue assessment and authorizes expenditures from the appropriate accounts.

SECTION 2. This resolution shall take effect immediately upon its passage and adoption.

PASSED AND ADOPTED THIS 15th DAY OF JULY, 1998


MAYOR/COUNCILMEMBER

ATTEST:


TOWN CLERK

APPROVED THIS 15th DAY OF JULY, 1998

RESOLUTION NO. _____

A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, WAIVING FORMAL BIDDING AND AUTHORIZING THE FIRM OF GOVERNMENT SERVICES GROUP, INC., A SUBSIDIARY OF NABORS, GIBLIN & NICKERSON, P.A., TO PERFORM SERVICES RELATING TO THE DEVELOPMENT AND IMPLEMENTATION OF A NON-AD VALOREM ASSESSMENT PROGRAM FOR STORMWATER MANAGEMENT SERVICES.

WHEREAS, the Town is in need of a firm to acquire the information necessary to develop and implement the annual assessment for stormwater management services; and

WHEREAS, Ordinance 96-3 exempts professional services from competitive bidding; and

WHEREAS, Government Services Group, Inc. and Nabors, Giblin & Nickerson, P.A. has provided the Town with positive results on their work with the fire rescue assessment; and

WHEREAS, after review, the Town Council wishes to waive formal bidding and authorize the firm of Government Services Group, Inc., A subsidiary of Nabors, Giblin & Nickerson, P.A. to provide services to the Town as they relate to the development and implementation of a non-ad valorem assessment program for stormwater management services.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF DAVIE, FLORIDA:

SECTION 1. The Town Council hereby waives formal bidding and authorizes the firm of Government Services Group, Inc., A subsidiary of Nabors, Giblin & Nickerson, P.A. to provide services to the Town as they relate to the development and implementation of a non-ad valorem assessment program for stormwater management as delineated in Attachment "A" in the amount of \$34,558.00.

SECTION 2. The Town Council hereby authorizes the expenditure from the Stormwater-Professional Services Account.

SECTION 3. This resolution shall take effect immediately upon its passage and adoption.

PASSED AND ADOPTED THIS _____ DAY OF _____, 2004

MAYOR/COUNCILMEMBER

Attest:

TOWN CLERK

APPROVED THIS _____ DAY OF _____, 2004