AGREEMENT FOR CONSULTANT SERVICES

This	Agreement for	Consultant	Services	("Agreement")) is made	this	day of
	,	2016, betwee	een the Ci	ty of Venice,	a Florida	municipal	corporation
("City	"), and, Burton	& Associates	s, a Hawks	ley Consulting	Company,	a Florida	Corporation
autho	rized to work in th	ne State of Flo	orida ("Cor	ısultant").			

WITNESSTH:

Whereas the City desires to conduct a Non-Ad Valorem Assessment Methodology Study used to set assessment rates for Fire Rescue services provided by the City ("Study"), and the Consultant is willing to perform those services necessary to conduct said Study.

Therefore, in consideration of the premises and agreements contained herein, the parties agree as follows:

ARTICLE I

Description of Services

Consultant shall provide professional services to conduct the Study ("Services") as further described herein.

Scope of Services

- 1. Consultant shall evaluate the Venice Fire Rescue District's ("VFR") operational and financial data including, but not limited to, non-ad valorem tax roll information, fire call data, agreements, reports, and other data pertaining to the provision of fire protection services sufficient to develop a valid fire rescue assessment program that focuses upon assessable cost calculations sufficient to fund VFR budgetary requirements.
- 2. All services provided by Consultant and its subconsultants must conform with applicable laws, administrative rules and regulations of the State of Florida, specifically those related to non-ad valorem assessments and the Uniform Method for levy, collection, and enforcement of said assessments.

- 3. The non-ad valorem assessments for VFR must meet the Florida statutory and all other legal requirements for a valid special assessment. The Consultant is responsible for ascertaining all applicable laws and assuring the Study and its recommendations meet those requirements sufficient to withstand legal challenge. These requirements include, but are not limited to, the following:
 - A. The service provided must confer a special benefit to the property being assessed.
 - B. The costs assessed must be fairly and reasonably apportioned among the properties that receive the special benefit.
 - C. Consideration of the apportionment or exemption from apportionment of non-ad valorem assessments to the various classifications of governmental entities as defined by Florida Law.
- 4. Consultant shall ensure that the recommended assessment and parcel classifications conform to the statutory requirements of the Uniform Method as provided for under Florida law.
- 5. Consultant shall hire/sub-contract an attorney to obtain a legal review to confirm the study is consistent with the City's methodology requirements, Florida Statutes, current case law and any other applicable laws and rules. Cost of these services is included in the overall fee for Services.

Deliverables

- 1. The Consultant shall hold a Study commencement meeting with VFR and City representatives at City offices. Up to two (2) additional progress meetings may be conducted within the City upon request by the City.
- 2. Consultant shall submit written progress reports to the City at sixty (60) and ninety (90) days from Study commencement.

- 3. Consultant shall recommend the categories of property to be assessed and determine the relative benefit anticipated to be derived by those categories of property found within the City that receive fire rescue services.
- 4. Using a minimum of two (2) years of fire incident reports, Consultant shall correlate the fixed property uses on the reports to comparable property uses on the tax roll. Consultant shall further analyze all property use categories within the City to determine which parcels receive a special benefit from the provision of fire rescue services and fairly apportion the assessable costs among all benefited parcels within each property use category.
- 5. Consultant shall develop a fair and reasonable method of apportionment and accurate classification of parcels. In addition, Consultant shall ensure that the recommended assessment rates and parcel classification conform to the statutory requirements of the Uniform Method, as provided for under Florida law.
- 6. Consultant shall calculate assessment cap rates and parcel classifications required to fully fund the identified assessable costs to provide fire rescue services within the City.
- 7. The Methodology is anticipated to remain in effect for a three (3)-year period and the Study shall reflect a method to adjust the level of assessment sufficient to continue funding the VFR budgetary requirements through that period.
- 8. Consultant's Final Draft Methodology Report shall be submitted for review to the City at least thirty (30) calendar days prior to the ending date of the Study.
- 9. Fifteen (15) master copies and one (1) electronic copy of the Final Methodology Report must be submitted to the City no later than ten (10) days prior to the ending date of the Study.
- 10. Consultant shall work with the City's Public Information Officer (PIO) to develop website materials, brochures, FAQs or other media tools as may be appropriate.

- 11. Upon Commencement of the Study the Consultant may be required to hold one (1) meeting with City Council in a Workshop or on an individual basis to receive Council input. Consultant shall also be required to prepare materials (to include PowerPoint presentation) for a minimum of two (2) presentations to City Council. PowerPoint Presentations shall be reviewed and approved by designated City staff prior to being presented to City Council. Consultant may also be required to conduct one (1) or more public meetings regarding the Study.
- 12. The Consultant shall assist in the drafting of all legal notices, publications, documents and resolutions necessary to certify the tax roll and adopt the rate structure for the initial year of the assessment under the Study. The Consultant shall submit "drafts" of all documents, including a draft Council Agenda Summary for the required public hearings, to the City Clerk for review with sufficient time for publication and adoption prior to statutory and City agenda deadlines.
- 13. Consultant shall assist the City with calculation, development and adoption of any ordinances related to the Study.
- 14. Consultant shall create and maintain an assessment roll based on the final methodology approved by City Council and deliver the assessment roll to the City within the timeframe and format acceptable to the City and the Sarasota County Tax Collector.
- 15. All materials, in any format, produced by the Consultant for the VFR during the course and scope of this Study are considered the property of the City.

ARTICLE II

Term

The Agreement shall commence immediately upon execution by both the City and the Consultant and shall continue through completion and acceptance of the Study unless Agreement is otherwise terminated as provided for herein.

ARTICLE III

Consultant's Scope of Services

The Consultant shall perform the Services relevant to the Study in accordance with the terms and conditions set forth herein, and as provided in the Scope of Services contained in Article I, the City's Request for Proposals RFP Number 3037-16, and Consultant's proposal submittal to same, which is attached to this Agreement and by this reference made a part of it as Exhibit C.

ARTICLE IV

Changes in Scope

If changes occur to the Consultant's Scope of Services, a supplemental addendum or amendment to this Agreement shall be negotiated at the request of either party.

ARTICLE V

Consultant's Fee

As compensation for the Services as described in Exhibit A of this Agreement and as set forth in Article I herein, the Consultant shall be paid a "Basic Fee", which shall constitute full and complete payment for the Services and all expenditures that may be made and expenses incurred, except as otherwise expressly provided in this Agreement. The Basic Fee shall be a Not-to-Exceed amount of thirty nine thousand, five hundred fifteen dollars and 00/100's (\$39,515.00) for the Services as described herein.

Payment Schedule for Basic Fee.

The Basic Fee shall be paid in installments as the Consultant's work progresses based on invoices submitted by the Consultant no more frequently than monthly based on task completion as outlined in Exhibit A.

Certified Cost Records.

The Consultant shall furnish certified cost records for all billings pertaining to other than lump sum fees to substantiate all charges. For those purposes, the books of account for the Consultant shall be subject to audit by the City. The Consultant shall complete work and cost records for all billings on those forms and in that manner as will be satisfactory to the City.

ARTICLE VI

Termination

This Agreement may be terminated by either party upon thirty (30) days' prior written notice to the other party in the event of substantial failure by the other party to fulfill its obligations under this Agreement through no fault of the terminating party.

This Agreement may be terminated by the City for its convenience upon thirty (30) days' prior written notice to the Consultant.

In the event of termination, as provided for in this Article, the Consultant shall be paid as compensation in full for that portion of the Services performed to the date of that termination, an amount calculated in accordance with Article V of this Agreement. Such amount shall be paid by the City upon the Consultant's delivering or otherwise making available to the City, all data, reports, and any other information and materials as may have been accumulated by the Consultant in performing the Services included in this Agreement, whether completed or in progress.

ARTICLE VII

Assignment

This Agreement shall not be assignable except at the written consent of the parties, and if so assigned, shall be binding upon the successors and assigns of the parties.

Article VIII

Indemnity

The Consultant shall defend, indemnify and hold the City, the City's representatives or agents, and the officers, directors, agents, employees, and assigns of each harmless for and against any and all claims, demands, suits, judgments, damages to persons or property, injuries, losses or expenses of any nature whatsoever arising directly or indirectly from or out of any negligent act or omission of the Consultant, its sub-consultants and their officers, directors, agents or employees; any failure of the Consultant to perform the Services hereunder in accordance with generally accepted professional standards; any material breach of the Consultant's representations as set forth in the proposal or any other failure of the Consultant to comply with the obligations on its part to be performed under this Agreement. To the fullest extent possible under the applicable law, Consultant's total liability under this Agreement (whether in contract, tort or otherwise and including on termination) is limited to the amount of the compensation paid. Notwithstanding anything to the contrary stated elsewhere in the Agreement, Consultant shall not be liable for any loss of profit, loss of business or any incidental, special, indirect or consequential loss.

ARTICLE IX

Prohibition Against Contingent Fees

The Consultant warrants that he or she has not employed or retained any company or person, other than a bona fide employee working solely for the Consultant to solicit or secure this Agreement and that he or she has not paid or agreed to pay any person, company, corporation, individual, or firm, other than a bona fide employee working solely for the Consultant any fee, commission, percentage, gift, or other consideration contingent upon or resulting from the award or making of this Agreement.

ARTICLE X

Insurance

The Consultant agrees to procure and maintain at its expense until final payment by the City for Services covered by this Agreement, insurance in the kinds and amounts provided in the specifications in Exhibit B INSURANCE REQUIREMENTS with insurance companies authorized to do business in the State of Florida, covering all operations under this Agreement, whether performed by it or its agent. Before commencing the Services, the Consultant shall furnish to the CITY a certificate or certificates in form satisfactory to the City, showing that it has complied with this Article. All certificates shall provide that the policy shall not be changed or canceled until at least thirty (30) day's prior written notice has been given to the City.

ARTICLE XI

Discrimination Prohibited

In performing the Services required under this Agreement, the Consultant shall not discriminate against any person on the basis of race, color, religion, sex, national origin or ancestry, age or physical handicap.

ARTICLE XII

Public Records

Consultant agrees to comply with Florida's public records law by keeping and maintaining public records that ordinarily and necessarily would be required by the public agency in order to perform the Services; upon the request of the City's Custodian of Public Records, by providing the City with copies of or access to public records on the same terms and conditions that City would provide the records and at a cost that does not exceed the cost provided by Florida law; by ensuring that public records that are exempt or confidential and exempt from public records disclosure requirements are not disclosed except as authorized by law for the duration of the term of the Agreement and following completion of the Agreement if the Consultant does not transfer the records to the City; and upon completion of the Agreement by transferring, at no cost, to City all

public records in possession of Consultant or by keeping and maintaining all public records required by the City to perform the Services. If the Consultant transfers all public records to the City upon completion of the Agreement, the Consultant shall destroy any duplicate public records that are exempt or confidential and exempt from public records disclosure requirements. If the Consultant keeps and maintains public records upon completion of the Agreement, the Consultant shall meet all applicable requirements for retaining public records. All records stored electronically must be provided to the City, upon request from the City's custodian of public records, in a format that is compatible with the information technology systems of the City.

IF THE CONSULTANT HAS **OUESTIONS** REGARDING THE APPLICATION OF CHAPTER 119, FLORIDA STATUTES, TO THE CONSULTANT'S DUTY TO PROVIDE PUBLIC RECORDS RELATING TO THIS AGREEMENT, CONTACT THE CITY'S CUSTODIAN OF PUBLIC RECORDS LORI STELZER, MMC, CITY CLERK, AT 401 W. 34285. VENICE AVENUE, VENICE, FLORIDA (941)882-7390, LSTELZER@VENICEGOV.COM.

ARTICLE XIII

Venue and Governing Law

The laws of the State of Florida shall govern all provisions of this Agreement. Venue for any dispute shall be Sarasota County, Florida. If any court proceeding or other action occurs between the parties as a result of this Agreement or any other document or act required by this Agreement, the prevailing party shall be entitled to recover attorney's fees and all court costs including attorney's fees and court costs incurred in any pre-trial, appellate, and/or bankruptcy proceeding, as well as, attorney's fees and costs incurred in determining entitlement to and reasonableness of fees and costs.

IN WITNESS WHEREOF, the parties to the Agreement have hereunto set their hands and seals and have executed this Agreement as of the day and year first above written.

(SEAL)	
ATTEST:	CITY OF VENICE IN SARASOTA COUNTY, FLORIDA
CITY CLERK	BY: JOHN HOLIC, MAYOR
ATTEST: Solar W. Landsay Signed by (typed or printed)	BURTON & ASSOCIATES BY: MICHOLE BURY Signed by (typed or printed)
Approved as to Form and Correctness	
David Persson, City Attorney	

EXHIBIT A PROJECT FEES

Trais 1 Project Initiation Trais 2 Project Initiation Trais 3 Project Initiation Trais 4 Project Initiation Trais 5 Project Initiation Trais 6 Conduct project like-off meeting with City staff to discuss data requirements and to linaite project schedule and timeline. Trais 7 Conduct project like-off meeting with City staff to discuss data requirements and to linaite project schedule and timeline. Trais 7 Conduct project like-off meeting with City staff to discuss data requirements, reports, levels of service, five-year budget requests, projected long: term capital needs and other data perculation of the rescue services. Trais 7 Conduct and fire fire service using the most current financial information, including direct and indirect cost allocations. Analyze property use categories and at least two years of incleding to the provision of fire rescue services. Determine the full cost of life service using the most current financial information, including direct and indirect cost allocations. Analyze property use categories and at least two years of incleding the most current financial information in distinguishment of costs and accurate classification of parcels. Determine the full cost of life service using the most current financial information in discussional for each parcel based upon the classification and proper application of the assessment rates. And advantagement to conduct internative sources of revenue to fund the service delivery costs and setsement and separates, full advantagement. Determine assessments for each parcel based upon the classification and proper application of necessaries is property discussed to conduct internative work session with City staff to review preliminary model results. Conduct internative work session with City staff to review preliminary model results. And and adjustments based upon input from the professional and adjust as required. Task 3 Conduct streams the facts and Miscellaneous Fees 3 Review Current rate for comparison with Gry staff to review with City s	7.7700 part 7	Manager 5185 2 1 1 1 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2	S145 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2	\$265 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0	10 m
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Task S Prepare Report of the Results	1	2	4	→	60
5.1 Prepare Draft Report and distribute to City staff for review and comment.	-	2	7	-	
5.2 Prepare Final Draft Report and distribute for review and comment.					
5.3 Prepare Final Report reflecting all comments from City staff.	0		0	12	12
Task 6 Provide Ordinance Review	2	7	***	4	
 Prepare require resolutions and ordinances related to the fire assessment fee and rate structure. 	-		H	-	m
6.2 Review resolutions and ordinaces with the project team and adjust as required.	-		M	4	
6.4 Make revisions, as necessary, and provide final adjustments to resolutions and ordinances to City staff.					
DESTINATED LABOR-HOURS	92	49	100	30	202
TOTAL ESTIMATED CEES	\$6,500	\$90'6\$	\$14,500	\$7,950	\$38,015
STRANTED TRAVEL EUPENSES					\$1,500

Additional Optional Services

Cost (including travel) for Consultant to assist with one (1) or more public "informational"

(Town Hall, HOA, Rotary, Condo Board) meetings.

\$ 2,000 per meeting

Printing and mailing of Non-Ad valorem Assessment notifications.

\$ 0.90 per parcel

If additional services, such as additional analysis, meetings or presentations, are requested, they would be charged at the following hourly rates which correspond to the rates presented in the work plan on the previous page.

Project Title	Hourly Rates	
Principal-in-Charge	\$250	
Project Manager	\$185	
Project Consultant	\$145	
Legal (BMO)	\$265	

EXHIBIT B INSURANCE REQUIREMENTS

INSURANCE REQUIREMENTS

Before performing any work, the Consultant shall procure and maintain, during the life of the Contract, insurance listed below. The policies of insurance shall be primary and written on forms acceptable to the City and placed with insurance carriers approved and licensed by the Insurance Department in the State of Florida and meet a minimum financial AM Best and Company rating of no less than A: VII. No changes are to be made to these specifications without prior written specific approval by the City.

- 1. The City is to be specifically included as an <u>ADDITIONAL INSURED</u> (with regards to Business Auto and Commercial General Liability).
- 2. The City shall be named as Certificate Holder. Please Note that the Certificate Holder should read as follows:

The City of Venice 401 W. Venice Avenue Venice, FL 34285

No City Division, Department, or individual name should appear on the certificate. <u>NO</u> OTHER FORMAT WILL BE ACCEPTABLE.

- 3. The "Acord" certification of insurance form should be used.
- 4. Required Coverage
 - a) <u>Commercial General Liability</u>: including but not limited to bodily injury, property damage, contractual liability, products and completed operations, and personal injury with limits of not less than \$1,000,000 per occurrence, \$1,000,000 aggregate covering all work performed under this Contract. Include broad form property damage (provide insurance for damage to property under the care custody and control of the Consultant).
 - b) <u>Business Auto Policy</u>: including bodily injury and property damage for all vehicles owned, leased, hired and non-owned vehicles with limits of not less than \$1,000,000 combined single limit covering all work performed under this Contract.
 - c) Workers Compensation: Consultant will provide Workers Compensation Insurance on behalf of all employees, including sub-contractors, who are to provide a service under this Contract, as required under Florida Law, Chapter 440, and Employers Liability with limits of not less than \$100,000 per employee per accident; \$500,000 disease aggregate; and \$100,000 per employee per disease.

Policy Form:

- a) All policies required by this Contract, with the exception of Workers Compensation, or unless specific approval is given by the City, are to be written on an occurrence basis, shall name the City of Venice, its Elected Officials, Officers, Agents, Employees as additional insured as their interest may appear under this Contract. Insurer(s), with the exception of Workers Compensation, shall agree to waive all rights of subrogation against the City of Venice, its Elected Officials, Officers, Agents, and Employees.
- b) Insurance requirements itemized in this Contract, and required of the Consultant, shall be provided on behalf of all subcontractors to cover their operations performed under this Contract. The CONSULTANT shall be held responsible for any modifications, deviations, or omissions in these insurance requirements as they apply to subcontractors.

- c) Each insurance policy required by this Contract shall:
 - (1) apply separately to each insured against whom claim is made and suit is brought, except with respect to limits of the insurer's liability;
 - (2) be endorsed to state that coverage shall not be suspended, voided or canceled by either party except after thirty (30) calendar days prior written notice by certified mail, return receipt requested, has been given to the City's Director of Administrative Services.
- d) The City shall retain the right to review, at any time, coverage form, and amount of insurance.
- e) The procuring of required policies of insurance shall not be construed to limit Consultant's liability nor to fulfill the indemnification provisions and requirements of this Contract.
- f) The Consultant shall be solely responsible for payment of all premiums for insurance contributing to the satisfaction of this Contract and shall be solely responsible for the payment of any deductible and/or retention to which such policies are subject, whether or not the City is an insured under the policy. In the event that claims in excess of the insured amounts provided herein are filed by reason of operations under the contract, the amount excess of such claims, or any portion thereof, may be withheld from any payment due or to become due to the Consultant until such time the Consultant shall furnish additional security covering such claims as may be determined by the City.
- g) Claims Made Policies will be accepted for professional and hazardous materials and such other risks as are authorized by the city. All Claims Made Policies contributing to the satisfaction of the insurance requirements herein shall have an extended reporting period option or automatic coverage of not less than two years. If provided as an option, the Consultant agrees to purchase the extended reporting period on cancellation or termination unless a new policy is affected with a retroactive date, including at least the last policy year.
- h) Certificates of Insurance evidencing Claims Made or Occurrence form coverage and conditions to this Contract, as well as the City's Bid Number and description of work, are to be furnished to the City's Director of Administrative Services, 401 West Venice Avenue, Venice, FL 34285, ten (10) business days prior to commencement of work and a minimum of thirty (30) calendar days prior to expiration of the insurance policy.
- i) Notices of Accidents and Notices of Claims associated with work being performed under this Contract, shall be provided to the Consultant's insurance company and the City's Director of Administrative Services, as soon as practicable after notice to the insured.
- j) All property losses shall be payable to, and adjusted with, the City.



Venice Fire Rescue Non-Ad Valorem Assessment Methodology

RFP NO. 3037-16 | AUGUST 26, 2016





TITLE PAGE

City of Venice, FL

RFP 3037-16 Fire Rescue Non-Ad Valorem Assessment Methodology

August 26, 2016

Submitted by:

BURTON & ASSOCIATES

A Hawksley Consulting Company

200 Business Park Circle, Suite 101 St. Augustine, FL 32095

Contact: Michael Burton
Phone: (904) 247-0787
Fax: (904) 241-7708

Email: Michael.Burton@Hawksley.com



1. TRANSMITTAL LETTER



August 26, 2016

Procurement - Finance Department
City of Venice
401 West Venice Avenue, Room #204
Venice, FL 34285

Re: RFP 3037-16 – Fire Rescue Non-Ad Valorem Assessment Methodology

Dear Members of the Selection Committee:

Burton & Associates is pleased to present this proposal to provide a Fire Rescue Non-Ad Valorem Assessment Methodology Study for the City of Venice, Florida (City). Burton & Associates has expertise in the development, review, and provision of implementation assistance regarding cost of service, cost apportionment, and rate/fee revenue recovery programs, including utility rates, non-ad valorem assessments and other fee programs for local governments in Florida. We have successfully developed, reviewed, updated, and assisted in the implementation of over 80 such programs for local governments in the State of Florida ranging from fire assessments to road and drainage fee programs.

Fire Protection Program Methodologies – Burton & Associates has been providing financial planning services in Florida for over 28 years. We offer the City the flexibility to consider multiple approaches and alternative methodologies in the development of fire assessment fees. We have experience using the calls-for-service or "demand" approach and the "availability" method that is based upon the premise that parcels receive benefit from fire protection service from the availability of the service whether or not a call-for-service is ever requested. During this study, we will evaluate these methods, and any other identified alternative apportionment methodologies that are legally defensible in order to find the methodology that best serves the City.

Interactive Modeling Approach — Our unique approach to providing comprehensive municipal financial consultation services is to use our automated financial model discussed herein, to explore numerous assessment and financial plan scenarios to develop a logical and defensible financial management plan and cost recovery mechanisms, in the context of predicted financial impact, market reality, public acceptability and political reality. A unique aspect of our approach is that we do this in interactive workshops with local government staff, with our Microsoft Excel-based models up-and-running.

Cost Effective Approach that Provides Clear Vision of the Impact Upon Property Owners - Our development and use of our automated, interactive process allows very cost effective integration of your staff into the fiscal planning process while reducing substantially the man hours and calendar time which would otherwise be necessary. Most importantly, this process gives you a clear vision through graphical

representations as to the implications of alternative scenarios upon key financial indicators as well as the impact upon property owners in terms of their assessment. Given the legal environment surrounding certain funding programs, it is important to analyze those alternatives which provide you with significant fiscal and legal security.

We have used this interactive process in Fire Assessment Program Development projects for the many cities and counties in Florida including the Cities of North Port, Coconut Creek, Cooper City, Cape Coral, Deltona, Daytona Beach, Ocala, New Port Richey, Lynn Haven and Palatka, as well as the Towns of Lauderdale-by-the-Sea and Orange Park, and DeSoto, Okeechobee, Brevard, and Putnam Counties. For more than twenty years we have used this process to assist many communities in Florida to develop funding programs that best suit their requirements. We have also developed non-ad valorem assessments for stormwater and solid waste service for a number of Florida clients.

Legal Advisors — We have extensive experience in working with law firms and legal counsel throughout the fire assessment study process. It is integral to have the necessary legal assistance to ensure that all methods are legally sufficient and to have them provide assistance in the development or modification of required ordinances and resolutions. Therefore, we have included the law firm of Bryant, Miller & Olive (BMO) on our project team. We have worked with BMO on many similar studies, and have utilized the experience and expertise of BMO to assist our Project Team in developing legally defensible assessments, rates and fees, including assistance in drafting legal documents, notices and tax rolls. We worked with BMO on the recent Florida Supreme Court case in which the availability method was upheld as a valid fire assessment methodology; BMO served as the City of Cape Coral's special legal counsel and we served as the City's Fire Assessment consultant.

Authorized Contact – Mr. Michael Burton is authorized to represent Burton & Associates. Mr. Burton is located in our St. Augustine Office and can be reached at mburton@burtonandassociates.com, (904) 247-0787 or 200 Business Park Circle, Suite 101, St. Augustine, FL 32095.

Summary - We believe that our Team's financial planning, assessment development, and legal expertise in this area would serve the City well and we look forward to the opportunity to work with you on this important project. All requirements of the Request for Proposals have been included herein. If you have any questions or need any additional information, please do not hesitate to contact me at (904) 247-0787.

Very truly yours,

With E

Michael Burton

President



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3. TEAM PROPOSAL & MANAGEMENT PLAN

This section presents background information about Burton & Associates and our approach to providing the requested non-ad valorem fire assessment rate study.

3.1 GENERAL QUALIFICATIONS

Founded in 1988, Burton & Associates (a fully-owned subsidiary of MWH Americas, Inc.) provides financial planning and assessment and rate consulting services primarily to local government agencies. For 28 years, we have provided such services to local governments including cities, counties, special districts, and authorities.

A primary field of expertise for Burton & Associates has been the development, review and provision of implementation assistance regarding cost of service, cost apportionment and fee revenue recovery programs, including rates, fees, and assessment programs for local governments in Florida. We have successfully developed, reviewed, updated and assisted in the implementation of over 80 such programs for local governments in the State of Florida ranging from fire service assessments to road and drainage fees to street lighting assessments. Burton & Associates also provides consulting assistance to a range of industries, including general government services, water resources, solid waste, stormwater, electricity, and natural gas, in the following areas of practice:

- Assessment Program Development
 - Fire Rescue
 - Road and Drainage
 - Stormwater

- Solid Waste
 - Street Lighting
- Underground Utilities
- Long-Term Financial Plan Development
- Development of Impact Fees
 - System Development Fees, Capital Cost Recovery Fees, etc.
- Development of Capital Finance Plans
 - Integrated within an overall financial management program
- Utility Cost of Service & Rate Studies
- Financial Feasibility Reports in Support of Revenue Bond Financing
 - Including presentations to major rating agencies, including Moody's, S&P and Fitch
- Operations and Performance Reviews, Strategic Planning, Financial Feasibility Analyses and Annexation Analyses
- Assistance with the preparation of ordinances, inter-local agreements, and regulatory applications
- Expert Witness Testimony Services

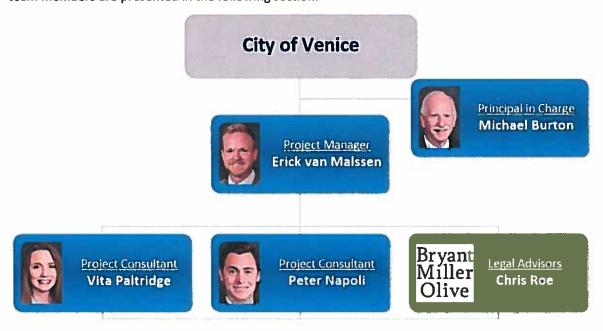
Burton & Associates is highly qualified to perform a wide range of activities, including the services requested by the City. We encourage you to contact our references included herein who can attest to the quality of the services we provide.

3.2 TEAM ORGANIZATION

Our proposed project team organization was developed as a result of our understanding of the objectives, scope and key issues of this project and our prior experience with similar projects. We structure our project teams to provide our clients with project team members with experience in:

- Cost of service analyses and the development of non-ad valorem assessment/rate programs for numerous local governments.
- Program structure and assessment rate design concepts, theory and their practical application to specific local circumstances.
- Providing apportionment of costs in accordance with legal standards and your specific configuration and requirements to develop a fair and equitable distribution of the cost of service to property classes.
- Development of special non ad valorem service assessments to recover the costs of service and methodologies which appropriately determine logical relationships between the services provided and the benefit to real property assessed.
- Providing legal services with respect to the development and implementation of special assessment programs

The chart below presents our proposed project team organization, and resumes for all senior level project team members are presented in the following section.



3.3 INDIVIDUAL QUALIFICATIONS

Resumes for all project team members identified above are presented on the following pages.

- City of Dunnellon, FL
- Brevard County, FL
- Town of Orange Park, FL
- Putnam County, FL
- City of Deltona, FL
- City of Lynn Haven, FL
- City of Ocala, FL
- City of Coconut Creek, FL
- City of Cooper City, FL
- City of Palatka, FL
- City of New Port Richey, FL
- Town of Lauderdale-by-the-Sea, FL

INDUSTRIES

- Fire/EMS
- Water Resources
 - Water & Sewer
 - Reclaimed Water
 - Stormwater
- Sanitation
- General Government
 - Police
 - Parks & Recreation
 - Library
 - Roads

INDUSTRY PUBLICATIONS/

PRESENTATIONS

AWWA Manual M54 – Developing Rate for Small Systems, Co-Authored for AWWA, 2004

Effective Water Conservation
Rate Structures – Presented to
the St. Johns River Water
Management District, Palatka, FL,
2009



MICHAEL BURTON

TITLE: PRESIDENT

OFFICE LOCATION: ST. AUGUSTINE, FL

YEARS OF EXPERIENCE: 37

GENERAL QUALIFICATIONS

Mr. Burton has over 35 years of industry experience in government resources financial analysis and rate setting. He was a principal at Arthur Young and Company (now Ernst & Young); one of the largest national accounting and management consulting firms, and served as Director of the Florida Governmental Service – Financial Consulting Practice. Mr. Burton served on the National AWWA Rate & Charges Committee where he co-authored AWWA Manual M-54 — Developing Rates for Small Systems published in 2004. He also served on a Water Rates Affordability Sub-Committee.

EXPERIENCE

Mike has extensive experience in a broad range of industries and issues. He regularly provides service in the following areas:

- Development of Assessment Program Methodologies and Assessments/Fees
- Defense of Assessment Methodology in Court Proceedings
- Design of Financial Management and Rate Programs
- Development of Infrastructure Financing Programs & Cost Recovery Mechanisms
- Development of User Charges
- Impact Fee Studies
- Financial Advisory & Feasibility Services for Assistance in the Issuance of Revenue Bonds
- Strategic Planning for the Provision of Services for Governmental Jurisdictions & Private Developers
- Rate Case Assistance to Private Utilities
- Rate Regulation Assistance to Jurisdictional Counties

EDUCATION

Bachelors of Industrial Engineering, 1970, University of Florida, Gainesville, FL

- · City of Fort Myers, FL
- City of St. Petersburg, FL
- City of Tamarac, FL
- · City of Tarpon Springs, FL
- City of Port St. Joe, FL.
- · City of Lake Worth, FL
- City of Fort Lauderdale, FL
- City of Coconut Creek, FL
- St. Johns River Water Management District, FL
- Village of Key Biscayne, FL
- City of Zephyrhills, FL
- City of Clearwater, FL
- City of Bonita Springs, FL
- City of Cape Coral, FL
- City of Daytona, FL
- Hendry County, FL
- City of Huntsville, AL
- City of Lake City, FL
- City of Dunnellon, FL
- Marion County, FL
- City of Minneola, FL
- City of Naples, FL
- Pasco County, FL
- City of Port St. Lucie, FL

INDUSTRIES

- Fire/EMS
- Water Resources
 - Water & Sewer
 - Reclaimed Water
 - Stormwater
- Sanitation
- General Government
 - Parks & Recreation
 - Library
 - Roads



ERICK VAN MALSSEN

TITLE: MANAGER

OFFICE LOCATION: ST. AUGUSTINE, FL.

YEARS OF EXPERIENCE: 10

GENERAL QUALIFICATIONS

Mr. van Malssen is a Consultant with Burton & Associates. He has over ten years of experience in providing financial and rate consulting services in Florida. He has superior financial, business, and analytical skills and has continuously provided our clients with exemplary financial analysis based upon applications of sound financial and economic concepts. He has strong Excel modeling skills and has experience working with large data sets and financial models, including our interactive FAMS© model and specific user charge and assessment modules.

EXPERIENCE

Erick's experience includes serving as Project Consultant in the following areas:

- Development of Assessment Program Methodologies and Assessments/Fees
- Long-Term Financial Plan Development
- Cost of Service, Cost Allocation & Rate Studies
- Development of Impact Fees
- Development of Capital Finance Plans
- Bond Feasibility Reports & State Loan Applications
- System & Property Valuation and Analysis
- Operations and Performance Reviews, Strategic Planning, Financial Feasibility Analyses, and Annexation Analyses

EDUCATION

Masters of Business Administration, 2005, University of Central Florida, Orlando, FL

Bachelors of Science in Business Administration, Concentration in Finance, 2004, University of Central Florida, Orlando, FL

- City of Cocoa, FL
- City of Clearwater, FL
- · City of Fernandina Beach, FL
- Marion County, FL
- City of Tarpon Springs, FL
- Okaloosa County, FL
- City of Casselberry, FL
- City of Gilbert, AZ
- BVU Authority, VA
- City of Lynn Haven, FL
- · City of Dunnellon, FL
- City of Wauchula, FL
- City of Mount Dora, FL
- City of Edgewater, FL
- City of Palmetto, FL
- City of Columbia, MO
- Town of Longboat Key, FL
- City of Dunedin, FL
- Lake St. Charles Community
 Development District, FL

INDUSTRIES

- Water Resources
 - Water & Sewer
 - Reclaimed Water
 - Stormwater
- General Government
 - Fire Rescue Service
 - Solid Waste



VITA PALTRIDGE

TITLE: PROJECT CONSULTANT
OFFICE LOCATION: ST. AUGUSTINE, FL
YEARS OF EXPERIENCE: 3

GENERAL QUALIFICATIONS

Ms. Paltridge is a Project Consultant with Burton & Associates. She has three years of experience with Burton & Associates providing financial services, including the development and update of fire assessment fees and the analysis of other taxing/fee programs.

She has superior financial, business, and analytical skills and has experience in performing day to day project activities, including scheduling, budgeting and client meetings.

She has strong Excel modeling skills and is experienced in developing financial models, and in working with our proprietary interactive FAMS© model.

EXPERIENCE

Vita's experience includes serving as Project Analyst in the following areas:

- Development of Assessment Program Methodologies and Assessments/Fees
- Long-Term Financial Plan Development
- Rate Structure Design & Rate Studies
- Cost of Service, Cost Allocation & Rate Studies
- Customer, Demand, and Revenue Forecasts
- Comparative Rate Surveys

EDUCATION

Bachelor of Science in International Economics, 2002, Florida Atlantic University, Boca Raton, FL Masters of Business Administration in Finance, 2010, Nova Southeastern University, Davie, FL

- · City of Lynn Haven, FL
- Nassau County, FL
- Clay County Utility Authority,
 FL
- Okeechobee County, FL
- City of Neptune Beach, FL
- City of Effingham, IL

INDUSTRIES

- Water Resources
 - Revenue Sufficiency Analysis
 - Rate Design
 - Capital Financial Planning
 - Impact Fee Development
- General Government
 - General Fund Financial Sustainability
 - Special Assessment Programs
 - Impact Fee Development



PETER NAPOLI

TITLE: PROJECT ANALYST

OFFICE LOCATION: ST. AUGUSTINE, FL

YEARS OF EXPERIENCE: 2

GENERAL QUALIFICATIONS

Mr. Napoli has experience in populating and customizing the utility long-term financial planning, impact fee and rate design modules in our FAMS-XL modeling system. He has also been an integral part of the growing General Government Financial Sustainability modelling and consulting team. He has superior financial, business and analytical skills and has provided our clients with exemplary financial analysis based on application of sound financial and economic concepts.

Peter has strong Excel modeling skills and has experience working with large data sets and financial models. Peter has a high level of proficiency within our modeling systems, and he has been very involved in recent engagements requiring substantial model customization and in providing ongoing support services to our clients using our financial forecasting module. In addition, Peter excels at live interactive modeling, a crucial component to successful consulting and live just-in-time decision making.

EXPERIENCE

Pete's experience includes serving as Project Analyst in the following areas:

- Long-Term Financial Plan Development
- Development of Impact Fees
- Development of Special Assessments
- Development of Capital Finance Plans
- Property Data Analytics
- Comparative Rate Surveys

EDUCATION

Bachelors of Business Administration in Finance, 2015, University of North Florida, Jacksonville, FL



Christopher B. Roe

Education

Florida State University, Law School - J.D., 2001 University of Central Florida - B.A., English, with Honors, 1998

Bar Admissions

The Florida Bar, Local Government Law Section Member
United States District Court for the Middle District of Florida



Certifications

Board Certified in City, County and Local Government Law by The Florida Bar.

Biography

Chris Roe devotes his practice to state and local government matters. His experience with Bryant Miller Olive includes a wide range of local government undertakings including development and maintenance of special assessment programs to fund the delivery of infrastructure and essential services including fire protection, solid waste disposal, roadway potable water and wastewater improvements, development, implementation and administration of community redevelopment projects, public water and wastewater utility matters including rate setting and expansion of infrastructure, impact fees programs, tax increment and other revenue generating mechanisms, creation and implementation of stormwater utilities and related financing, municipal annexation, water purchase and wheeling agreements, charter review and revision, sunshine laws and ethics laws applicable to local government officials, and special district establishment and governance.

Mr. Roe has successfully conducted more than forty bond validation proceedings pursuant to Chapter 75, Florida Statutes, on behalf of local government clients and the funding of capital projects including the City of Marco Island's wastewater expansion program, Hillsborough County's improvement and modernization of U.S. highway 301, the City of Panama City Beach's Front Beach Road community redevelopment initiative, and most recently St. Lucie County's PACE financing program pursuant to which the county will provide low-interest financing for renewable energy, energy efficiency and conservation and solar energy improvements for residential and commercial properties. Mr. Roe played a significant role in several cases decided and reported by the Florida Supreme Court in favor of local governments, including Citizens Advocating Responsible Environmental Solutions, Inc. v. City of Marco Island, 959 So. 2d 203 (Fla. 2007) and City of Parker v. State, 992 So. 2d 171 (Fla. 2008). He recently worked with the cities of St. Petersburg, Brooksville and Springfield in developing, implementing and validating innovative special assessment programs to fund fire protection services and facilities, and is currently engaged in similar projects on behalf of several others.

3.4 PROJECT MANAGEMENT

At Burton & Associates, we pride ourselves on providing the highest level of service to our clients in the timeliest and cost-effective manner possible. We exercise significant internal quality assurance and quality control prior to meeting with clients or publishing study results using the quality control and project management techniques we have developed over the years to ensure our projects meet stated objectives, stay within budget, and are completed on schedule. Our experienced and cross-trained team will ensure that the City receives an unparalleled quality of service throughout the conduct of the study.

Mr. Michael Burton will be responsible for managing the overall quality and accuracy of all aspects of the study through regular internal reviews with our project team and review of all work products. He will also provide general oversight of the concepts and methodologies used during the study, using his 35+ years of assessment experience. Mike will be responsible of the overall success of the project. Mr. Erick van Malssen will be the Project Manager and the City's primary point of contact for the study. Erick manage all day to day activities of the project and will attend and facilitate all meetings and public presentations. Erick will direct the activities of all project staff members and will provide oversight of the concepts and methodologies used in the analysis.

We conduct several interactive review sessions during the project. Through the course of these review sessions, we are able to ensure all data, assumptions, and results are thoroughly vetted with all team members (including City staff) involved in each study, resulting in the highest quality final work products. We will provide interim work products to staff throughout each study for their review, input and feedback, which is then incorporated before moving on to the next step in the study.

In addition, we use internal scheduling tools, including a Detailed Internal Critical Path & Key Date schedule, to map out all of our projects from start to finish. We include key meeting dates with staff, internal deadlines for work products, and internal QA/QC reviews in order to ensure not only that our projects are completed within the desired timeframe, but also to ensure the accuracy of all work products we prepare.

3.5 EXPERIENCE & REFERENCES

This section presents a sampling of Burton & Associates experience with fire funding studies, such as fire assessments and fees, completed within the past 5 years, including descriptions of recent projects with reference information. We encourage you to contact each of these references as they can attest to our ability to complete these studies on time and within budget. Many of these entities are very similar to the City of Venice, and all of them are located within the state of Florida. As such, we have extensive experience with Florida statutes and current legal issues in regards to implementing supplemental funding for fire protection services.

BURTON & ASSOCIATES



CITY OF CAPE CORAL, FLORIDA (2008 & 2013)

In FY 2013 we conducted an interactive financial sustainability analysis for the City. We determined that the City was facing a significant cash flow shortfall of approximately \$17.0 million per year and that reserves would be depleted within two years. We

conducted a number of interactive work sessions with City staff and the City Council and ultimately assisted the City in developing a solution that involved three components: 1) a fire assessment at 64% cost recovery, adoption of a public service tax on electricity usage of 7%, and a reduction in millage of 1.0 mil. We have subsequently performed annual updates and are assisting the City in bring salaries back to market levels and increasing FTEs to levels necessary to provide the desired levels of service.

As a result of the financial sustainability analysis described above, we also developed a new fire service assessment for implementation by the City. We met with City staff to evaluate alternative assessment methodologies to be used to develop fair and equitable fire services assessments to recover the cost of the City's fire service program. We reviewed and analyzed the budget, performed a cost allocation analysis to isolate the fire services costs, apportioned fire costs to specific cost recovery pools, worked with the County property appraiser to identify and compile the necessary property data, as well as growth and other required information.

Utilizing our Benefit Assessment Module of FAMS-XL©, we compiled and sorted the property data and allocated costs between property types. We tested each scenario for revenue sufficiency over a ten-year projection period. We conducted several interactive work sessions with City staff and informational sessions with City residents. Earlier this year, we were contracted to perform an update to the fire assessment methodology. During the update, we evaluated several alternative methodologies and levels of cost recovery for the fire assessment. We are currently finalizing the update to the Study.

B&A Team: Michael Burton, Andrew Burnham, Erick van Malssen

Client Contact: Mr. John Szerlag, City Manager, 1015 Cultural Park Blvd., Cape Coral, FL 33990, (239) 574-0451, jszerlag@capecoral.net

CITY OF FORT MYERS, FL (2014 - 2015)

We recently completed a Fire Service Assessment Program for the City. We first evaluated the feasibility of a fire assessment program in terms of the relief that it would provide to the General Fund and the expected impact upon various classes of properties in the City. We presented this analysis to the City Council in an interactive workshop and the Council decided to proceed with the development of a Fire Assessment Program. We then met with City staff to evaluate alternative assessment methodologies to be used to develop fair and equitable Fire Services assessments to recover the cost of the City's Fire Service Program.

We reviewed and analyzed the City's Fire/EMS budget, performed a cost allocation analysis to isolate the fire services costs, compiled historical calls by property type, worked with the Lee County Property Appraiser to identify and compile the necessary property data, as well as growth and other required information. Utilizing our Benefit Assessment Module of FAMS-XL©, we compiled and sorted the property data and identified two primary property classes: Res SF, Res MF, Commercial,

Warehouse/Industrial and Institutional. We used the model to allocate the costs between these property types and further to each specific parcel. We identified cost recovery options for the City to satisfy political objectives to ease the burden on City residents. We tested each scenario for revenue sufficiency over a ten-year projection period. We conducted several interactive work sessions with City staff and several informational sessions with the City Council.

B&A Team: Michael Burton, Andrew Burnham, Erick van Malssen

Client Contact: Ms. Maria Joyner, Director of Finance, 2200 Second Street, Fort Myers, FL 33901,

(239) 321-7145, mjoyner@cityftmyers.com



CITY OF NORTH PORT (2012)

We recently completed a Fire Service Assessment for the City. We met with City staff to evaluate alternative assessment methodologies to be used to develop fair and equitable Fire Services assessments to recover the cost of the City's Fire Service District. We

reviewed and analyzed the City's Fire/EMS budget, performed a cost allocation analysis to isolate the fire services costs, compiled historical calls by property type, worked with the Sarasota County property appraiser to identify and compile the necessary property data, as well as growth and other required information.

Utilizing our Benefit Assessment Module of FAMS-XL©, we compiled and sorted the property data. We identified cost recovery options for the City to satisfy political objectives to ease the burden on City residents. We tested each scenario for revenue sufficiency over a ten-year projection period. We conducted several interactive work sessions with City staff and several informational sessions with City residents. We have also used a similar process to develop an alternative cost apportionment methodology and resultant alternative road and drainage assessments for the City.

B&A Team: Michael Burton, Andrew Burnham

Client Contact: Chief William Taaffe, Fire Chief, 4980 City Center Blvd., North Port, FL 34286, (941)

240-8150, wtaaffe@cityofnorthport.com



CITY OF COCOA, FLORIDA (2009 - PRESENT)

We recently completed an integrated financial sustainability analysis for the City. This analysis included the General Fund, the Water and Wastewater Fund, and the Fire Assessment. The analysis identified an integrated solution to the identified budget

shortfall that involved a water and wastewater transfer to the General Fund and an increase in the fire assessment to fund the portion of additional staffing, facilities and equipment that cannot be funded by the general fund. We are in the process of updating the fire assessment in conformance with the plan developed in the above described integrated financial sustainability analysis.

Also, two years ago we completed a Fire Protection Assessment Study for the City. The objective of this study was to develop a recommended methodology for the City's Fire Protection Assessments that would result in assessment rates that would recover a portion of the full cost requirement of providing fire protection service to properties within the City limits for FY 2014 and subsequent years in proportion to

the benefit received from the fire protection service provided by the City. During this study, we identified the full FY 2014 cost requirements for the provision of fire protection service that recognized the high level of service that has traditionally been provided by the City. We also projected annual cost requirements for providing fire protection service in each year of a ten-year projection period from FY 2014 through FY 2023.

We accomplished this through interactive work sessions with City staff. We have also conducted a comprehensive water, wastewater, and reclaimed water cost of service and rate study for the City, including development of a ten-year financial management plan, rate design, impact fees, and specific service charges, and developed updated water and wastewater impact fees, including assessment of the effects of adjusted impact fees upon the rate plan scenarios in the rate revenue forecast. We also developed an indirect cost allocation model and determined appropriate transfers to the General Fund for the City's Water and Sewer Enterprise Fund.

B&A Team: Michael Burton, Andrew Burnham, Erick van Malssen, Vita Paltridge **Client Contact:** Mr. John Titkanich, City Manager, 65 Stone Street, Cocoa, FL 32922 (321) 433-8484, jttkanich@cocoafl.org



CITY OF STUART, FLORIDA (2014)

We recently completed a Fire Rescue Assessment for the City. We met with City staff to evaluate alternative assessment methodologies to be used to develop fair and equitable Fire Rescue assessment to recover the cost of the City's Fire Service

District. We reviewed and analyzed the City's Fire/EMS budget, performed a cost allocation analysis to isolate the fire services costs, compiled historical calls by property type, worked with the Sarasota County property appraiser to identify and compile the necessary property data, as well as growth and other required information.

Utilizing our Benefit Assessment Module of FAMS-XL©, we compiled and sorted the property data. We identified cost recovery options for the City to satisfy political objectives to ease the burden on City residents. We tested each scenario for revenue sufficiency over a ten-year projection period. We conducted several interactive work sessions with City staff and several informational sessions with City residents. We have also used a similar process to develop an alternative cost apportionment methodology and resultant alternative road and drainage assessments for the City.

B&A Team: Michael Burton, Andrew Burnham

Client Contact: Louis J. Boglioli, III, CGFO, Financial Services Assistant Director, 121 SW Flagler Ave, Stuart, FL 34994, (772) 288-5324, jboglioli@ci.stuart.fl.us



4. TIMELINE FOR COMPLETION OF SERVICES

FIRE RESCUE NON-AD VALOREM ASSESSMENT METHODOLOGY

This section presents our understanding, approach and schedule for completing the requested scope of services.

4.1 Understanding & Methodology

It is our understanding that the City is requesting a comprehensive Fire Rescue Non-Ad Valorem Assessment Methodology study to be conducted by a qualified consultant in order to review and develop a Fire Rescue Assessment Program for the City. The study will ensure that adequate revenues are generated to cover operations, maintenance, replacement costs, capital improvements, existing debt, and potential future debt expenses. As part of the study, we will also develop required ordinances and resolutions as well as notices for the required public hearing.

There are several approaches to the apportionment of costs and assessment rate design for fire assessment programs. For many years, the calls-for-service approach has been adopted by many communities. This is sometimes referred to as the "demand" approach because the cost apportionment is based upon the demand for fire protection by property class as reflected in historical calls for service records. However, in recent years an "availability" approach has become prevalent and has been validated by the Florida Supreme Court. This approach is premised upon the finding that properties receive benefit from fire protection service by the availability of fire protection service regardless of whether a property or property class ever requests a call for service.

All the approaches listed herein meet the legal requirements established through State statutes and case law. During the initiation of the Study, we will discuss with the City which approach would best serve its current situation and its constituents. Upon determination of the desired approach, we will proceed with the development of assessment rates and an assessment roll based upon the selected methodology. The following sub-sections provide a more detailed description of the "calls for service" approach, the "availability" approach and the potential for additional alternatives.

Calls for Service Method

The "calls-for-service" method has been used for some time in Florida and a number of fire assessments around the State were developed using this methodology. The premise of the methodology is that costs are apportioned to property classes based upon each class's demand for service based upon the percentage of calls for service to each property class. Although this is an accepted methodology, it doesn't recognize the benefit conferred upon properties by the availability of fire rescue service independent of calls for service. It also requires updating of the cost apportionment with updated calls for service, or incident analyses, sometimes resulting in shifting of the cost burden among property classes as calls for service shift from year to year and is sometimes difficult for property owners to understand that they are assessed even though they never have a call for service.

Availability Method

In recent years, an availability method has been validated, the premise of which is that properties receive a benefit from fire protection service by its availability, independent of calls for service to specific property

classes. The availability approach is a simple approach, is intuitive to most property owners and requires minimal updating as it is essentially self-adjusting as properties move from un-improved to improved status. The costs of providing fire protection service are recovered through 1) assessments to properties in proportion to the benefit received by the general availability of fire protection service to all properties, and 2) by the specific availability of fire protection service apportioned to benefit by protection from loss of structures due to fire on improved property.

We have extensive experience in using the availability method, and it should be noted that we recently went through a successful bond validation of a fire assessment that we developed for the City of Cape Coral using the availability method. The validation was contested by eight interveners and the assessment was upheld by the court on all counts. Four of the interveners then appealed the case to the Florida Supreme Court. Amicus briefs were filed in support of the City by the Florida League of Cities in conjunction with the City of Cocoa and also by the City of North Port. The Florida Supreme Court recently issued its order which affirmed the circuit court's finding. Therefore, the availability method is now a method that has been upheld by the Florida Supreme Court and can be used as deemed appropriate by cities and counties throughout Florida.

Alternative Approaches

In addition to evaluating the methodologies described above, to the extent desired, we will also provide the City with alternatives that may better suit the needs of the City but would be legally defensible, possibly a combination of calls-for-service for some component of Fire Rescue costs and availability for other components of Fire Rescue costs. Given our experience and expertise in developing assessment programs and the legal expertise available to our Project Team, we are confident that we will find the best possible approach for the City.

4.2 PROJECT APPROACH

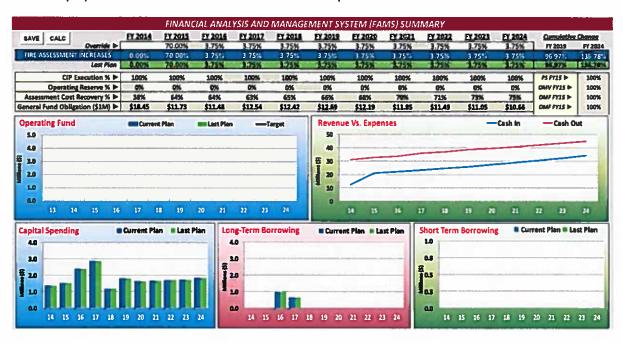
Based on our experience in providing similar services and the understanding of the City's desired scope of work, we have developed the following project approach. This section presents a narrative approach to accomplishing the tasks, including an introduction to our interactive Financial Analysis and Management System (FAMS-XL) model that will be utilized during the Study. Detailed pricing information is presented in Section 6 – Compensation, along with a detailed work plan.

To begin the study, we will meet with City staff in a pre-implementation planning meeting in order to discuss the alternative cost apportionment methodologies available, data requirements, timeline and finalize the scope of services. Throughout the study, we will use the City's official data as provided by the property appraiser and will not manipulate the data which will preserve the integrity of the actual assessment that will be billed on the real property tax roll. Over the many assessments that we have developed, we have adopted a strict policy of adherence to "official" data and we believe that it is critical to use independent, un-manipulated property data from the Property Appraiser. We also develop the assessment using the same file that ultimately becomes, without manipulation, the file used to create the first class mail notices and the assessment role that is certified to the Tax Collector.

When we have reviewed and discussed all data in detail, we will prepare a long term (ten year) financial plan for the funding of fire rescue services. To do so, we will use our interactive FAMS-XL Assessment Model to develop alternative ten-year financial management plan scenarios for your Fire Rescue program that will truly integrate the capital and financial planning processes. We will analyze current and historical budgets to determine the expenses (including capital improvements and equipment) that can be recovered through an Assessment Fee for Fire Service.

We will meet with City staff to discuss the potential methodologies that could be used and determine the methodology to be used in this study. Once the eligible portion of the budget for Fire Rescue has been identified and the long-term financial plans have been established, we will develop alternative scenarios using the methodologies described in the previous section to allocate the appropriate amounts to properties in the City. Regardless of the methodology, in order to develop assessment fees by property class we will use the cost apportionment and assessment/fee modules of our FAMS-XL model to properly apportion costs to cost pools, property classes and individual parcels and to explore alternatives. These alternatives will be reviewed in interactive work sessions with City staff and will include evaluation of the impact of the assessment upon property classes and upon specific properties within each class as required.

An example of the control panel of our Financial Management Plan model for a fire assessment is presented below. The assumption in this plan is that the assessments will be adopted at 38% cost recovery in FY 2014, increased to 70% cost recovery in FY 2015 and increase gradually to 75% cost recovery in the final year of the projection period (FY 2024). A subsidy from the general fund to account for the difference is also displayed to demonstrate the full cost to fund fire protection services.



We will then present the assessment program findings to appropriate City Management and prepare a Report of the analysis and proposed methodologies used during the analysis. The Report will include

details of the budget analysis conducted as well as a detailed explanation of the apportionment methodologies reviewed and ultimately employed in the analysis. We will also prepare a comparative survey of the fire assessments of other similar communities to demonstrate how the City compares to its peers. Finally, if requested, we will conduct community outreach and educational campaigns which include public workshops and meetings with stakeholders.

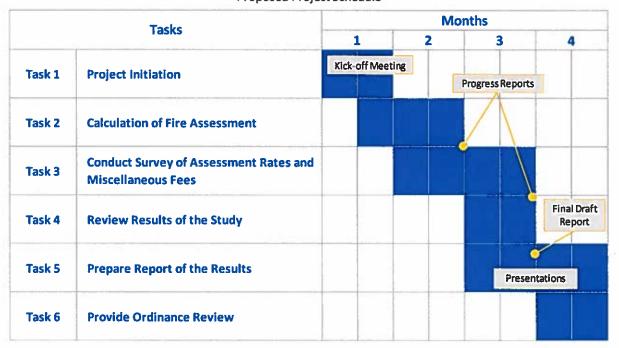
Finally, we will provide assistance with the assessment adoption process in conformance with the Uniform Assessment Collection Act. We will work closely with City Staff and our legal advisor Chris Roe of Bryant, Miller & Olive to acquire approval of the assessment fees and ultimately assist in the implementation of the assessments. We will assist the City with any required actions leading up to the approval process including the development of the required ordinances and resolutions, the first class mail notice of hearing, distribution of the first class notice, participation in public hearings, and certification of the final assessment roll to the County Tax Collector.

4.3 PROJECT SCHEDULE

Based upon our understanding of the requested scope of services, we have prepared the following project timeline which demonstrates completion of the fire assessment fee study within approximately 4 months or 120 days from notice to proceed.

City of Venice, FL

Fire Rescue Non-Ad Valorem Assessment Methodology
Proposed Project Schedule



4.4 DETAILED WORK PLAN

Please see Section 5 for a detailed work plan including all tasks and sub-tasks that will be accomplished during the conduct of the study.



5. LUMP SUM COST & ADDITIONAL SERVICES

We have prepared a Project Work Plan & Cost Estimate Schedule (Schedule), presented on the following pages and summarized below. The Schedule includes a breakdown of estimated labor hours and costs associated with each task of the desired Scope of Services listed in the Request for Proposals. The proposed fees presented herein are fixed, not-to-exceed fees and include all expenses.

Task Description	Principal-in- Charge	Project Manager	Project Consultant	Legal (BMO)	Total Hours	Cost
Fire Assessment		10002200		Rea .	200	
Task 1 Project Initiation	2	4	6	2	14	\$ 2,640
Task 2 Calculation of Fire Assessment	10	24	55	3	92	\$ 15,710
Task 3 Conduct Survey of Assessment Rates and Miscellaneous Fees	0	1	6	0	7	\$ 1,05
Task 4 Review Results of the Study	6	11	10	0	27	\$ 4,98
Task 5 Prepare Report of the Results	4	8	18	4	34	\$ 6,15
Task 6 Provide Ordinance Review	4	1	5	21	31	\$ 7,47
Total Hours & Consulting Fee	26	49	100	30	205	\$ 38,01
Estimated Expenses						\$ 1,50
Total Not-To-Exceed Project Cost - Fire Assessment						\$ 39,51

If we are selected, we would recommend meeting with City Staff to discuss the specific scope of services desired at which time we could modify our work plan and cost estimate as appropriate to ensure that the City receives the specific scope of services desired for the most cost effective price.

If additional services, such as additional analysis, meetings or presentations, are requested, they would be charged at the following hourly rates which correspond to the rates presented in the work plan on the following page.

Project Title	Hourly Rates
Principal-in-Charge	\$250
Project Manager	\$185
Project Consultant	\$145
Legal (BMO)	\$265

CITY OF VENICE



6. CITY REQUIRED FORMS

This section presents all forms required by the Request for Proposals, including:

- ✓ Addendum #1, including all Revised Forms included herein
- ✓ Sworn Statement Pursuant To Section 287.133 (3) (A) Florida Statutes On Public Entity Crime
- ✓ Local Preference Checklist
- ✓ Non-Collusion Affidavit
- ✓ Drug Free Workplace
- ✓ Conflict/Non Conflict of Interest and Litigation Statement
- ✓ Registration with the State of Florida



7. LITIGATION & INSURANCE

Burton & Associates has not been involved in any litigation in the past five years. We currently carry liability insurance with limits of \$5,000,000 in addition to other professional insurance that will well exceed the needs of the City.



Hawksley Consulting is dedicated to bringing innovative and impactful solutions to its clients

