

Notice of a Meeting of the Board of Directors of Bluewater Bay MSBU

Please Take Notice that the Board of Directors of the Bluewater Bay MSBU will hold a board meeting on **Tuesday, May 12, 2021 at 5:30 PM CST**. The meeting will be held at **Crosspoint Bluewater, 4400 E. Hwy 20, Suite 600. Niceville, FL 32578**

Meeting Agenda

1. Establish Quorum
2. Approval of Previous Meeting Minutes – April 13, 2021 (*Vote Required*)
3. April 2021 Financial Report – David Vardaman (*Vote Required*)
4. Landscape Report - Debbie Stretch
New Landscape Items
5. Communication Report – Diane Minks
6. Chairman & Board Member Reports
7. Management Report – Laura Landsberger
MSBU Standard Operating Procedures
8. Unfinished Business
9. New Business

10. New Business
11. Public Comments
12. Adjournment – Next scheduled meeting is June 8, 2021

Website: www.bluewaterbayfl.org

1 **Bluewater Bay Municipal Services Benefit Unit**
2 **Board of Directors Meeting April 13 2021**
3

4 **Attendees:** The Board of Directors for the Bluewater Bay Municipal Services held their
5 scheduled public meeting on Tuesday April 13, 2021. Board Members present were
6 Pam Ragnoli, David Vardaman, Diane Minks and Debbie Stretch; Marcus Garcia, Hunter
7 Morrison, Chris Olson, Brett Hinely, Mr. and Mrs. McAllister, Betty Severine, Bill
8 Schaetzle, Mr. and Mrs. Grose, Frankie Ilerstini, Tony Borris, Amanda Sitcer, Kara
9 Willis, Candice Foster, James Fulton, Thomas Owen II, and Matthew Higginbotham.
10 Representing Management Laura Landsberger and Toni High

11
12 **Call to Order:** The meeting was called to order at 5:30 a quorum was established with
13 4 of 5 Board Members present. Mr. Moran was an excused absence.
14

15 **Approval of Prior Meeting Minutes:**

16 Ms. Stretch motions to Approve the March 9, 2021 minutes as written, seconded by Mr.
17 Vardaman. Discussion Ms. Landsberger asked if the Certification of the Tax roll needed
18 to be updated. Mr. Vardaman stated it was written correctly. No further discussion; All in
19 Favor; Motion Carries Unanimously.
20

21 Mr. Vardaman stated that in the March 2021 Minutes it states that "[Assessment units
22 will be reevaluated at the April 2021 MSBU meeting]. The Assessment units were
23 reevaluated of the Certification of the Tax Roll.
24

25 Mr. Vardaman makes a motion to certify, with no changes, the tax roll provided to the
26 MSBU by the Okaloosa County Property Appraiser's office on February 22, 2021. The
27 tax roll for the upcoming year consists of 4,826.8 units, an increase of approximately one
28 unit from last year. This motion corrects grammar and associated description from the
29 original discussion on this topic during the March 9, 2021 regularly scheduled meeting.
30 Mr. Stretch seconds. No Discussion; All in Favor; Motion Carries Unanimously.
31

32 Mr. Vardaman stated The MSBU Chairman will sign the associated document for relay
33 to the County to meet their staffing processing for annual tax notifications that are
34 expected to be mailed in August of 2021.
35

36 **Financial Report:**

37 Mr. Vardaman- showed the charts of expected expenses of accounts payable; The first
38 column shows the incurred expenses of March 2021, the middle shows the Accounts
39 Payable, YTD plus Accts Payable to the Remaining shortfall. Annual Budget has
40 \$11,751 available Reserves available.

April 1, 2021			
Bluewater MSBU monthly accounts payable review	Date	Account	Amount
Pine Straw (spring or fall application? Again in 2021?)	1/12/21	Common	\$ 10,700
Bay Dr. ramp inspection	10/13/20	Irrigation	\$ 165
Potential bill from pump inspection (enrolled 64-496-42)	4/9/13/20	n/a	\$ -
Items for Range Road monument	1/12/21	Common	\$ 1,941
Items for the 3 way stop on Bay Drive by the Tennis Center	1/12/21	Common	\$ 364
Repairs for irrigation reset (paid Mar 18, 2021)	2/9/21	Irrigation	paid
Vine removal (4 days @ \$1.820)	2/9/21	Tree	\$ 7,200
Hwy-20 Island north of the Kongaroo Gas Station	2/9/21	Common	\$ 892
Plants for four Hwy-20 median tips	2/9/21	Common	\$ 4,421
Oakmont Dr. entry	2/9/21	Common	\$ 2,517
Winged Foot Drive entry install plantings	2/9/21	Common	\$ 2,884
Charlity north entrance install plant	2/9/21	Common	\$ 5,652
TOTAL of FY21 variable expenses yet to be paid (Oct 1, 2020 - April 1, 2021)			\$ 36,740

Bluewater Bay MSBU Monthly Budget Review - Apr 16, 2021 (Paid for Oct 2020 - Apr 26, 2021)	Budgeted	Year to Date	Amount Payable	YTD	Balance	Amount Budget
Assessment expense (rate = 22¢/sq ft)	\$1772	\$33,600	n/a	n/a	-\$10,174	\$16,275
Insurance (estimated)	\$20	\$24	n/a	n/a	-\$4	\$20
TOTAL REVENUE	\$3,798	\$353,624	n/a	n/a	-\$10,849	\$364,475
EXPENSES (See Item Title)						
Chemical (Mst contract \$1200)	\$3,200	\$13,500	n/a	\$13,500	\$13,500	\$17,000
Leaf contract (\$1600/ month)	\$1,600	\$8,400	n/a	\$8,400	\$8,400	\$12,000
Site Light / Chelsea (\$1,600)	\$1,600	\$9,100	n/a	\$9,100	\$10,000	\$12,000
Director & Manager (1 hr @ \$100)	\$0	n/a	n/a	\$0	\$1,200	\$1,200
General Liability (1 hr @ \$100)	\$0	n/a	n/a	\$0	\$1,000	\$1,000
Computer & Security (1 hr @ \$100)	\$0	n/a	n/a	\$0	\$100	\$100
Computer area	\$1,607	\$14,164	\$29,375	\$44,539	-\$4,374	\$56,000
Director App (1.5% of Assess)	\$3,204	\$2,204	\$0	\$3,204	\$3,204	\$3,204
Site Rep (1.5% of Assess)	\$26	\$1,023	\$0	\$1,023	\$286	\$7,286
Medical cost (\$1000/mo)	\$25	\$225	\$0	\$225	\$225	\$900
Office Supplies (n. monthly)	\$32	\$120	\$0	\$120	\$2,024	\$2,300
Sign repair & maintenance (RAM)	\$0	\$411	\$0	\$411	\$2,460	\$3,000
Site Street	\$0	\$0	\$0	\$0	\$2,000	\$2,000
Other supplies	\$0	\$138	\$0	\$138	\$138	\$0
Christmas decor contract (1 hr @ \$100)	n/a	\$3,075	n/a	\$3,075	-\$175	\$3,800
Inspection (month)	\$0	\$165	\$165	\$1,435	\$15,000	\$15,000
Tree removal	\$0	\$7,800	\$7,800	\$9,600	\$16,200	\$16,200
Legal Advertising	\$0	\$301	\$0	\$301	-\$301	\$200

41

42 Reports are attached to the en Mr. Vardaman motioned to approve the March 2021
 43 Financials, Ms. Minks seconded; No Discussion; All in Favor; Motion Carries
 44 Unanimously.

45
 46
 47 **Landscape Report:**

48 Ms. Stretch stated that During the month of March BrightView performed their routine
 49 Spring maintenance; Spot mowing, blowing, heavy leaf and debris removal, light pruning
 50 and treating weeds throughout the property. The medians in the Woodlands were
 51 pruned and detailed early in the month. BrightView also pruned and detailed the Miller's
 52 Run hedge and the large hedge east of Troon Dr. Both Bluewater Blvd entrances on
 53 Hwy 20 were pruned and detailed along with the raised planters on Woodland,
 54 Southwinds, Bluewater Blvd south of Hwy 20 and Oakmont. Moving further into April
 55 BrightView will prune plant material and detail beds starting at the entrance to Bay Dr.
 56 moving down to the Marina.

57
 58 The Hwy 20 Beautification has been given the green light with a start date of April 26th.
 59 Well and boring subcontractors will start the last week of April, irrigation will be installed
 60 in the beginning of May followed by trees, plants and pine straw!

61
 62 A vehicle drove through the Southwinds roundabout causing damage to the plant
 63 material on the north side.

64
 65 The irrigation timer at the corner of Oakmont and Bluewater Blvd (Timer 5) received an
 66 electrical surge that burnt up the timer. There are visible burn marks all over the back of
 67 the faceplate and the timer is no longer operable. A proposal will be sent for this from
 68 our Irrigation Manager.

69
 70 The spring pine straw application will be installed at the end of the week weather
 71 permitting. The Spring Seasonal Color install is tentatively set for April 27th.

72
 73 The vine removal and plant installations unfortunately haven't been completed. The vine
 74 removal has bounced around the schedule due to various circumstances. Currently the
 75 start date is Friday the 16th of April. The plants for the rest of the plantings have been
 76 spotted and look decent for this time of year. We are moving them into our production to
 77 be delivered for installation.

78

79 Ms. Stretch motioned for approval seconded by Ms. Minks; Discussion; Ms. Minks asked
80 for a priority list of vine removal, Mr. Garcia can give that to her. All in Favor; Motion
81 Carries Unanimously.

82

83 **New Landscape Items:**

84

85 Ms. Stretch motioned to accept the proposal to replace the timer at the corner of
86 Oakmont and Bluewater Blvd (Timer 5) for \$597.05 paid from the irrigation repair. Ms.
87 Minks seconded. All in Favor Motion Carries Unanimously

88

89 Ms. Stretch motions to post No Parking signs in the Area on Southwind Between
90 Turnberry way, St. Andrews, Ms. Minks seconded. Discussion: Mr. Vardaman asked
91 about the reason for the problem. Ms. Ragnoli, said that when parents are picking up the
92 children, they are tearing up the grass and the cost would be nothing and worth a try.
93 Ms. Ragnoli called for a vote 2 approved with 1 opposed Mr. Vardaman. Motion Carries.
94 Post no Parking signs at St Andrews and Southwind Dr.

95

96 Ms. Stretch asked Mr. Garcia about the shrubs got ran over, if they would return? He
97 stated it will take a bit of time for bounce back, but they will grow back.

98

99 Ms. Stretch directed management to get an estimate on getting the roundabout painted
100 with reflective paint.

101

102 **Communications Report:**

103

104 Ms. Minks stated that Bluewater Bay on Google Maps: The file uploads to Google to
105 have BWB boundaries added to Google Maps was completed on January 19, 2021.
106 Mike Ruzowski checked to see how long it may take before we see BWB boundaries
107 coming up on Google maps. He said it takes between 6 months and a year for this kind
108 of update to take effect. So we hopefully will see boundaries between July 2021 and
109 January 2022.

110

111 **New Website Content:**

112 The MSBU assessment history graph and MSBU budget breakout pie chart created by
113 Mr. Vardaman were added to the website on a new website page titled 'FY 20-21 Annual
114 Budget Analysis'. Additionally, you'll find the FY22 Budget Options analysis there that
115 Mr. Vardaman performed.

116

117 **Neighbors Taking Care of the Neighborhood page:**

118 This new project blog includes information related to general area projects completed by
119 BWB residents as volunteers. There's a link that lets anyone submit an entry and once
120 approved, I or Ms. Landsberger can activate the post to publish it to the page.

121

122 **Project Updated:**

123 Project tracked on the website were updated based upon meeting minutes and inputs
124 received.

125

126 BWB Mailing List:
127 Is it time to add a form to the site that let's someone in BWB signup for our mailing list?
128 We can setup a free account with Mailchimp and link it to the site so when someone
129 signs up, Mailchimp is updated with their info. Mailchimp can then be used to create
130 newsletters or informational emails. It may take some time before this becomes a useful
131 tool but why not go ahead and start on it? Opportunity to put a newsletter to let people
132 know what is going on, community.

133
134 Ms. Minks makes a motion to set up a mailing list for Bluewater. No second was
135 received. Mr. Vardaman asked if there is a way for people to get an email when things
136 are updated on the website and also about spam? Ms. Minks stated that the spam was
137 negated by the verifying of an email address. Discussion ensued. Ms. Ragnoli stated it
138 would be Tabled for now.

139

140 **Chairman and Board Member Comments:**

141

142 Ms. Ragnoli thanked Chris Olson and Mr. Vardaman for their work in getting the Abrams
143 Park Open. April 24 at 9:00 AM will be the Grand Opening.

144

145 **Management Report:**

146

147 Ms. Landsberger stated that there was a draft document of MSBU Standard Operating
148 Procedure. It follows County Commissioner ordinance. Please review and can be added
149 to the Agenda for May 2021. Ms. Landsberger asked the Board if that can be added to
150 Unfinished Business. Ms. Ragnoli said yes.

151

152 Ms. Landsberger updated about the Woodlands Sidewalk- A new supervisor for the
153 south county. The county is supposed to be completed in June.

154

155 Ms. Landsberger brought up emails. Mr. McAllister at the south end of Oaklake Lane
156 sent a request for landscape help. Ms. McAllister said "the neighborhood is willing to do
157 the work. They would like to have MSBU provide some funds. Installing Short Posts, and
158 Pine Straw." Ms. Landsberger asked what line item would that be pulled from. Mr.
159 Vardaman said it would have to be taken out of reserves. Ms. Stretch said that if we did
160 one island, we would have to be prepared by to provide materials for all the islands. Mr.
161 Vardaman stated what he has seen in the past is that the neighbors can get together
162 and clean up and getting donations for projects. Mr. Vardaman likes partnership
163 between MSBU and communities. Ms. McAllister asked about in the future funding. Ms.
164 Ragnoli stated that we will table this idea until a later meeting. Mr. Vardaman asked what
165 can be done to keep people from parking on the property? Ms. Ragnoli advised that the
166 county could be called to address the issue, she also directed management to add an
167 Agenda item for Oaklake Estates resident partnership to Unfinished Business in May
168 2021

169

170

171

172 Ms. Landsberger stated she had received an email from The Garden Club and turned it
173 over to Mr. Bill Schaetzle who stated that he Bluewater Bay Garden Club maintains a
174 nature trail on Bluewater Bay Blvd. It is maintained twice a year to clear the debris. He
175 then turned it over to Ms. Severne who has been with the Club since its inception. The
176 Club was formed in January 1985- The founder of the club had contacted the county
177 about creating a natural walking trail in the area. The county agreed and they created
178 the natural walking trail which has been maintained twice a year by the Garden Club.
179 They have always contacted the Management company to contact the county for pick
180 up. The county has always picked it up. The Garden Club is asking to be able to
181 continue to do the clean-up and who to contact in the county for pick up if management
182 cannot do this. Ms. Landsberger will contact Waste Management. Mr. Vardaman
183 thanked the Garden Club for the clean-up. Mr. Vardaman asked Mr. Garcia with
184 Brightview if it could be done on the tree and vine removal day. Mr. Garcia stated that
185 Brightview will donate the pick-up for this time until a resolution can be found. Ms.
186 Landsberger will have a report next month.

187

188 **Unfinished Business: None**

189

190 **New Business:**

191

192 Mr. Vardaman motions to approve the FY 2022 Budget at a unit assessment rate of 82.68, that is
193 an 5% increase. The increase is necessary to keep with the costs of inflation. The draft budget
194 presented will be updated to 3% increase in landscape in accordance with their previous contract,
195 Biannual Election advertising will be added in the amount of \$1601. Ms. Ragnoli asked about the
196 \$450 for the webmaster. Please add the \$450.00 to be paid in July of every year. Ms. Stretch
197 seconded. All in Favor none opposed Motion Carries Unanimously. Mr. Hinely asked for clarity is it
198 one motion for the Budget and the increase. Mr. Vardaman stated it was one motion. Copy
199 attached at end of minutes

200

201 Mr. Vardaman Motioned to install road posts on Southwind Drive across from Abrams park,
202 donated by a Bluewater Bay resident. Ms. Stretch seconded. All in Favor; Motion Carries
203 Unanimously.

204

205 Ms. Landsberger thanked Ms. High for her work for the MSBU in writing the minutes and stated
206 that this would be her last meeting that she was going to be on to new projects.

207

208 **Public comments: None**

209

210 **Adjournment:** Mr. Vardaman motions to adjourn at 6:35 Ms. Stretch
211 seconded No Discussion; All in Favor Motion Carries Unanimously. Next Scheduled
212 meeting is May 11, 2021 at 5:30PM.

213

214 **Upcoming Events**

215

- 216 ○ Installation of Spring Pine Straw and Seasonal Color April 27th
- 217 ○ Highway 20 tips

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- Oakmont Drive Median
- Remove Vines
- April 24th- Ribbon Cutting Ceremony for Abram's Park 9:00 AM
- Woodlands Sidewalk Installation
- Bluewater Blvd and Range Road Landscaping
- Highway 20 Beautification to Begin April 26th

Bluewater Bay MSBU Niceville, Florida www.bluewaterbayfl.org Annual Budget for Fiscal Year 2022 (FY22) October 1, 2021 - September 30, 2022	
Annual Assessment Rate	\$82.68
Revenue from assessments @ \$82.68	\$382,174
Interest income (forecast from County)	\$500
TOTAL REVENUE	\$382,674

<i>Title / description of line item</i>	
<i>Shaded areas are Variable Expenses, i.e. discretionary spending</i>	
Consultant (Property Mgt contract \$2,250 / month)	\$27,000
Meeting rent (\$75/month)	\$900
Common area [Upkeep of Hwy-20 improvements added for FY22]	\$36,000
Irrigation (repair) [Upkeep of Hwy-20 improvements added for FY22]	\$15,000
Tree removal [Upkeep of Hwy-20 improvements added for FY22]	\$15,000
Christmas decoration (annual contract)	\$3,975
Landscape (\$16,415 / month FY22)	\$198,909
Electricity / Chelco (\$1,685 / month) [Hwy-20 improvements added FY22]	\$20,220
Directors Liability	\$2,759
Insurance Liability	\$990
Commission Bonds / Security Bonds	\$100
Property Appraiser (1.2% of Assessments)	\$4,586
Commission Tax Collector (2% of Assessments)	\$7,643
Office Supplies [rename "printing expense"]	\$2,200
Legal Advertising	\$200
Biannual election advertising (Even-numbered years for \$1,600)	\$1,600
Website	\$450
Sign repair & maintenance (R&M)	\$3,000
Sign Street	\$2,000
Reserves (10% of annual assessments)	\$38,217
Capital Improvements (bench pgm @ \$800 each)	\$2,400

225

Review of April 2021 FY 20-21 Financials

- \$5,412.83 of assessments & interest was collected in March.
 - Total Y-T-D Collected - \$359,014.83
- \$26.41 of interest income were collected in March
 - Total Y-T-D Received - \$64.02

- \$5,405.96 of expenses were incurred for the month includes the following:
 - Total Y-T-D Expense - \$164,958.14
 - Management Contract (\$2,250.00)
 - Services Other – Common Area Enhancements – (\$2607)
 - Utilities – Lighting – February Services (\$2,940.72)
 - Office Supplies – Print Board Meeting Packages, Meeting Signs, Meeting Room (\$140.24)
 - Com Tax Collect 2% of Assess (\$108.24)

<i>April 1, 2021</i> <i>Bluewater MSBU monthly accounts payable review</i>	<i>Date</i> <i>Approved</i>	<i>Account</i>	<i>Amount</i>
Pine Straw [spring or fall application? Again in 2021?]	1/12/21	Common	\$10,700.00
Bay Dr. pump inspection	10/13/20	Irrigation	\$ 165.00
			\$ -
Items for Range Road monument	1/12/21	Common	\$1,941.72
Items for the 3 way stop on Bay Drive by the Tennis Center	1/12/21	Common	\$ 364.69
Repairs for irrigation report [paid Mar 18, 2021]	2/9/21	Irrigation	paid
Vine removal (4 days @ \$1,800)	2/9/21	Tree	\$7,200.00
Hwy-20 Island north of the Kangaroo Gas Station	2/9/21	Common	\$893.62
Plants for four Hwy-20 median tips	2/9/21	Common	\$4,421.34
Oakmont Dr. entry	2/9/21	Common	\$2,517.84
Winged Foot Drive entry install plantings	2/9/21	Common	\$2,884.13
Chantilly northern entrance install plant	2/9/21	Common	\$5,652.00
TOTAL of FY21 variable expenses yet to be paid (Oct 1, 2020 – April 30, 2021)			\$ 36,740.34

BLUEWATER BAY
MUNICIPAL SERVICES BENEFIT UNIT
STANDARD OPERATING PROCEDURE

PURPOSE

The purpose of the Bluewater Bay Municipal Services Benefit Unit (BWB MSBU) is to maintain the quality of life for the Owners of the Parcels in the Benefit Unit at the level of quality they desire. In order to achieve and maintain this purpose, the BWB MSBU has determined to utilize the Community Service Master Plan. This plan broadly defines objectives for the common areas within the BWB MSBU.

The BWB MSBU plans to provide improvements, subject to available budget, in accordance with the following guidelines:

- Entrance signs at the major entrances into Bluewater Bay residential areas.
- The traffic circle at the intersection of Bluewater Blvd and Southwind Drive.
- A consistent theme for landscaping along the Benefit Unit Roads, where there are intersecting roads, side right-of-ways, including medians.
- Irrigation systems along Benefit Unit Roads where the sunlight is adequate to support grass.
- Naturalized areas in medians along Benefit Unit Roads where existing tree cover precludes grass growth.
- Environmental/Greenbelt areas free of invasive plants.
- Seasonal planting areas for annuals in high visibility areas.

BWB MSBU BOARD MEMBERS

Board of Directors will follow the Officer Job Descriptions as written in the MSBU Ordinance, Ordinance No. 02-16.

Each Board member is of the same importance.

Board members will follow and adhere to the Sunshine Law.

Communication between board members must be emailed to the Management Company and the Management Company will distribute.

BWB MSBU BOARD MEMBERS (Cont'd)

Board Members will not solicit any vendors.

All contracted work will be done through a RFP and given to the County to put out for bid.

The Board agrees to have the Management Company field any repairs under the amount of \$500.00 to speed the process.

The Management Company is the liaison for the MSBU Board and Okaloosa County. Board members do not contact the county with items that pertain to the MSBU. The Management Company handles this as described in their contract. The Management Company will follow Summary of MSBU Process (see attached). Budgets will be created by the Management Company and reviewed/changed and approved by the MSBU Board. Any format changes will need to be approved by the County and the Board of Directors.

MSBU MEETINGS

Meetings run in accordance with Roberts Rules.

Meetings are run per the Agenda. Any board member wanting to add to the agenda must do so at the prior board meeting.

Guest speakers need to talk about the scope of work the MSBU does per Ordinance No. 02-16.

Agenda items coincide with the MSBU scope of work per Ordinance No. 02-16.

Director reports should not exceed 5 minutes.

Each guest of the public is allowed 3 minutes to speak.

Questions not pertaining to the topic at hand need to be "parked" to a more appropriate time.

If a board member has questions about different components of the MSBU they need to be asked of the Management Company outside of a meeting.

Management Company will run the meeting during any elections within the Board.

Board Members will not solicit any vendors.

All contracted work will be done through a RFP and given to the County to put out for bid.

The Board agrees to have the Management Company field any repairs under the amount of \$500.00 to speed the process.

SUMMARY OF MSBU PROCESS

EVENT	DATE
MSBU Board adopts a Preliminary Assessment Resolution: <ul style="list-style-type: none">• setting forth the assessment rates for the upcoming fiscal year• authorizing a public hearing to be held between August 15 and September 1	By May 1
Provide Property Appraiser and Tax Collector with copies of the Preliminary Assessment Resolution	No later than May 1
Publish notice of the public hearing to adopt Final Assessment Resolution and MSBU Budget	No less than 20 days prior to the public hearing
MSBU Board conducts Public Hearing to adopt the Final Assessment Resolution and MSBU Budget	Between August 15 – September 1
Board of County Commissioners approve final MSBU Budget and assessment rate	By September 15
Tax Bill Mailed	By November 1

Bluewater Bay Procurement Procedures

PROCUREMENT REGULATIONS – Requirements are as follows:

- Small Purchases (up to \$1,000) - All orders under \$1,000 require one quote and the approval of the MSBU Board.
- \$1,000 - \$50,000 – Require three written quotations and approval of the MSBU board.
- Formal Bids (over \$50,000) – Requires formal sealed bids. Public Notice is posted for at least 10 days on the Bluewater Bay website and the Okaloosa County website (if Possible) and advertised in the paper with the largest circulation within Okaloosa County.

The bid will be prepared by the manager of the MSBU and will be approved by the MSBU Board prior to advertisement to the public. The manager will be responsible for certifying that the contractor is capable of performing the work. The MSBU board will evaluate each bid and collectively decide which vendor to negotiate with. The management will negotiate with the vendor and the MSBU board will collectively approve the contract.

STEPS TO RECEIVE A SEALED BID

1. Solicitation for bids will be published in the newspaper, posting on the web or may be sourced by the management and/or directors of the MSBU.
2. Bids must include the criteria that will be used to evaluate each bid.
3. Sealed bids must be opened in public at a meeting designated in advance for that purpose. The name of bidding company and price quoted should be read out loud and recorded in the minutes.

Contract will be awarded to the most qualified bidder. Each contract will run for one year and cannot be renewed for more than three years.

Acquisition of professional architectural, engineering, landscape architectural, or surveying and mapping services. (Subject to Chapter 287 F.S.)

MSBU must publically announce in a uniform and consistent manner, each occasion when professional services must be purchased for a project.

Any firm or individual desiring to provide professional services must be qualified to render the required service. Capabilities, adequacy of personnel, past record, and experience of the firm or individual and whether the firm is a certified minority business enterprise will be considered.

The public must not be excluded from the proceedings.

Competitive Selection

- a. No less than three firms will deemed to be the most highly qualified to perform the required services.
- b. The MSBU will negotiate a contract with the most qualified firm for professional services at compensation for which the agency determines is fair, competitive and reasonable. In making

Bluewater Bay Procurement Procedures

such a determination, the agency shall conduct a detailed analysis of the cost of the professional services required in addition to considering their scope and complexity.

- c. If the MSBU is unable to negotiate a satisfactory contract with the firm considered to be the most qualified then the negotiations will be terminated. The MSBU will start negotiation with the next most qualified firm.
- d. Contingency Fees are strictly prohibited.

In the case of public emergencies, for the agency head to declare an emergency and authorize negotiations with the best qualified firm available at that time.

Bids (Sunshine Laws – Section 5 of the manual)

Florida’s Public Records Law, Ch. 119, F.S., provides a right of access to the records of the state and local governments as well as to private entities acting on their behalf. In the absence of a statutory exemption, this right of access applies to all materials made or received by an agency in connection with the transaction of official business which are used to perpetuate, communicate or formalize knowledge.

A right of access to records is also recognized in Art. I, s. 24, Fla. Const., which applies to virtually all state and local governmental entities, including the legislative, executive and judicial branches of government. The only exceptions are those established by law or by the Constitution. The complete text of Art. I, s. 24, Fla. Const., may be found in Appendix A.

Section 119.071(1)(b), F.S., provides an exemption for “sealed bids, proposals, or replies received by an agency pursuant to a competitive solicitation” until such time as the agency provides notice of an intended decision or until 30 days after opening, whichever is earlier.

Section 286.0113(2), F.S. -- Any portion of a meeting at which a negotiation with a vendor is conducted pursuant to a competitive solicitation, at which a vendor makes an oral presentation as part of a competitive solicitation, or at which a vendor answers questions as part of a competitive solicitation, is exempt from open meetings requirements. In addition, any portion of a team meeting at which negotiation strategies are discussed is also exempt. However, a complete recording shall be made of any portion of an exempt meeting.

Section 288.047(7), F.S. -- In providing instruction pursuant to the Quick-Response Training Program, materials relating to methods of manufacture or production, potential trade secrets, business transactions, or proprietary information received or discovered by employees of specified agencies are confidential and exempt from s. 119.07(1).