

COUNCIL AGENDA STATEMENT



Meeting Date: November 9, 2021
To: Honorable Mayor & Members of the City Council
From: Dan Saus, Utilities Director
Through: George Garrett, City Manager

Agenda Item: **Resolution 2021-106**, Approving A Professional Services Agreement Between The City And Government Services Group, Inc. For Professional Services Related To The City’s Annual Non-Ad Valorem Wastewater and Stormwater Special Assessment Programs, In An Amount Not To Exceed \$46,500 for Fiscal Year 2022-2023, and \$42,000 for Fiscal Year 2023-2024, and Fiscal Year 2024-2025; Authorizing The City Manager To Execute The Agreement And Expend Budgeted Funds On Behalf Of The City; And Providing For An Effective Date

BACKGROUND & JUSTIFICATION:

Government Services Group, Inc. (GSG) has provided the services required to annually update the City’s non-ad valorem special assessments since 2008. The attached proposal will provide similar services for Fiscal Years 2022-23 through 2024-25 as in the past which include all payment and owner update preparations required for the annual assessment rolls, recalculating payment data, and transferring the data file to the tax collector’s office for Stormwater and Wastewater non-ad valorem assessment programs.

CONSISTENCY CHECKLIST:

	<u>YES</u>	<u>NO</u>
1. Comprehensive Plan	<u>X</u>	
2. Other (2010 State Mandate)	<u>X</u>	

FISCAL NOTE:

The FY22 Wastewater budget includes \$40,000 and the Stormwater budget includes \$10,000 of appropriations for this service. Approval will require the appropriation of funds in future year utilities budgets.

RECOMMENDATION:

Approval of Resolution.

**CITY OF MARATHON, FLORIDA
RESOLUTION 2021-106**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MARATHON, FLORIDA APPROVING A PROFESSIONAL SERVICES AGREEMENT BETWEEN THE CITY AND GOVERNMENT SERVICES GROUP, INC. FOR PROFESSIONAL SERVICES RELATED TO THE CITY'S ANNUAL NON-AD VALOREM WASTEWATER AND STORMWATER SPECIAL ASSESSMENT PROGRAMS IN AN AMOUNT NOT TO EXCEED \$46,500 FOR FISCAL YEAR 2022-2023, AND \$42,000 FOR FISCAL YEAR 2023-2024, AND FISCAL YEAR 2024-2025; AUTHORIZING THE CITY MANAGER TO EXECUTE THE AGREEMENT AND EXPEND BUDGETED FUNDS ON BEHALF OF THE CITY; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the City of Marathon, Florida (the "City") has established an annual non-ad valorem special assessment to fund stormwater management, and road and wastewater improvements on an on-going basis; and

WHEREAS, the City desires to engage the professional services of Government Services Group, Inc ("GSG") to assist with the statutorily-required annual update of the City's non-ad valorem wastewater and stormwater special assessment programs for Fiscal Years 2022-23 through 2024-25.

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. The agreement between the City and GSG for professional services in the amount of \$46,500.00 for Fiscal Year 2022-2023, and \$42,000 for Fiscal Years 2024-2025 (plus first class mailing and travel, if needed), a copy of which is attached as Exhibit "A," together with such non-material changes as may be acceptable to the City Manager and approved as to form by the City Attorney, is hereby approved. The City Manager is authorized to execute the agreement on behalf of the City and expend budgeted funds.

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 NOVEMBER, 2021.

THE CITY OF MARATHON, FLORIDA

Mayor Luis Gonzalez

AYES:
NOES:
ABSENT:
ABSTAIN:


ATTEST:

Diane Clavier, City Clerk

(City Seal)

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

Steve Williams, City Attorney



October 8, 2021

Via Electronic Transmission

Mr. Dan Saus
Utilities Director
City of Marathon
9805 Overseas Highway
Marathon, FL 33050

Re: City of Marathon Stormwater Assessment Programs – Proposal for 3-Year Continuing Services Contract (Fiscal Years 2022-23 through 2024-25)

Dear Mr. Saus,

Government Services Group, Inc. (“GSG”) is grateful for the opportunity to assist the City of Marathon (“City”) with the annual maintenance of this recurring revenue source and as such, we would like to offer a continuation of our services. GSG is pleased to present this proposal to provide continued specialized assistance to the City and its staff in the ongoing maintenance of the stormwater assessment program for Fiscal Years 2022-23 through 2024-25.

Attached as Appendix A is a proposed Scope of Services which details the professional services and specialized assistance required by GSG to assist the City with the annual maintenance of the stormwater assessment program throughout the three-year period. Also included as part of Appendix A is a list of annual critical events and project deliverables, a delivery schedule, project fees, and a payment schedule.

Please review the attached Scope of Services and feel free to contact me with any questions or concerns. If the terms outlined in this proposal are satisfactory, please sign where indicated to acknowledge acceptance of the proposed Scope of Services and to serve as proper Notice to Proceed. Upon execution, please provide us with a signed copy for our files.

We appreciate the opportunity to present this proposal for the requested services and look forward to working with the City of Marathon. If you have any questions or need additional information, please do not hesitate to contact me at (850) 681-3717.

Sincerely,



Sandi Walker
Assistant Director, Government Services Division

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Appendix A

SCOPE OF SERVICES
ANNUAL STORMWATER MANAGEMENT
FISCAL YEARS 2022-23 THROUGH 2024-25

Scope of Services

PROJECT ASSUMPTIONS

This Scope of Services is based on the following assumptions:

1. The stormwater assessment program (for Fiscal Years 2022-23 through 2024-25) will use the current assessment methodology developed by Chen and Associates for the City.
2. The fiscal year assessment database will use the existing database from the Fiscal Year 2021-22 certified assessment roll.
3. GSG will not conduct an analysis of the sufficiency of the data on the existing database relative to the property data contained on the ad valorem tax roll maintained by the Monroe County Property Appraiser.
4. The impervious area data associated with new additions to the ad valorem tax roll will be identified and provided by the City in electronic format and will include the parcel identification number and the amount of impervious area assigned to the new additions.
5. Any missing data will be provided by fieldwork conducted by City staff.
6. All legal documentation will be prepared by the City's attorney.

PROJECT WORK PLAN

The Scope of Services and our work plan for the project will include the following tasks:

- Task 1: Provide Base Retainer Services for Current Fiscal Year Assessment Program** Upon notice to proceed, GSG will be retained to administer the current fiscal year assessment program and maintain the assessment roll database. Such retainer services will include GSG's availability to respond to requests for information or assistance from City staff regarding all aspects of the current assessment program. In addition, GSG will prepare the critical events schedule for the upcoming fiscal year to ensure adherence to the statutory deadlines and will maintain the current fiscal year database in a manner that ensures data availability to specific requests.
- Task 2: Create Preliminary Annual Assessment Roll** GSG will import updated Property Appraiser data to construct the preliminary annual assessment roll. Corrections from the City will be applied to the updated data. GSG will then create the preliminary assessment roll by extending the rates to the affected tax parcels according to the methodology.
- Task 3: Review the Assessment Resolution(s)** GSG will review and provide feedback on the assessment resolution(s) prepared by the City Attorney.
- Task 4: Assist in Annual Notice Preparation and Mailing** 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 in the following section, Fees and Costs.
- Task 5: Offer Expertise throughout Rate Adoption Process** GSG will advise and assist with fulfilling all legal requirements for the adoption of the final assessment rate resolution(s) and certification of annual assessment roll(s) in accordance with Section 197.3632, Florida Statutes.

Task 6: Certify, Export and Transmit the Final Assessment Roll in Conformance with Uniform Method Using the final assessment roll, GSG will prepare export files on compatible electronic medium capable of merger with the ad valorem tax roll files and will transmit the file to the Tax Collector in the prescribed format.

GSG covenants and agrees to use its best efforts to assist in accomplishing the City’s objectives. GSG cannot provide any indemnification or guarantee relative to any challenge to the City by a third-party. GSG’s commitment to the City is to share its experience and provide our best efforts providing a reasonable analysis and approach to the development of our analysis. Errors or omissions in the development of our analysis will be addressed, any remedy or cure resulting from an administrative error or omission by GSG and the direct costs related thereto shall be provided by GSG at no additional charge to the City.

**SCHEDULE OF CRITICAL EVENTS & DELIVERABLES
(FY 2022-23 THROUGH FY 2024-25)**

Critical Event/Deliverable	Date
Notice to Proceed	By November 30 th
Annual Maintenance of the Assessment Roll	Periodically throughout the year
Critical Events Schedule	January - March
Develop Assessment Roll Database	April – May
Provide Direction on Annual Assessment Rates	May – June
Prepare & Mail First Class Notices (if required)	June – July
City Publishes Notice	June – July
Provide Comments on Drafted Assessment Resolution(s)	July
Public Hearing	July
Final Assessment Roll	August
Export & Transmit Final Assessment Roll to Tax Collector	By September 15 th
Certify Assessment Roll to Tax Collector	By September 15 th

FEES AND COSTS

For the professional services and specialized assistance provided by GSG, as defined in the proposed Scope of Services, we will work under a professional fee arrangement of \$11,000 annually. This annual 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 are as follows:

GOVERNMENT SERVICES GROUP, INC.

Senior Advisor	\$285
Vice President/Managing Director.....	\$285
Assistant Director	\$235
Project Manager/Project Coordinator.....	\$185
Database Analyst/Technical Services	\$150
Lead Project Analyst	\$100
Project Analyst.....	\$ 90
Administrative Support	\$ 75

The lump sum fee **does not include the costs of producing and mailing first class notices, if required.**

Mailing and production costs depend on the number of assessable parcels of property within the assessment program area, but average approximately \$1.44 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. Should U.S. postage rates increase prior to mailing, the additional postage per notice will be charged.

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

The City is responsible for working with the Property Appraiser to obtain the necessary information for properties with exempt “home addresses” pursuant to Section 119.071, Florida Statutes.

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

Please note that GSG works with the premise of 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. Nonetheless, the fees outlined above for professional services do not include any provision for litigation defense. Accordingly, in the event there is a legal challenge, GSG would be available, on an hourly basis, to assist the City in its defense.

PAYMENT SCHEDULE

The fee for professional services for fiscal years 2022-23 through 2024-25 will be due and payable based on the following schedule.

FY 2022-23		
Percentage of Annual Payment	Payment Date	Amount Due
25% of annual fee	January 2022	\$2,750
25% of annual fee	March 2022	\$2,750
25% of annual fee	June 2022	\$2,750
25% of annual fee	September 2022	\$2,750
Total		\$11,000


FY 2023-24		
Percentage of Annual Payment	Payment Date	Amount Due
25% of annual fee	January 2022	\$2,750
25% of annual fee	March 2022	\$2,750
25% of annual fee	June 2022	\$2,750
25% of annual fee	September 2022	\$2,750
Total		\$11,000

FY 2024-25		
Percentage of Annual Payment	Payment Date	Amount Due
25% of annual fee	January 2022	\$2,750
25% of annual fee	March 2022	\$2,750
25% of annual fee	June 2022	\$2,750
25% of annual fee	September 2022	\$2,750
Total		\$11,000

ACCEPTED AND AGREED TO FOR MARATHON STORMWATER SPECIAL ASSESSMENT PROGRAM FISCAL YEARS 2022-23 THROUGH 2024-25:

BY _____
CITY OF MARATHON

DATE



October 10, 2021

Via Electronic Transmission

Mr. Dan Saus
Utilities Director
City of Marathon
9805 Overseas Highway
Marathon, FL 33050

Re: City of Marathon Wastewater Assessment Programs – Proposal for 3-Year Continuing Services Contract (Fiscal Years 2022-23 through 2024-25)

Dear Mr. Saus,

This correspondence is written to present a proposed Scope of Services for Government Services Group, Inc. (“GSG”) to provide professional services and specialized assistance to the City of Marathon (“City”) and its staff in the ongoing maintenance of the following assessment programs:

1. Wastewater assessment program for Service Areas 4 & 6
2. Wastewater assessment program for Service Areas 1, 2, 3, 5 & 7
3. Wastewater assessment program for Little Venice Service Area (Area 2003 for FY 2022-23 only)
4. Wastewater assessment program – Supplemental

Attached as Appendix A is a proposed Scope of Services which articulates the professional services and specialized assistance required by GSG to assist the City with the annual maintenance of the four aforementioned wastewater assessment programs for Fiscal Years 2022-23 through 2024-25. Also included as part of Appendix A is a list of annual project deliverables, delivery schedule, project fees, and payment schedule.

Please review the attached Scope of Services and feel free to contact me with any questions or concerns. Upon review and satisfactory determination, please sign where indicated to acknowledge acceptance of the proposed Scope of Services and to serve as proper Notice to Proceed. Upon execution of the agreement, please provide our office with a signed copy.

We appreciate the opportunity to present this proposal for the requested services and look forward to continuing to be of service to you and the City of Marathon. If you have any questions or need additional information, please do not hesitate to contact me at (850) 681-3717.

Sincerely,



Sandi Walker
Assistant Director, Government Services Division

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Appendix A

SCOPE OF SERVICES
ANNUAL WASTEWATER ASSESSMENT PROGRAMS FOR:
1. SERVICE AREAS 4 & 6
2. SERVICE AREAS 1, 2, 3, 5 & 7
3. LITTLE VENICE SERVICE AREA
4. SUPPLEMENTAL PROGRAM
FISCAL YEARS 2022-23 THROUGH 2024-25

Scope of Services

PROJECT WORK PLAN

The Scope of Services and our work plan for the project will include the following tasks:

- Task 1: Provide Base Retainer Services for Current Fiscal Year Assessment Programs** Upon notice to proceed, GSG will be retained to administer the current fiscal year assessment programs and maintain the assessment rolls database. Such retainer services will include GSG's availability to respond to requests for information or assistance from City staff regarding all aspects of the current assessment programs. In addition, GSG will prepare the critical events schedule for the upcoming fiscal year to ensure adherence to the statutory deadlines and will maintain the current fiscal year database in a manner that ensures data availability to specific requests.
- Task 2: Prepare Annual Assessment Rolls** Update the assessment rolls from the previous fiscal year 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 needed to process the database revisions which are generated.
- Task 3: Calculate Annual Assessment Amounts** Calculate/confirm the annual assessment amounts, at the parcel level, based on the apportionment methodology and debt service for the assessment programs for the upcoming fiscal year.
- Task 4: Assist in Preparation of Annual Resolutions** Assist the City's legal counsel in the preparation of annual assessment resolutions which conform to the related assessment ordinances.
- Task 5: Certify the Annual Assessment Rolls** If necessary, 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 roll to the Monroe County Tax Collector.
- Task 6: Export Assessment Rolls** Export the upcoming fiscal year assessment rolls to the Monroe County Tax Collector.
- Task 7: Compute Prepayment Amounts** Upon delivery of the assessment rolls compute the prepayment amounts for the upcoming fiscal year and prepare prepayment rolls.

GSG covenants and agrees to use its best efforts to assist in accomplishing the City's objectives. GSG cannot provide any indemnification or guarantee relative to any challenge to the City by a third-party. GSG's commitment to the City is to share its experience and provide our best efforts providing a reasonable analysis and approach to the development of our analysis. Errors or omissions in the development of our analysis will be addressed, any remedy or cure resulting from an administrative error or omission by GSG and the direct costs related thereto shall be provided by GSG at no additional charge to the City.

**SCHEDULE OF PROJECT DELIVERABLES
(FY 2022-23 THROUGH FY 2024-25)**

Project Deliverable	Date
Notice to Proceed	By November 30 th
Annual Maintenance of Assessment Rolls Database	Periodically throughout the year
Critical Events Schedule	January – March
Prepare Preliminary Assessment Rolls	April - May
Provide Direction on Annual Assessment Rates	May - June
City Publishes Notice	June – July
Provide Comments on Drafted Assessment Resolution(s)	July
Public Hearing	July
Prepayment Period Ends	August 31 st
Develop Final Assessment Rolls	September
Export & Transmit Final Assessment Rolls to Tax Collector	By September 15 th
Certify Assessment Rolls to Tax Collector	By September 15 th
Compute Prepayment Amounts	September – October

FEES AND COSTS

For the professional services and specialized assistance provided by GSG, we will work under a professional fee arrangement as described in the attached scope of services and as illustrated in the following table:

Assessment Program	Annual Fee (FY 2022-23 – FY 2024-25)
Wastewater Assessment - Service Areas 4 & 6	\$15,000
Wastewater Assessment - Service Areas 1, 2, 3, 5 & 7	\$15,000
Wastewater Assessment - Little Venice (Area 2003 only)	\$4,500 ¹
Wastewater Assessment - Supplemental	\$1,000

For the services provided by GSG, as outlined in the Scope of Services, we will work under a professional fee arrangement of \$35,500 for Fiscal Year 2022-23 and \$31,000 for Fiscal Years 2023-24 and 2024-25. This annual 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.

¹ Little Venice fees are for FY 2022-23 only.

The standard hourly rates for GSG are as follows:

GOVERNMENT SERVICES GROUP, INC.

Senior Advisor	\$285
Vice President/Managing Director.....	\$285
Assistant Director	\$235
Project Manager/Project Coordinator.....	\$185
Database Analyst/Technical Services	\$150
Lead Project Analyst	\$100
Project Analyst.....	\$ 90
Administrative Support	\$ 75

The lump sum fee **does not include the costs of producing and mailing first class notices, if required.**

Mailing and production costs depend on the number of assessable parcels of property within the assessment program area, but average approximately \$1.44 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. Should U.S. postage rates increase prior to mailing, the additional postage per notice will be charged.

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

The City is responsible for working with the Property Appraiser to obtain the necessary information for properties with exempt “home addresses” pursuant to Section 119.071, Florida Statutes.

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

Please note that GSG works with the premise of 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. Nonetheless, the fees outlined above for professional services do not include any provision for litigation defense. Accordingly, in the event there is a legal challenge, GSG would be available, on an hourly basis, to assist the City in its defense.

PAYMENT SCHEDULE

The fee for professional services for fiscal years 2022-23 through 2024-25 will be due and payable based on the following schedule.

FY 2022-23		
Percentage of Annual Payment	Payment Date	Amount Due
25% of annual fee	January 2022	\$8,875
25% of annual fee	March 2022	\$8,875
25% of annual fee	June 2022	\$8,875
25% of annual fee	September 2022	\$8,875
Total		\$35,500

FY 2023-24		
Percentage of Annual Payment	Payment Date	Amount Due
25% of annual fee	January 2022	\$7,750
25% of annual fee	March 2022	\$7,750
25% of annual fee	June 2022	\$7,750
25% of annual fee	September 2022	\$7,750
Total		\$31,000

FY 2024-25		
Percentage of Annual Payment	Payment Date	Amount Due
25% of annual fee	January 2022	\$7,750
25% of annual fee	March 2022	\$7,750
25% of annual fee	June 2022	\$7,750
25% of annual fee	September 2022	\$7,750
Total		\$31,000

ACCEPTED AND AGREED TO FOR MARATHON WASTEWATER SPECIAL ASSESSMENT PROGRAMS FISCAL YEARS 2022-23 THROUGH 2024-25:

BY _____
CITY OF MARATHON

DATE