

Sponsored by: Burnett

**CITY OF MARATHON, FLORIDA
RESOLUTION 2008-184**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MARATHON, FLORIDA, APPROVING AN AGREEMENT WITH GOVERNMENT SERVICES GROUP, INC. (GSG) AND NABORS, GIBLIN & NICKERSON, P.A. (NG&N) FOR DEVELOPMENT & IMPLEMENTATION OF A CITY-WIDE NON-AD VALOREM ASSESSMENT PROGRAM REGARDING WASTEWATER IMPROVEMENTS FOR AREAS 1, 2, 3, 5 & 7 AND MAINTENANCE OF AREAS 4, 6, & LITTLE VENICE ASSESSMENT IN AN AMOUNT OF \$74,000 (PLUS FIRST CLASS MAILING AND TRAVEL)

WHEREAS, the City of Marathon desires to impose special assessments to fund wastewater improvements for Fiscal Year 2008-2009; and

WHEREAS, the City intends to impose a wastewater assessment in the City which will be collected on the tax bill in November of each year; and

WHEREAS, Government Services Group, Inc (“GSG”) is well qualified and experienced in assisting local governments with the development and implementation of non-ad valorem assessments and have agreed to make themselves available to provide professional services to assist the City in accomplishing the Wastewater Assessment project for Fiscal Year 2008-2009;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MARATHON, FLORIDA, THAT:

Section 1. The above recitals are true and correct and incorporated herein.

Section 2. Council authorizes the professional services agreement with Government Services Group, Inc. (“GSG”) which is included as Exhibit A to this resolution and incorporated herein by reference in the amount of \$74,000.00 plus first class mailing and travel.

Section 3. This resolution shall take effect immediately upon its adoption.

PASSED AND APPROVED by the City Council of the city of Marathon, Florida, this 9th day of December, 2008.

THE CITY OF MARATHON, FLORIDA



Mike Cinque, Mayor

AYES: Ramsay, Snead, Vasil, Worthington, Cinque
NOES: None
ABSENT: None
ABSTAIN: None

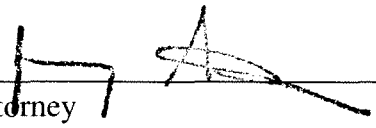
ATTEST:



Diane Clavier, City Clerk

(City Seal)

**APPROVED AS TO FORM AND LEGALITY FOR THE USE AND RELIANCE OF THE
CITY OF MARATHON, FLORIDA ONLY:**



City Attorney



public sector
funding & service
solutions

GOVERNMENT SERVICES GROUP, INC.

October 16, 2008

Via Electronic Transmission

Ms. Susie Thomas
City of Marathon
9805 Overseas Highway
Marathon, FL 33050

**Re: City of Marathon – Service Area #4 and Service Area #6 Wastewater Improvements
Assessment Program: Continuing Services**

Dear Ms. Thomas,

The City of Marathon (City) has now completed its first year of the annual capital assessment programs for wastewater services for Service Areas #4 and #6. Government Services Group, Inc. (GSG) and Nabors, Giblin & Nickerson, P.A. (NG&N) are pleased to have assisted the City in undertaking and successfully implementing these assessment programs.

In order to continue this relationship and the achievements realized thus far, I have enclosed as Appendix A the proposed scope of services, fees, deliverables and payment schedule to assist the City of Marathon in the annual maintenance of the wastewater assessment programs for Service Areas #4 and #6, for Fiscal Year 2009-10.

Please note that the fees for this second year of the program reflect the work effort to complete the verification of the parcel specific assignment of EDUs and connections based on field work, corrections and the appeals process. The fees for future fiscal years should decrease once this work effort is completed.

Please review the attached scope of services. The execution of this letter agreement indicates acceptance of this proposal and notice to proceed. Upon execution of this agreement, please provide us with one signed copy for our files. If you have any questions, please do not hesitate to contact Heather Encinosa of NG&N or me. We look forward to working with the City of Marathon again this year.

Sincerely,

Camille P. Tharpe
Sr. Vice President

cc: Heather Encinosa, NG&N

ACCEPTED AND AGREED TO:

BY Clyde Burnett
City of Marathon

12/18/08
Date

Appendix A

ANNUAL WASTEWATER IMPROVEMENT ASSESSMENT PROGRAM
FOR LITTLE VENICE AND SERVICE AREAS #4 AND #6
FISCAL YEAR 2009-2010

Scope of Services

- Task 1: Annual Maintenance of the Assessment Rolls** Provide periodic updates and maintenance of the special assessment rolls. Coordinate and reconcile prepayment amounts with the City.
- Task 2: Prepare Annual Assessment Rolls** Develop and update the assessment rolls for Fiscal Year 2009-10 for use in the recurring annual assessment programs by obtaining new ad valorem tax roll information from the Monroe County Property Appraiser’s Office, identifying changes to parcels (i.e., splits, combinations and subdivisions) and applying payoff information. GSG will work with City staff as necessary to process database revisions generated.
- Task 3: Calculate Annual Assessments** Calculate/confirm the annual assessment amounts, at the parcel level, based on the apportionment methodology and debt service for the assessment programs for Fiscal Year 2009-10.
- Task 4: Certify the Annual Assessment Rolls** If required, advise and assist with the legal requirements for the adoption of the final assessment rate resolutions in accordance with Section 197.3632, Florida Statutes including the certification of the assessment rolls to the Monroe County Tax Collector.
- Task 5: Export Assessment Rolls** Export the Fiscal Year 2009-10 assessment rolls to the Monroe County Tax Collector.
- Task 6: Compute Prepayment Amounts** Compute the prepayment amounts upon delivery of the Fiscal Year 2009-10 assessment rolls and prepare new prepayment rolls.

FEES AND COSTS

The fee for GSG and NG&N to provide the professional services described in the proposed Scope of Services for all three areas will be \$22,000, of which \$15,000 is for professional services rendered by GSG and \$7,000 is for professional services rendered by NG&N. This fee includes reimbursement for all out-of-pocket expenses, except as noted below.

The professional services fee does not include any on-site visits to the City. Any requested on-site meetings by GSG staff may be arranged at our standard hourly rates provided below. All expenses related to these requested meetings will be billed in accordance with section 112.061, Florida Statutes. If necessary, in lieu of on-site visits, periodic telephone conference calls may be scheduled to discuss project status.

The standard hourly rates for GSG and NG&N are as follows:

GOVERNMENT SERVICES GROUP, INC.

Chief Executive Officer	\$225
Senior Vice President	\$175
Vice President	\$160
Senior Project Manager/Consultant/Project Coordinator	\$160
Consultant/Database Analyst/Technical Services	\$130
Administrative Support.....	\$ 50

NABORS, GIBLIN & NICKERSON, P.A.

Firm Partners..... \$225
Firm Associates..... \$200

The professional services fee does not include the costs of producing and mailing the statutorily required first class notices. Mailing and production costs depend on the number of assessable parcels of property within the assessment program area, but average approximately \$1.28 per parcel. Payment of mailing and production costs is due at the time of adoption of the initial assessment resolution or like document. For non-domestic notices, mailing charges will include the actual amount of postage beyond the domestic rate and if U.S. postage rates increase prior to mailing, the additional postage per notice will be charged. A \$400 setup fee is charged for mailings to less than 2,000 parcels.

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

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

PAYMENT SCHEDULE

The professional services fee will be due and payable, based on the following schedule and assuming that notice to proceed is received prior to November 1, 2008. If notice to proceed occurs after this date, the payment schedule will be condensed over the anticipated number of months remaining to complete the project.

Schedule	Payment
December 2008	25% of professional services fee
March 2009	25% of professional services fee
June 2009	25% of professional services fee
September 2009	25% of professional services fee

DELIVERABLES SCHEDULE

Deliverable	Schedule
Notice to Proceed	October 2008
Annual Maintenance of the Assessment Roll	Periodically
Prepare Annual Assessment Roll	July-August 2009
Prepayment Period Cutoff for FY 2009-10	August 15, 2009
Calculate Annual Assessment Amounts	July-August 2009
Certify and Export Annual Assessment Roll	By September 15, 2009
Compute Prepayment Amounts	September - October 2009



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GOVERNMENT SERVICES GROUP, INC.

October 16, 2008

Via Electronic Transmission

Ms. Susie Thomas
City of Marathon
9805 Overseas Highway
Marathon, FL 33050

**Re: City of Marathon – Little Venice Wastewater Improvements Assessment Program:
Continuing Services**

Dear Ms. Thomas,

The City of Marathon (City) has now completed its first year of the annual capital assessment programs for wastewater services for Little Venice. Government Services Group, Inc. (GSG) and Nabors, Giblin & Nickerson, P.A. (NG&N) are pleased to have assisted the City in undertaking and successfully implementing these assessment programs.

In order to continue this relationship and the achievements realized thus far, I have enclosed as Appendix A the proposed scope of services, fees, deliverables and payment schedule to assist the City of Marathon in the annual maintenance of the wastewater assessment programs for Little Venice, for Fiscal Year 2009-10.

Please note that the fees for this second year of the program reflect the work effort to complete the verification of the information from the FKAA original assessment roll based on field work and corrections. The fees for future fiscal years should decrease once this work effort is completed.

Please review the attached scope of services. The execution of this letter agreement indicates acceptance of this proposal and notice to proceed. Upon execution of this agreement, please provide us with one signed copy for our files. If you have any questions, please do not hesitate to contact Heather Encinosa of NG&N or me. We look forward to working with the City of Marathon again this year.

Sincerely,

Camille P. Tharpe
Sr. Vice President

cc: Heather Encinosa, NG&N

ACCEPTED AND AGREED TO:

BY Clyde Burnett
City of Marathon

12/10/08
Date

Appendix A

ANNUAL WASTEWATER IMPROVEMENT ASSESSMENT PROGRAM
FOR LITTLE VENICE AND SERVICE AREAS #4 AND #6
FISCAL YEAR 2009-2010

Scope of Services

- Task 1: Annual Maintenance of the Assessment Rolls** Provide periodic updates and maintenance of the special assessment rolls. Coordinate and reconcile prepayment amounts with the City.
- Task 2: Prepare Annual Assessment Rolls** Develop and update the assessment rolls for Fiscal Year 2009-10 for use in the recurring annual assessment programs by obtaining new ad valorem tax roll information from the Monroe County Property Appraiser's Office, identifying changes to parcels (i.e., splits, combinations and subdivisions) and applying payoff information. GSG will work with City staff as necessary to process database revisions generated.
- Task 3: Calculate Annual Assessments** Calculate/confirm the annual assessment amounts, at the parcel level, based on the apportionment methodology and debt service for the assessment programs for Fiscal Year 2009-10.
- Task 4: Certify the Annual Assessment Rolls** If required, advise and assist with the legal requirements for the adoption of the final assessment rate resolutions in accordance with Section 197.3632, Florida Statutes including the certification of the assessment rolls to the Monroe County Tax Collector.
- Task 5: Export Assessment Rolls** Export the Fiscal Year 2009-10 assessment rolls to the Monroe County Tax Collector.
- Task 6: Compute Prepayment Amounts** Compute the prepayment amounts upon delivery of the Fiscal Year 2009-10 assessment rolls and prepare new prepayment rolls.

FEES AND COSTS

The fee for GSG and NG&N to provide the professional services described in the proposed Scope of Services for all three areas will be \$17,000, of which \$10,000 is for professional services rendered by GSG and \$7,000 is for professional services rendered by NG&N. This fee includes reimbursement for all out-of-pocket expenses, except as noted below.

The professional services fee does not include any on-site visits to the City. Any requested on-site meetings by GSG staff may be arranged at our standard hourly rates provided below. All expenses related to these requested meetings will be billed in accordance with section 112.061, Florida Statutes. If necessary, in lieu of on-site visits, periodic telephone conference calls may be scheduled to discuss project status.

The standard hourly rates for GSG and NG&N are as follows:

GOVERNMENT SERVICES GROUP, INC.

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NABORS, GIBLIN & NICKERSON, P.A.

Firm Partners \$225
Firm Associates..... \$200

The professional services fee does not include the costs of producing and mailing the statutorily required first class notices. Mailing and production costs depend on the number of assessable parcels of property within the assessment program area, but average approximately \$1.28 per parcel. Payment of mailing and production costs is due at the time of adoption of the initial assessment resolution or like document. For non-domestic notices, mailing charges will include the actual amount of postage beyond the domestic rate and if U.S. postage rates increase prior to mailing, the additional postage per notice will be charged. A \$400 setup fee is charged for mailings to less than 2,000 parcels.

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

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

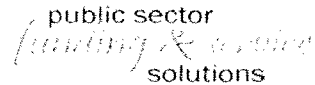
PAYMENT SCHEDULE

The professional services fee will be due and payable, based on the following schedule and assuming that notice to proceed is received prior to November 1, 2008. If notice to proceed occurs after this date, the payment schedule will be condensed over the anticipated number of months remaining to complete the project.

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December 2008	25% of professional services fee
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DELIVERABLES SCHEDULE

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Compute Prepayment Amounts	September - October 2009



GOVERNMENT SERVICES GROUP, INC.

October 23, 2008

Via Electronic Transfer

Ms. Susie Thomas
City of Marathon
9805 Overseas Highway
Marathon, FL 33050

Re: Work Plan for Implementation of a Non-Ad Valorem Assessment Program for Wastewater Improvements in Service Areas #1, 2, 3, 5 and 7

Dear Susie:

This correspondence is written to present a scope of services and fee for Government Services Group, Inc. (GSG) and Nabors, Giblin & Nickerson, P.A. (NG&N) to provide specialized assistance to the City of Marathon (City) and its staff in the development and implementation of a non-ad valorem assessment program for wastewater improvements within Service Areas #1, 2, 3, 5 and 7.

A major component of this work effort will include the continued development of the billing database for the remaining City wastewater service areas based on the "rules" for treatment of properties previously developed for Service Areas #4 and 6. While GSG worked extensively on the preliminary database for these remaining service areas during 2008, there are several specific tasks needed to further validate the database and minimize corrections or appeals such as:

- Review all new parcels and determine their assignment of service areas through GIS to determine new, dropped and dropped parcels;;
- Review all changes in DOR code assignments;
- Re-check all dockominiums and condominium complexes for changes; and,
- Review developer agreements.

The proposed fees for this component of the scope of services assume that the City staff or consulting engineers will provide timely information related to data insufficiencies and will conduct all field work research necessary to develop a valid database.

The scope of services and proposed fees are based on the following assumptions:

- GSG will utilize the City's existing apportionment methodology as the preliminary basis for the new assessment program.
- The City will provide personnel to conduct any field work necessary to ensure complete and accurate data for the utility accounts and ad valorem tax roll data.

Ms. Susie Thomas
October 23, 2008
Page 2

Attached as Appendix A is a work plan which articulates the services to be provided by the firms to assist you in implementing a non-ad valorem assessment program in a manner that is conducive to the imposition and collection of the assessments using the uniform method of collection in section 197.3632, Florida Statutes.

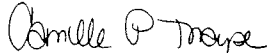
Appendix A also provides a list of project deliverables, delivery schedule and payment schedule. Upon Notice to Proceed we will provide a detailed critical events calendar and a schedule for project deliverables tailored to the specific circumstances unique to the City.

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

Please review the attached scope of services. The execution of this letter agreement indicates acceptance of the proposal and notice to proceed. Upon execution of this agreement, please provide us with a signed copy for our files.

We look forward to working with the City on this very important project. If you or any other City officials have any questions, please feel free to telephone me.

Sincerely,




Camille P. Tharpe

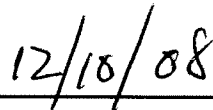
Attachments

cc: Heather Encinosa, NG&N

ACCEPTED AND AGREED TO:

BY: 

City of Marathon



Date

Appendix A

SCOPE OF SERVICES

Scope of Services

- Task 1: Confirm/Validate the Existing Assessment Methodology** GSG will confirm the ability to use the existing assessment methodology established by the City for Service Areas #4 and 6 based on the proposed projects, their location and properties benefited by the projects.
- Task 2: Create the Assessment Billing and Collection Database** GSG will obtain data from the County and FCAA to perform the following subtasks:
- Import updated ad valorem tax roll data, GIS and FCAA utility billing records.
 - Use GIS overlays of the assessment areas to determine the current list of parcels to be included in the assessment, identifying new parcels and those that have been combined, changed, added or removed subsequent to the preliminary database creation.
 - Analyze all new and changed parcels within the area and assign units based on their characteristics, based on the assessment methodology. Identify properties requiring field work and create export reports of the fieldwork for City staff.
 - Match parcels to historical FCAA billing records by location addresses where necessary to determine assessment units.
 - Identify and analyze changes in DOR code assignments subsequent to the preliminary database creation. Update parcel categories and billing units or generate fieldwork as necessary.
 - Analyze and compile all parcel information, assessment units and meter data for dockominiums and condominium complexes in the remaining areas and review with City staff to insure consistency with Areas 4 & 6 and reduce the likelihood of future appeals.
 - Review an updated list of developer agreements and verify assigned assessment units with City staff.
 - Confirm the assignment of billing units in the preliminary database with regard to the assessment methodology.
- Task 3: Determine the Assessment Revenue Requirements for the Assessment Program** Work with the City staff to review the funding requirements of the proposed projects and services. Based on these funding requirements, determine the total assessment revenue requirements for the proposed projects including program implementation costs and annual costs.
- Task 4: Calculate Preliminary Proforma Assessment Rates** Using the preliminary assessment billing database, GSG will develop and apply the schedule of rates for the assessment program using the apportionment methodology for the assessment program.
- Task 5: Draft and edit the Initial Assessment Resolution** NG&N will draft the initial assessment resolution(s) that conform to the wastewater assessment ordinance to impose the wastewater assessments to implement the City's policy decisions and proposed methodology.
- Task 6: Draft and edit the Final Assessment Resolution** NG&N will draft the final assessment resolution(s) that conform to the wastewater assessment ordinance to impose the wastewater assessment and adopt final assessment rates.
- Task 7: Assist in Notice Process** If requested by the City, GSG will prepare and mail the first class notices required by section 197.3632, Florida Statutes. The charge for this task is not included in the lump sum fee, and is detailed below under Fees and Costs.

- Task 8: Assist in Rate Adoption Process** GSG and NG&N will advise and assist with the legal requirements for the adoption of the final assessment rate resolution(s) and certification of the assessment roll(s) in accordance with section 197.3632, Florida Statutes.
- Task 9: Assist in Prepayment Process** GSG will advise and assist with the prepayment process including preparation and mailing of the prepayment notices and provision of a table or spreadsheet for City staff to track prepayments. The charge for processing prepayment notices is not included in the lump sum fee, and is detailed below under Fees and Costs.
- Task 10: Certify the Assessment Roll** GSG will create and export the final assessment roll and will transmit the roll to the Monroe County Tax Collector in the prescribed electronic format by September 15, 2009.

FEES AND COSTS

For services provided by GSG and NG&N, the lump sum fee for the proposed scope of services is \$35,000 of which \$22,500 is for professional services rendered by GSG and \$12,500 is for professional services rendered by NG&N. Except as noted below, this lump sum fee includes reimbursement for all out-of-pocket expenses.

The lump sum fee for professional services includes two on-site visits by GSG staff and one on-site visit by NG&N to the City. The lump sum fee for professional services does include reimbursement for all travel-related out-of-pocket expenses, **except airfare, lodging, and ground transportation. These travel expenses will be billed at actual cost.** Any additional on-site meetings by GSG and NG&N staff may be arranged at our standard hourly rates provided below. All expenses related to these requested meetings will be billed in accordance with section 112.061, Florida Statutes. If necessary, in lieu of on-site visits, periodic telephone conference calls may be scheduled to discuss project status.

The standard hourly rates for GSG and NG&N are as follows:

GOVERNMENT SERVICES GROUP, INC.

Chief Executive Officer	\$225
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Vice President.....	\$160
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The lump sum fee does not include the costs of producing and mailing the statutorily required first class notices or prepayment notices. Mailing and production costs depend on the number of assessable parcels of property within the assessment program area, but average approximately \$1.28 per parcel. Payment of mailing and production costs is due at the time of adoption of the initial assessment resolution or like document. For non-domestic notices, mailing charges will include the actual amount of postage beyond the

domestic rate and if U.S. postage rates increase prior to mailing, the additional postage per notice will be charged. A \$400 setup fee is charged for mailings to less than 2,000 parcels.

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

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

The lump sum fee also does not include the development of an assessment roll maintenance and customer service support system. Because of the complexity of this project, the City staff may want to develop customer service interface functions and address all report requirements. Information about these services is provided in the Additional Services section.

PAYMENT SCHEDULE

Payment will be based on the following schedule assuming that notice to proceed is received by November 2008. If notice to proceed occurs after November 2008, payment will be pro-rated on the basis of the anticipated number of months included in the project.

Payment Date	Payment Amount
December 2008	25% of total lump sum fee
February 2009	25% of total lump sum fee
May 2009	25% of total lump sum fee
September 2009	25% of total lump sum fee

DELIVERABLES SCHEDULE

Event	Date
Notice to Proceed	November 2008
Develop Database	November 2008 - February 2009
Develop Revenue Requirements	November 2008 - February 2009
Apply Methodology	January - March 2009
Initial Assessment Resolution	March - August 2009
First Class Mailed Notice	March - August 2009
Published Notice	March - August 2009
Public Hearing	April - September 2009
Certification to Tax Collector	by September 15, 2009