

SHADOWLAWN

COMMUNITY DEVELOPMENT

DISTRICT

August 16, 2022

BOARD OF SUPERVISORS

PUBLIC HEARINGS AND

REGULAR MEETING

AGENDA

Shadowlawn Community Development District
OFFICE OF THE DISTRICT MANAGER
2300 Glades Road, Suite 410W•Boca Raton, Florida 33431
Phone: (561) 571-0010•Toll-free: (877) 276-0889•Fax: (561) 571-0013

August 9, 2022

Board of Supervisors
Shadowlawn Community Development District

Dear Board Members:

The Board of Supervisors of the Shadowlawn Community Development District will hold Multiple Public Hearings and a Regular Meeting on August 16, 2022 9:00 a.m., at Reinhold Corporation, 1845 Town Center Blvd, Suite 105, Fleming Island, Florida 32003. The agenda is as follows:

1. Call to Order/Roll Call
2. Public Comments
3. Public Hearing to Hear Public Comments and Objections to the Adoption of the Rules of Procedure, Pursuant to Sections 120.54 and 190.035, Florida Statutes
 - A. Affidavits of Publication
 - B. Consideration of Resolution 2022-30, Adopting Rules of Procedure; Providing a Severability Clause; and Providing an Effective Date
4. Public Hearing on Adoption of Fiscal Year 2021/2022 Budget
 - A. Affidavit of Publication
 - B. Consideration of Resolution 2022-31, Relating to the Annual Appropriations and Adopting the Budget for the Fiscal Year Beginning October 1, 2021, and Ending September 30, 2022; Authorizing Budget Amendments; and Providing an Effective Date
5. Public Hearing on Adoption of Fiscal Year 2022/2023 Budget
 - A. Affidavit of Publication
 - B. Consideration of Resolution 2022-32, Relating to the Annual Appropriations and Adopting the Budgets for the Fiscal Year Beginning October 1, 2022, and Ending September 30, 2023; Authorizing Budget Amendments; and Providing an Effective Date
6. Consideration of England-Thims & Miller, Inc., Fee Proposal for Improvement Plan Preparation Services

ATTENDEES:

Please identify yourself each time you speak to facilitate accurate transcription of meeting minutes.

7. Consideration of Response(s) to Request for Qualifications (RFQ) for Engineering Services
 - A. Affidavit of Publication
 - B. RFQ Package
 - C. Respondent(s): *England-Thims & Miller, Inc.*
 - D. Competitive Selection Criteria/Ranking
 - E. Award of Contract
8. Consideration of Resolution 2022-33, Designating Dates, Times and Locations for Regular Meetings of the Board of Supervisors of the District for Fiscal Year 2022/2023 and Providing for an Effective Date
9. Consideration of Financing Related Items
 - A. Trustee, Paying Agent and Registrar (*pending*)
 - B. Resolution 2022-26, Designating a Date, Time, and Location of a Public Hearing Regarding the District's Intent to Use the Uniform Method for the Levy, Collection, and Enforcement of Non-Ad Valorem Special Assessments as Authorized by Section 197.3632, Florida Statutes; Authorizing the Publication of the Notice of Such Hearing; and Providing an Effective Date
 - C. Presentation of Engineer's Report (*pending*)
 - D. Presentation of Master Special Assessment Methodology Report (*pending*)
 - E. Resolution 2022-27, Declaring Special Assessments; Designating the Nature And Location of The Proposed Improvements; Declaring The Total Estimated Cost of the Improvements, the Portion to be Paid By Assessments, and the Manner and Timing in Which The Assessments are to be Paid; Designating the Lands Upon Which The Assessments Shall Be Levied; Providing for an Assessment Plat and a Preliminary Assessment Roll; Providing for Publication of this Resolution
 - F. Resolution 2022-28, Setting a Public Hearing for the Purpose of Hearing Public Comment on Imposing Special Assessments on Certain Property Within the District Generally Described as the Shadowlawn Community Development District in Accordance with Chapters 170, 190 and 197, Florida Statutes
 - G. Resolution 2022-29, Authorizing the Issuance of not Exceeding \$_____ Principal Amount of Shadowlawn Community Development District Bonds in One or More Series, for the Purpose of Financing the Construction and/or Acquisition by the District of the Public Improvements and Community Facilities Permitted by the Provisions of Chapter 190, Florida

Statutes, as Amended, and the Ordinance Creating the District; Approving a Form of a Master Trust Indenture; Approving and Appointing a Trustee; Authorizing the Commencement of Validation Proceedings Relating to the Foregoing Bonds; Authorizing and Approving Other Matters Relating to the Foregoing Bonds; and Providing an Effective Date (*pending*)

10. Acceptance of Unaudited Financial Statements as of June 30, 2022

11. Approval of Minutes

A. May 23, 2022 Landowners' Meeting

B. May 23, 2022 Organizational Meeting

12. Staff Reports

A. District Counsel: *Kutak Rock LLP*

B. District Engineer: *England-Thims & Miller, Inc.*

C. District Manager: *Wrathell, Hunt and Associates, LLC*

- NEXT MEETING DATE: TBD

- QUORUM CHECK

GEORGE M. EGAN	<input type="checkbox"/> IN PERSON	<input type="checkbox"/> PHONE	<input type="checkbox"/> No
JACOB F. BRYAN, V	<input type="checkbox"/> IN PERSON	<input type="checkbox"/> PHONE	<input type="checkbox"/> No
P. COOPER MURPHY	<input type="checkbox"/> IN PERSON	<input type="checkbox"/> PHONE	<input type="checkbox"/> No
F. PETER WILLIAMS	<input type="checkbox"/> IN PERSON	<input type="checkbox"/> PHONE	<input type="checkbox"/> No
ANN BRYAN	<input type="checkbox"/> IN PERSON	<input type="checkbox"/> PHONE	<input type="checkbox"/> No

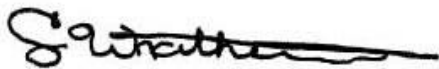
13. Board Members' Comments/Requests

14. Public Comments

15. Adjournment

If you should have any questions or concerns, please do not hesitate to contact me directly at (561) 719-8675 or Ernesto Torres at (904) 295-5714.

Sincerely,



Craig Wrathell
 District Manager

FOR BOARD MEMBERS AND STAFF TO ATTEND BY TELEPHONE

CALL-IN NUMBER: 1-888-354-0094

PARTICIPANT PASSCODE: 413 553 5047

SHADOWLAWN
COMMUNITY DEVELOPMENT DISTRICT

3A

CLAY TODAY

PUBLISHER AFFIDAVIT

PUBLISHER AFFIDAVIT
CLAY TODAY
Published Weekly
Fleming Island, Florida

STATE OF FLORIDA
COUNTY OF CLAY:

Before the undersigned authority personal appeared Jon Cantrell, who on oath says that he is the published of the "Clay Today" a newspaper published weekly at Fleming Island in Clay County, Florida; that the attached copy of advertisement

Being a
Public Notice

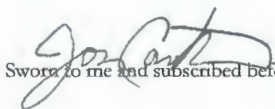
In the matter of Rule Development

LEGAL: 36221

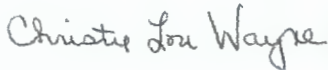
Was published in said newspaper in the issues:

7/7/22

Affiant Further says that said "Clay Today" is a newspaper published at Fleming Island, in said Clay County, Florida, and that the said newspaper Has heretofore been continuously published in said Clay County, Florida, Weekly, and has been entered as Periodical material matter at the post Office in Orange Park, in said Clay County, Florida, for period of one year next proceeding the first publication of the attached copy of advertisement; and affiant further says that he has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.



Swore to me and subscribed before me 07/07/2022



3513 US HWY 17 Fleming Island FL 32003
Telephone (904) 264-3200 FAX (904) 264-3285
E-Mail: christie@osteenmediagroup.com

PUBLIC NOTICE

NOTICE OF RULE DEVELOPMENT BY THE SHADOWLAWN COMMUNITY DEVELOPMENT DISTRICT

In accord with Chapters 120 and 190, Florida Statutes, the Shadowlawn Community Development District ("District") hereby gives notice of its intention to develop Rules of Procedure to govern the operations of the District.

The Rules of Procedure will address such areas as the Board of Supervisors, officers and voting, district offices, public information and inspection of records, policies, public meetings, hearings and workshops, rulemaking proceedings and competitive purchase including procedure under the Consultants Competitive Negotiation Act, procedure regarding auditor selection, purchase of insurance, pre-qualification, construction contracts, goods, supplies and materials, maintenance services, contractual services and protests with respect to proceedings, as well as any other area of the general operation of the District.

The purpose and effect of the Rules of Procedure is to provide for efficient and effective District operations and to ensure compliance with recent changes to Florida law. The legal authority for the adoption of the proposed Rules of Procedure includes Sections 190.011(5), 190.011(15) and 190.035, Florida Statutes (2021). The specific laws implemented in the Rules of Procedure include, but are not limited to, Sections 112.08, 112.3143, 112.31446, 112.3145, 119.07, 119.0701, 189.053, 189.069(2)(a)16, 190.006, 190.007, 190.008, 190.011(3), 190.011(5), 190.011(15), 190.033, 190.035, 218.33, 218.391, 255.05, 255.0518, 255.0525, 255.20, 286.0105, 286.011, 286.0113, 286.0114, 287.017, 287.055 and 287.084, Florida Statutes (2021).

A copy of the proposed Rules of Procedure may be obtained by contacting the District Manager, at Wrathell, Hunt & Associates, LLC, 2300 Glades Road, Suite 410W, Boca Raton, Florida 33431, 561-571-0010.
Craig Wrathell, District Manager

Legal 36221 Published July 7, 2022 in Clay County's Clay Today Newspaper

CLAY TODAY

PUBLISHER AFFIDAVIT

PUBLISHER AFFIDAVIT
CLAY TODAY
Published Weekly
Fleming Island, Florida

STATE OF FLORIDA
COUNTY OF CLAY:

Before the undersigned authority personal appeared Jon Cantrell, who on oath says that he is the published of the "Clay Today" a newspaper published weekly at Fleming Island in Clay County, Florida; that the attached copy of advertisement

Being a
Notice of Rule Making

In the matter of Rule procedure

LEGAL: 36260

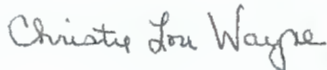
Was published in said newspaper in the issues:

7/14/22

Affiant Further says that said "Clay Today" is a newspaper published at Fleming Island, in said Clay County, Florida, and that the said newspaper Has heretofore been continuously published in said Clay County, Florida, Weekly, and has been entered as Periodical material matter at the post Office in Orange Park, in said Clay County, Florida, for period of one year next proceeding the first publication of the attached copy of advertisement; and affiant further says that he has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.



ore mc 07/14/2022



3513 US HWY 17 Fleming Island FL 32003
Telephone (904) 264-3200 FAX (904) 264-3285
E-Mail: christie@ostcenmediagroup.com

NOTICE OF RULE MAKING

NOTICE OF RULEMAKING REGARDING THE RULES OF PROCEDURE OF THE SHADOWLAWN COMMUNITY DEVELOPMENT DISTRICT

A public hearing will be conducted by the Board of Supervisors of the Shadowlawn Community Development District ("District") on August 16, 2022 at 9:00 a.m., at Reinhold Corporation, 1845 Town Center Blvd, Suite 105, Fleming Island, Florida 32003.

In accord with Chapters 120 and 190, Florida Statutes, the District hereby gives the public notice of its intent to adopt its proposed Rules of Procedure. The purpose and effect of the proposed Rules of Procedure is to provide for efficient and effective District operations and to ensure compliance with recent changes to Florida law. Prior notice of rule development was published in the Clay Today on July 7, 2022.

The Rules of Procedure may address such areas as the Board of Supervisors, officers and voting, district offices, public information and inspection of records, policies, public meetings, hearings and workshops, rulemaking proceedings and competitive purchase including procedure under the Consultants Competitive Negotiation Act, procedure regarding auditor selection, purchase of insurance, pre-qualification, construction contracts, goods, supplies and materials, maintenance services, contractual services and protests with respect to proceedings, as well as any other area of the general operation of the District.

Specific legal authority for the adoption of the proposed Rules of Procedure includes Sections 190.011(5), 190.011(15) and 190.035, Florida Statutes (2021). The specific laws implemented in the Rules of Procedure include, but are not limited to, Sections 112.08, 112.3143, 112.31446, 112.3145, 119.07, 119.0701, 189.053, 189.069(2)(a)16, 190.006, 190.007, 190.008, 190.011(3), 190.011(5), 190.011(15), 190.033, 190.035, 218.33, 218.391, 255.05, 255.0518, 255.0525, 255.20, 286.0105, 286.011, 286.0113, 286.0114, 287.017, 287.055 and 287.084, Florida Statutes (2021).

A copy of the proposed Rules of Procedure may be obtained by contacting the District Manager's Office at Wrathell, Hunt & Associates, LLC, 2300 Glades Road, Suite 410W, Boca Raton, Florida 33431, 561-571-0010.

Any person who wishes to provide the District with a proposal for a lower cost regulatory alternative as provided by Section 120.541(1), Florida Statutes, must do so in writing within twenty-one (21) days after publication of this notice to the District Manager's Office.

This public hearing may be continued to a date, time, and place to be specified on the record at the hearing without additional notice. If anyone chooses to appeal any decision of the Board with respect to any matter considered at a public hearing, such person will need a record of the proceedings and should accordingly ensure that a verbatim record of the proceedings is made upon which such appeal is to be based. At the hearing, staff or Supervisors may participate in the public hearing by speaker telephone.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations at this meeting because of a disability or physical impairment should contact the District Manager's Office at least forty-eight (48) hours prior to the meeting. If you are hearing or speech impaired, please contact the Florida Relay Service at 1-800-955-8771 or 1-800-955-8770 for aid in contacting the District Office. Craig Wrathell, District Manager

Legal 36260 Published July 14, 2022 in Clay County's Clay Today Newspaper

SHADOWLAWN
COMMUNITY DEVELOPMENT DISTRICT

3B

RESOLUTION 2022-30

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

WHEREAS, Shadowlawn Community Development District (“**District**”) is a local unit of special purpose government created and existing pursuant to Chapter 190, *Florida Statutes*; 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 SHADOWLAWN 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 replace all prior versions of the Rules of Procedure, and 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 16th day of August, 2022.

ATTEST:

SHADOWLAWN COMMUNITY DEVELOPMENT DISTRICT

Secretary/Assistant Secretary

Chair/Vice Chair, Board of Supervisors

EXHIBIT A:
RULES OF PROCEDURE

**RULES OF PROCEDURE
SHADOWLAWN COMMUNITY DEVELOPMENT DISTRICT**

EFFECTIVE AS OF AUGUST 16, 2022

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Rule 1.0 General.

- (1) The Shadowlawn Community Development District (the “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 (the “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 (the “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 required by statute or these Rules, at least seven (7) days, but no more than thirty (30) 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. "General circulation" means a publication that is printed and published at least once a week for the preceding year, offering at least 25% of its words in the English language, qualifies as a periodicals material for postal purposes in the county in which the District is located, is for sale to the public generally, is available to the public generally for the publication of official or other notices, and is customarily containing information of a public character or of interest or of value to the residents or owners of property in the county where published, or of interest or of value to the general public. The annual meeting notice required to be published by Section 189.015 of the Florida Statutes, shall be published in a newspaper not of limited subject matter, which is published at least five days a week, unless the only newspaper in the county is published less than five days a week. 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 (561) 571-0010. 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.”

- (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: §§ 189.069(2)(a)16, 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:
 - (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.
- (2) Procedure.

- (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 Responsible and Responsive 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 Responsible and Responsive 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 August 16, 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.

SHADOWLAWN
COMMUNITY DEVELOPMENT DISTRICT

4A

CLAY TODAY

PUBLISHER AFFIDAVIT

PUBLISHER AFFIDAVIT
CLAY TODAY
Published Weekly
Fleming Island, Florida

STATE OF FLORIDA
COUNTY OF CLAY:

Before the undersigned authority personal appeared Jon Cantrell, who on oath says that he is the published of the "Clay Today" a newspaper published weekly at Fleming Island in Clay County, Florida; that the attached copy of advertisement

Being a
Notice of Public Hearing

In the matter of 21/22 fiscal year

LEGAL: 36259

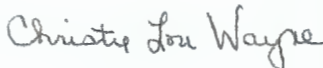
Was published in said newspaper in the issues:

7/14/22

Affiant Further says that said "Clay Today" is a newspaper published at Fleming Island, in said Clay County, Florida, and that the said newspaper Has heretofore been continuously published in said Clay County, Florida, Weekly, and has been entered as Periodical material matter at the post Office in Orange Park, in said Clay County, Florida, for period of one year next proceeding the first publication of the attached copy of advertisement; and affiant further says that he has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.



ore me 07/15/2022



3513 US HWY 17 Fleming Island FL 32003
Telephone (904) 264-3200 FAX (904) 264-3285
E-Mail: christie@ostecmediagroup.com

NOTICE OF PUBLIC HEARING

SHADOWLAWN COMMUNITY DEVELOPMENT DISTRICT

NOTICE OF PUBLIC HEARING TO CONSIDER THE ADOPTION OF THE FISCAL YEAR 2021/2022 BUDGET AND FISCAL YEAR 2022/2023 BUDGET; AND NOTICE OF REGULAR BOARD OF SUPERVISORS' MEETING.

The Board of Supervisors ("Board") of the Shadowlawn Community Development District ("District") will hold public hearings on August 16, 2022 at 9:00 a.m., at Reinhold Corporation, 1845 Town Center Blvd, Suite 105, Fleming Island, Florida 32003 for the purpose of hearing comments and objections on the adoption of the budget of the District for the fiscal year beginning March 16, 2022 through September 30, 2022 ("Fiscal Year 2021/2022") and the fiscal year beginning October 1, 2022 through September 30, 2023 ("Fiscal Year 2022/2023"). A regular board meeting of the District will also be held at that time where the Board may consider any other business that may properly come before it.

A copy of the agenda and proposed budgets may be obtained at the offices of the District Manager, 2300 Glades Road, Suite 410W, Boca Raton, Florida 33431, (561) 571-0010 ("District Manager's Office"), during normal business hours.

The public hearings and meeting are open to the public and will be conducted in accordance with the provisions of Florida law. The public hearings and meeting may be continued to a date, time, and place to be specified on the record at the meeting. There may be occasions when Board Supervisors or District Staff may participate by speaker telephone.

Any person requiring special accommodations at this meeting because of a disability or physical impairment should contact the District Manager's Office at least forty-eight (48) hours prior to the meeting. If you are hearing or speech impaired, please contact the Florida Relay Service by dialing 7-1-1, or 1-800-955-8771 (TTY) / 1-800-955-8770 (Voice), for aid in contacting the District Manager's Office.

Each person who decides to appeal any decision made by the Board with respect to any matter considered at the public hearings or meeting is advised that person will need a record of 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 such appeal is to be based.

Craig Wrathell, District Manager

Legal 36259 Published July 14, 2022 in Clay County's Clay Today Newspaper

SHADOWLAWN
COMMUNITY DEVELOPMENT DISTRICT

4B

RESOLUTION 2022-31

THE ANNUAL APPROPRIATION RESOLUTION OF THE SHADOWLAWN 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; AUTHORIZING BUDGET AMENDMENTS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the District Manager has, prior to the fifteenth (15th) day in June, 2021, submitted to the Board of Supervisors (“**Board**”) of the Shadowlawn Community Development District (“**District**”) the proposed budget (“**Proposed Budget**”) for the fiscal year beginning October 1, 2021 and ending September 30, 2022 (“**Fiscal Year 2021/2022**”) along with an explanatory and complete financial plan for each fund of the District, pursuant to the provisions of Section 190.008(2)(a), *Florida Statutes*; and

WHEREAS, at least sixty (60) days prior to the adoption of the Proposed Budget, the District filed a copy of the Proposed Budget with the local governing authorities having jurisdiction over the area included in the District pursuant to the provisions of Section 190.008(2)(b), *Florida Statutes*; 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 Budget 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 a Proposed Budget, whereby the budget 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 SHADOWLAWN COMMUNITY DEVELOPMENT DISTRICT:

SECTION 1. BUDGET

- a. The Board has reviewed the Proposed Budget, a copy of which is 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 Budget, 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 ("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 Shadowlawn Community Development District for the Fiscal Year Ending September 30, 2022."
- d. The Adopted Budget 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 **\$58,745** to be raised by the levy of assessments and/or otherwise, which sum is 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	<u>\$58,745</u>
TOTAL ALL FUNDS	\$58,745

SECTION 3. BUDGET AMENDMENTS

Pursuant to Section 189.016, *Florida Statutes*, the District at any time within Fiscal Year 2021/2022 or within 60 days following the end of the Fiscal Year 2021/2022 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 budget 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 16TH DAY OF AUGUST, 2022.

ATTEST:

**SHADOWLAWN COMMUNITY
DEVELOPMENT DISTRICT**

Secretary/Assistant Secretary

Chair/Vice Chair, Board of Supervisors

Exhibit "A"

**SHADOWLAWN
COMMUNITY DEVELOPMENT DISTRICT
PROPOSED BUDGET
FISCAL YEAR 2022**

**SHADOWLAWN
COMMUNITY DEVELOPMENT DISTRICT
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**SHADOWLAWN
COMMUNITY DEVELOPMENT DISTRICT
GENERAL FUND BUDGET
FISCAL YEAR 2022**

	Proposed Budget FY 2022
REVENUES	
Landowner contribution	58,745
Total revenues	58,745
EXPENDITURES	
Professional & administrative	
Supervisors	4,306
Management/accounting/recording**	12,000
Legal	25,000
Engineering	2,000
Audit	-
Arbitrage rebate calculation*	-
Dissemination agent*	83
Trustee*	-
Telephone	83
Postage	500
Printing & binding	208
Legal advertising	6,500
Annual special district fee	175
Insurance	5,500
Contingencies/bank charges	500
Website hosting & maintenance	1,680
Website ADA compliance	210
Total expenditures	58,745
Excess/(deficiency) of revenues over/(under) expenditures	-
Fund balance - beginning (unaudited)	-
Fund balance - ending (projected)	-
Unassigned	-
Fund balance - ending	\$ -

*These items will be realized when bonds are issued

**WHA will charge a reduced management fee of \$2,000 per month until bonds are issued.

**SHADOWLAWN
COMMUNITY DEVELOPMENT DISTRICT
DEFINITIONS OF GENERAL FUND EXPENDITURES**

EXPENDITURES

Professional & administrative

Supervisors	\$ 4,306
Statutorily set at \$200 for each meeting of the Board of Supervisors not to exceed \$4,800 for each fiscal year.	
Management/accounting/recording**	12,000
Wrathell, Hunt and Associates, LLC (WHA), specializes in managing community development districts by combining the knowledge, skills and experience of a team of professionals to ensure compliance with all of the District's governmental requirements. WHA develops financing programs, administers the issuance of tax exempt bond financings, operates and maintains the assets of the community.	
Legal	25,000
General counsel and legal representation, which includes issues relating to public finance, public bidding, rulemaking, open meetings, public records, real property dedications, conveyances and contracts.	
Engineering	2,000
The District's Engineer will provide construction and consulting services, to assist the District in crafting sustainable solutions to address the long term interests of the community while recognizing the needs of government, the environment and maintenance of the District's facilities.	
Audit	-
Statutorily required for the District to undertake an independent examination of its books, records and accounting procedures.	
Arbitrage rebate calculation*	-
To ensure the District's compliance with all tax regulations, annual computations are necessary to calculate the arbitrage rebate liability.	
Dissemination agent*	83
The District must annually disseminate financial information in order to comply with the requirements of Rule 15c2-12 under the Securities Exchange Act of 1934. Wrathell, Hunt & Associates serves as dissemination agent.	
Trustee*	-
Telephone	83
Postage	500
Telephone and fax machine.	
Printing & binding	208
Mailing of agenda packages, overnight deliveries, correspondence, etc.	
Legal advertising	6,500
Letterhead, envelopes, copies, agenda packages	
Annual special district fee	175
The District advertises for monthly meetings, special meetings, public hearings, public bids, etc.	
Insurance	5,500
Annual fee paid to the Florida Department of Economic Opportunity.	
Contingencies/bank charges	500
Bank charges and other miscellaneous expenses incurred during the year and automated AP routing etc.	
Website hosting & maintenance	1,680
Website ADA compliance	210
Total expenditures	<u><u>\$ 58,745</u></u>

*These items will be realized when bonds are issued

**WHA will charge a reduced management fee of \$2,000 per month until bonds are issued.

SHADOWLAWN
COMMUNITY DEVELOPMENT DISTRICT

5A

CLAY TODAY

PUBLISHER AFFIDAVIT

PUBLISHER AFFIDAVIT
CLAY TODAY
Published Weekly
Fleming Island, Florida

STATE OF FLORIDA
COUNTY OF CLAY:

Before the undersigned authority personal appeared Jon Cantrell, who on oath says that he is the published of the "Clay Today" a newspaper published weekly at Fleming Island in Clay County, Florida; that the attached copy of advertisement

Being a
Notice of Public Hearing

In the matter of 21/22 fiscal year

LEGAL: 36259

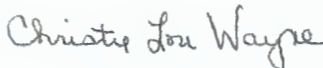
Was published in said newspaper in the issues:

7/14/22

Affiant Further says that said "Clay Today" is a newspaper published at Fleming Island, in said Clay County, Florida, and that the said newspaper Has heretofore been continuously published in said Clay County, Florida, Weekly, and has been entered as Periodical material matter at the post Office in Orange Park, in said Clay County, Florida, for period of one year next proceeding the first publication of the attached copy of advertisement; and affiant further says that he has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.



ore me 07/15/2022



3513 US HWY 17 Fleming Island FL 32003
Telephone (904) 264-3200 FAX (904) 264-3285
E-Mail: christie@ostecmediagroup.com

NOTICE OF PUBLIC HEARING

SHADOWLAWN COMMUNITY DEVELOPMENT DISTRICT

NOTICE OF PUBLIC HEARING TO CONSIDER THE ADOPTION OF THE FISCAL YEAR 2021/2022 BUDGET AND FISCAL YEAR 2022/2023 BUDGET; AND NOTICE OF REGULAR BOARD OF SUPERVISORS' MEETING.

The Board of Supervisors ("Board") of the Shadowlawn Community Development District ("District") will hold public hearings on August 16, 2022 at 9:00 a.m., at Reinhold Corporation, 1845 Town Center Blvd, Suite 105, Fleming Island, Florida 32003 for the purpose of hearing comments and objections on the adoption of the budget of the District for the fiscal year beginning March 16, 2022 through September 30, 2022 ("Fiscal Year 2021/2022") and the fiscal year beginning October 1, 2022 through September 30, 2023 ("Fiscal Year 2022/2023"). A regular board meeting of the District will also be held at that time where the Board may consider any other business that may properly come before it.

A copy of the agenda and proposed budgets may be obtained at the offices of the District Manager, 2300 Glades Road, Suite 410W, Boca Raton, Florida 33431, (561) 571-0010 ("District Manager's Office"), during normal business hours.

The public hearings and meeting are open to the public and will be conducted in accordance with the provisions of Florida law. The public hearings and meeting may be continued to a date, time, and place to be specified on the record at the meeting. There may be occasions when Board Supervisors or District Staff may participate by speaker telephone.

Any person requiring special accommodations at this meeting because of a disability or physical impairment should contact the District Manager's Office at least forty-eight (48) hours prior to the meeting. If you are hearing or speech impaired, please contact the Florida Relay Service by dialing 7-1-1, or 1-800-955-8771 (TTY) / 1-800-955-8770 (Voice), for aid in contacting the District Manager's Office.

Each person who decides to appeal any decision made by the Board with respect to any matter considered at the public hearings or meeting is advised that person will need a record of 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 such appeal is to be based.

Craig Wrathell, District Manager

Legal 36259 Published July 14, 2022 in Clay County's Clay Today Newspaper

SHADOWLAWN
COMMUNITY DEVELOPMENT DISTRICT

5B

RESOLUTION 2022-32

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

WHEREAS, the District Manager has, prior to the fifteenth (15th) day in June, 2022, submitted to the Board of Supervisors (“**Board**”) of the Shadowlawn Community Development District (“**District**”) the proposed budget (“**Proposed Budget**”) for the fiscal year beginning October 1, 2022 and ending September 30, 2023 (“**Fiscal Year 2022/2023**”) along with an explanatory and complete financial plan for each fund of the District, pursuant to the provisions of Section 190.008(2)(a), *Florida Statutes*; and

WHEREAS, at least sixty (60) days prior to the adoption of the Proposed Budget, the District filed a copy of the Proposed Budget with the local governing authorities having jurisdiction over the area included in the District pursuant to the provisions of Section 190.008(2)(b), *Florida Statutes*; 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 Budget 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 a Proposed Budget, whereby the budget 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 SHADOWLAWN COMMUNITY DEVELOPMENT DISTRICT:

SECTION 1. BUDGET

- a. The Board has reviewed the Proposed Budget, a copy of which is 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 Budget, 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 ("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 Shadowlawn Community Development District for the Fiscal Year Ending September 30, 2023."
- d. The Adopted Budget 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 2022/2023, the sum of **\$106,102** to be raised by the levy of assessments and/or otherwise, which sum is 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	<u>\$106,102</u>
TOTAL ALL FUNDS	\$106,102

SECTION 3. BUDGET AMENDMENTS

Pursuant to Section 189.016, *Florida Statutes*, the District at any time within Fiscal Year 2022/2023 or within 60 days following the end of the Fiscal Year 2022/2023 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 budget 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 16TH DAY OF AUGUST, 2022.

ATTEST:

**SHADOWLAWN COMMUNITY
DEVELOPMENT DISTRICT**

Secretary/Assistant Secretary

Chair/Vice Chair, Board of Supervisors

Exhibit "A"

**SHADOWLAWN
COMMUNITY DEVELOPMENT DISTRICT
PROPOSED BUDGET
FISCAL YEAR 2023**

**SHADOWLAWN
COMMUNITY DEVELOPMENT DISTRICT
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**SHADOWLAWN
COMMUNITY DEVELOPMENT DISTRICT
GENERAL FUND BUDGET
FISCAL YEAR 2023**

	<u>Proposed Budget FY 2023</u>
REVENUES	
Landowner contribution	106,102
Total revenues	<u>106,102</u>
EXPENDITURES	
Professional & administrative	
Supervisors	8,612
Management/accounting/recording**	48,000
Legal	25,000
Engineering	2,000
Audit	5,500
Arbitrage rebate calculation*	500
Dissemination agent*	1,000
Trustee*	5,500
Telephone	200
Postage	500
Printing & binding	500
Legal advertising	1,700
Annual special district fee	175
Insurance	5,500
Contingencies/bank charges	500
Website hosting & maintenance	705
Website ADA compliance	210
Total expenditures	<u>106,102</u>
Excess/(deficiency) of revenues over/(under) expenditures	-
Fund balance - beginning (unaudited)	-
Fund balance - ending (projected)	-
Unassigned	-
Fund balance - ending	<u>\$ -</u>

*These items will be realized when bonds are issued

**WHA will charge a reduced management fee of \$2,000 per month until bonds are issued.

**SHADOWLAWN
COMMUNITY DEVELOPMENT DISTRICT
DEFINITIONS OF GENERAL FUND EXPENDITURES**

EXPENDITURES

Professional & administrative

Supervisors	\$ 8,612
Statutorily set at \$200 for each meeting of the Board of Supervisors not to exceed \$4,800 for each fiscal year.	
Management/accounting/recording**	48,000
Wrathell, Hunt and Associates, LLC (WHA), specializes in managing community development districts by combining the knowledge, skills and experience of a team of professionals to ensure compliance with all of the District's governmental requirements. WHA develops financing programs, administers the issuance of tax exempt bond financings, operates and maintains the assets of the community.	
Legal	25,000
General counsel and legal representation, which includes issues relating to public finance, public bidding, rulemaking, open meetings, public records, real property dedications, conveyances and contracts.	
Engineering	2,000
The District's Engineer will provide construction and consulting services, to assist the District in crafting sustainable solutions to address the long term interests of the community while recognizing the needs of government, the environment and maintenance of the District's facilities.	
Audit	5,500
Statutorily required for the District to undertake an independent examination of its books, records and accounting procedures.	
Arbitrage rebate calculation*	500
To ensure the District's compliance with all tax regulations, annual computations are necessary to calculate the arbitrage rebate liability.	
Dissemination agent*	1,000
The District must annually disseminate financial information in order to comply with the requirements of Rule 15c2-12 under the Securities Exchange Act of 1934. Wrathell, Hunt & Associates serves as dissemination agent.	
Trustee*	5,500
Telephone	200
Postage	500
Telephone and fax machine.	
Printing & binding	500
Mailing of agenda packages, overnight deliveries, correspondence, etc.	
Legal advertising	1,700
Letterhead, envelopes, copies, agenda packages	
Annual special district fee	175
The District advertises for monthly meetings, special meetings, public hearings, public bids, etc.	
Insurance	5,500
Annual fee paid to the Florida Department of Economic Opportunity.	
Contingencies/bank charges	500
Bank charges and other miscellaneous expenses incurred during the year and automated AP routing etc.	
Website hosting & maintenance	705
Website ADA compliance	210
Total expenditures	<u><u>\$ 106,102</u></u>

SHADOWLAWN
COMMUNITY DEVELOPMENT DISTRICT

6

June 22, 2022

Shadowlawn Community Development District
c/o Wrathell, Hunt & Associates, LLC
ATTN: Craig A. Wrathell
2300 Glades Road, Suite 410W
Boca Raton, Florida 33431

**Reference: Shadowlawn Community Development District
Improvement Plan Preparation
ET&M No. 14-011-28-02**

Dear Mr. Wrathell,

England, Thims & Miller, Inc. is pleased to submit a fee proposal for professional services related to the Improvement Plan preparation for the Shadowlawn Community Development District. This Improvement Plan will be for Parcel 61 and Cathedral Oaks Parkway (aka CR218 Connector Roadway) from Shadowlawn Elementary to the future First Coast Expressway. This includes strategy meetings, exhibit preparation, expert testimony for bond validation, cost estimates, and the preparation of the Improvement Plan for the proposed roadways, stormwater utilities and recreation capital improvements that the community development district will finance and construct. Services shall include, but not be limited to:

Improvement Plan Preparation

1. Attending Meetings with Consultants and District Staff
2. Preparation of Final Cost Estimates for the Improvement Plan
3. Development of written descriptions for the Improvement Plan
4. Preparation of Draft Improvement Plan
5. Preparation of Final Improvement Plan
6. Provide expert testimony for bond validation, as required
7. Attendance at Public Hearings

LUMP SUM FEE..... \$25,000.00

Cost such as final printing, telephone, delivery service, mileage and travel shall be invoiced at direct costs + 15%.

Reference: *Improvement Plan Preparation*

EXCLUDED ITEMS

The exclusions below are listed primarily to define the scope of this project. Should any of these services be required, we will be pleased to provide you with a quotation to perform them.

- Survey Services
- Boundary Survey
- Platting
- Easements (legal & sketch)
- Concurrency/Entitlements
- Tree Survey
- Notice of Commencement
- Supplemental Engineers Report
- Engineering
- Traffic Study
- Permitting
- Material Testing
- Design/Planning

Reference: Improvement Plan Preparation

**ENGLAND-THIMS & MILLER, INC.
HOURLY FEE SCHEDULE – 2022**

CEO/CSO.....	\$375.00/Hr.
President.....	\$330.00/Hr.
Executive Vice President	\$320.00/Hr.
Vice President	\$257.00/Hr.
Senior Engineer/Senior Project Manager	\$205.00/Hr.
Project Manager	\$190.00/Hr.
Director	\$175.00/Hr.
Engineer	\$165.00/Hr.
Assistant Project Manager	\$155.00/Hr.
Senior Planner/Planning Manager.....	\$190.00/Hr.
Planner	\$155.00/Hr.
CEI Project Manager.....	\$175.00/Hr.
CEI Senior Inspector.....	\$155.00/Hr.
CEI Inspector	\$125.00/Hr.
Senior Landscape Architect.....	\$175.00/Hr.
Landscape Architect.....	\$160.00/Hr.
Senior Technician.....	\$155.00/Hr.
GIS Developer/Senior Analyst.....	\$170.00/Hr.
GIS Analyst	\$140.00/Hr.
Senior Engineering Designer / Senior LA Designer	\$160.00/Hr.
Engineering Intern	\$140.00/Hr.
Engineering/Landscape Designer	\$140.00/Hr.
CADD/GIS Technician	\$125.00/Hr.
Administrative Support	\$90.00/Hr.

Reference: Improvement Plan Preparation

GENERAL CONDITIONS – HUTSON COMPANIES

PAYMENT TERMS - Payment is due upon receipt of our invoice. If payment is not received within thirty days from the invoice date, Client agrees to pay a finance charge on the principal amount of the past due account of one and one-half percent per month. If one and one-half percent per month exceeds the maximum allowed by law, the charge shall automatically be reduced to the maximum legally allowable.

In the event Client requests termination of the services prior to completion, the Client shall pay all charges incurred through the date services are stopped plus any shutdown costs. If during the execution of the services, England, Thims & Miller, Inc. is required to stop operations as a result of changes in the scope of services such as requests by the Client or requirements of third parties, additional charges will be applicable.

INSURANCE - England, Thims & Miller, Inc. maintains Workers' Compensation and Employer's Liability Insurance in conformance with applicable state law. In addition, we maintain Comprehensive General Liability Insurance and Automobile Liability Insurance with bodily injury and property damage limits of \$1,000,000. A certificate of insurance can be supplied evidencing such coverage which contains a clause providing that ten days written notice be given prior to cancellation.

Cost of the above coverage is included in our quoted fees. If additional coverage or increased limits of liability are required, England, Thims & Miller, Inc. will endeavor to obtain the requested insurance and charge separately for costs associated with additional coverage or increased limits.

STANDARD OF CARE - The only warranty or guarantee made by England, Thims & Miller, Inc. in connection with the services performed hereunder, is that we will use that degree of care and skill ordinarily exercised under similar conditions by reputable members of our profession practicing in the same or similar locality. No other warranty, expressed or implied, is made or intended by our proposal for consulting services or by our furnishing oral or written reports.

PERMITTING/ZONING - The Client is herein notified that several City, State and Federal environmental, zoning and regulatory permits may be required for this project. England, Thims & Miller, Inc. will assist the Client in preparing these permits at the Client's direction. However, the Client acknowledges that it has the responsibility for submitting, obtaining and abiding by all required permits. Furthermore, the Client holds England, Thims & Miller, Inc. harmless from any losses or liabilities resulting from such permitting or regulatory action.

SEVERABILITY AND SURVIVAL - If any of the provisions contained in this AGREEMENT are held invalid, illegal, or unenforceable, such invalidity, illegality or unenforceability will not affect any other provision, and this AGREEMENT will be construed as if such invalid, illegal, or unenforceable provision had never been contained herein.

GOVERNING LAW - This agreement shall be governed in all respects by the laws of the State of Florida.

COST OPINIONS - Any cost opinions or Project economic evaluations provided by England, Thims & Miller, Inc. will be on a basis of experience and judgment, but, since it has no control over market conditions or bidding procedures, England, Thims & Miller, Inc. cannot warrant that bids, cost estimates, ultimate construction cost, or Project economics will not vary from these opinions.

SALES TAX - The purchaser of the services described herein shall pay any applicable state sales tax in the manner and in the amount as required by law.

OWNERSHIP OF DOCUMENTS - Client agrees that all documents of any nature furnished to Client or Client's agents or designees, if not paid for, will be returned upon demand and will not be used by Client for any purpose whatsoever. Client further agrees that under no circumstances shall any documents produced by England, Thims & Miller, Inc., pursuant to this Agreement be used at any location or for any project not expressly provided for in this Agreement without the written permission of England, Thims & Miller, Inc., and England, Thims & Miller, Inc. will provide Client with copies of documents created in the performance of the work for a period not exceeding five years following submission of the final plans and specifications contemplated by this Agreement.

SAFETY - Should England, Thims & Miller, Inc. provide periodic observations or monitoring services at the job site during construction, Client agrees that, in accordance with generally accepted construction practices, the contractor will be solely and completely responsible for working conditions on the job site, including safety of all persons and property during the performance of the work and compliance with OSHA regulations, and that these requirements will apply continuously and not be limited to normal working hours. Any monitoring of the contractor's procedures conducted by England, Thims & Miller, Inc. is not intended to include review of the adequacy of the contractor's safety measures in, on, adjacent to, or near the construction site.

PURSUANT TO FLORIDA STATUTES SECTION 558.0035(2013), AN INDIVIDUAL EMPLOYEE OR AGENT MAY NOT BE HELD INDIVIDUALLY LIABLE FOR NEGLIGENCE.

MUTUAL WAIVER OF CONSEQUENTIAL DAMAGES - In no event shall either party hereunder be liable to the other party for punitive, speculative, consequential or special damages of any kind.

CONTRACT ADMINISTRATION - Client agrees that England, Thims & Miller, Inc. will not be expected to make exhaustive or continuous on-site inspections but that periodic observations appropriate to the construction stage shall be performed. It is further agreed that England, Thims & Miller, Inc. will not assume responsibility for the contractor's means methods, techniques, sequences or procedures of construction and it is understood that field services provided by England, Thims & Miller, Inc. will not relieve the contractor of his responsibilities for performing the work in accordance with the plans and specifications. The words "supervision", "inspection", or "control", are used to mean periodic observation of the work by England, Thims & Miller, Inc. to verify substantial compliance with the plans, specifications and design concepts. Continuous inspections by our employees do not mean that England, Thims & Miller, Inc. is observing placement of all materials. Full-time inspection means that an employee of England, Thims & Miller, Inc. has been assigned for eight-hour days during regular business hours.

Construction inspection and monitoring services which exceed 40 hours per week for one individual shall be invoiced at 150% of the standard billing rate.

ASSIGNABILITY - Client and England, Thims & Miller, Inc., respectively bind themselves, their successors and assigns to the other party to this Agreement and to the successors and assigns of such other part with respect to all covenants of this Agreement. Neither Client nor England, Thims & Miller, Inc. shall assign this Agreement without the prior written consent of the other part.

INTEGRATION - This Agreement represents the entire and integrated Agreement between Client and England, Thims & Miller, Inc. and supersedes all prior negotiations, representations or Agreements, either written or oral. This Agreement may be amended only by written instrument signed by both parties.

LIMITATIONS ON CAUSES OF ACTION - Causes of action between the parties to this Agreement pertaining to acts or failures to act shall be deemed to have occurred and the applicable statutes of limitations shall commence to run not later than (i) the date of substantial completion for acts or failures to act occurring prior to substantial completion of our engineering services pursuant to this Agreement; or (ii) the date of issuance of our final invoice for acts or failure to act occurring after substantial completion of our engineering services pursuant to this Agreement.

THIRD PARTY BENEFICIARY - Nothing contained in this Agreement shall create a contractual relationship with or a cause of action in favor of a third party against either Client or England, Thims & Miller, Inc.


Reference: Improvement Plan Preparation

Please indicate your agreement with this proposal by signing in the space provided and return one copy to our office.

If you should have any questions or require additional information, please call. Thank you for this opportunity to be of professional service.

Sincerely,

ENGLAND, THIMS & MILLER, INC.



Daniel Welch, P.E.
Project Manager / Shareholder



Doug Miller, P.E.
Chief Strategy Officer

Accepted this _____ day
of _____, 2022

By: _____

For: _____

SHADOWLAWN
COMMUNITY DEVELOPMENT DISTRICT

7A

CLAY TODAY

PUBLISHER AFFIDAVIT

PUBLISHER AFFIDAVIT
CLAY TODAY
Published Weekly
Fleming Island, Florida

STATE OF FLORIDA
COUNTY OF CLAY:

Before the undersigned authority personal appeared Jon Cantrell, who on oath says that he is the published of the "Clay Today" a newspaper published weekly at Fleming Island in Clay County, Florida; that the attached copy of advertisement

Being a
Request for Qualifications

In the matter of Engineering Services

LEGAL: 32688

Was published in said newspaper in the issues:

7/14/22

Affiant Further says that said "Clay Today" is a newspaper published at Fleming Island, in said Clay County, Florida, and that the said newspaper Has heretofore been continuously published in said Clay County, Florida, Weekly, and has been entered as Periodical material matter at the post Office in Orange Park, in said Clay County, Florida, for period of one year next proceeding the first publication of the attached copy of advertisement; and affiant further says that he has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

High Octon

ore me 07/14/2022

Christie Lou Wayne



3513 US HWY 17 Fleming Island FL 32003
Telephone (904) 264-3200 FAX (904) 264-3285
E-Mail: christie@osteenmediagroup.com

REQUEST FOR QUALIFICATIONS

Request for Qualifications for Engineering Services
FOR THE SHADOWLAWN Community Development District

RFQ for Engineering Services
The Shadowlawn Community Development District (the "District"), located in Clay County, Florida, announces that professional engineering services will be required on a continuing basis for the District's roadway improvements, water, reclaimed and sewer systems, hardscape, landscape, irrigation, fencing, signage, stormwater management, amenity center and community parks improvements, and other public improvements authorized by Chapter 190, Florida Statutes. The engineering firm selected will act in the general capacity of District Engineer and will provide District engineering services, as required.

Any firm or individual ("Applicant") desiring to provide professional services to the District must: 1) hold applicable federal, state and local licenses; 2) be authorized to do business in Florida in accordance with Florida law; and 3) furnish a statement ("Qualification Statement") of its qualifications and past experience on U.S. General Service Administration's "Architect-Engineer Qualifications, Standard Form No. 330," with pertinent supporting data. Among other things, Applicants must submit information relating to: a) the ability and adequacy of the Applicant's professional personnel; b) whether the Applicant is a certified minority business enterprise; c) the Applicant's willingness to meet time and budget requirements; d) the Applicant's past experience and performance, including but not limited to past experience as a District Engineer for any community development districts and past experience with Clay County; e) the geographic location of the Applicant's headquarters and offices; f) the current and projected workloads of the Applicant; and g) the volume of work previously awarded to the Applicant by the District. Further, each Applicant must identify the specific individual affiliated with the Applicant who would be handling District meetings, construction services, and other engineering tasks.

The District will review all Applicants and will comply with Florida law, including the Consultant's Competitive Negotiations Act, Chapter 287, Florida Statutes ("CCNA"). All Applicants interested must submit one (1) unbound copy and one (1) electronic copy on flash drive of Standard Form No. 330 and the Qualification Statement by 12:00 p.m. on July 29, 2022 to the attention of Craig Wrathell, Wrathell, Hunt and Associates, LLC, 2300 Glades Road, Suite 410W, Boca Raton, Florida 33431 ("District Manager's Office").

The Board shall select and rank the Applicants using the requirements set forth in the CCNA and the evaluation criteria on file with the District Manager, and the highest ranked Applicant will be requested to enter into contract negotiations. If an agreement cannot be reached between the District and the highest ranked Applicant, negotiations will cease and begin with the next highest ranked Applicant, and if these negotiations are unsuccessful, will continue to the third highest ranked Applicant.

The District reserves the right to reject any and all Qualification Statements. Additionally, there is no express or implied obligation for the District to reimburse Applicants for any expenses associated with the preparation and submittal of the Qualification Statements in response to this request.

Any protest regarding the terms of this Notice, or the evaluation criteria on file with the District Manager, must be filed in writing, within seventy-two (72) hours (excluding weekends) after the publication of this Notice. The formal protest setting forth with particularity the facts and law upon which the protest is based shall be filed within seven (7) calendar days after the initial notice of protest was filed. Failure to timely file a notice of protest or failure to timely file a formal written protest shall constitute a waiver of any right to object or protest with respect to aforesaid Notice or evaluation criteria provisions. Any person who files a notice of protest shall provide to the District, simultaneous with the filing of the notice, a protest bond with a responsible surety to be approved by the District and in the amount of Ten Thousand Dollars (\$10,000.00).

Legal 32688 Published July 14, 2022 in
Clay County's Clay Today Newspaper

SHADOWLAWN
COMMUNITY DEVELOPMENT DISTRICT

7B

**REQUEST FOR QUALIFICATIONS FOR ENGINEERING SERVICES
FOR THE SHADOWLAWN COMMUNITY DEVELOPMENT DISTRICT**

RFQ for Engineering Services

The Shadowlawn Community Development District (the "District"), located in Clay County, Florida, announces that professional engineering services will be required on a continuing basis for the District's roadway improvements, water, reclaimed and sewer systems, hardscape, landscape, irrigation, fencing, signage, stormwater management, amenity center and community parks improvements, and other public improvements authorized by Chapter 190, *Florida Statutes*. The engineering firm selected will act in the general capacity of District Engineer and will provide District engineering services, as required.

Any firm or individual ("Applicant") desiring to provide professional services to the District must: 1) hold applicable federal, state and local licenses; 2) be authorized to do business in Florida in accordance with Florida law; and 3) furnish a statement ("Qualification Statement") of its qualifications and past experience on U.S. General Service Administration's "Architect-Engineer Qualifications, Standard Form No. 330," with pertinent supporting data. Among other things, Applicants must submit information relating to: a) the ability and adequacy of the Applicant's professional personnel; b) whether the Applicant is a certified minority business enterprise; c) the Applicant's willingness to meet time and budget requirements; d) the Applicant's past experience and performance, including but not limited to past experience as a District Engineer for any community development districts and past experience with Clay County; e) the geographic location of the Applicant's headquarters and offices; f) the current and projected workloads of the Applicant; and g) the volume of work previously awarded to the Applicant by the District. Further, each Applicant must identify the specific individual affiliated with the Applicant who would be handling District meetings, construction services, and other engineering tasks.

The District will review all Applicants and will comply with Florida law, including the Consultant's Competitive Negotiations Act, Chapter 287, *Florida Statutes* ("CCNA"). All Applicants interested must submit one (1) unbound copy and one (1) electronic copy on flash drive of Standard Form No. 330 and the Qualification Statement by 12:00 p.m. on July 29, 2022 to the attention of Craig Wrathell, Wrathell, Hunt and Associates, LLC, 2300 Glades Road, Suite 410W, Boca Raton, Florida 33431 ("District Manager's Office").

The Board shall select and rank the Applicants using the requirements set forth in the CCNA and the evaluation criteria on file with the District Manager, and the highest ranked Applicant will be requested to enter into contract negotiations. If an agreement cannot be reached between the District and the highest ranked Applicant, negotiations will cease and begin with the next highest ranked Applicant, and if these negotiations are unsuccessful, will continue to the third highest ranked Applicant.

The District reserves the right to reject any and all Qualification Statements. Additionally, there is no express or implied obligation for the District to reimburse Applicants for any expenses associated with the preparation and submittal of the Qualification Statements in response to this request.

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SHADOWLAWN COMMUNITY DEVELOPMENT DISTRICT

DISTRICT ENGINEER PROPOSALS COMPETITIVE SELECTION CRITERIA

1) Ability and Adequacy of Professional Personnel (Weight: 25 Points)

Consider the capabilities and experience of key personnel within the firm including certification, training, and education; affiliations and memberships with professional organizations; etc.

2) Consultant's Past Performance (Weight: 25 Points)

Past performance for other Community Development Districts in other contracts; amount of experience on similar projects; character, integrity, reputation, of respondent; etc.

3) Geographic Location (Weight: 20 Points)

Consider the geographic location of the firm's headquarters, offices and personnel in relation to the project.

4) Willingness to Meet Time and Budget Requirements (Weight: 15 Points)

Consider the consultant's ability and desire to meet time and budget requirements including rates, staffing levels and past performance on previous projects; etc.

5) Certified Minority Business Enterprise (Weight: 5 Points)

Consider whether the firm is a Certified Minority Business Enterprise. Award either all eligible points or none.

6) Recent, Current and Projected Workloads (Weight: 5 Points)

Consider the recent, current and projected workloads of the firm.

7) Volume of Work Previously Awarded to Consultant by District (Weight: 5 Points)

Consider the desire to diversify the firms that receive work from the District; etc.

SHADOWLAWN
COMMUNITY DEVELOPMENT DISTRICT

7C

**Request for Qualifications for Engineering Services
for the Shadowlawn Community Development District
July 29, 2022**



Craig Wrathell, District Manager
Wrathell, Hunt & Associates, LLC
2300 Glades Road, Suite 410W
Boca Raton, Florida 33431

July 29, 2022

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

Dear Mr. Wrathell,

England-Thims & Miller, Inc. (ETM) is proud to respond to the Shadowlawn Community Development District's (CDD) request for proposals for professional engineering services for the District's roadway improvements, water, reclaimed and sewer systems, hardscape, landscape, irrigation, fencing, signage, stormwater management, amenity center and community parks improvements, and other public improvements authorized by Chapter 190 of the Florida Statutes. The Shadowlawn 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 Shadowlawn 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.

It is no coincidence that when developers want to build lasting communities, they contact ETM. 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.

ETM is a locally-based engineering firm that employs 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 285 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.

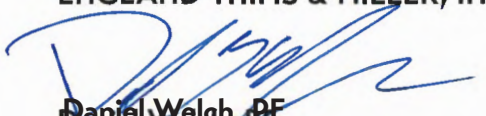
Accessibility: Due to the size of the Shadowlawn CDD and the multitude of simultaneous projects within the District, having a readily accessible District Engineer is imperative. With our headquarters located less than an hour away, the District can count on an immediate response to any onsite needs.

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.

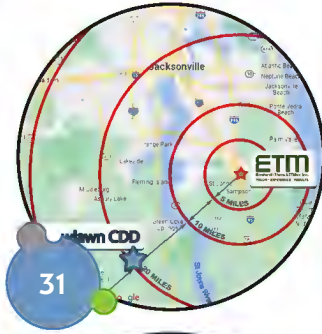
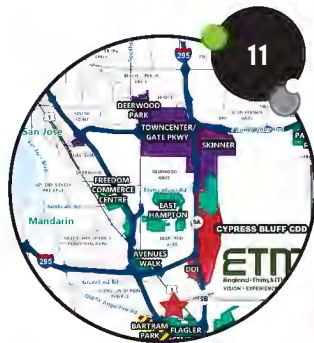
ETM appreciates the opportunity to submit our statement of qualifications to serve as the District Engineer for this rising community. We look forward to lending our time, talent, and expertise to the District to help you obtain your goal - to build an exquisite Florida community.

Sincerely,
ENGLAND-THIMS & MILLER, INC.



Daniel Welch, PE
Project Manager/Shareholder

TABLE OF CONTENTS



FDOT DBE USAGE

2020	21.39%	A+
2021	8.42%	C



STATE OF FLORIDA

BOARD OF PROFESSIONAL ENGINEERS

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

MILLER, DOUGLAS CARLTON

14775 OLD ST. AUGUSTINE ROAD
JACKSONVILLE FL 322580000

ARCHITECT-ENGINEER QUALIFICATION

I - CONTRACT-SPECIFIC QUALIFICATION

A. CONTRACT INFORMATION

Contract Name: _____

Contract No.: _____

Contract Description: _____

Contract Location: _____

Contract Start Date: _____

Contract End Date: _____

Contract Value: _____

Contract Status: _____

Contract Owner: _____

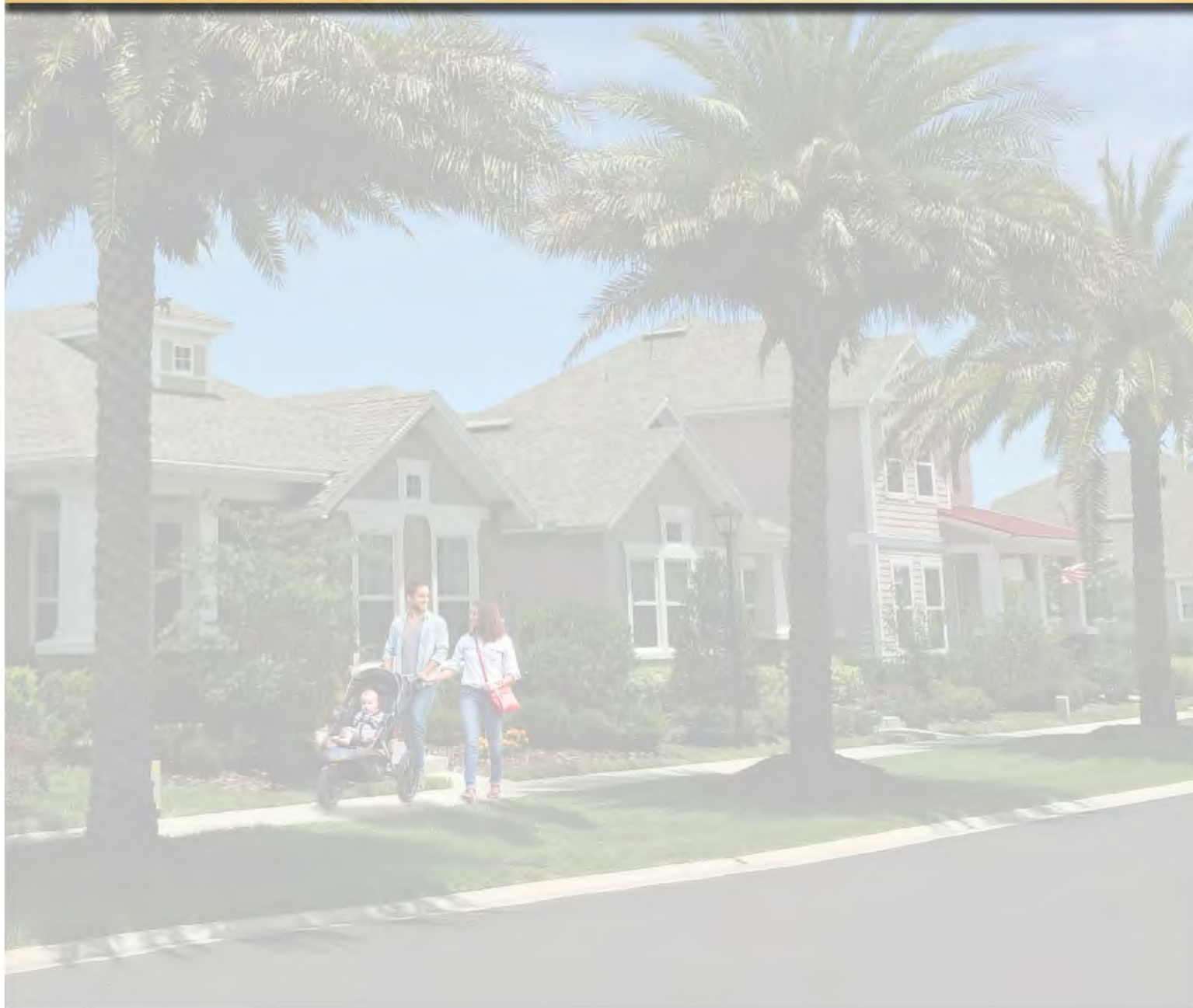
Contract Consultant: _____

Contract Solicitation or Project No.: _____

Contract Architect-Engineer Point of Contact: _____

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02.	Consultant's Past Performance	Page 11
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08.	Professional Licenses	Page 41
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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 surplus 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 Shadowlawn 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 you know and recognize 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.

Because of 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
- 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



Today, CDDs and MPCs represent our single largest business sector and generate 25% of our annual volume. ETM employs 285 professionals spanning offices in Jacksonville, Nassau County, Volusia County, Gainesville, and Central Florida. Now, 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 Shadowlawn 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 Shadowlawn CDD. ETM currently employs the following professionals, all available to help meet the needs of the Shadowlawn CDD:

- 45 Civil Engineers
- 20 Project Managers
- 4 Planners
- 10 GIS Specialists
- 23 CAD Technicians/Designers
- 11 Technicians/Analysts
- 42 Construction Inspectors/Managers
- 7 Landscape Architects
- 68 Survey Personnel
- 36 Administrative Personnel



EXECUTIVE MANAGEMENT

Today, 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 Shadowlawn CDD, we have assembled a very 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 Clay County, JEA, the US Army Corps of Engineers, 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



Doug Miller, PE Client Relations & Project Strategy

Doug directs the design of private and public projects that require expertise in transportation engineering, water resource management, environmental permitting, solid waste management, stormwater design, stormwater treatment design, NPDES permitting, and water and wastewater planning and design. He has served as District Engineer for 10 community development districts in Northeast Florida that have planned and executed more than \$1 Billion in public bond financed infrastructure.

CDD Experience:

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



Daniel Welch, PE Project Manager

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 and Cross Creek developments.

CDD Experience:

- Cypress Bluff CDD
- Cross Creek North CDD



Brad Weeber, PE, **LEED AP** Senior Project Engineer

Brad has been with ETM for 17 years, 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



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 Shadowlawn CDD.

CDD Experience:

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



Jeff Brooks
Construction Administration

Jeff has 38 years of experience in tasks relating to construction projects from concept to completion. He also has a strong background in water and wastewater operations and construction inspection. His responsibilities include the administration and inspection of infrastructure construction projects, on-site payment request review, testing observation, and project documentation.

CDD Experience:

- Tolomato CDD
- Double Branch CDD
- Beach CDD

2. Consultant's Past Performance



2

CONSULTANT'S PAST PERFORMANCE

ETM has been honored and rewarded with the opportunity 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 (Nocatee) CDD	Duval & St. Johns	15,000 Acres	11,000 Single Family 4,000 Multi-Family	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 (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 Multi-Family	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 Multi-Family 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

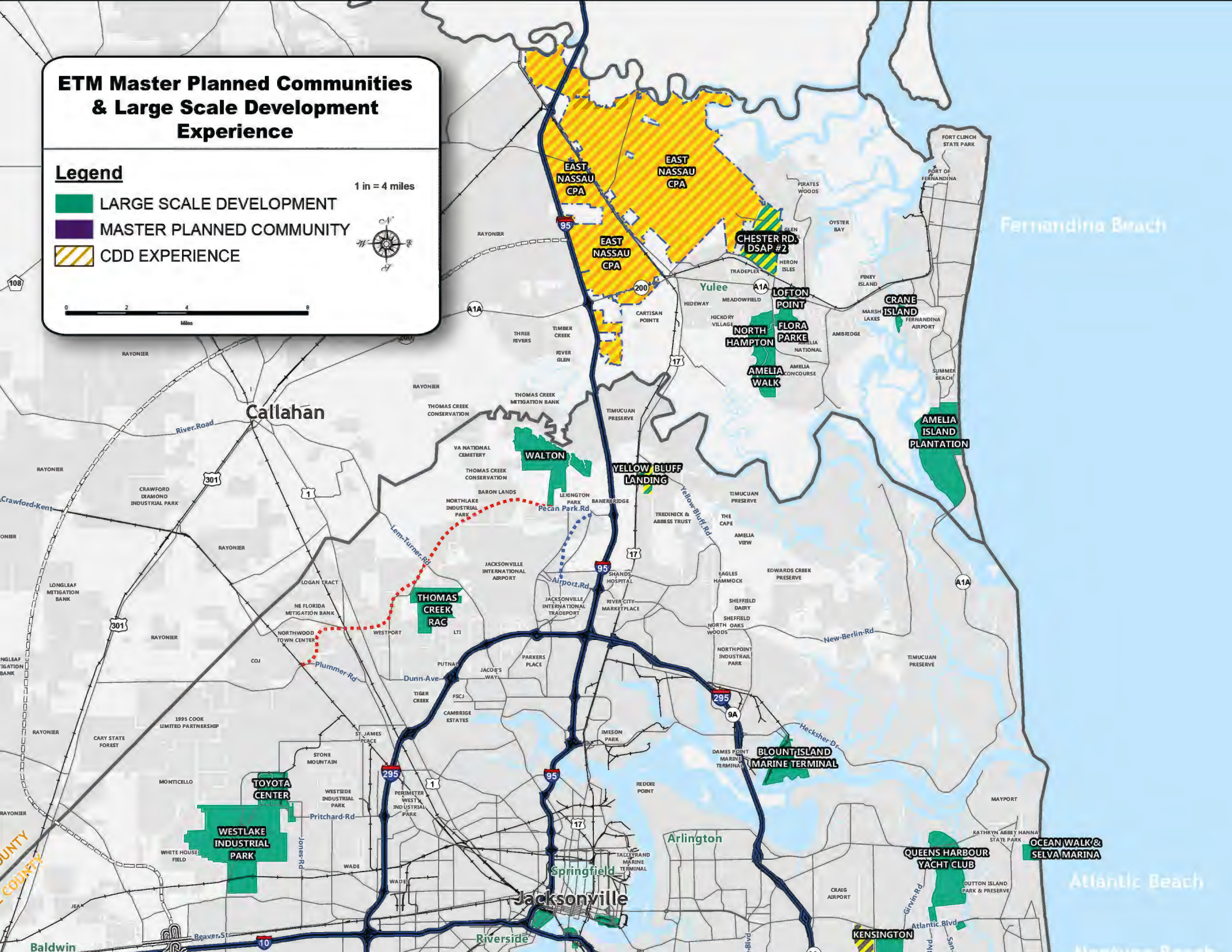
*Note: CDD names may differ from project title.

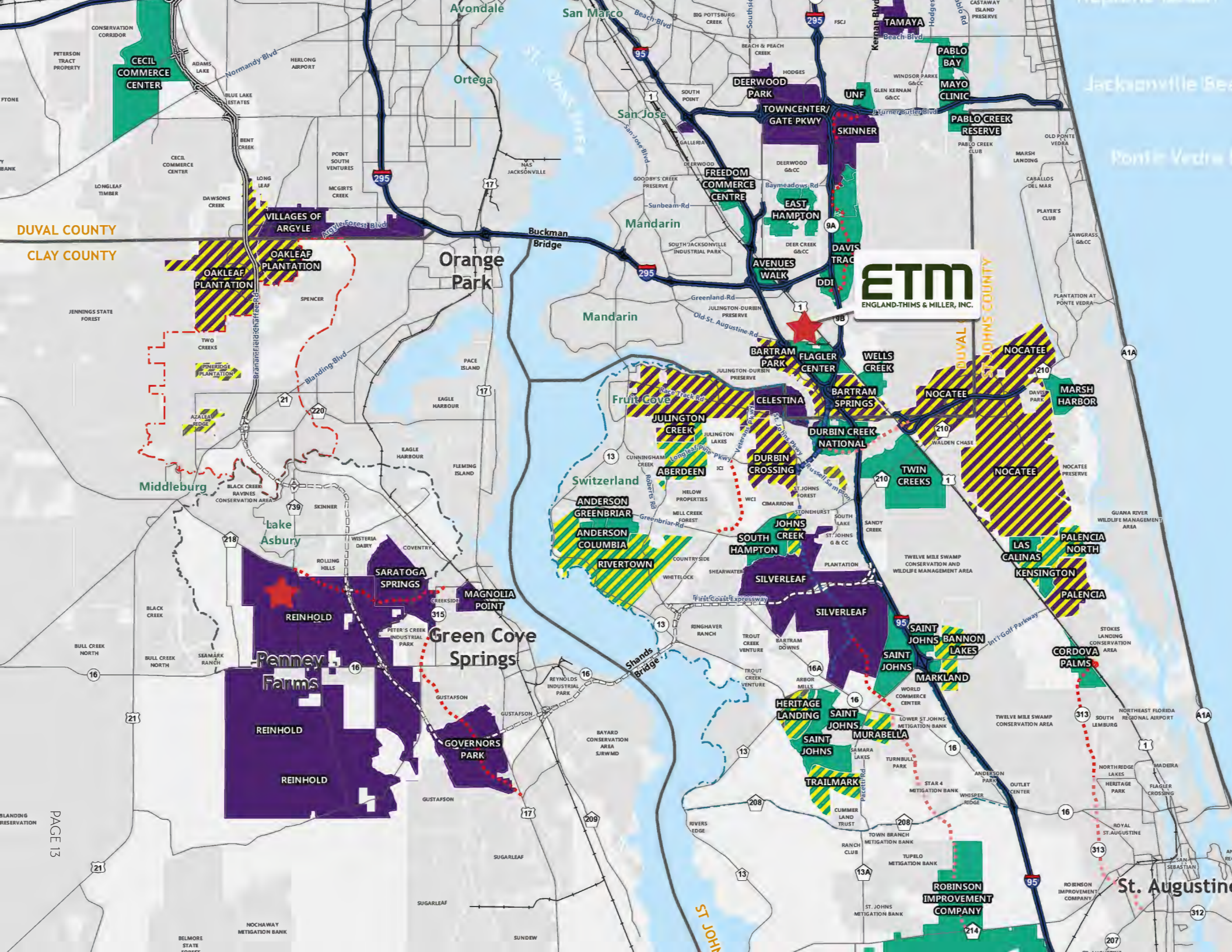
ETM Master Planned Communities & Large Scale Development Experience

Legend

- LARGE SCALE DEVELOPMENT
- MASTER PLANNED COMMUNITY
- CDD EXPERIENCE

1 in = 4 miles





DUVAL COUNTY
CLAY 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 (MPC) have one thing in common: the entire team must earn the trust and maintain great relationships with agency regulators. For that 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 square feet of non-residential space, 550,000 square feet 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 square feet 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

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 square feet 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 square feet of commercial space, 1.6 million square feet 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.

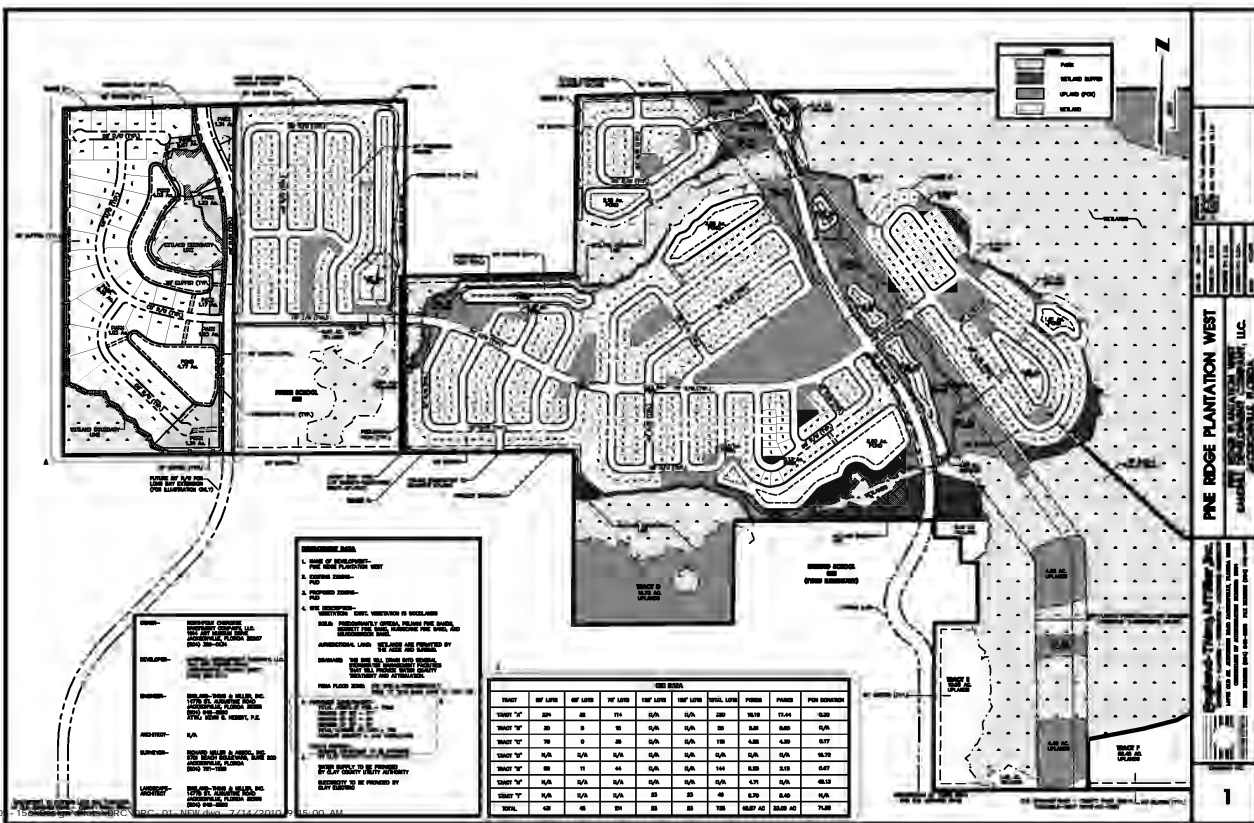


Pine Ridge Plantation

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

Reinhold

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

City of Jacksonville

- Bay Street Bridge Expansion at Hogans Creek
- Brooklyn Phase 1B Construction
- Closure of Trail Ridge Landfill
- Lonnie Miller Park Development
- Lonnie Miller Park Master Plan
- Lower Eastside Drainage Improvements
- NPDES Contract
- Preservation Project
- Program Management Services - Drainage Bond Program
- Project New Ground - Ash Remediation
- Sal Taylor Park - Closeout
- Septic Tank Phase Out
- Stormwater Utility

Double Branch CDD

- Double Branch Boulevard - 2 Lane
- Double Branch CDD General Consulting
- 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

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 Facility
- 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

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

Pulte Homes

- Anderson/Greenbrier
- Arrowood - Bartram
- Avenues Walk
- Bayberry Modifications
- Clifton Village
- Cypress Bay
- Delwebb @ Plum Creek
- Fish Island
- Flagler Station
- Greenbrier - Bartram
- Heilow 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

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
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".

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', is written over a horizontal line.

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*

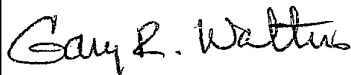
950 Davis Pond Blvd. • Jacksonville, Florida 32259 • (904) 287-4180

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



3

GEOGRAPHIC LOCATION

The District Engineer's ability to provide responsive and timely support is critical to the successful execution of this project. ETM has office in Jacksonville, Yulee, Daytona Beach, Gainesville, and Lake Mary. All project aspects will be managed from our corporate 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.

Because our headquarters is less than 30 miles from the District, ETM's Project Manager, Daniel Welch, PE, can quickly respond to meeting requests or field reviews, and staff can be on-site to address needs in less than an hours notice.

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. Because of this, 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
- Constant communication
- Principal involvement
- Commitment to effective Project Managers
- 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 and is of such importance that ETM schedules 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. Doug Miller, PE, and 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 Jeff Brooks. 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



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



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 Client Relations & Project Strategy Officer, Doug Miller, PE, as well as our Project Manager, Daniel Welch, PE, have extensive experience with Community Development Districts and Master Planned Communities. Daniel and Doug have established themselves as proven client advocates with an essential understanding of the challenges and opportunities facing the District, and are 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 Shadowlawn CDD.

Project Team Members	Current Projects	Stage of Completion	Projected Availability
Doug Miller, PE	Silverleaf	10%	35%
	Shipyards	5%	
	MOSH	5%	
	4 Seasons Hotel	5%	
	SE Toyota, Blount Island	10%	
	Water & Wastewater Plants (301 Capital Partners)	10%	
	Reinhold North Florida Land Holdings	10%	
Daniel Welch, PE	Reinhold Parcel 61	80%	30%
	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%	
	Various Land Development	30%	
Jeff Brooks	Palm Avenue	65%	75%
	Wildlight	Ongoing	
	Dupont - Forest Street	99%	

7. Volume of Work Previously Awarded to Consultant by District



7

VOLUME OF WORK PREVIOUSLY AWARDED



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 Shadowlawn CDD requires:

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

8. Professional Licenses



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

MILLER, DOUGLAS CARLTON
14775 OLD ST. AUGUSTINE ROAD
JACKSONVILLE FL 322580000

LICENSE NUMBER: PE22389
EXPIRATION DATE: FEBRUARY 28, 2023
Always verify licenses online at MyFloridaLicense.com

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STATE OF FLORIDA


FBPE
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BOARD OF PROFESSIONAL ENGINEERS
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LANDEWEER, BRIAN J.
4323 BLUE HERON DRIVE
PONTE VEDRA BEACH FL 32082

LICENSE NUMBER: PE62168
EXPIRATION DATE: FEBRUARY 28, 2023
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STATE OF FLORIDA


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BOARD OF PROFESSIONAL ENGINEERS
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WELCH, DANIEL JACK
14615 MANDARIN ROAD
JACKSONVILLE FL 32223

LICENSE NUMBER: PE87681
EXPIRATION DATE: FEBRUARY 28, 2023
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Ron DeSantis, Governor

STATE OF FLORIDA

Florida dbpr
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: LA666736
EXPIRATION DATE: NOVEMBER 30, 2023
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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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9. Architect-Engineer Standard Form No. 330



ARCHITECT-ENGINEER QUALIFICATIONS

PART I - CONTRACT-SPECIFIC QUALIFICATIONS

A. CONTRACT INFORMATION

1. TITLE AND LOCATION *(City and State)*

Request for Qualifications for Engineering Services for the Shadowlawn Community Development District

2. PUBLIC NOTICE DATE

7/12/2022

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

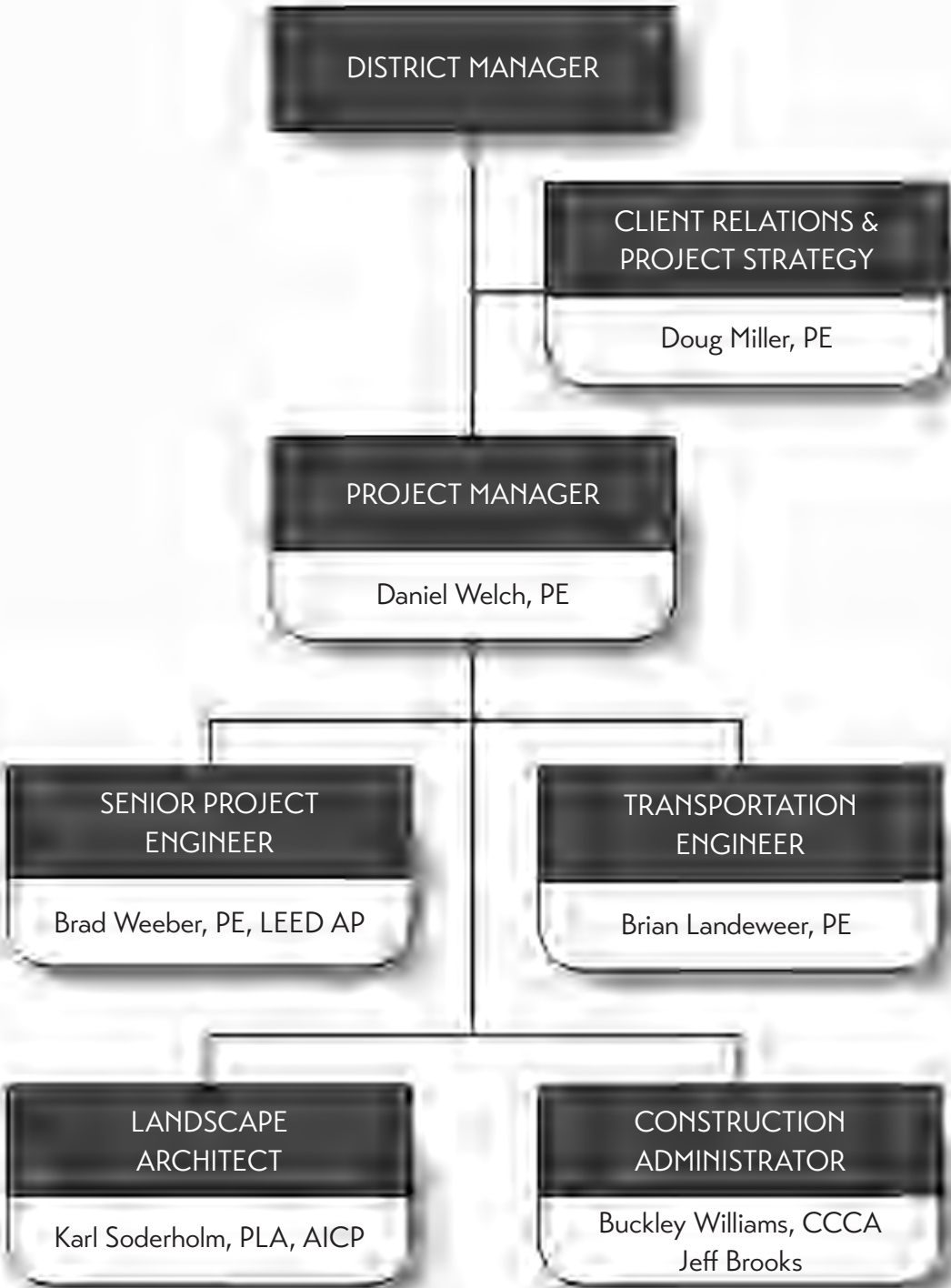
(Complete this section for the prime contractor and all key subcontractors.)

	<i>(Check)</i>				9. FIRM NAME	10. ADDRESS	11. ROLE IN THIS CONTRACT
	PRIME	J-V	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 Doug Miller, PE	13. ROLE IN THIS CONTRACT Client Relations & Project Strategy	14. YEARS EXPERIENCE	
		a. TOTAL 47	b. WITH CURRENT FIRM 43

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

16. EDUCATION *(Degree and Specialization)*
BS, Civil Engineering, University of Florida

17. CURRENT PROFESSIONAL REGISTRATION *(State and Discipline)*
Florida Professional Engineer, No. 22389

18. OTHER PROFESSIONAL QUALIFICATIONS *(Publications, Organizations, Training, Awards, etc.)*

Florida Engineering Society, American Society of Civil Engineers, National Society of Professional Engineers, American Water Works Association

19. RELEVANT PROJECTS

(1) TITLE AND LOCATION <i>(City and State)</i>	(2) YEAR COMPLETED	
	PROFESSIONAL SERVICES	CONSTRUCTION <i>(If applicable)</i>
Silverleaf Plantation, St. Johns County, Florida	Ongoing	
a. (3) BRIEF DESCRIPTION <i>(Brief scope, size, cost, etc.)</i> AND SPECIFIC ROLE Engineer-of-Record for a 7,500-acre mixed use DRI. Responsibilities include master planning and engineering of water supply, sewer treatment, stormwater management, and roadway construction.	<input checked="" type="checkbox"/> Check if project performed with current firm	
Saint Johns DRI (World Golf Village), St. Johns County, Florida	2005	
b. (3) BRIEF DESCRIPTION <i>(Brief scope, size, cost, etc.)</i> AND SPECIFIC ROLE Engineer-of-Record for a 6,400-acre mixed-use DRI which is home to the World Golf Village and Golf Hall of Fame. Responsibilities include providing all engineering and regulatory services related to this DRI.	<input checked="" type="checkbox"/> Check if project performed with current firm	
Aberdeen DRI, St. Johns County, Florida	2007	
c. (3) BRIEF DESCRIPTION <i>(Brief scope, size, cost, etc.)</i> AND SPECIFIC ROLE Principal-in-Charge of a 1,200-acre mixed-use DRI community. Responsibilities included all planning, engineering, and permitting of development infrastructure. Served as District Engineer for the Aberdeen CDD which included financing, design, and construction management of more than \$50 Million in infrastructure.	<input checked="" type="checkbox"/> Check if project performed with current firm	
Durbin Crossing DRI, St. Johns County, Florida	2015	
d. (3) BRIEF DESCRIPTION <i>(Brief scope, size, cost, etc.)</i> AND SPECIFIC ROLE Principal-in-Charge of a 3,000-acre mixed-use DRI community. Responsibilities included all planning, engineering, and permitting of development infrastructure. Served as District Engineer for the Durbin Crossing CDD which included financing, design, and construction management of more than \$50 Million in infrastructure.	<input checked="" type="checkbox"/> Check if project performed with current firm	
Race Track Road (SR 13 to Bishop Estates Road), St. Johns County, Florida	1998	
e. (3) BRIEF DESCRIPTION <i>(Brief scope, size, cost, etc.)</i> AND SPECIFIC ROLE Principal-in-Charge for designing, permitting, and construction administration of a 4-lane divided rural arterial collector roadway funded by JCP-CDD.	<input checked="" type="checkbox"/> Check if project performed with current firm	

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	
	PROFESSIONAL SERVICES	CONSTRUCTION <i>(If applicable)</i>
a. Silverleaf Master Development Plan, St. Johns County, Florida (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.	Ongoing	
b. Cross Creek, Clay County, Florida (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.	Ongoing	
c. Silverleaf Mass Grading, St. Johns County, Florida (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.	Ongoing	
d. Creekview Trail, Clay County, Florida (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.	Ongoing	
e. Grand Creek, St. Johns County, Florida (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.	2018 - 2021	

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	
Silverleaf Master Development Plan, St. Johns County, Florida		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 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.		
Lakeside at Town Center (Nocatee), St. Johns County, Florida		PROFESSIONAL SERVICES 2012	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 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.		
Carlyle at Bartram Park (Amenity Center), Jacksonville, Florida		PROFESSIONAL SERVICES	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 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.		
Davis/9B - Cypress Bluff, Jacksonville, Florida		PROFESSIONAL SERVICES Ongoing	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 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.		
Grace Farms, Jacksonville, Florida		PROFESSIONAL SERVICES 2014	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 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 Project Manager and Engineer-of-Record 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.		<input checked="" type="checkbox"/> Check if project performed with current firm
(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 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.		<input checked="" type="checkbox"/> Check if project performed with current firm
(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 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.		<input checked="" type="checkbox"/> Check if project performed with current firm
(1) TITLE AND LOCATION <i>(City and State)</i> Crosswater Parkway Extension, Nocatee, Florida		(2) YEAR COMPLETED	
		PROFESSIONAL SERVICES 2016 - 2018	CONSTRUCTION <i>(If applicable)</i>
d.	(3) BRIEF DESCRIPTION <i>(Brief scope, size, cost, etc.)</i> AND SPECIFIC ROLE Project Manager and Engineer-of-Record 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.		<input checked="" type="checkbox"/> Check if project performed with current firm
(1) TITLE AND LOCATION <i>(City and State)</i> Gold Star Family Parkway, Duval County, Florida		(2) YEAR COMPLETED	
		PROFESSIONAL SERVICES 2020 - 2022	CONSTRUCTION <i>(If applicable)</i>
e.	(3) BRIEF DESCRIPTION <i>(Brief scope, size, cost, etc.)</i> AND SPECIFIC ROLE 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.		<input checked="" type="checkbox"/> Check if project performed with current firm

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 *(City and State)*
England-Thims & Miller, Inc. (Jacksonville, Florida)

16. EDUCATION *(Degree and Specialization)*
BS, Landscape Architecture, University of Florida, 1999

17. CURRENT PROFESSIONAL REGISTRATION *(State and Discipline)*
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 *(Publications, Organizations, Training, Awards, etc.)*

American Society of Landscape Architects, American Planning Association, Florida Planning and Zoning Association, International Society of Arboriculture

19. RELEVANT PROJECTS

(1) TITLE AND LOCATION <i>(City and State)</i>	(2) YEAR COMPLETED	
	PROFESSIONAL SERVICES	CONSTRUCTION <i>(If applicable)</i>
Nocatee, Ponte Vedra, Florida	Ongoing	
<p>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 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.</p>		
Cordova Palms DRI, St. Johns County, Florida	Ongoing	
<p>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 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-square-feet of retail and office space, as well as an elementary school and public park to serve the needs of the community.</p>		
Nocatee Town Center, Ponte Vedra, Florida	2008	
<p>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 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.</p>		
Silverleaf Plantation DRI, St. Johns County, Florida	Ongoing	
<p>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 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-square-feet of retail, office, and light Industrial uses.</p>		
Governors Park DRI, Clay County, Florida	Ongoing	
<p>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 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-square-feet of non-residential development, 6,000 residential units, as well as schools and public parks to serve the needs of the community.</p>		

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> Six Mile Creek, St. Johns County, Florida	(2) YEAR COMPLETED	
	PROFESSIONAL SERVICES	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 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.		
(1) TITLE AND LOCATION <i>(City and State)</i> Oakleaf Plantation, Double Branch Community Development District, Clay County, Florida	(2) YEAR COMPLETED	
	PROFESSIONAL SERVICES	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 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.		
(1) TITLE AND LOCATION <i>(City and State)</i> Aberdeen and Durbin Crossing Community Development Districts, St. Johns County, Florida	(2) YEAR COMPLETED	
	PROFESSIONAL SERVICES	CONSTRUCTION <i>(If applicable)</i> 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.		
(1) TITLE AND LOCATION <i>(City and State)</i> Trail Ridge Landfill Closure, Duval County, Florida	(2) YEAR COMPLETED	
	PROFESSIONAL SERVICES	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 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.		
(1) TITLE AND LOCATION <i>(City and State)</i> Nocatee DRI, Duval and St. Johns Counties, Florida	(2) YEAR COMPLETED	
	PROFESSIONAL SERVICES	CONSTRUCTION <i>(If applicable)</i> 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 Jeff Brooks	13. ROLE IN THIS CONTRACT Construction Administration	14. YEARS EXPERIENCE	
		a. TOTAL 38	b. WITH CURRENT FIRM 12

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

16. EDUCATION *(Degree and Specialization)*

17. CURRENT PROFESSIONAL REGISTRATION *(State and Discipline)*

18. OTHER PROFESSIONAL QUALIFICATIONS *(Publications, Organizations, Training, Awards, etc.)*

CTQP: Earthwork 2, Asphalt Paving 1, Concrete Field Tech 1, Drilled Shaft, Concrete Field Inspector Spec 346 TEST, QC Manager; ACI: Field Testing Technician 1; MISC: FL NPDES/FDEP Stormwater Management Inspector

19. RELEVANT PROJECTS

	(1) TITLE AND LOCATION <i>(City and State)</i>	(2) YEAR COMPLETED	
		PROFESSIONAL SERVICES	CONSTRUCTION <i>(If applicable)</i>
a.	Six Mile Creek St. Johns County, Florida		
	(3) BRIEF DESCRIPTION <i>(Brief scope, size, cost, etc.)</i> AND SPECIFIC ROLE <input checked="" type="checkbox"/> Check if project performed with current firm Inspector for the Six Mile Creek North project, which is located in the 4,000 acre Six Mile Creek PUD area of the World Golf Village, Saint Johns DRI. The project is an exclusive private gated community of single family residential lots, the Laterra Resort, the King and the Bear golf course, clubhouse, restaurant, pro shop, driving range, and practice facility.		
b.	Durbin Crossing, St. Johns County, Florida		
	(3) BRIEF DESCRIPTION <i>(Brief scope, size, cost, etc.)</i> AND SPECIFIC ROLE <input checked="" type="checkbox"/> Check if project performed with current firm Inspector for construction services related to the proposed development of 218± townhome units within Durbin Crossing Parcel Y. This 33.5-acre site is located in St. Johns County, just off St. Johns Parkway. This project includes the planning, surveying, engineering, and permitting necessary to develop the townhome units.		
c.	Tamaya, Duval County, Florida		
	(3) BRIEF DESCRIPTION <i>(Brief scope, size, cost, etc.)</i> AND SPECIFIC ROLE <input checked="" type="checkbox"/> Check if project performed with current firm Inspector for construction services related to the Tamaya development. In addition to 2,400 homes, Tamaya will include more than 500,000 square feet of commercial/retail space and a \$10 million amenity center with a 10,000-square-foot clubhouse behind a grand gatehouse and entrance featuring a cascading water element.		
d.	Pine Ridge Plantation, Clay County, Florida		
	(3) BRIEF DESCRIPTION <i>(Brief scope, size, cost, etc.)</i> AND SPECIFIC ROLE <input checked="" type="checkbox"/> Check if project performed with current firm Provided construction monitoring services for this multi-phase, planned subdivision in Clay County.		
e.	Palencia North, St. Johns County, Florida		
	(3) BRIEF DESCRIPTION <i>(Brief scope, size, cost, etc.)</i> AND SPECIFIC ROLE <input checked="" type="checkbox"/> Check if project performed with current firm Inspector for construction services related to this project along US 1 and International Golf Parkway. The 2,350-acre master-planned community offers a full-spectrum of home sites plus ancillary retail and office opportunities along with more than 33 acres of parks, trails and open areas.		

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 Cody Hutson	c. POINT OF CONTACT TELEPHONE NUMBER
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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-square-foot of commercial space, 330,000-square-foot of industrial space, 300,000-square-foot of office space, 6,800 single-family residential units, and 3,900 multi-family units, 6 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 Mike Hahaj	c. POINT OF CONTACT TELEPHONE NUMBER (904) 321-1030
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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-square-foot of non-residential space, 550,000-square-foot 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 On-Going
CONSTRUCTION <i>(If applicable)</i>		

23. PROJECT OWNER'S INFORMATION

a. PROJECT OWNER The Parc Group	b. POINT OF CONTACT NAME Rick Ray	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 square feet 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-square-foot 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 <i>(City and State)</i> Bartram Springs Community Development District Jacksonville, Florida	22. YEAR COMPLETED	
	PROFESSIONAL SERVICES Ongoing	CONSTRUCTION <i>(If applicable)</i>

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 multi-family 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 <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 <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± multi-family units, 1.3-million-square-foot of commercial space, 1.6-million-square-foot 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

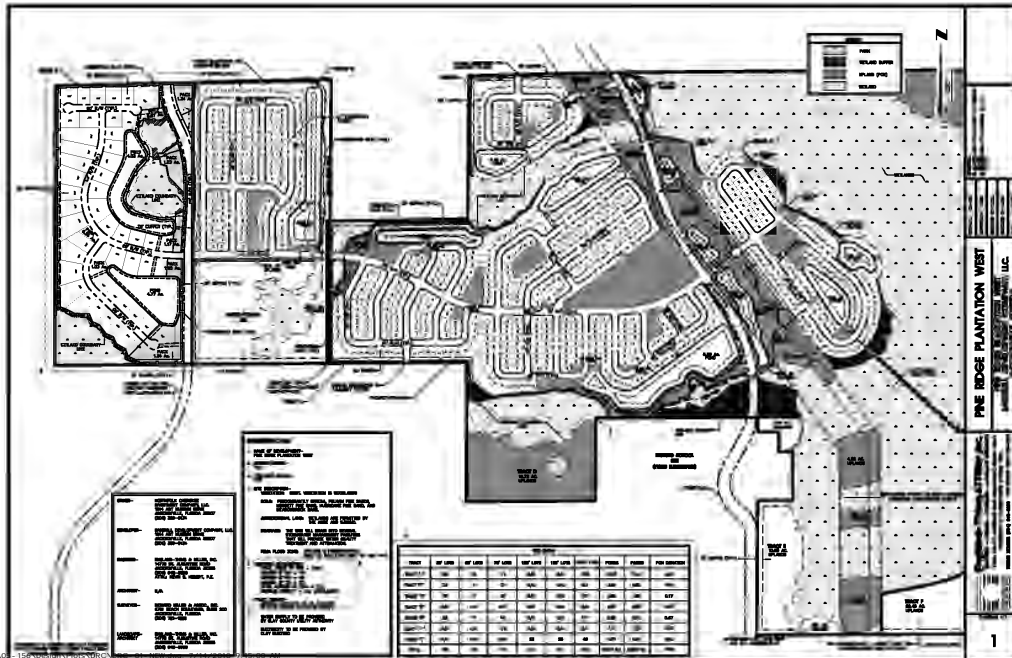
F. EXAMPLE PROJECTS WHICH BEST ILLUSTRATE PROPOSED TEAM'S QUALIFICATIONS FOR THIS CONTRACT <i>(Present as many projects as requested by the agency, or 10 projects, if not specified. Complete one Section F for each project.)</i>		20. EXAMPLE PROJECT KEY NUMBER 7
21. TITLE AND LOCATION <i>(City and State)</i> Pine Ridge Plantation (Clay County, Florida)		22. YEAR COMPLETED PROFESSIONAL SERVICES CONSTRUCTION <i>(If applicable)</i>

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)*

England, Thims & Miller 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: 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 <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

<p>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></p>	<p>20. EXAMPLE PROJECT KEY NUMBER 8</p>
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<p>21. TITLE AND LOCATION <i>(City and State)</i> Beach CDD (Duval County, Florida)</p>	<p>22. YEAR COMPLETED</p>	
	<p>PROFESSIONAL SERVICES On-Going</p>	<p>CONSTRUCTION <i>(If applicable)</i></p>

23. PROJECT OWNER'S INFORMATION

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

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

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

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
Doug Miller, PE	Client Relations & Project Strategy	X		X	X	X	X	X	X		
Daniel Welch, PE	Project Manager	X									
Brad Weeber, PE, LEED AP	Senior Project Engineer						X				
Brian Landeweer, PE	Transportation Engineer			X					X		
Landscape Architect	Karl Soderholm, PLA, AICP		X	X	X	X	X				
Buckley Williams, CCCA	Construction Administrator		X	X	X	X	X	X	X		
Jeff Brooks	Construction Administrator			X	X	X	X	X	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	

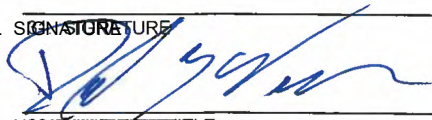
H. ADDITIONAL INFORMATION

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

7/29/2022

33. NAME AND TITLE

Daniel M. Pe, PE

ARCHITECT-ENGINEER QUALIFICATIONS

1. SOLICITATION NUMBER (If any)

PART II - GENERAL QUALIFICATIONS

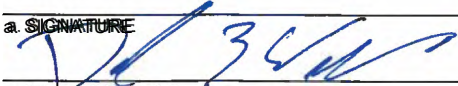
(If a firm has branch offices, complete for each specific branch office seeking work.)

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	36		C10	Shopping Center	6
08	CADD Technician	23		C15	Construction Management	8
12	Civil Engineer	45		E12	Environmental Remediation	4
15	Construction Inspector	33		H07	Highway/Streets	5
16	Construction Manager	9		H09	Hospital & Medical Facilities	4
29	GIS Specialist	10		H11	Housing	7
39	Landscape Architect	7		I01	Industrial Buildings	2
47	Planner: Urban/Regional	4		I06	Irrigation/Drainage	2
48	Project Manager	20		L03	Landscape Architecture	2
58	Technician/Analyst	11		O01	Office Building	3
N/A	Survey	68		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	20		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		
b. Non-Federal Work	9	2. \$100,000 to less than \$250,000	7. \$5 million to less than \$10 million		
c. Total Work	9	3. \$250,000 to less than \$500,000	8. \$10 million to less than \$25 million		
		4. \$500,000 to less than \$1 million	9. \$25 million to less than \$50 million		
		5. \$1 million to less than \$2 million	10. \$50 million or greater		

12. AUTHORIZED REPRESENTATIVE <i>The foregoing is a statement of facts.</i>	
a. SIGNATURE 	b. DATE 7/29/2022
c. NAME AND TITLE Daniel Welch, PE, Project Manager/Shareholder	



ETM

ENGLAND-THIMS & MILLER, INC.

14775 Old St. Augustine Road
Jacksonville, Florida 32258

o: 904.642.8990

f: 904.646.9485

www.etminc.com

SHADOWLAWN
COMMUNITY DEVELOPMENT DISTRICT

7D

**Shadowlawn Community Development District
Request for Qualifications – District Engineering Services**

Competitive Selection Criteria

	Ability and Adequacy of Professional Personnel	Consultant's Past Performance	Geographic Location	Willingness to Meet Time and Budget Requirements	Certified Minority Business Enterprise	Recent, Current and Projected Workloads	Volume of Work Previously Awarded to Consultant by District	TOTAL SCORE
<i>weight factor</i>	25	25	20	15	5	5	5	100
NAME OF RESPONDENT								
1 England-Thims & Miller, Inc.								

Board Member's Signature

Date

SHADOWLAWN

COMMUNITY DEVELOPMENT DISTRICT

8

RESOLUTION 2022-33

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE SHADOWLAWN COMMUNITY DEVELOPMENT DISTRICT DESIGNATING DATES, TIMES AND LOCATIONS FOR REGULAR MEETINGS OF THE BOARD OF SUPERVISORS OF THE DISTRICT FOR FISCAL YEAR 2022/2023 AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the Shadowlawn Community Development District (“**District**”) is a local unit of special-purpose government created and existing pursuant to Chapter 190, *Florida Statutes*; and

WHEREAS, the District is required by Section 189.015, *Florida Statutes*, to file quarterly, semi-annually, or annually a schedule (including date, time, and location) of its regular meetings with local governing authorities; and

WHEREAS, further, in accordance with the above-referenced statute, the District shall also publish quarterly, semi-annually, or annually the District’s regular meeting schedule in a newspaper of general paid circulation in the county in which the District is located.

WHEREAS, the Board desires to adopt the Fiscal Year 2022/2023 meeting schedule attached as **Exhibit A**.

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

1. **ADOPTING FISCAL YEAR 2022/2023 ANNUAL MEETING SCHEDULE.** The Fiscal Year 2022/2023 annual meeting schedule attached hereto and incorporated by reference herein as **Exhibit A** is hereby approved and shall be published in accordance with the requirements of Florida law and also provided to applicable governing authorities.

3. **EFFECTIVE DATE.** This Resolution shall become effective immediately upon its adoption.

PASSED AND ADOPTED this 16th day of August, 2022.

ATTEST:

**SHADOWLAWN COMMUNITY
DEVELOPMENT DISTRICT**

Secretary/Assistant Secretary

Chair/Vice Chair, Board of Supervisors

EXHIBIT "A"

SHADOWLAWN COMMUNITY DEVELOPMENT DISTRICT		
BOARD OF SUPERVISORS FISCAL YEAR 2022/2023 MEETING SCHEDULE		
LOCATION		
<i>Reinhold Corporation, 1845 Town Center Blvd., Suite 105, Fleming Island, Florida 32003</i>		
DATE	POTENTIAL DISCUSSION/FOCUS	TIME
October __, 2022	Regular Meeting	__:__ AM/PM
November __, 2022	Regular Meeting	__:__ AM/PM
December __, 2022	Regular Meeting	__:__ AM/PM
January __, 2023	Regular Meeting	__:__ AM/PM
February __, 2023	Regular Meeting	__:__ AM/PM
March __, 2023	Regular Meeting	__:__ AM/PM
April __, 2023	Regular Meeting	__:__ AM/PM
May __, 2023	Regular Meeting	__:__ AM/PM
June __, 2023	Regular Meeting	__:__ AM/PM
July __, 2023	Regular Meeting	__:__ AM/PM
August __, 2022	Regular Meeting	__:__ AM/PM
September __, 2023	Regular Meeting	__:__ AM/PM

SHADOWLAWN
COMMUNITY DEVELOPMENT DISTRICT

9B

RESOLUTION 2022-26

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE SHADOWLAWN COMMUNITY DEVELOPMENT DISTRICT DESIGNATING A DATE, TIME, AND LOCATION OF A PUBLIC HEARING REGARDING THE DISTRICT'S INTENT TO USE THE UNIFORM METHOD FOR THE LEVY, COLLECTION, AND ENFORCEMENT OF NON-AD VALOREM SPECIAL ASSESSMENTS AS AUTHORIZED BY SECTION 197.3632, *FLORIDA STATUTES*; AUTHORIZING THE PUBLICATION OF THE NOTICE OF SUCH HEARING; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Shadowlawn Community Development District (the "District") is a local unit of special-purpose government created and existing pursuant to Chapter 190, *Florida Statutes*, being situated within Clay County, Florida; and

WHEREAS, the District pursuant to the provisions of Chapter 190, *Florida Statutes*, is authorized to levy, collect, and enforce certain special assessments, which include benefit and maintenance assessments and further authorizes the District's Board of Supervisors (the "Board") to levy, collect, and enforce special assessments pursuant to Chapters 170, 190 and 197, *Florida Statutes*; 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*, (the "Uniform Method").

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

SECTION 1. A Public Hearing will be held to adopt the Uniform Method on _____, 2022 at _____.m., at _____.

SECTION 2. The District Secretary is directed to publish notice of the hearing in accordance with Section 197.3632, *Florida Statutes*.

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

PASSED AND ADOPTED this 16th day of August, 2022.

ATTEST:

**SHADOWLAWN COMMUNITY
DEVELOPMENT DISTRICT**

Secretary/Assistant Secretary

Chair/Vice Chair, Board of Supervisors

SHADOWLAWN

COMMUNITY DEVELOPMENT DISTRICT

9E

RESOLUTION 2022-27

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE SHADOWLAWN COMMUNITY DEVELOPMENT DISTRICT DECLARING SPECIAL ASSESSMENTS; INDICATING THE LOCATION, NATURE AND ESTIMATED COST OF THOSE INFRASTRUCTURE IMPROVEMENTS WHOSE COST IS TO BE DEFRAID BY THE SPECIAL ASSESSMENTS; PROVIDING THE PORTION OF THE ESTIMATED COST OF THE IMPROVEMENTS TO BE DEFRAID BY THE SPECIAL ASSESSMENTS; PROVIDING THE MANNER IN WHICH SUCH SPECIAL ASSESSMENTS SHALL BE MADE; PROVIDING WHEN SUCH SPECIAL ASSESSMENTS SHALL BE PAID; DESIGNATING LANDS UPON WHICH THE SPECIAL ASSESSMENTS SHALL BE LEVIED; PROVIDING FOR AN ASSESSMENT PLAT; ADOPTING A PRELIMINARY ASSESSMENT ROLL; PROVIDING FOR PUBLICATION OF THIS RESOLUTION.

WHEREAS, the Board of Supervisors (the “Board”) of the Shadowlawn Community Development District (the “District”) hereby determines to undertake, install, plan, establish, construct or reconstruct, enlarge or extend, equip, acquire, operate, and/or maintain the infrastructure improvements (the “Improvements”) described in the District’s *Engineer’s Report*, dated _____, 2022, attached hereto as **Exhibit A** and incorporated herein by reference; and

WHEREAS, it is in the best interest of the District to pay the cost of the Improvements by special assessments pursuant to Chapter 190, Florida Statutes (the “Assessments”); and

WHEREAS, the District is empowered by Chapter 190, the Uniform Community Development District Act, Chapter 170, Supplemental and Alternative Method of Making Local Municipal Improvements, and Chapter 197, the Uniform Method for the Levy, Collection and Enforcement of Non-Ad Valorem Assessments, Florida Statutes, to finance, fund, plan, establish, acquire, construct or reconstruct, enlarge or extend, equip, operate, and maintain the Improvements and to impose, levy and collect the Assessments; and

WHEREAS, the District hereby determines that benefits will accrue to the property improved, the amount of those benefits, and that special assessments will be made in proportion to the benefits received as set forth in the *Master Special Assessment Methodology Report*, dated _____, 2022, attached hereto as **Exhibit B** and incorporated herein by reference and on file at 2300 Glades Road, Suite 410W, Boca Raton, Florida 33431 (the “District Records Office”); and

WHEREAS, the District hereby determines that the Assessments to be levied will not exceed the benefit to the property improved.

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

1. Assessments shall be levied to defray a portion of the cost of the Improvements.
2. The nature and general location of, and plans and specifications for, the Improvements are described in **Exhibit A**, which is on file at the District Records Office. **Exhibit B** is also on file and available for public inspection at the same location.
3. The total estimated cost of the Improvements is \$_____ (the "Estimated Cost").
4. The Assessments will defray approximately \$_____, which amounts include the Estimated Costs, plus financing-related costs, capitalized interest and a debt service reserve.
5. The manner in which the Assessments shall be apportioned and paid is set forth in **Exhibit B**, including provisions for supplemental assessment resolutions.
6. The Assessments shall be levied, within the District, on all lots and lands adjoining and contiguous or bounding and abutting upon the Improvements or specially benefitted thereby and further designated by the assessment plat hereinafter provided for.
7. There is on file, at the District Records Office, an assessment plat showing the area to be assessed, with certain plans and specifications describing the Improvements and the estimated cost of the Improvements, all of which shall be open to inspection by the public.
8. Commencing with the year in which the Assessments are levied and confirmed, the Assessments shall be paid in not more than (30) thirty annual installments. The Assessments may be payable at the same time and in the same manner as are ad-valorem taxes and collected pursuant to Chapter 197, Florida Statutes; provided, however, that in the event the uniform non ad-valorem assessment method of collecting the 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.
9. The District Manager has caused to be made a preliminary assessment roll, in accordance with the method of assessment described in **Exhibit B** hereto, which shows the lots and lands assessed, the amount of benefit to and the assessment against each lot or parcel of land and the number of annual installments into which the assessment may be divided, which assessment roll is hereby adopted and approved as the District's preliminary assessment roll.

10. The Board shall adopt a subsequent resolution to fix a time and place at which the owners of property to be assessed or any other persons interested therein may appear before the Board and be heard as to the propriety and advisability of the assessments or the making of the Improvements, the cost thereof, the manner of payment therefore, or the amount thereof to be assessed against each property as improved.

11. The District Manager is hereby directed to cause this Resolution to be published twice (once a week for two (2) consecutive weeks) in a newspaper of general circulation within Clay County and to provide such other notice as may be required by law or desired in the best interests of the District.

12. This Resolution shall become effective upon its passage.

PASSED AND ADOPTED this 16th day of August, 2022.

ATTEST:

**SHADOWLAWN COMMUNITY
DEVELOPMENT DISTRICT**

Secretary/Assistant Secretary

Chair/Vice Chair, Board of Supervisors

Exhibit A: Engineer's Report, dated _____, 2022

Exhibit B: Master Special Assessment Methodology Report, dated _____, 2022

Exhibit A: Engineer's Report, dated _____, 2022

Exhibit B: Master Special Assessment Methodology Report, dated _____, 2022

SHADOWLAWN
COMMUNITY DEVELOPMENT DISTRICT

9F

RESOLUTION 2022-28

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE SHADOWLAWN COMMUNITY DEVELOPMENT DISTRICT SETTING A PUBLIC HEARING TO BE HELD ON _____, 2022, AT _____ .M. AT _____, FOR THE PURPOSE OF HEARING PUBLIC COMMENT ON IMPOSING SPECIAL ASSESSMENTS ON CERTAIN PROPERTY WITHIN THE DISTRICT GENERALLY DESCRIBED AS THE SHADOWLAWN COMMUNITY DEVELOPMENT DISTRICT IN ACCORDANCE WITH CHAPTERS 170, 190 AND 197, FLORIDA STATUTES.

WHEREAS, the Board of Supervisors of the Shadowlawn Community Development District (the "Board") has previously adopted Resolution 2022-27 entitled:

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE SHADOWLAWN COMMUNITY DEVELOPMENT DISTRICT DECLARING SPECIAL ASSESSMENTS; INDICATING THE LOCATION, NATURE AND ESTIMATED COST OF THOSE INFRASTRUCTURE IMPROVEMENTS WHOSE COST IS TO BE DEFRAID BY THE SPECIAL ASSESSMENTS; PROVIDING THE PORTION OF THE ESTIMATED COST OF THE IMPROVEMENTS TO BE DEFRAID BY THE SPECIAL ASSESSMENTS; PROVIDING THE MANNER IN WHICH SUCH SPECIAL ASSESSMENTS SHALL BE MADE; PROVIDING WHEN SUCH SPECIAL ASSESSMENTS SHALL BE PAID; DESIGNATING LANDS UPON WHICH THE SPECIAL ASSESSMENTS SHALL BE LEVIED; PROVIDING FOR AN ASSESSMENT PLAT; ADOPTING A PRELIMINARY ASSESSMENT ROLL; PROVIDING FOR PUBLICATION OF THIS RESOLUTION.

WHEREAS, in accordance with Resolution 2022-____, a Preliminary Special Assessment Roll has been prepared and all other conditions precedent set forth in Chapters 170, 190 and 197, Florida Statutes, to the holding of the aforementioned public hearing have been satisfied, and the roll and related documents are available for public inspection at 2300 Glades Road, Suite 410W, Boca Raton, Florida 33431, 561-571-0010 (the "District Records Office").

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

1. There is hereby declared a public hearing to be held at _____ .m. on _____, 2022, at _____, for the purpose of hearing comment and objections to the proposed special assessment program for District improvements as identified in the Preliminary Special Assessment Roll, a copy of which is on file. Affected parties may appear at that hearing or submit their comments in writing prior to the hearing to the office of the District Manager at 2300 Glades Road, Suite 410W, Boca Raton, Florida 33431, 561-571-0010.

2. Notice of said hearing shall be advertised in accordance with Chapters 170, 190 and 197, Florida Statutes, and the District Manager is hereby authorized and directed to place said notice in a newspaper(s) of general circulation within Clay County (by two publications one week apart with the first publication at least twenty (20) days prior to the date of the hearing established herein). The District Manager shall file a publisher's affidavit with the District Secretary verifying such publication of notice. The District Manager is further authorized and directed to give thirty (30) days written notice by mail of the time and place of this hearing to the owners of all property to be assessed and include in such notice the amount of the assessment for each such property owner, a description of the areas to be improved and notice that information concerning all assessments may be ascertained at the District Records Office. The District Manager shall file proof of such mailing by affidavit with the District Secretary.

3. This Resolution shall become effective upon its passage.

PASSED AND ADOPTED this 16th day of August, 2022.

ATTEST:

**SHADOWLAWN COMMUNITY
DEVELOPMENT DISTRICT**

Secretary/Assistant Secretary

Chair/Vice Chair, Board of Supervisors

SHADOWLAWN
COMMUNITY DEVELOPMENT DISTRICT

10

**SHADOWLAWN
COMMUNITY DEVELOPMENT DISTRICT
FINANCIAL STATEMENTS
UNAUDITED
JUNE 30, 2022**

**SHADOWLAWN
COMMUNITY DEVELOPMENT DISTRICT
BALANCE SHEET
GOVERNMENTAL FUNDS
JUNE 30, 2022**

	General Fund	Total Governmental Funds
ASSETS		
Due from Landowner	\$ 12,094	\$ 12,094
Total assets	\$ 12,094	\$ 12,094
 LIABILITIES AND FUND BALANCES		
Liabilities:		
Accounts payable	\$ 5,233	\$ 5,233
Accrued wages payable	800	800
Tax payable	61	61
Landowner advance	6,000	6,000
Total liabilities	12,094	12,094
 DEFERRED INFLOWS OF RESOURCES		
Deferred receipts	6,094	6,094
Total deferred inflows of resources	6,094	6,094
 Fund balances:		
Unassigned	(6,094)	(6,094)
Total fund balances	(6,094)	(6,094)
 Total liabilities, deferred inflows of resources and fund balances	\$ 12,094	\$ 12,094

**SHADOWLAWN
COMMUNITY DEVELOPMENT DISTRICT
GENERAL FUND
STATEMENT OF REVENUES, EXPENDITURES,
AND CHANGES IN FUND BALANCES
FOR THE PERIOD ENDED JUNE 30, 2022**

	<u>Current Month</u>	<u>Year to Date</u>	<u>Budget</u>	<u>% of Budget</u>
REVENUES				
Landowner contribution	\$ -	\$ -	\$ 58,745	0%
Total revenues	<u>-</u>	<u>-</u>	<u>58,745</u>	0%
EXPENDITURES				
Professional & administrative				
Supervisors	861	861	4,306	20%
Management/accounting/recording	2,000	4,000	12,000	33%
Legal	1,116	1,116	25,000	4%
Engineering	-	-	2,000	0%
Dissemination agent**	-	-	83	0%
Telephone	16	33	83	40%
Postage	-	-	500	0%
Printing & binding	42	84	208	40%
Legal advertising	-	-	6,500	0%
Annual special district fee	-	-	175	0%
Insurance	-	-	5,500	0%
Contingencies/bank charges	-	-	500	0%
Website				
Hosting & maintenance	-	-	1,680	0%
ADA compliance	-	-	210	0%
Total professional & administrative	<u>4,035</u>	<u>6,094</u>	<u>58,745</u>	10%
Excess/(deficiency) of revenues over/(under) expenditures	(4,035)	(6,094)	-	
Fund balances - beginning	(2,059)	-	-	
Fund balances - ending	<u>\$ (6,094)</u>	<u>\$ (6,094)</u>	<u>\$ -</u>	

SHADOWLAWN
COMMUNITY DEVELOPMENT DISTRICT

11A

DRAFT

**MINUTES OF MEETING
SHADOWLAWN
COMMUNITY DEVELOPMENT DISTRICT**

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A Landowners’ Meeting of the Shadowlawn Community Development District was held on May 23, 2022 at 1:00 p.m., at Reinhold Corporation, 1845 Town Center Blvd, Suite 105, Fleming Island, Florida 32003.

Present at the meeting:

Craig Wrathell	District Manager
Ernesto Torres	Wrathell, Hunt and Associates, LLC
George Egan	Landowner Officer
Jonathan Johnson	Kutak Rock LLP
Doug Miller	Interim District Engineer
Patrick Zalupski	Dream Finders Homes
Jeff Bryan	
Cooper Murphy	
Pete Williams (via telephone)	
Anni Bryan	

FIRST ORDER OF BUSINESS

Call to Order/Roll Call

Mr. Wrathell called the meeting to order at 1:02 p.m. The five initial Board Members named on the petition to create the CDD were Mr. George Egan, Mr. Cooper Murphy, Ms. Anni Bryan, Mr. Jeff Bryan and Mr. Pete Williams.

Mr. Wrathell stated that Mr. George Egan is an officer and representative of the Landowner Reinhold Corporation, which owns two parcels totaling 268.82 acres. Mr. Egan is eligible to cast up to 269 votes per seat.

SECOND ORDER OF BUSINESS

Affidavit/Proof of Publication

The affidavit of publication was included for informational purposes.

THIRD ORDER OF BUSINESS

Election of Chair to Conduct Landowners’ Meeting

38 All in attendance agreed to Mr. Wrathell serving as Chair to conduct the Landowners’
39 meeting.

40

41 **FOURTH ORDER OF BUSINESS**

Election of Supervisors [All Seats]

42

43 **A. Nominations**

44 Mr. Egan nominated the following:

- 45 Seat 1 George Egan
- 46 Seat 2 Jeff Bryan
- 47 Seat 3 Cooper Murphy
- 48 Seat 4 Pete Williams
- 49 Seat 5 Anni Bryan

50 No other nominations were made.

51 **B. Casting of Ballots**

52 • **Determine Number of Voting Units Represented**

53 A total of 269 voting units were represented.

54 • **Determine Number of Voting Units Assigned by Proxy**

55 None of the voting units were assigned by proxy.

56 Mr. Egan cast the following votes:

57	Seat 1	George Egan	269 votes
58	Seat 2	Jeff Bryan	269 votes
59	Seat 3	Cooper Murphy	268 votes
60	Seat 4	Pete Williams	268 votes
61	Seat 5	Anni Bryan	268 votes

62 **C. Ballot Tabulation and Results**

63 Mr. Wrathell reported the following ballot tabulation, results and term lengths:

64	Seat 1	George Egan	269 votes	4-Year Term
65	Seat 2	Jeff Bryan	269 votes	4-Year Term
66	Seat 3	Cooper Murphy	268 votes	2-Year Term
67	Seat 4	Pete Williams	268 votes	2-Year Term

68 Seat 5 Anni Bryan 268 votes 2-Year Term

69

70 **FIFTH ORDER OF BUSINESS** **Landowners' Questions/Comments**

71

72 There were no Landowners' questions or comments.

73

74 **SIXTH ORDER OF BUSINESS** **Adjournment**

75

76 There being nothing further to discuss, the meeting adjourned at 1:14 p.m.

77

78

79 [SIGNATURES APPEAR ON THE FOLLOWING PAGE]

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Secretary/Assistant Secretary

Chair/Vice Chair

SHADOWLAWN
COMMUNITY DEVELOPMENT DISTRICT

11B

DRAFT

**MINUTES OF MEETING
SHADOWLAWN COMMUNITY DEVELOPMENT DISTRICT**

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An Organizational Meeting of the Shadowlawn Community Development District was held on May 23, 2022, immediately following the Landowners Meeting, scheduled to commence at 1:00 P.M., at Reinhold Corporation, 1845 Town Center Blvd, Suite 105, Fleming Island, Florida 32003.

Present at the meeting were:

George Egan	Chair
Jeff Bryan	Vice Chair
Cooper Murphy	Assistant Secretary
Anni Bryan	Assistant Secretary
Pete Williams (via telephone)	Assistant Secretary

Also present were:

Craig Wrathell	District Manager
Ernesto Torres	Wrathell, Hunt and Associates, LLC
Jonathan Johnson	District Counsel
Doug Miller	District Engineer
Daniel Welch	England-Thims & Miller, Inc. (ETM)
Patrick Zalupski	Dream Finders Homes
Brett Sealy	MBS Capital Markets, LLC
Sete Zare	MBS Capital Markets, LLC
Misty Taylor	Bond Counsel

FIRST ORDER OF BUSINESS

Call to Order/Roll Call

Mr. Wrathell called the meeting to order at 1:17 p.m. He recapped the results of the Landowners' Election, held just prior to this meeting, as follows:

Seat 1	George Egan	269 votes	4-Year Term
Seat 2	Jeff Bryan	269 votes	4-Year Term
Seat 3	Cooper Murphy	268 votes	2-Year Term
Seat 4	Pete Williams	268 votes	2-Year Term
Seat 5	Anni Bryan	268 votes	2-Year Term

39 **SECOND ORDER OF BUSINESS**

Public Comments

40

41 There were no public comments.

42

43 **GENERAL DISTRICT ITEMS**

44 **THIRD ORDER OF BUSINESS**

Administration of Oath of Office to Elected Board of Supervisors (the following will be provided in a separate package)

45

46

47

48 Mr. Wrathell, a Notary of the State of Florida and duly authorized, administered the
49 Oath of Office to Mr. Egan, Mr. Bryan, Mr. Murphy, and Ms. Bryan, who were present, in
50 person. Mr. Williams was attending via telephone and the Oath of Office was administered to
51 him at his location.

52 Mr. Wrathell reviewed guidelines for interactions among Supervisors, recordkeeping,
53 public records requests, use of CDD email addresses, conflicts of interest and completion and
54 timely submission of forms. He and Mr. Johnson discussed the following:

55 **A. Guide to Sunshine Amendment and Code of Ethics for Public Officers and Employees**

56 **B. Membership, Obligations and Responsibilities**

57 **C. Chapter 190, Florida Statutes**

58 **D. Financial Disclosure Forms**

59 **I. Form 1: Statement of Financial Interests**

60 **II. Form 1X: Amendment to Form 1, Statement of Financial Interests**

61 **III. Form 1F: Final Statement of Financial Interests**

62 **E. Form 8B: Memorandum of Voting Conflict**

63

64 **FOURTH ORDER OF BUSINESS**

Consideration of Resolution 2022-01, Canvassing and Certifying the Results of the Landowners' Election of Supervisors Held Pursuant to Section 190.006(2), Florida Statutes, and Providing for an Effective Date

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71 Mr. Wrathell presented Resolution 2022-01.

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On MOTION by Mr. Murphy and seconded by Mr. Bryan, with all in favor, Resolution 2022-01, Canvassing and Certifying the Results of the Landowners' Election of Supervisors Held Pursuant to Section 190.006(2), Florida Statutes, and Providing for an Effective Date, was adopted.

FIFTH ORDER OF BUSINESS

Consideration of Resolution 2022-02, Designating Certain Officers of the District, and Providing for an Effective Date

Mr. Wrathell presented Resolution 2022-02. Mr. Egan nominated the following slate of officers:

- | | |
|---------------------|----------------|
| Chair | George Egan |
| Vice Chair | Jeff Bryan |
| Secretary | Craig Wrathell |
| Assistant Secretary | Anni Bryan |
| Assistant Secretary | Cooper Murphy |
| Assistant Secretary | Pete Williams |
| Assistant Secretary | Ernesto Torres |
| Treasurer | Craig Wrathell |
| Assistant Treasurer | Jeff Pinder |

No other nominations were made.

On MOTION by Ms. Bryan and seconded by Mr. Murphy, with all in favor, Resolution 2022-02, Designating Certain Officers of the District, as nominated, and Providing for an Effective Date, was adopted.

ORGANIZATIONAL MATTERS

SIXTH ORDER OF BUSINESS

Consideration of the Following Organizational Matters:

- A. Resolution 2022-03, Appointing and Fixing the Compensation of the District Manager and Methodology Consultant; Providing an Effective Date**

- 107 • Agreement for District Management Services: *Wrathell, Hunt and Associates,*
- 108 *LLC*

109 Mr. Wrathell presented Resolution 2022-03 and the Fee Schedule and Management
 110 Agreement.

111

112 On MOTION by Mr. Williams and seconded by Ms. Bryan, with all in favor,
 113 Resolution 2022-03, Appointing and Fixing the Compensation of Wrathell, Hunt
 114 and Associates, LLC as the District Manager and Methodology Consultant;
 115 Providing an Effective Date, was adopted.

116

117

- 118 B. Resolution 2022-04, Appointing District Counsel for the District, and Authorizing
 119 Compensation; and Providing for an Effective Date

- 120 • Fee Agreement: *Kutak Rock LLP*

121 Mr. Wrathell presented Resolution 2022-04 and the Kutak Rock LLP Retention and Fee
 122 Agreement.

123

124 On MOTION by Mr. Bryan and seconded by Mr. Murphy, with all in favor,
 125 Resolution 2022-04, Appointing Kutak Rock LLP as District Counsel for the
 126 District, and Authorizing Compensation; and Providing for an Effective Date,
 127 was adopted.

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- 130 C. Resolution 2022-05, Designating a Registered Agent and Registered Office of the
 131 District, and Providing for an Effective Date

132 Mr. Wrathell presented Resolution 2022-05.

133

134 On MOTION by Mr. Murphy and seconded by Mr. Bryan, with all in favor,
 135 Resolution 2022-05, Designating Jonathan Johnson as the Registered Agent and
 136 107 West College Avenue, Tallahassee, FL 32301 as the Registered Office of the
 137 District, and Providing for an Effective Date, was adopted.

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140 **D. Resolution 2022-06, Appointing an Interim District Engineer for the Shadowlawn**
141 **Community Development District, Authorizing Its Compensation and Providing an**
142 **Effective Date**

- 143 • **Interim Engineering Services Agreement: *England-Thims & Miller, Inc.***

144 Mr. Wrathell presented Resolution 2022-06 and the Interim Engineering Services
145 Agreement and accompanying Exhibits. Discussion ensued regarding acquisition of work
146 product and reimbursement of engineering expenses from bond proceeds.

147

148 **On MOTION by Ms. Bryan and seconded by Mr. Bryan, with all in favor,**
149 **Resolution 2022-06, Appointing an Interim District Engineer for the**
150 **Shadowlawn Community Development District, Authorizing Its Compensation**
151 **and Providing an Effective Date, was adopted.**

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154 **E. Authorization of Request for Qualifications (RFQ) for Engineering Services**

155 Mr. Wrathell presented the RFQ for Engineering Services and Competitive Selection
156 Criteria.

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158 **On MOTION by Mr. Murphy and seconded by Ms. Bryan, with all in favor, the**
159 **Request for Qualifications (RFQ) for Engineering Services and Competitive**
160 **Selection Criteria and authorizing Staff to advertise, was approved.**

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163 **F. Board Member Compensation: 190.006 (8), F.S.**

164 All Board Members except Mr. Egan accepted the allowable compensation.

165

166 **On MOTION by Mr. Bryan and seconded by Ms. Bryan, with all in favor,**
167 **acceptance of Board Member compensation, was approved.**

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170 **G. Resolution 2022-07, Designating the Primary Administrative Office and Principal**
171 **Headquarters of the District; Designating the Location of the Local District Records**
172 **Office; and Providing an Effective Date**

173 Mr. Wrathell presented Resolution 2022-07.

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On MOTION by Ms. Bryan and seconded by Mr. Murphy, with all in favor, Resolution 2022-07, Designating 2300 Glades Road, Suite 410W, Boca Raton, Florida 33431 as the Primary Administrative Office and the offices of the Reinhold Corporation, 1845 Town Center Blvd, Suite 105, Fleming Island, Florida 32003 as the Principal Headquarters of the District and as the Location of the Local District Records Office; and Providing an Effective Date, was adopted.

H. Resolution 2022-08, Setting Forth the Policy of the Shadowlawn Community Development District Board of Supervisors with Regard to the Support and Legal Defense of the Board of Supervisors and District Officers, and Providing for an Effective Date

- Authorization to Obtain General Liability and Public Officers’ Insurance**

Mr. Wrathell presented Resolution 2022-08.

Mr. Egan left the meeting at 2:04 p.m.

On MOTION by Mr. Murphy and seconded by Mr. Bryan, with all in favor, Resolution 2022-08, Setting Forth the Policy of the Shadowlawn Community Development District Board of Supervisors with Regard to the Support and Legal Defense of the Board of Supervisors and District Officers, and Providing for an Effective Date, was adopted.

On MOTION by Ms. Bryan and seconded by Mr. Bryan, with all in favor, authorizing Staff to obtain General Liability and Public Officers’ Insurance, was approved.

I. Resolution 2022-09, Providing for the Public’s Opportunity to Be Heard; Designating Public Comment Periods; Designating a Procedure to Identify Individuals Seeking to Be Heard; Addressing Public Decorum; Addressing Exceptions; and Providing for Severability and an Effective Date

Mr. Wrathell presented Resolution 2022-09.

Mr. Egan returned to the meeting at 2:06 p.m.

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On MOTION by Ms. Bryan and seconded by Mr. Murphy, with all in favor, Resolution 2022-09, Providing for the Public’s Opportunity to Be Heard; Designating Public Comment Periods; Designating a Procedure to Identify Individuals Seeking to Be Heard; Addressing Public Decorum; Addressing Exceptions; and Providing for Severability and an Effective Date, was adopted.

- J. Resolution 2022-10, Providing for the Appointment of a Records Management Liaison Officer; Providing the Duties of the Records Management Liaison Officer; Adopting a Records Retention Policy; and Providing for Severability and Effective Date**

Mr. Wrathell presented Resolution 2022-10.

On MOTION by Ms. Bryan and seconded by Mr. Murphy, with all in favor, Resolution 2022-10, Providing for the Appointment of a Records Management Liaison Officer; Providing the Duties of the Records Management Liaison Officer; Adopting a Records Retention Policy; and Providing for Severability and Effective Date, was adopted.

- K. Resolution 2022-11, Granting the Chair and Vice Chair the Authority to Execute Real and Personal Property Conveyance and Dedication Documents, Plats and Other Documents Related to the Development of the District’s Improvements; Approving the Scope and Terms of Such Authorization; Providing a Severability Clause; and Providing an Effective Date**

Mr. Wrathell presented Resolution 2022-11. This Resolution grants the Chair and Vice Chair the authority to work with the District Engineer, District Counsel and District Staff and to execute certain documents in between meetings, to avoid delays in construction.

On MOTION by Ms. Bryan and seconded by Mr. Murphy, with all in favor, Resolution 2022-11, Granting the Chair and Vice Chair the Authority to Execute Real and Personal Property Conveyance and Dedication Documents, Plats and Other Documents Related to the Development of the District’s Improvements; Approving the Scope and Terms of Such Authorization; Providing a Severability Clause; and Providing an Effective Date, was adopted.

- 245 L. Resolution 2022-12, Ratifying, Confirming and Approving the Recording of the Notice
- 246 of Establishment of the Shadowlawn Community Development District, and Providing
- 247 for an Effective Date

248 Mr. Wrathell presented Resolution 2022-12.

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250 On MOTION by Ms. Bryan and seconded by Mr. Murphy, with all in favor,

251 Resolution 2022-12, Ratifying, Confirming and Approving the Recording of the

252 Notice of Establishment of the Shadowlawn Community Development District,

253 and Providing for an Effective Date, was adopted.

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- 256 M. Authorization of Request for Proposals (RFP) for Annual Audit Services

257 Mr. Wrathell presented the RFP For Annual Audit Services.

- 258 • Designation of Board of Supervisors as Audit Committee

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260 On MOTION by Ms. Bryan and seconded by Mr. Murphy with all in favor, the

261 Request for Proposals for Annual Auditing Services, authorizing the District

262 Manager to advertise and designating the Board of Supervisors as the Audit

263 Committee, was approved.

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- 266 N. Strange Zone, Inc., Quotation #M22-1017 for District Website Design, Maintenance
- 267 and Domain Web-Site Design Agreement

268 Mr. Wrathell presented the Strange Zone, Inc. (SZI) proposal.

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270 On MOTION by Ms. Bryan and seconded by Mr. Murphy, with all in favor, the

271 Strange Zone, Inc., Quotation #M22-1017 for District Website Design,

272 Maintenance and Domain Web-Site Design Agreement, in the amount of

273 \$1,679.99, was approved.

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- 276 O. ADA Site Compliance Proposal for Website Compliance Shield, Accessibility Policy and
- 277 One (1) Annual Technological Audit

278 Mr. Wrathell presented the ADA Site Compliance proposal.

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On MOTION by Ms. Bryan and seconded by Mr. Murphy, with all in favor, the ADA Site Compliance Proposal for Website Compliance Shield, Accessibility Policy and One (1) Annual Technological Audit, in the amount of \$210, was approved.

P. Resolution 2022-13, To Designate Date, Time and Place of Public Hearing and Authorization to Publish Notice of Such Hearing for the Purpose of Adopting Rules of Procedure; and Providing an Effective Date

I. Rules of Procedure

II. Notices

- **Notice of Rule Development**
- **Notice of Rulemaking**

Mr. Wrathell presented Resolution 2022-13.

On MOTION by Ms. Bryan and seconded by Mr. Murphy, with all in favor, Resolution 2022-13, To Designate August 16, 2022 at 9:00 a.m., at Reinhold Corporation, 1845 Town Center Blvd, Suite number to be determined, Fleming Island, Florida 32003 as the Date, Time and Place of Public Hearing; and Authorization to Publish Notice of Such Hearing for the Purpose of Adopting Rules of Procedure; and Providing an Effective Date, was adopted.

Q. Resolution 2022-14, Designating Dates, Times and Locations for Regular Meetings of the Board of Supervisors of the District for Fiscal Year 2021/2022; and Providing for an Effective Date

This item was deferred.

R. Resolution 2022-15, Approving the Florida Statewide Mutual Aid Agreement; Providing for Severability; and Providing for an Effective Date

Mr. Wrathell presented Resolution 2022-15.

On MOTION by Ms. Bryan and seconded by Mr. Murphy, with all in favor, Resolution 2022-15, Approving the Florida Statewide Mutual Aid Agreement; Providing for Severability; and Providing for an Effective Date, was adopted.

314 **S. Stormwater Management Needs Analysis Reporting Requirements**

315 Mr. Wrathell stated new legislation requires CDDs to prepare a 20-year Stormwater
316 Management Needs Analysis Report to document the CDD’s anticipated future stormwater
317 system needs. A letter will be submitted stating that the CDD recognizes the requirement but
318 does not own or operate a stormwater system at this time and that, upon receipt or
319 construction of such facilities, the Report will be prepared and submitted.

320 **T. Operation & Maintenance Acceptance Letters [CR218 Connector Roadway & Reinhold**
321 **Parcel 61]**

322 Mr. Miller presented two letters required by the St. Johns River Water Management
323 District (SJRWMD) to identify the maintenance entity for the stormwater management system.
324

325 **On MOTION by Ms. Bryan and seconded by Mr. Murphy, with all in favor, the**
326 **Operation & Maintenance Acceptance Letters regarding the CR218 Connector**
327 **Roadway and Reinhold Parcel 61, in substantial form, and authorizing the Chair**
328 **to work with the District Engineer and to execute, were approved.**

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331 **BANKING MATTERS**

332 **SEVENTH ORDER OF BUSINESS**

Consideration of the Following Banking
Matters:

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334 **A. Resolution 2022-16, Designating a Public Depository for Funds of the Shadowlawn**
336 **Community Development District and Providing an Effective Date**

337 Mr. Wrathell presented Resolution 2022-16. Funding requests would be sent to Mr.
338 Egan and to Ms. Leah Burnette.
339

340 **On MOTION by Mr. Bryan and seconded by Mr. Murphy, with all in favor,**
341 **Resolution 2022-16, Designating Truist Bank as the Public Depository for Funds**
342 **of the Shadowlawn Community Development District and Providing an**
343 **Effective Date, was adopted.**

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346 **B. Resolution 2022-17, Directing the District Manager to Appoint Signors on the Local**
347 **Bank Account; and Providing an Effective Date**

348 Mr. Wrathell presented Resolution 2022-17.

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On MOTION by Ms. Bryan and seconded by Mr. Murphy, with all in favor, Resolution 2022-17, Directing the District Manager to Appoint Signors on the Local Bank Account; and Providing an Effective Date, was adopted.

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355 **BUDGETARY MATTERS**

356 **EIGHTH ORDER OF BUSINESS**

Consideration of the Following Budgetary Matters:

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- 359 **A. Resolution 2022-18, Approving the Proposed Budget for Fiscal Year 2021/2022 and**
- 360 **Setting a Public Hearing Thereon Pursuant to Florida Law and Providing for an**
- 361 **Effective Date**

362 Mr. Wrathell presented Resolution 2022-18. He presented the proposed Fiscal Year

363 2022 budget, which will be Landowner-funded, with expenses funded as they are incurred. He

364 discussed adding a “Supervisors” line item to the proposed Fiscal Years 2022 and 2023 budgets

365 in the amounts of \$4,000 and 8,000, respectively.

366 The following change was made to the proposed Fiscal Year 2022 budget:

367 Page 1, Expenditures: Add a “Supervisors” line item with a budgeted amount of \$4,000

368

On MOTION by Ms. Bryan and seconded by Mr. Murphy, with all in favor, Resolution 2022-18, Approving the Proposed Budget for Fiscal Year 2021/2022, as amended, and Setting a Public Hearing Thereon Pursuant to Florida Law for August 16, 2022 at 9:00 a.m., at Reinhold Corporation, 1845 Town Center Blvd, Suite number to be determined, Fleming Island, Florida 32003; and Providing for an Effective Date, was adopted.

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- 377 **B. Fiscal Year 2021/2022 Budget Funding Agreement**

378 Mr. Wrathell presented the Budget Funding Agreement. As previously discussed, the

379 CDD will enter into separate Budget Funding Agreements with Reinhold and Dream Finders;

380 approval of the form of Agreement, in substantial form, was requested.

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On MOTION by Ms. Bryan and seconded by Mr. Murphy, with all in favor, the Fiscal Year 2021/2022 Budget Funding Agreement, in substantial form, was approved.

C. Resolution 2022-19, Approving a Proposed Budget for Fiscal Year 2022/2023 and Setting a Public Hearing Thereon Pursuant to Florida Law; Addressing Transmittal, Posting and Publication Requirements; Addressing Severability; and Providing an Effective Date

Mr. Wrathell presented Resolution 2022-19. The Fiscal Year 2023 budget, will be Landowner-funded. The following change was made to the proposed Fiscal Year 2023 budget:

Page 1, Expenditures: Add a "Supervisors" line item with a budgeted amount of \$8,000

On MOTION by Ms. Bryan and seconded by Mr. Murphy, with all in favor, Resolution 2022-19, Approving a Proposed Budget for Fiscal Year 2022/2023, as amended, and Setting a Public Hearing Thereon Pursuant to Florida Law for August 16, 2022 at 9:00 a.m., at Reinhold Corporation, 1845 Town Center Blvd, Suite number to be determined, Fleming Island, Florida 32003; Addressing Transmittal, Posting and Publication Requirements; Addressing Severability; and Providing an Effective Date, was adopted.

D. Fiscal Year 2022/2023 Budget Funding Agreement

Mr. Wrathell presented the Budget Funding Agreement.

On MOTION by Ms. Bryan and seconded by Mr. Murphy, with all in favor, the Fiscal Year 2022/2023 Budget Funding Agreement, in substantial form, was approved.

E. Resolution 2022-20, Adopting the Alternative Investment Guidelines for Investing Public Funds in Excess of Amounts Needed to Meet Current Operating Expenses, in Accordance with Section 218.415(17), Florida Statutes

Mr. Wrathell presented Resolution 2022-20.

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On MOTION by Ms. Bryan and seconded by Mr. Murphy, with all in favor, Resolution 2022-20, Adopting the Alternative Investment Guidelines for Investing Public Funds in Excess of Amounts Needed to Meet Current Operating Expenses, in Accordance with Section 218.415(17), Florida Statutes, was adopted.

- F. Resolution 2022-21, Authorizing the Disbursement of Funds for Payment of Certain Continuing Expenses Without Prior Approval of the Board of Supervisors; Authorizing the Disbursement of Funds for Payment of Certain Non-Continuing Expenses Without Prior Approval of the Board of Supervisors; Providing for a Monetary Threshold; and Providing for an Effective Date**

Mr. Wrathell presented Resolution 2022-21.

On MOTION by Ms. Bryan and seconded by Mr. Murphy, with all in favor, Resolution 2022-21, Authorizing the Disbursement of Funds for Payment of Certain Continuing Expenses Without Prior Approval of the Board of Supervisors; Authorizing the Disbursement of Funds for Payment of Certain Non-Continuing Expenses Without Prior Approval of the Board of Supervisors; Providing for a Monetary Threshold; and Providing for an Effective Date, was adopted.

- G. Resolution 2022-22, Adopting a Policy for Reimbursement of District Travel Expenses; and Providing for Severability and an Effective Date**

Mr. Wrathell presented Resolution 2022-22. Mr. Williams asked for Section 2.6 to be amended to reimburse travelers at the IRS mileage rate.

On MOTION by Ms. Bryan and seconded by Mr. Murphy, with all in favor, Resolution 2022-22, as amended, Adopting a Policy for Reimbursement of District Travel Expenses; and Providing for Severability and an Effective Date, was adopted.

451 H. Resolution 2022-23, Adopting Prompt Payment Policies and Procedures Pursuant to
452 Chapter 218, Florida Statutes; Providing a Severability Clause; and Providing an
453 Effective Date

454 Mr. Wrathell presented Resolution 2022-23.

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456 **On MOTION by Ms. Bryan and seconded by Mr. Murphy, with all in favor,**
457 **Resolution 2022-23, Adopting Prompt Payment Policies and Procedures**
458 **Pursuant to Chapter 218, Florida Statutes; Providing a Severability Clause; and**
459 **Providing an Effective Date, was adopted.**

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462 I. Resolution 2022-24, Adopting an Internal Controls Policy Consistent with Section
463 218.33, Florida Statutes; Providing an Effective Date

464 Mr. Wrathell presented Resolution 2022-24.

465

466 **On MOTION by Ms. Bryan and seconded by Mr. Murphy, with all in favor,**
467 **Resolution 2022-24, Adopting an Internal Controls Policy Consistent with**
468 **Section 218.33, Florida Statutes; Providing an Effective Date, was adopted.**

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471 J. Resolution 2022-25, Authorizing an Individual Designated by the Board of Supervisors
472 to Act as the District’s Purchasing Agent for the Purpose of Procuring, Accepting, and
473 Maintaining Any and All Construction Materials Necessary for the Construction,
474 Installation, Maintenance or Completion of the District’s Infrastructure Improvements
475 as Provided in the District’s Adopted Improvement Plan; Providing for the Approval of
476 a Work Authorization; Providing for Procedural Requirements for the Purchase of
477 Materials; Approving the Form of a Purchase Requisition Request; Approving the Form
478 of a Purchase Order; Approving the Form of a Certificate of Entitlement; Authorizing
479 the Purchase of Insurance; Providing a Severability Clause; and Providing an Effective
480 Date

481 Mr. Wrathell presented Resolution 2022-25.

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On MOTION by Ms. Bryan and seconded by Mr. Murphy, with all in favor, Resolution 2022-25, Authorizing an Individual Designated by the Board of Supervisors to Act as the District’s Purchasing Agent for the Purpose of Procuring, Accepting, and Maintaining Any and All Construction Materials Necessary for the Construction, Installation, Maintenance or Completion of the District’s Infrastructure Improvements as Provided in the District’s Adopted Improvement Plan; Providing for the Approval of a Work Authorization; Providing for Procedural Requirements for the Purchase of Materials; Approving the Form of a Purchase Requisition Request; Approving the Form of a Purchase Order; Approving the Form of a Certificate of Entitlement; Authorizing the Purchase of Insurance; Providing a Severability Clause; and Providing an Effective Date, was adopted.

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K. Consideration of E-Verify Memo with MOU

498 Mr. Johnson discussed the requirements for all employers to verify employment
499 eligibility utilizing the E-Verify System and to enroll with E-Verify.

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On MOTION by Ms. Bryan and seconded by Mr. Murphy, with all in favor, acknowledging the E-Verify Memo requirements, and authorizing enrollment and utilization of the E-Verify program, was approved.

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BOND FINANCING RELATED MATTERS

NINTH ORDER OF BUSINESS

Consideration of the Following Bond Financing Related Matters:

A. Bond Financing Team Funding Agreement

510 Mr. Wrathell presented the Bond Financing Team Funding Agreement.

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On MOTION by Ms. Bryan and seconded by Mr. Murphy, with all in favor, the Bond Financing Team Funding Agreement, in substantial form to allow use for various entities, if necessary, was approved.

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B. Engagement of Bond Financing Professionals

I. Underwriter/ Investment Banker: *MBS Capital Markets, LLC*

518 Mr. Wrathell presented the MBS Capital Markets, LLC., Agreement.
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On MOTION by Ms. Bryan and seconded by Mr. Murphy, with all in favor, the MBS Capital Markets, LLC Agreement for Underwriting Services and G-17 Disclosure, were approved.

II. Bond Counsel: *Bryant Miller Olive P.A*

Mr. Wrathell presented the Bryant Miller Olive P.A Bond Counsel Agreement.

On MOTION by Ms. Bryan and seconded by Mr. Murphy, with all in favor, the Bryant Miller Olive P.A., Bond Counsel Agreement, was approved.

III. Trustee, Paying Agent and Registrar: _____

- C. Resolution 2022-26, Designating a Date, Time, and Location of a Public Hearing Regarding the District’s Intent to Use the Uniform Method for the Levy, Collection, and Enforcement of Non-Ad Valorem Special Assessments as Authorized by Section 197.3632, Florida Statutes; Authorizing the Publication of the Notice of Such Hearing; and Providing an Effective Date**
- D. Presentation of Engineer’s Report**
- E. Presentation of Master Special Assessment Methodology Report**
- F. Resolution 2022-27, Declaring Special Assessments; Designating the Nature And Location of The Proposed Improvements; Declaring The Total Estimated Cost of the Improvements, the Portion to be Paid By Assessments, and the Manner and Timing in Which The Assessments are to be Paid; Designating the Lands Upon Which The Assessments Shall Be Levied; Providing for an Assessment Plat and a Preliminary Assessment Roll; Providing for Publication of this Resolution**
- G. Resolution 2022-28, Setting a Public Hearing for the Purpose of Hearing Public Comment on Imposing Special Assessments on Certain Property Within the District Generally Described as the Shadowlawn Community Development District in Accordance with Chapters 170, 190 and 197, Florida Statutes**
- H. Resolution 2022-29, Authorizing the Issuance of not Exceeding \$ _____ Principal Amount of Shadowlawn Community Development District Bonds in One or**

552 More Series, for the Purpose of Financing the Construction and/or Acquisition by the
553 District of the Public Improvements and Community Facilities Permitted by the
554 Provisions of Chapter 190, Florida Statutes, as Amended, and the Ordinance Creating
555 the District; Approving a Form of a Master Trust Indenture; Approving and Appointing
556 a Trustee; Authorizing the Commencement of Validation Proceedings Relating to the
557 Foregoing Bonds; Authorizing and Approving Other Matters Relating to the Foregoing
558 Bonds; and Providing an Effective Date

559 Items 6BIII and 6C through 6H were deferred.

560

561 **TENTH ORDER OF BUSINESS**

Staff Reports

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563 **A. District Counsel: *Kutak Rock LLP***

564 There was no report.

565 **B. District Engineer (Interim): *England-Thims & Miller, Inc.***

566 Mr. Miller discussed preparation of the Engineer's Report.

567 **C. District Manager: *Wrathell, Hunt and Associates, LLC***

568 There was no report.

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570 **ELEVENTH ORDER OF BUSINESS**

Board Members' Comments/Requests

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572 There were no Board Members' comments or requests.

573

574 **TWELFTH ORDER OF BUSINESS**

Public Comments

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576 No members of the public spoke.

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578 **THIRTEENTH ORDER OF BUSINESS**

Adjournment

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581 **On MOTION by Ms. Bryan and seconded by Mr. Murphy, with all in favor, the**
582 **meeting adjourned at 3:05 p.m.**

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Secretary/Assistant Secretary

Chair/Vice Chair