

MINUTES OF MEETING
BANNON LAKES COMMUNITY DEVELOPMENT DISTRICT

The regular meeting of the Board of Supervisors of the Bannan Lakes Community Development District was held on Tuesday, October 25, 2016 at 12:00 p.m. at the Offices of GMS St. Augustine, 475 West Town Place, Suite 114, St. Augustine, FL 32092.

Present and constituting a quorum were:

Art Lancaster	Chairman
John Dodson	Vice Chairman
Karelyn Travieso	Supervisor
Maston Crapps	Supervisor

Also present were:

Jim Oliver	District Manager
Wes Haber	District Counsel (by phone)
Daniel Laughlin	GMS, LLC

FIRST ORDER OF BUSINESS

Roll Call

Mr. Oliver called the meeting to order at 12:00 p.m.

SECOND ORDER OF BUSINESS

Public Comment

There were no members of the audience in attendance.

THIRD ORDER OF BUSINESS

Approval of Minutes

A. September 14, 2016

B. September 21, 2016

Mr. Oliver stated included in your agenda package are copies of the minutes from September 14, 2016 and September 21, 2016. Are there any additions, corrections or deletions?

On MOTION by Mr. Lancaster seconded by Mr. Crapps with all in favor

FOURTH ORDER OF BUSINESS

Evaluation of RFP's for Amenity Facility

Mr. Oliver stated if you recall, we went out for Request for Proposals for construction companies to build the amenity facility.

Mr. Haber stated the District advertised an RFP for construction of the amenity facility. There was an advertisement in the newspaper. Contractors attended a pre-bid conference and then submitted proposals in response. We received a total of five proposals. You can either individually review and score the proposals and then we would take each score that each board member gave and add those up and that could be your score. You can also vote as a group to have a ranking and scoring that each of you agree with.

Mr. Lancaster stated since I attended the bid acceptance meeting. I took the bids and studied them in length this weekend. Then I took our evaluation criteria, which was part of our bid package and in that evaluation criteria, I tried to focus. For me, the easiest thing to do is to give everyone the maximum points. The way the bid evaluation criterion is set up, of the six items that you evaluate, there are actually eight ways you evaluate the items. Price is broken into two different evaluations, which I break into absolute, which means it is by formula and then one that you do give a subjective score to and then there is schedule. I created a spreadsheet that I will pass out for everyone to review. I start everyone with 100 points and then I went and did a break down on the absolute price and the absolute schedule and applied those points accordingly. I really did a deduct for either lack of information in the financial feasibility section. If a company showed they had a lot of litigation going on then I would deduct one point for each item that I thought would give some concern to the board. Let's jump straight to the scoring. Absolute scoring says that we will take the low bid and then we will deduct all other proposers above that by the percentage difference from the low bid. If you look at low percentage price, Dicky Smith was the low bid at \$2.4M. Dicky Smith maintains their 15 points. Carlton and West Construction each get 14 points. Scherer and Sauer get 13 and 12. The same with the schedule of construction. Scherer Construction got the full points allowed at 15 points. Dicky Smith got 14 points. Carlton Construction got 13 points. West Construction got 10 points and Sauer got an eight. You can see the difference between Sauer and Scherer, which is over 100 days, so it is a pretty substantial difference. Going into subjective scoring it included key personnel, project managers, field managers, the resent ability to appropriately staff and manage the project, evaluation of existing workload and proposed staffing levels. Dicky Smith and Carlton both demonstrated all of that in their proposal. West Construction is not local. They are out of South Florida. They do not have a project here in the area. From my experience, it is difficult to get attention to detail and we want to make sure this project has that level of attention.

I just didn't feel comfortable having to deal with a South Florida construction company. They got a negative one there. They did not show any personnel experience in working with a CDD. They also showed that they had no current construction CDD work going on. I felt that it was important that a company have that experience. Scherer Construction was docked one point because they are out of Gainesville. Sauer Construction has a local office; however, their corporate office is in Pittsburg. For personnel, Dicky Smith came out with 10 points. Carlton Construction got 10 points. West got seven. Scherer got nine and Sauer Construction got eight. Proposers experience was worth 20 points. Because it was worth 20% of the overall scoring, I made any deduction have two times the value instead of one time. Carlton and Scherer's bid proposals really showed a true interest in the project. They had cover letters that were detailed about the project. They also gave letters of recommendation. Some of these other guys have done large amenity centers and I would have thought they would have gotten recommendation letters from those people. You will see under proposers experience that Dicky Smith has amenity center experience but they did not have one recommendation letter to back it up.

Mr. Haber stated you are right that Dicky Smith did not include any letters but they did meet the minimum obligation and provided us with references for their projects.

Mr. Lancaster stated West showed no past or present CDDs. Sauer showed no past CDD work and they gave no examples of any work that they had done, other than listing current projects across the United States. The majority of their projects are government related in the sense of military. Sauers proposal was not bound. It was not indexed. It was basically here is a bunch of paperwork. It was difficult to evaluate and review. For financial capability, they all showed bonding capacities. They showed insurance. Everyone showed that they were more than capable. What really jumped out at me was we asked them to list lawsuits in the last five years because lawsuits in the construction industry can have a lot to do with financial capacity. If you had a lawsuit that was current or pending then you got dinged for it. Dicky Smith and Carlton were the only ones that had not had a lawsuit in the last five years. West was very concerning. They had over seven lawsuits that were active. Scherer Construction had one that was related to a financial obligation of another subcontractor. Sauer had several lawsuits. They didn't list theirs. They just listed they had several lawsuits active nationally. We had asked the contractors to give us a schedule of values. The schedule of values ranged from complete in the form that we provided to going as detailed as unit pricing and really breaking down each

individual trade and material item to lump sum with no backup or detail. Dicky Smith and Sauer both had what I would consider an insufficient schedule of values. You will see where Dicky Smith's number was substantially lower than Carlton or West, who provided a detailed schedule of values. Carlton was actually the most detailed and was the only one that backed it up with actual unit pricing. We did not ask for unit pricing but they gave that in addition.

Mr. Crapps asked how are we protected against change orders?

Mr. Lancaster responded it is a lump sum value contract. It does not mean that you don't have exposure but at the same time, the plans and specs were very detailed. Your only exposure to a change order were if we added or deleted something from the project. Then on schedule, Dicky Smith, Carlton and West all put together a very clear and concise schedule. It matched up to the schedule of values or even went further and deeper into breaking down those into more detail. Scherer Construction didn't have a bad schedule but it was very confusing and made no sense. Sauer's schedule was about as minimal as a couple of lines. You will see that Scherer, Dicky Smith and Carlton were all pretty tight within 24 days of each other. When you add up all of the points, Dicky Smith had 94 points, Carlton Construction had 97 points, West had 82, Scherer had 95 points and Sauer Construction had 76. My recommendation is that we go with Carlton Construction.

On MOTION by Mr. Dodson seconded by Ms. Travieso with all in favor to Approve the Rankings as stated above & Authorize a Notice of Intent to Award to be Sent to Carlton Construction was approved.

Mr. Crapps asked what is the projected start date?

Mr. Lancaster responded I think Carlton had roughly 24 days to ramp up.

Mr. Haber stated from the date that the notice of intent to award is received, each proposer will have a 72 hour period to protest. If there are no protests then we can reach out to Carlton and begin finalizing the agreement and get it executed.

Mr. Lancaster asked can we amend the agenda? We also have the landscape bid that we want to award. I have that information here.

On MOTION by Mr. Crapps seconded by Mr. Dodson with all in favor to Amend the Agenda to Consider Proposals for Landscape & Irrigation was approved.

Mr. Lancaster stated since this one is not publicly bid, I am just going to tell you what my recommendation is. We went out to five landscapers, who were Baker, Landcare Group, Horizon, Sunstate and Proscapes. We received all of our bids back in on time; however, three of the bids were incomplete. One was a no show. Horizon did not give a bid for irrigation, so I took them out of the picture. Baker did not give long-term maintenance. One thing we felt strongly on is that whoever puts the install in that is, is important that we know the stuff is well maintained. Of the five bids, we got two back that had landscape install, irrigation install and maintenance. Of that, I went with the low bid and that was Landcare Group. The two companies that met those criteria were Sunstate and Landcare Group. Landcare Group is also doing work for Pulte Homes in Ocala. They are a substantially sized company. This is for the phase one scope of services.

On MOTION by Ms. Travieso seconded by Mr. Dodson with all in favor the Landcare Group Proposal to Provide Landscape & Irrigation Installation for Phase One was approved.

FIFTH ORDER OF BUSINESS

Consideration of Resolution 2017-01, Prompt Payment Policies and Procedures

Mr. Haber stated this is a resolution that my firm has been recommending for all of the Districts we represent across the state. As a unit of government, you are required to follow the Prompt Payment Act, which is a Florida Statute that provides for the maximum number of days for it to pay for service or material providers. The Statute provides a distinction between construction contracts and non-construction contracts. The Statute also provides that if there is ever any dispute between the parties that those should be handled pursuant to the policies adopted by the District. We prepared the policies that are attached to this resolution.

On MOTION by Mr. Lancaster seconded by Mr. Crapps with all in favor Resolution 2017-01 Prompt Payment Policies and Procedures was approved.

SIXTH ORDER OF BUSINESS

Other Business

There being none, the next item followed.

SEVENTH ORDER OF BUSINESS Staff Reports

A. District Counsel

There being none, the next item followed.

B. District Engineer – Ratification of Requisitions

On MOTION by Mr. Lancaster seconded by Mr. Crapps with all in favor Requisition Nos. 28 through 33 were ratified.

C. District Manager

There being none, the next item followed.

EIGHTH ORDER OF BUSINESS Supervisor’s Request and Audience Comments

There being none, the next item followed.

NINTH ORDER OF BUSINESS Financial Reports

A. Balance Sheet as of September 30, 2016 and Statement of Revenues & Expenditures

Mr. Oliver stated included in your agenda package is the balance sheet and income statement as of September 30, 2016.

B. Consideration of Funding Request No. 13

Mr. Oliver stated included in your agenda package is Funding Request No. 13.

On MOTION by Mr. Lancaster seconded by Mr. Crapps with all in favor Funding Request No. 13 was approved.

TENTH ORDER OF BUSINESS Next Scheduled Meeting – November 16, 2016 at 12:00 p.m. at the Offices of GMS


Mr. Oliver stated the next scheduled meeting is November 16, 2016 at 12:00 p.m. at the Offices of GMS.

ELEVENTH ORDER OF BUSINESS Adjournment

On MOTION by Mr. Dodson seconded by Mr. Crapps with all in favor the Meeting was adjourned.



Secretary / Assistant Secretary



Chairperson / Vice Chairperson