



**KEYS EDGE  
COMMUNITY DEVELOPMENT  
DISTRICT**

**MIAMI-DADE COUNTY  
REGULAR BOARD MEETING  
NOVEMBER 16, 2022  
3:00 P.M.**

Special District Services, Inc.  
8785 SW 165<sup>th</sup> Avenue, Suite 200  
Miami, FL 33193

[www.keysedgecdd.org](http://www.keysedgecdd.org)  
786.347.2700 ext. 2027 Telephone  
877.SDS.4922 Toll Free  
561.630.4923 Facsimile

**AGENDA**  
**KEYS EDGE COMMUNITY DEVELOPMENT DISTRICT**  
Conference Room  
1100 West Palm Drive  
Florida City, Florida 33034  
**REGULAR BOARD MEETING**  
November 16, 2022  
3:00 p.m.

- A. Call to Order
- B. Proof of Publication.....Page 1
- C. Establish Quorum
- D. Additions or Deletions to Agenda
- E. Comments from the Public for Items Not on the Agenda
- F. Approval of Minutes
  - 1. July 27, 2022 Regular Board Meeting & Public Hearing.....Page 2
- G. Old Business
  - 1. Update Regarding Petition to Amend District Boundary – City of FL City Res. No. 22-69.....Page 5
- H. New Business
  - 1. Consider Resolution No. 2022-09 – Adopting a Fiscal Year 2021/2022 Amended Budget.....Page 9
- I. Administrative & Operational Matters
  - 1. Appointment of Audit Committee and Hold Audit Committee Meeting.....Page 13
    - a. Audit Committee Approval of Audit Criteria to Evaluate Audit Firms
    - b. Announcement to Advertise Request for Proposals (RFPs) for Auditing Services
- J. Board Member & Staff Closing Comments
- K. Adjourn

## MIAMI-DADE

STATE OF FLORIDA  
COUNTY OF MIAMI-DADE:

Before the undersigned authority personally appeared MARIA MESA, who on oath says that he or she is the LEGAL CLERK, Legal Notices of the Miami Daily Business Review f/k/a Miami Review, a daily (except Saturday, Sunday and Legal Holidays) newspaper, published at Miami in Miami-Dade County, Florida; that the attached copy of advertisement, being a Legal Advertisement of Notice in the matter of

### KEYS EDGE COMMUNITY DEVELOPMENT DISTRICT - FISCAL YEAR 2022/2023 REGULAR MEETING SCHEDULE

in the XXXX Court,  
was published in said newspaper by print in the issues of  
and/or by publication on the newspaper's website, if  
authorized, on

10/17/2022

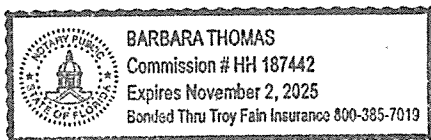
Affiant further says that the newspaper complies with all legal requirements for publication in chapter 50, Florida Statutes.

Sworn to and subscribed before me this  
17 day of OCTOBER, A.D. 2022

*Barbara Thomas*

(SEAL)

MARIA MESA personally known to me



### KEYS EDGE COMMUNITY DEVELOPMENT DISTRICT FISCAL YEAR 2022/2023 REGULAR MEETING SCHEDULE

NOTICE IS HEREBY GIVEN that the Board of Supervisors (the "Board") of the Keys Edge Community Development District (the "District") will hold Regular Meetings in the Conference Room at 1100 West Palm Drive, Florida City, Florida 33034 at 3:00 p.m. on the following dates:

October 26, 2022  
November 16, 2022  
January 25, 2023  
February 22, 2023  
March 22, 2023  
April 26, 2023  
May 24, 2023  
June 28, 2023  
July 26, 2023  
August 23, 2023  
September 27, 2023

The purpose of the meetings is for the Board to consider any District business which may lawfully and properly come before the Board. Meetings are open to the public and will be conducted in accordance with the provisions of Florida law for community development districts. Copies of the Agenda for any of the meetings may be obtained from the District's website or by contacting the District Manager at [nnguyen@sdsinc.org](mailto:nnguyen@sdsinc.org) and/or toll free at 1-877-737-4922, prior to the date of the particular meeting.

From time to time one or two Board members may participate by telephone; therefore, a speaker telephone will be present at the meeting location so that Board members may be fully informed of the discussions taking place. Said meeting(s) may be continued as found necessary to a time and place specified on the record.

If any person decides to appeal any decision made with respect to any matter considered at these meetings, such person will need a record of the proceedings and such person may need to insure that a verbatim record of the proceedings is made at his or her own expense and which record includes the testimony and evidence on which the appeal is based.

In accordance with the provisions of the Americans with Disabilities Act, any person requiring special accommodations or an interpreter to participate at any of these meetings should contact the District Manager at [nnguyen@sdsinc.org](mailto:nnguyen@sdsinc.org) and/or toll free at 1-877-737-4922 at least seven (7) days prior to the date of the particular meeting.

Meetings may be cancelled from time to time with no advertised notice.

KEYS EDGE COMMUNITY DEVELOPMENT DISTRICT

[www.keysedgecdd.org](http://www.keysedgecdd.org)

10/17

22-44/0000625757M

**KEYS EDGE COMMUNITY DEVELOPMENT DISTRICT  
REGULAR BOARD MEETING & PUBLIC HEARING  
JULY 27, 2022**

**A. CALL TO ORDER**

District Manager Armando Silva called the July 27, 2022, Regular Board Meeting of Keys Edge Community Development District (the “District”) to order at 3:04 p.m. in the Conference Room located at 1100 West Palm Drive, Florida City, Florida 33034.

**B. PROOF OF PUBLICATION**

Mr. Silva presented proof of publication that Notice of the Regular Board Meeting had been published in the *Miami Daily Business Review* on May 16, 2022, as part of the District’s revised Fiscal Year 2021/2022 Meeting Schedule, *as legally required*.

**C. ESTABLISH A QUORUM**

Mr. Silva determined that the attendance of Chairwoman Alicia Ale, Vice Chairwoman Miriam Lopez and Supervisors Ronald Fields and Fernando Arango constituted a quorum and it was in order to proceed with the meeting.

Staff members in attendance were: District Manager Armando Silva of Special District Services, Inc.; and District Counsel, Ginger Wald of Billing, Cochran, Lyles, Mauro & Ramsey, P.A.

**D. ADDITIONS OR DELETIONS TO THE AGENDA**

There were no additions or deletions to the agenda.

**E. COMMENTS FROM THE PUBLIC FOR ITEMS NOT ON THE AGENDA**

There were no comments from the public for items not on the agenda.

**F. APPROVAL OF MINUTES**

**1. June 2, 2022, Special Board Meeting**

Mr. Silva presented the minutes of the June 2, 2022, Special Board Meeting and asked if there were any changes and/or corrections.

There being no changes, a **motion** was made by Mr. Arango, seconded by Mr. Fields and unanimously passed approving the minutes of the June 2, 2022, Special Board Meeting, *as presented*.

**NOTE:** *At approximately 3:05 p.m., Mr. Silva recessed the Regular Meeting and simultaneously opened the Public Hearing.*

**G. PUBLIC HEARING**

**1. Proof of Publication**

Mr. Silva presented proof of publication that notice of the Public Hearing had been published in the *Miami Daily Business Review* on July 7, 2022, and July 14, 2022, *as legally required*.

## **2. Receive Public Comments on Fiscal Year 2022/2023 Final Budget**

Mr. Silva opened the public comment portion of the public hearing to receive comments on the 2022/2023 fiscal year final budget. There being no comments, Mr. Silva closed the public comment portion of the Public Hearing.

## **3. Consider Resolution No. 2022-07 – Adopting a Fiscal Year 2022/2023 Final Budget**

Mr. Silva presented Resolution No. 2022-07, entitled:

### **RESOLUTION NO. 2022-07**

**A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE KEYS  
EDGE COMMUNITY DEVELOPMENT DISTRICT APPROVING AND  
ADOPTING A FISCAL YEAR 2022/2023 FINAL BUDGET PURSUANT  
TO CHAPTER 190, *FLORIDA STATUTES*; AND PROVIDING AN  
EFFECTIVE DATE.**

Mr. Silva read the title into the record and stated that the document provides for approving and adopting the fiscal year 2022/2023 final budget. A discussion ensued after which:

A **motion** was made by Mr. Fields, seconded by Ms. Lopez and unanimously passed approving and adopting Resolution No. 2022-07, *as presented*, thereby setting the 2022/2023 final budget.

***NOTE:*** *At approximately 3:14 p.m., Mr. Silva closed the Public Hearing and simultaneously reconvened the Regular Meeting.*

## **H. OLD BUSINESS**

### **1. Update Regarding Petition to Expand District Boundaries**

Mr. Silva advised that he delivered the Petition to Amend the District Boundaries to the City of Florida City. Mr. Silva advised that more information regarding this matter should be available in August.

## **I. NEW BUSINESS**

### **1. Consider Developer's Funding Agreement**

Mr. Silva presented the Developer's Funding Agreement for the Fiscal Year 2022/2023 between the District and the Developer of lands within the boundaries of the District, Onx-Odagled Grand Palms, LLC and Onx-Odagled Grand Palms II, LLC, (the "Agreement"). Mr. Silva provided an explanation for the Agreement. Mr. Fields requested that quarterly financial reports be e-mailed to him. A discussion ensued after which:

A **motion** was made by Mr. Fields, seconded by Mr. Arango and unanimously passed approving and adopting, *as presented*, the Developer's Funding Agreement for the Fiscal Year 2022/2023 between the District and Onx-Odagled Grand Palms, LLC and Onx-Odagled Grand Palms II, LLC.

**2. Consider Resolution No. 2022-08 – Adopting a Fiscal Year 2022/2023 Meeting Schedule**

Resolution No. 2022-08 was presented, entitled:

**RESOLUTION NO. 2022-08**

**A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE KEYS  
EDGE COMMUNITY DEVELOPMENT DISTRICT, ESTABLISHING A  
REGULAR MEETING SCHEDULE FOR FISCAL YEAR 2022/2023 AND  
SETTING THE TIME AND LOCATION OF SAID DISTRICT  
MEETINGS; AND PROVIDING AN EFFECTIVE DATE.**

Mr. Silva provided an explanation for the document. A discussion ensued after which:

A **motion** was made by Mr. Fields, seconded by Mr. Arango and unanimously passed approving and adopting Resolution No. 2022-08, *as presented*, thereby setting the 2022/2023 regular meeting schedule and authorizing the publication of the annual meeting schedule, *as required by law*.

**J. ADMINISTRATIVE & OPERATIONAL MATTERS**

**1. Staff Report, as Required**

Mr. Silva stated that unless an emergency were to arise, the Board would not need to meet until October 26, 2022.

**K. BOARD MEMBER & STAFF CLOSING COMMENTS**

There were no further comments from Board Members or District Staff.

**L. ADJOURNMENT**

There being no further business to come before the Board, a **motion** was made by Mr. Fields, seconded by Ms. Ale and unanimously passed adjourning the Regular Board Meeting at approximately 3:20 p.m.

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Secretary/Assistant Secretary

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Chair/Vice Chair

**RESOLUTION NO. 22-69**

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FLORIDA CITY, FLORIDA EXPRESSING SUPPORT FOR THE AMENDMENT TO THE BOUNDARIES OF THE KEYS EDGE COMMUNITY DEVELOPMENT DISTRICT BY MIAMI-DADE COUNTY, FLORIDA**

**WHEREAS**, the City Commission, as the governing body of the City of Florida City, pursuant to the authority vested in Chapter 190, Florida Statutes, is authorized and empowered to consider petitions for the amendment to the boundaries of community development districts within its municipal boundaries; and

**WHEREAS**, Miami-Dade County, Florida (the "County") plans to hold public hearings to consider the adoption of an ordinance granting the petition of the Keys Edge Community Development (the "District") Board of Supervisors (the "Petitioner") to amend the boundaries of the District, pursuant to the provisions of the Uniform Community Development Act of 1980, Chapter 190, Florida Statutes, as amended and Section 1.01 (A)(21) of the County's Home Rule Charter, for the lands described in Exhibit A attached hereto; and

**WHEREAS**, all of the District lands are located within the City's boundaries; and

**WHEREAS**, the City Commission finds the proposed amendment to the District boundaries will constitute an effective and cost-effective method of delivering community development services in the area, without overburdening the City's taxpayers; and

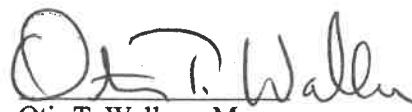
**WHEREAS**, all notice and hearing requirements have been satisfied; and

**WHEREAS**, the City Commission has considered the evidence and testimony of the Petitioners and other interested parties, and the recommendation of the City's planning staff.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF FLORIDA CITY, FLORIDA:**

The City hereby expresses its support for the amendment to the boundaries of the District on lands legally described in Exhibit A, attached hereto, in accordance with the petition of the District Board of Supervisors, attached hereto as Exhibit B.

**PASSED AND ADOPTED** by the Mayor and City Commission of the City of Florida City, Florida this 25<sup>th</sup> day of October, 2022.

  
Otis T. Wallace, Mayor

Attest:

Jennifer A. Evelyn

Digitally signed by Jennifer A. Evelyn  
DN: cn=Jennifer A. Evelyn, email=jane@cityoffloridacity.com, c=US, o=City of Florida City  
Date: 2022.10.25 10:00:00 -0400

Jennifer A. Evelyn, City Clerk

**RESOLUTION NO: 22-69**

Approved as to form and legal sufficiency:

Regine Monestime  
Regine Monestime, City Attorney

**Offered by: Mayor**

Motion to adopt by Comm. Berry

Seconded by Comm. Butler

**FINAL VOTE AT ADOPTION**

Mayor Otis T. Wallace	<u>Y</u>
Vice Mayor Walter Thompson	<u>Y</u>
Commissioner Eugene D. Berry	<u>Y</u>
Commissioner Sharon Butler	<u>Y</u>
Commissioner James Gold	<u>ABSENT</u>

STATE OF FLORIDA  
COUNTY OF MIAMI-DADE  
**Jennifer A. Evelyn**  
City Clerk

I, \_\_\_\_\_  
Of the City of Florida City, Florida, do hereby certify  
that the above and foregoing is a true and correct  
copy of the original thereof on file in this office.  
WITNESS, my hand and the seal of said City

87th  
this \_\_\_\_\_ day of \_\_\_\_\_ AD 2022



**RESOLUTION NO: 22-69**

**EXHIBIT "A"**

**KEYS EDGE COMMUNITY DEVELOPMENT DISTRICT  
LEGAL DESCRIPTION – AMENDMENT AREA**

**Expansion Area:**

**Parcel Identification Number: 16-7823-000-0220**

The East 1/2 of the Southwest 1/4 of the Southeast 1/4 of Section 23, Township 57 South, Range 38 East, lying and being in Miami-Dade County, Florida, less the South 295 feet thereof.

**Parcel Identification Number: 16-7823-000-0028**

The South 700 feet of the East 1/2 of the Southeast 1/4 of the Southeast 1/4 LESS the East 390.21 feet thereof, and LESS the East 230 feet of the South 295 feet in Section 23, Township 57 South, Range 38 East, lying and being in Miami-Dade County, Florida.

**Contraction Area:**

**Parcel Identification Number: 16-7823-000-0020 and 16-7823-000-0028**

The South 295 feet of the Southeast 1/4 of the Southeast 1/4, LESS the East 620.21 feet thereof, in Section 23, Township 57 South, Range 38 East, lying and being in Miami-Dade County, Florida, LESS that portion of the West 25 feet of the South 295 feet of the Southeast 1/4 of the Southeast 1/4 of said Section 23, and LESS the external area of a circular curve formed by a 25 foot radius arc, concave to the Northeast, tangent to the North Line of the South 50 feet of the Southeast 1/4 of the Southeast 1/4 of said Section 23 and tangent to the East Line of the West 25 feet of the Southeast 1/4 of the Southeast 1/4 of said Section 23, as shown on certain Right of Way Deed to the City of Florida City, recorded in official Records Book 32068, at Page 3277 of the Public Records of Miami-Dade County, Florida.

RESOLUTION NO: 22-69

**EXHIBIT “B”**

**KEYS EDGE COMMUNITY DEVELOPMENT DISTRICT  
PETITION TO AMEND THE BOUNDARIES**

**RESOLUTION NO. 2022-09**

**A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE KEYS EDGE COMMUNITY DEVELOPMENT DISTRICT AUTHORIZING AND ADOPTING AN AMENDED FINAL FISCAL YEAR 2021/2022 BUDGET (“AMENDED BUDGET”), PURSUANT TO CHAPTER 189, FLORIDA STATUTES; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the Board of Supervisors (the “Board”) of the Keys Edge Community Development District (the “District”) is empowered to provide a funding source and to impose special assessments upon the properties within the District; and,

**WHEREAS**, the District has prepared for consideration and approval an Amended Budget.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE KEYS EDGE COMMUNITY DEVELOPMENT DISTRICT, THAT:**

**Section 1.** The Amended Budget for Fiscal Year 2021/2022 attached hereto as Exhibit “A” is hereby approved and adopted by Board.

**Section 2.** The Secretary/Assistant Secretary of the District is authorized to execute any and all necessary transmittals, certifications or other acknowledgements or writings, as necessary, to comply with the intent of this Resolution.

**PASSED, ADOPTED and BECOMES EFFECTIVE** this 16<sup>th</sup> day of November, 2022.

**ATTEST:**

**KEYS EDGE  
COMMUNITY DEVELOPMENT DISTRICT**

By: \_\_\_\_\_  
Secretary/Assistant Secretary

By: \_\_\_\_\_  
Chair/Vice Chair

# Keys Edge Community Development District

**Amended Final Budget For  
Fiscal Year 2021/2022  
October 1, 2021 - September 30, 2022**

# **CONTENTS**

## **I      AMENDED FINAL OPERATING FUND BUDGET**

**AMENDED FINAL BUDGET**  
**KEYS EDGE COMMUNITY DEVELOPMENT DISTRICT**  
**OPERATING FUND**  
**FISCAL YEAR 2021/2022**  
**OCTOBER 1, 2021 - SEPTEMBER 30, 2022**

	FISCAL YEAR 2021/2022 BUDGET 10/1/21 - 9/30/22	AMENDED FINAL BUDGET 10/1/21 - 9/30/22	YEAR TO DATE ACTUAL 10/1/21 - 9/29/22
<b>REVENUES</b>			
ADMINISTRATIVE ASSESSMENTS	0	0	0
MAINTENANCE ASSESSMENTS	0	0	0
DEVELOPER CONTRIBUTION	101,825	63,345	63,345
DEBT ASSESSMENTS	0	0	0
INTEREST INCOME	0	0	1
<b>TOTAL REVENUES</b>	<b>\$ 101,825</b>	<b>\$ 63,345</b>	<b>\$ 63,346</b>
<b>EXPENDITURES</b>			
<b>ADMINISTRATIVE EXPENDITURES</b>			
SUPERVISOR FEES	0	0	0
MANAGEMENT	26,100	26,100	26,100
LEGAL	11,000	8,517	8,517
ASSESSMENT ROLL	10,000	0	0
AUDIT FEES	0	0	0
ARBITRAGE REBATE FEE	0	0	0
INSURANCE	6,000	5,848	5,848
LEGAL ADVERTISING	3,500	1,500	498
MISCELLANEOUS	1,500	1,000	334
POSTAGE	300	450	426
OFFICE SUPPLIES	750	200	156
DUES & SUBSCRIPTIONS	175	175	175
TRUSTEE FEES	0	0	0
CONTINUING DISCLOSURE FEE	0	0	0
WEBSITE MANAGEMENT	2,000	2,000	2,000
ADMINISTRATIVE CONTINGENCY	0	0	0
<b>TOTAL ADMINISTRATIVE EXPENDITURES</b>	<b>\$ 61,325</b>	<b>\$ 45,790</b>	<b>\$ 44,054</b>
<b>MAINTENANCE EXPENDITURES</b>			
ENGINEERING/INSPECTIONS	1,500	2,500	0
STREET/ROADWAY MAINTENANCE/SIGNAGE	3,000	0	0
COMMON AREA MAINTENANCE	18,000	0	0
ENTRY FEATURE MAINTENANCE	12,000	0	0
MAINTENANCE CONTINGENCY	6,000	2,500	0
<b>TOTAL MAINTENANCE EXPENDITURES</b>	<b>\$ 40,500</b>	<b>\$ 5,000</b>	<b>\$ -</b>
<b>TOTAL EXPENDITURES</b>	<b>\$ 101,825</b>	<b>\$ 50,790</b>	<b>\$ 44,054</b>
<b>REVENUES LESS EXPENDITURES</b>	<b>\$ -</b>	<b>\$ 12,555</b>	<b>\$ 19,292</b>
BOND PAYMENTS	0	0	0
<b>BALANCE</b>	<b>\$ -</b>	<b>\$ 12,555</b>	<b>\$ 19,292</b>
COUNTY APPRAISER & TAX COLLECTOR FEE	0	0	0
DISCOUNTS FOR EARLY PAYMENTS	0	0	0
<b>EXCESS/ (SHORTFALL)</b>	<b>\$ -</b>	<b>\$ 12,555</b>	<b>\$ 19,292</b>
CARRYOVER FROM PRIOR YEAR	0	0	0
<b>NET EXCESS/ (SHORTFALL)</b>	<b>\$ -</b>	<b>\$ 12,555</b>	<b>\$ 19,292</b>

FUND BALANCE AS OF 9/30/21
FY 2021/2022 ACTIVITY
FUND BALANCE AS OF 9/30/22

\$1,714
\$12,555
\$14,269

**KEYS EDGE  
COMMUNITY DEVELOPMENT DISTRICT  
AUDITOR SELECTION  
EVALUATION CRITERIA**

**1.     *Ability of Personnel (10 Points).***

(E.g., geographic locations of the firm's headquarters or permanent office in relation to the project; capabilities and experience of key personnel; evaluation of existing work load; proposed staffing levels, etc.)

**2.     *Proposer's Experience (10 Points).***

(E.g. past record and experience of the Proposer in similar projects; volume of work previously performed by the firm; past performance for other Special Districts in other contracts; character, integrity, reputation of Proposer, etc.)

**3.     *Understanding of Scope of Work (10 Points).***

Extent to which the proposal demonstrates an understanding of the District's needs for the services requested.

**4.     *Ability to Furnish the Required Services (10 Points).***

Present ability to manage this project and the extent to which the proposal demonstrates the adequacy of Proposer's financial resources and stability as a business entity necessary to complete the services required (E.g. the existence of any natural disaster plan for business operations).

**5.     *Price (10 Points).***

Points will be awarded based upon the price bid for the rendering of the services and reasonableness of the price to the services.

**KEYS EDGE  
COMMUNITY DEVELOPMENT DISTRICT  
REQUEST FOR PROPOSALS**

**District Auditing Services for Fiscal Years 2021/2022, 2022/2023 and 2023/2024  
With Two Year Option (2024/2025 and 2025/2026)  
Miami-Dade County, Florida**

**KEYS EDGE COMMUNITY DEVELOPMENT DISTRICT  
AUDITOR SELECTION INSTRUCTIONS TO PROPOSERS**

**SECTION 1. DUE DATE.** Sealed proposals must be received no later than December 28, 2022 at 4:00 p.m., at the offices of District Manager, located at 2501A Burns Road, Palm Beach Gardens, Florida 33410.

**SECTION 2. FAMILIARITY WITH THE LAW.** By submitting a proposal, the Proposer is affirming its familiarity and understanding with all federal, state, and local laws, ordinances, rules and regulations that in any manner affect the work. Ignorance on the part of the Proposer will in no way relieve it from responsibility to perform the work covered by the proposal in compliance with all such laws, ordinances and regulations.

**SECTION 3. QUALIFICATIONS OF PROPOSER.** The contract, if awarded, will only be awarded to a responsible Proposer who is qualified by experience and licensing to do the work specified herein. The Proposer shall submit with its proposal satisfactory evidence of experience in similar work and show that it is fully prepared to complete the work to the satisfaction of the District.

**SECTION 4. REJECTION OF PROPOSAL.** Proposers shall be disqualified, and their proposals rejected if the District has reason to believe that collusion may exist among the Proposers, the Proposer has defaulted on any previous contract or is in arrears on any previous or existing contract, or for failure to demonstrate proper licensure and business organization.

**SECTION 5. SUBMISSION OF PROPOSAL.** Submit three (3) copies of the Proposal Documents and one (1) electronic copy, and other requested attachments at the time and place indicated herein, which shall be enclosed in an opaque sealed envelope, marked with the title “Auditing Services – Keys Edge Community Development District” on the face of it.

**SECTION 6. MODIFICATION AND WITHDRAWAL.** Proposals may be modified or withdrawn by an appropriate document duly executed and delivered to the place where proposals are to be submitted at any time prior to the time and date the proposals are due. After proposals are opened by the District, no proposal may be withdrawn for a period of ninety (90) days.



**SECTION 7. PROPOSAL DOCUMENTS.** The proposal documents shall consist of the notice announcing the request for proposals, these instructions, the Evaluation Criteria Sheet and a proposal with all required documentation pursuant to Section 12 of these instructions (the “Proposal Documents”).

**SECTION 8. PROPOSAL.** In making its proposal, each Proposer represents that it has read and understands the Proposal Documents and that the proposal is made in accordance therewith.

**SECTION 9. BASIS OF AWARD/RIGHT TO REJECT.** The District reserves the right to reject any and all proposals, make modifications to the work, and waive any informalities or irregularities in proposals as it is deemed in the best interests of the District.

**SECTION 10. CONTRACT AWARD.** Within fourteen (14) days of receipt of the Notice of Award from the District, the Proposer shall enter into and execute a Contract (engagement letter) with the District.

**SECTION 11. LIMITATION OF LIABILITY.** Nothing herein shall be construed as or constitute a waiver of District’s limited waiver of liability contained in section 768.28, Florida Statutes, or any other statute or law.

**SECTION 12. MISCELLANEOUS.** All proposals shall include the following information in addition to any other requirements of the proposal documents.

- A. List position or title of all personnel to perform work on the District audit. Include resumes or each person listed; list years of experience in present position for each party listed and years of related experience.
- B. Describe proposed staffing levels, including resumes with applicable certifications.
- C. Three references from projects of similar size and scope. The Proposer should include information relating to the work it conducted for each reference as well as a name, address and phone number of a contact person.

**SECTION 13. PROTESTS.** Any protest regarding the Proposal Documents, must be filed in writing, at the offices of the District Manager, within seventy-two (72) hours after receipt of the Request for Proposals and Evaluation Criteria or other contract documents. The formal protest setting forth with particularity the facts and law upon which the protest is based shall be filed within seven (7) calendar days after the initial notice of protest was filed. Failure to timely file a notice of protest or failure to timely file a formal

written protest shall constitute a waiver of any right to object or protest with respect to the aforesaid Request for Proposals, Evaluation Criteria, or other contract documents.

**SECTION 14. EVALUATION OF PROPOSALS.** The criteria to be used in the evaluation are presented in the Evaluation Criteria Sheet, contained within the Proposal Documents.

**SECTION 15. REJECTION OF ALL PROPOSALS.** The District reserves the right to reject any and all bids, with or without cause, and to waive technical errors and informalities, as determined to be in the best interests of the District.