

# **ORANGE BEND**

## **COMMUNITY DEVELOPMENT DISTRICT**

**March 20, 2025**

**BOARD OF SUPERVISORS  
PUBLIC HEARINGS,  
REGULAR MEETING AND  
AUDIT COMMITTEE  
MEETING AGENDA**

**ORANGE BEND**  
**COMMUNITY DEVELOPMENT DISTRICT**

**AGENDA**  
**LETTER**

**Orange Bend Community Development District**  
**OFFICE OF THE DISTRICT MANAGER**  
**2300 Glades Road, Suite 410W•Boca Raton, Florida 33431**  
**Phone: (561) 571-0010•Toll-free: (877) 276-0889•Fax: (561) 571-0013**

March 13, 2025

Board of Supervisors  
Orange Bend Community Development District

Dear Board Members:

The Orange Bend Community Development District will hold Public Hearings, a Regular Meeting and an Audit Committee Meeting on March 20, 2025 at 9:00 a.m. at the City of Minneola City Hall, 800 N US Hwy 27, Minneola, Florida 34715. The agenda is as follows:

1. Call to Order/Roll Call
2. Public Comments
3. Administration of Oath of Office to Elected Supervisors [Seat 1 – Chris Tyree and Seat 4 – Roger Van Auker] *(the following will be provided in a separate package)*
  - A. Updates and Reminders: Ethics Training for Special District Supervisors and Form 1
  - B. Membership, Obligations and Responsibilities
  - C. Guide to Sunshine Amendment and Code of Ethics for Public Officers and Employees
  - D. Form 8B: Memorandum of Voting Conflict for County, Municipal and other Local Public Officers
4. Ratification of Resolution 2025-03, Electing Certain Officers of the District, and Providing for an Effective Date
5. Public Hearing Confirming the Intent of the District to Use the Uniform Method of Levy, Collection and Enforcement of Non-Ad Valorem Assessments as Authorized and Permitted by Section 197.3632, Florida Statutes; Expressing the Need for the Levy of Non-Ad Valorem Assessments and Setting Forth the Legal Description of the Real Property Within the District's Jurisdictional Boundaries that May or Shall Be Subject to the Levy of District Non-Ad Valorem Assessments; Providing for Severability; Providing for Conflict and Providing for an Effective Date
  - A. Affidavit/Proof of Publication

**ATTENDEES:**

**Please identify yourself each time you speak to facilitate accurate transcription of meeting minutes.**

- B. Consideration of Resolution 2025-31, Expressing its Intent to Utilize the Uniform Method of Levying, Collecting, and Enforcing Non-Ad Valorem Assessments Which May Be Levied by the Orange Bend Community Development District in Accordance with Section 197.3632, Florida Statutes; Providing a Severability Clause; and Providing an Effective Date
6. Public Hearing to Consider the Adoption of an Assessment Roll and the Imposition of Special Assessments Relating to the Financing and Securing of Certain Public Improvements
- *Hear testimony from the affected property owners as to the propriety and advisability of making the improvements and funding them with special assessments on the property.*
  - *Thereafter, the governing authority shall meet as an equalizing board to hear any and all complaints as to the special assessments on a basis of justice and right.*
- A. Affidavit/Proof of Publication
  - B. Mailed Notice to Property Owner(s)
  - C. Engineer's Report *(for informational purposes)*
  - D. Master Special Assessment Methodology Report *(for informational purposes)*
  - E. Consideration of Resolution 2025-32, Making Certain Findings; Authorizing a Capital Improvement Plan; Adopting an Engineer's Report; Providing an Estimated Cost of Improvements; Adopting an Assessment Report; Equalizing, Approving, Confirming and Levying Debt Assessments; Addressing the Finalization of Special Assessments; Addressing the Payment of Debt Assessments and the Method of Collection; Providing for the Allocation of Debt Assessments and True-Up Payments; Addressing Government Property, and Transfers of Property to Units of Local, State and Federal Government; Authorizing an Assessment Notice; and Providing for Severability, Conflicts and an Effective Date
7. Public Hearing to Hear Public Comments and Objections to the Adoption of the Rules of Procedure, Pursuant to Sections 120.54 and 190.035, Florida Statutes
- A. Affidavits of Publication
  - B. Consideration of Resolution 2025-33 Adopting Rules of Procedure; Providing a Severability Clause; and Providing an Effective Date
8. Public Hearing on Adoption of Fiscal Year 2024/2025 Budget
- A. Affidavit of Publication



- B. Consideration of Resolution 2025-34, Relating to the Annual Appropriations and Adopting the Budget(s) for the Fiscal Year Beginning October 1, 2024, and Ending September 30, 2025; Authorizing Budget Amendments; and Providing an Effective Date
- 9. Consideration of Resolution 2025-35, Approving a Proposed Budget for Fiscal Year 2025/2026 and Setting a Public Hearing Thereon Pursuant to Florida Law; Addressing Transmittal, Posting and Publication Requirements; Addressing Severability; and Providing an Effective Date
- 10. Consideration of Fiscal Year 2025/2026 Budget Funding Agreement
- 11. Recess Regular Meeting/Commencement of Audit Selection Committee Meeting
- 12. Review of Responses to Request for Proposals (RFP) for Annual Audit Services
  - A. Affidavit of Publication
  - B. RFP Package
  - C. Respondent(s)
    - I. Berger, Toombs, Elam, Gaines & Frank
    - II. Carr, Riggs & Ingram, L.L.C.
    - III. DiBartolomeo, McBee, Hartley & Barnes
    - IV. Grau & Associates
  - D. Auditor Evaluation Matrix/Ranking
- 13. Termination of Audit Selection Committee Meeting/Reconvene Regular Meeting
- 14. Consider Recommendation of Audit Selection Committee
  - Award of Contract
- 15. Consideration of Response(s) to Request for Qualifications (RFQ) for Engineering Services
  - A. Affidavit of Publication
  - B. RFQ Package
  - C. Respondent: Poulos & Bennett, LLC
  - D. Competitive Selection Criteria/Ranking
  - E. Award of Contract

16. Consideration of Resolution 2025-22, Designating the Location of the Local District Records Office and Providing for an Effective Date
  17. Acceptance of Unaudited Financial Statement as of January 31, 2025
  18. Approval of Minutes
    - A. December 9, 2024 Landowner Meeting
    - B. December 9, 2024 Organizational Meeting
  19. Staff Reports
    - A. District Counsel: *Kutak Rock LLP*
    - B. District Engineer: *Poulos & Bennett, LLC*
    - C. District Manager: *Wrathell, Hunt and Associates, LLC*
      - NEXT MEETING DATE: April 17, 2025 at 9:00 AM
        - QUORUM CHECK
- |        |                 |                          |           |                          |       |                          |    |
|--------|-----------------|--------------------------|-----------|--------------------------|-------|--------------------------|----|
| SEAT 1 | CHRIS TYREE     | <input type="checkbox"/> | IN PERSON | <input type="checkbox"/> | PHONE | <input type="checkbox"/> | NO |
| SEAT 2 | SHELLY KAERCHER | <input type="checkbox"/> | IN PERSON | <input type="checkbox"/> | PHONE | <input type="checkbox"/> | NO |
| SEAT 3 | ROBYN BRONSON   | <input type="checkbox"/> | IN PERSON | <input type="checkbox"/> | PHONE | <input type="checkbox"/> | NO |
| SEAT 4 | ROGER VAN AUKE  | <input type="checkbox"/> | IN PERSON | <input type="checkbox"/> | PHONE | <input type="checkbox"/> | NO |
| SEAT 5 | JUSTIN STARR    | <input type="checkbox"/> | IN PERSON | <input type="checkbox"/> | PHONE | <input type="checkbox"/> | NO |
20. Board Members' Comments/Requests
  21. Public Comments
  22. Adjournment

If you should have any questions or concerns, please do not hesitate to contact me directly at (561) 909-7930.

Sincerely,



Daniel Rom  
District Manager

**FOR BOARD MEMBERS AND STAFF TO ATTEND BY TELEPHONE**  
**CALL-IN NUMBER: 1-888-354-0094**  
**PARTICIPANT PASSCODE: 528 064 2804**

# **ORANGE BEND**

## **COMMUNITY DEVELOPMENT DISTRICT**

# **4**

**RESOLUTION 2025-03**

**A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE ORANGE BEND  
COMMUNITY DEVELOPMENT DISTRICT ELECTING CERTAIN OFFICERS OF THE  
DISTRICT, AND PROVIDING FOR AN EFFECTIVE DATE**

**WHEREAS**, the Orange Bend Community Development District (“District”) is a local unit of special-purpose government created and existing pursuant to Chapter 190, Florida Statutes; and

**WHEREAS**, the Board of Supervisors of the District desires to elect and designate certain Officers of the District.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE  
ORANGE BEND COMMUNITY DEVELOPMENT DISTRICT:**

**SECTION 1.** Shelley Kaercher is Chair.

**SECTION 2.** Chris Tyree is Vice Chair.

**SECTION 3.** Craig Wrathell is Secretary.

Robyn Bronson is Assistant Secretary.

Justin Starr is Assistant Secretary.

Roger Van Auker is Assistant Secretary.

Daniel Rom is Assistant Secretary.

Kristen Thomas is Assistant Secretary.

**SECTION 4.** Craig Wrathell is Treasurer.

Jeffrey Pinder is Assistant Treasurer.

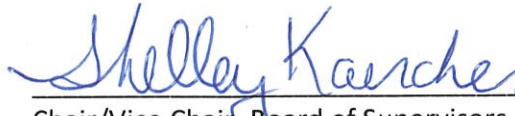
**SECTION 5.** This Resolution shall become effective immediately upon its adoption.

**PASSED AND ADOPTED** this 9th day of December, 2024.

ATTEST:

**ORANGE BEND COMMUNITY DEVELOPMENT  
DISTRICT**

  
\_\_\_\_\_  
Secretary/Assistant Secretary

  
\_\_\_\_\_  
Chair/Vice Chair, Board of Supervisors

**ORANGE BEND**  
**COMMUNITY DEVELOPMENT DISTRICT**

**5A**



# The Villages® DAILY SUN

Published Daily  
Lady Lake, Florida  
State of Florida  
County Of Lake

Before the undersigned authority personally appeared

**ALLAN LOVELL**

who on oath says that he is Legal Ad Coordinator of the DAILY SUN, a daily newspaper published at Lady Lake in Lake County, Florida with circulation in Lake, Sumter and Marion Counties; that the attached copy of advertisement, being a **Legal Ad #1237304**

in the matter of **NOTICE OF UNIFORM METHOD HEARING**

was published in said newspaper in the issue(s) of

**February 20, 2025**

**February 27, 2025**

**March 6, 2025**

**March 13, 2025**

Affiant further says that the said Daily Sun is a newspaper published at Lady Lake in said Lake County, Florida, and that the said newspaper has heretofore been continuously published in said Lake County, Florida each week and has been entered as second class mail matter at the post office in Lady Lake, in said Lake County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisements; and affiant further says that he has neither paid nor promised any person, firm, or Corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

(Signature Of Affiant)

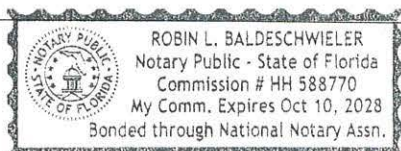
Sworn to and subscribed before me this 13  
day March 2025.

Robin L. Baldeschwieler  
Robin Baldeschwieler, Notary

Personally Known \_\_\_\_\_ or

Production Identification \_\_\_\_\_

Type of Identification Produced \_\_\_\_\_



Attach Notice Here

## ORANGE BEND COMMUNITY DEVELOPMENT DISTRICT NOTICE OF THE DISTRICT'S INTENT TO USE THE UNIFORM METHOD OF COLLECTION OF NON-AD VALOREM SPECIAL ASSESSMENTS

Notice is hereby given that the Orange Bend Community Development District ("District") intends to use the uniform method of collecting non-ad valorem special assessments to be levied by the District pursuant to Section 197.3632, Florida Statutes. The Board of Supervisors of the District will conduct a public hearing on March 20, 2025 at 9:00 a.m., at City of Minneola City Hall, 800 N US Highway 27, Minneola, Florida 34715.

The purpose of the public hearing is to consider the adoption of a resolution authorizing the District to use the uniform method of collecting non-ad valorem special assessments ("Uniform Method") to be levied by the District on properties located on land included within the District.

The District may levy non-ad valorem special assessments for the purpose of financing, acquiring, maintaining and/or operating community development facilities, services and improvements within and without the boundaries of the District, which may consist of, among other things, recreational facilities, stormwater management improvements, irrigation, landscape, roadways, and other lawful improvements or services within or without the boundaries of the District.

Owners of the properties to be assessed and other interested parties may appear at the public hearing and be heard regarding the use of the Uniform Method. This hearing is open to the public and will be conducted in accordance with the provisions of Florida law. The public hearing may be continued to a date, time, and location to be specified on the record at the hearing.

There may be occasions when Supervisors or District Staff may participate by speaker telephone. Pursuant to provisions of the Americans with Disabilities Act, any person

requiring special accommodations at this meeting because of a disability or physical impairment should contact the District Office, c/o Wrathell, Hunt and Associates, LLC, 2300 Glades Road, Suite 410W, Boca Raton, Florida 33431, (561) 571-0010, at least forty-eight (48) hours prior to the meeting. If you are hearing or speech impaired, please contact the Florida Relay Service by dialing 7-1-1, or 1-800-955-8771 (TTY) / 1-800-955-8770 (Voice), for aid in contacting the District Office.

A person who decides to appeal any decision made at the hearing with respect to any matter considered at the hearing is advised that person will need a record of the proceedings and that accordingly, the person may need to ensure that a verbatim record of the proceedings is made, including the testimony and evidence upon which such appeal is to be based.

District Manager

**#01237304 February 20, 2025  
February 27, 2025  
March 6, 2025  
March 13, 2025**

**ORANGE BEND**  
**COMMUNITY DEVELOPMENT DISTRICT**

**5B**



## **RESOLUTION 2025-31**

### **RESOLUTION OF THE BOARD OF SUPERVISORS OF THE ORANGE BEND COMMUNITY DEVELOPMENT DISTRICT EXPRESSING ITS INTENT TO UTILIZE THE UNIFORM METHOD OF LEVYING, COLLECTING, AND ENFORCING NON-AD VALOREM ASSESSMENTS WHICH MAY BE LEVIED BY THE ORANGE BEND COMMUNITY DEVELOPMENT DISTRICT IN ACCORDANCE WITH SECTION 197.3632, FLORIDA STATUTES; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the Orange Bend Community Development District ("District") was established pursuant to the provisions of Chapter 190, Florida Statutes, which authorizes the District to levy certain assessments which include benefit and maintenance assessments and further authorizes the District to levy special assessments pursuant to Chapter 170, Florida Statutes, for the acquisition, construction, or reconstruction of assessable improvements authorized by Chapter 190, Florida Statutes; and

**WHEREAS**, the above referenced assessments are non-ad valorem in nature and, therefore, may be collected under the provisions of Section 197.3632, Florida Statutes, in which the State of Florida has provided a uniform method for the levying, collecting, and enforcing such non-ad valorem assessments; and

**WHEREAS**, pursuant to Section 197.3632, Florida Statutes, the District has caused notice of a public hearing to be advertised weekly in a newspaper of general circulation within Lake County, Florida, for four (4) consecutive weeks prior to such hearing.

### **NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE ORANGE BEND COMMUNITY DEVELOPMENT DISTRICT:**

**SECTION 1.** The District upon conducting its public hearing as required by Section 197.3632, Florida Statutes, hereby expresses its intent to use the uniform method of collecting assessments imposed by the District as provided in Chapters 170 and 190, Florida Statutes, each of which are non-ad valorem assessments which may be collected annually pursuant to the provisions of Chapter 190, Florida Statutes, for the purpose of paying principal and interest on any and all of its indebtedness and for the purpose of paying the cost of operating and maintaining its assessable improvements. The legal description of the boundaries of the real property subject to a levy of assessments is attached and made a part of this Resolution as **Exhibit A**. The non-ad valorem assessments and the District's use of the uniform method of collecting its non-ad valorem assessment(s) may continue in any given year when the Board of Supervisors determines that use of the uniform method for that year is in the best interests of the District.

**SECTION 2.** The District's Secretary is authorized to provide the Property Appraiser and Tax Collector of Lake County, Florida, and the Department of Revenue of the State of Florida with a copy of this Resolution and enter into any agreements with the Property Appraiser and/or Tax Collector necessary to carry out the provisions of this Resolution.

**SECTION 3.** If any provision of this Resolution is held to be illegal or invalid, the other provisions shall remain in full force and effect.

**SECTION 4.** This Resolution shall become effective upon its passage and shall remain in effect unless rescinded or repealed.

**PASSED AND ADOPTED** this 20<sup>th</sup> day of March, 2025.

ATTEST:

**ORANGE BEND COMMUNITY DEVELOPMENT  
DISTRICT**

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Secretary/Assistant Secretary

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Chair/Vice Chair, Board of Supervisors

**Exhibit A:** Legal Description

**Exhibit A:**      Legal Description

# SKETCH OF DESCRIPTION

## LEGAL DESCRIPTION

A parcel of land being a portion of Section 34, Township 18 South, Range 25 East and Section 3, Township 19 South, Range 25 East, Lake County, Florida and all of Lots 1 through 16, ORANGE BEND, according to the plat thereof, as recorded in Plat Book 1, Page 35 of the Public Records of Lake County, Florida, being more particularly described as follows:

Begin at the Southwest corner of Section 34, Township 18 South, Range 25 East, Lake County, Florida; thence N00°41'02"E, along the West line of said Section 34, a distance of 249.66 feet; thence departing said West line, run S89°42'18"E, a distance of 3,314.85 feet; thence S00°17'42"W, a distance of 1,630.14 feet to the Southeast corner of the Southwest  $\frac{1}{4}$  of the Northwest  $\frac{1}{4}$  of the Northwest  $\frac{1}{4}$  of Section 3, Township 19 South, Range 25 East, Lake County, Florida; thence S89°19'59"E, a distance of 663.94 feet to the Northeast corner of the Southwest  $\frac{1}{4}$  of the Northeast  $\frac{1}{4}$  of said Section 3; thence S00°51'19"W, a distance of 466.37 feet; thence N89°23'03"W, a distance of 663.88 feet; thence S00°50'17"W, a distance of 199.45 feet; thence S89°20'34"E, a distance of 664.16 feet; thence S00°52'17"W, a distance of 666.74 feet; thence S89°08'22"E, a distance of 245.70 feet to a Point on a Non-Tangent Curve, Concave to the Southeast, having a Radius of 5,789.58 feet and a Central Angle of 02°36'56"; thence run Southwesterly along the arc of said curve, a distance of 264.29 feet (Chord Bearing = S39°11'00"W, Chord = 264.27 feet) to a Point of Non Tangency; thence S40°17'05"W, a distance of 210.44 feet; thence S37°10'51"W, a distance of 151.57 feet; thence S82°10'51"W, a distance of 53.74 feet; thence S37°10'51"W, a distance of 112.00 feet; thence S07°49'09"E, a distance of 70.71 feet; thence S37°10'51"W, a distance of 830.43 feet; thence N89°25'32"W, a distance of 341.38 feet; thence N11°28'19"W, a distance of 1,127.60 feet; thence N53°43'33"W, a distance of 396.00 feet to a point on the South line of the Northwest  $\frac{1}{4}$  of Section 3, Township 19 South, Range 25 East, Lake County, Florida; thence N89°08'22"W, along said South line, a distance of 1,000.93 feet; thence departing said South line, run N00°34'02"E, a distance of 511.62 feet; thence N89°25'52"W, a distance of 666.47 feet; thence N00°30'09"E, a distance of 816.66 feet; thence N89°27'45"W, a distance of 665.33 feet to a point on the West line of the Northwest  $\frac{1}{4}$  of said Section 3; thence N00°34'56"E, along said West line, a distance of 1,357.39 feet to the Point of Beginning.

Containing 243.89 acres, more or less.

### ABBREVIATIONS/LEGEND

|       |                   |          |                       |
|-------|-------------------|----------|-----------------------|
| SEC.  | SECTION           | CHD.     | CHORD                 |
| TWP.  | TOWNSHIP          | NT       | NON TANGENT           |
| RNG.  | RANGE             | F.D.O.T. | FLORIDA DEPARTMENT OF |
| S.    | SOUTH             |          | TRANSPORTATION        |
| E.    | EAST              | P.S.M.   | PROFESSIONAL SURVEYOR |
| NO./# | NUMBER            |          | & MAPPER              |
| ●     | DESCRIPTIVE POINT | O.R.B.   | OFFICIAL RECORDS BOOK |

### NOTES

BEARINGS AS SHOWN HEREON ARE BASED ON THE FLORIDA STATE PLANE COORDINATE SYSTEM, EAST ZONE, (NAD 83, 2007 ADJUSTMENT). THIS SURVEYOR HAS NOT MADE A SEARCH OF THE PUBLIC RECORDS FOR EASEMENTS, RESTRICTIONS, RESERVATIONS AND/OR RIGHT OF WAYS. THIS SKETCH IS NOT INTENDED TO REPRESENT A BOUNDARY SURVEY. NO CORNERS WERE SET AS A PART OF THIS SKETCH.

REQUESTED BY: FORESTAR (USA) REAL ESTATE GROUP INC.

S-L CDD

|                                                                                |           |                   |
|--------------------------------------------------------------------------------|-----------|-------------------|
| DATE OF SKETCH                                                                 | 8/15/2024 | REVISIONS         |
| SCALE                                                                          | 1" = 500' | REVISED 8/19/2024 |
| F.B.                                                                           | PAGE      |                   |
| SECTION 34, TWP. 18 S., RNG. 25 E.<br>AND<br>SECTION 3, TWP. 19 S., RNG. 25 E. |           |                   |
| JOB NO.                                                                        | 23-204    | SHEET 1 OF 4      |

**JOHNSTON'S**  
**SURVEYING INC.**  
900 Cross Prairie Parkway, Kissimmee, Florida 34744  
Tel. (407) 847-2179 Fax (407) 847-6140

*R.D.B.*

8/19/2024

RICHARD D. BROWN, P.S.M. #5700 (DATE)

NOTE: NOT VALID WITHOUT RAISED SURVEYOR'S SEAL.

**ORANGE BEND**  
**COMMUNITY DEVELOPMENT DISTRICT**

**6A**

# The Villages® DAILY SUN

Published Daily  
Lady Lake, Florida  
State of Florida  
County Of Lake

Before the undersigned authority personally appeared  
**Amber Sevison**, who on oath says that she is Legal Ad  
Coordinator of the DAILY SUN, a daily newspaper  
published at Lady Lake in Lake County, Florida with  
circulation in Lake, Sumter and Marion Counties; that the  
attached copy of advertisement, being a Legal # **01237383**  
in the matter of

## NOTICE OF PUBLIC HEARINGS

was published in said newspaper in the issues of

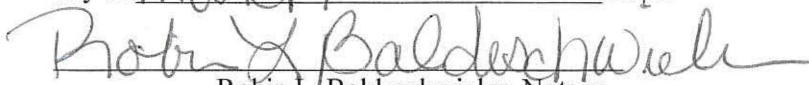
**FEBRUARY 24, 2025**  
**MARCH 3, 2025**

Affiant further says that the said Daily Sun is a newspaper  
published at Lady Lake in said Lake County, Florida, and  
that the said newspaper has heretofore been continuously  
published in said Lake County, Florida each week and has  
been entered as second-class mail matter at the post office in  
Lady Lake, in said Lake County, Florida, for a period of one  
year next preceding the first publication of the attached copy  
of advertisements; and affiant further says that he has  
neither paid nor promised any person, firm, or  
Corporation any discount, rebate, commission or refund  
for the purpose of securing this advertisement for  
Publication in the said newspaper.

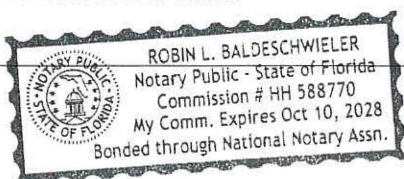


(Signature Of Affiant)

Sworn to and subscribed before me this 3  
day of march 2025.

  
Robin L. Baldeschwieler, Notary

Personally Known X or  
Production Identification \_\_\_\_\_  
Type of Identification Produced \_\_\_\_\_



# NOTICE OF PUBLIC HEARINGS TO CONSIDER THE IMPOSITION OF SPECIAL ASSESSMENTS PURSUANT TO SECTIONS 170.07 AND 197.3632, FLORIDA STATUTES, BY THE ORANGE BEND COMMUNITY DEVELOPMENT DISTRICT

## NOTICE OF SPECIAL MEETING OF THE ORANGE BEND COMMUNITY DEVELOPMENT DISTRICT

In accordance with Chapters 170, 190 and 197, *Florida Statutes*, the Orange Bend Community Development District's ("District") Board of Supervisors ("Board") hereby provides notice of the following public hearings and public meeting:

| NOTICE OF PUBLIC HEARINGS |                                                                                 |
|---------------------------|---------------------------------------------------------------------------------|
| DATE:                     | March 20, 2025                                                                  |
| TIME:                     | 9:00 a.m.                                                                       |
| LOCATION:                 | City of Minneola City Hall<br>800 N. U.S. Highway 27<br>Minneola, Florida 34715 |

The purpose of the public hearings announced above is to consider the imposition of special assessments ("Debt Assessments"), and adoption of assessment rolls to secure proposed bonds, on benefited lands within the District, and, to provide for the levy, collection and enforcement of the Debt Assessments. The proposed bonds secured by the Debt Assessments are intended to finance certain public infrastructure improvements, including, but not limited to, stormwater management, water and sewer utilities, landscape, irrigation, lighting, and other infrastructure improvements (together, "Project"), benefitting certain lands within the District. The Project is described in more detail in the *Engineer's Report* ("Engineer's Report"). Specifically, the Project includes a Capital Improvement Plan to provide public infrastructure benefitting all lands within the District, as identified in the *Engineer's Report*. The Debt Assessments are proposed to be levied as one or more assessment liens and allocated to the benefitted lands within the District, as set forth in the *Master Special Assessment Methodology Report* ("Assessment Report"). At the conclusion of the public hearings, the Board will, by resolution, levy and impose assessments as finally approved by the Board. A special meeting of the District will also be held where the Board may consider any other business that may properly come before it.

The District consists of 243.89 acres of land and is located entirely within the City of Leesburg, Florida. The site is generally located west of County Road 44, north of Poe Street, east of Lake Griffin, and south of Haines Creek. A geographic depiction of the District is shown below. All lands within the District are expected to be improved in accordance with the reports identified above.

A description of the property to be assessed and the amount to be assessed to each piece or parcel of property may be ascertained at the "District's Office" located at c/o Wrathell, Hunt and Associates, LLC, 2300 Glades Road, Suite 410W, Boca Raton, Florida 33431 (877)276-0889. Also, a copy of the agendas and other documents referenced herein may be obtained from the District Office.

### Proposed Debt Assessments

The proposed Debt Assessments are in the total principal amount of **\$54,365,000** (not including interest or collection costs), and are as follows:

| Product Type      | Number of Units | ERU | Maximum Principal Bond Assessments | Maximum Annual Bond Assessments |
|-------------------|-----------------|-----|------------------------------------|---------------------------------|
| Townhome          | 200             | 0.6 | \$42,451                           | \$4,055                         |
| Single Family 50' | 352             | 1.0 | \$70,751                           | \$6,758                         |
| Single Family 60' | 247             | 1.2 | \$84,901                           | \$8,109                         |
| TOTAL             | 799             |     |                                    |                                 |

\*Amount includes principal only, and not interest or collect costs

\*\*Amount includes estimated 3% County collection costs and 4% early payment discounts

The assessments shall be paid in not more than thirty (30) annual installments subsequent to the issuance of debt to finance the improvements. These annual assessments will be collected on the County tax roll by the Tax Collector. Alternatively, the District may choose to directly collect and enforce these assessments.

The public hearings and meeting are open to the public and will be conducted in accordance with Florida law. The public hearings and meeting may be continued to a date, time, and place to be specified on the record. There may be occasions when staff or board members may participate by speaker telephone. Any person requiring special accommodations because of a disability or physical impairment should contact the District Office at least forty-eight (48) hours prior to the meeting. If you are hearing or speech impaired, please contact the Florida Relay Service by dialing 7-1-1, or 1-800-955-8771 (TTY) / 1-800-955-8770 (Voice), for aid in contacting the District Office.

Please note that all affected property owners have the right to appear and comment at the public hearings and meeting, and may also file written objections with the District Office within twenty (20) days of issuance of this notice. Each person who decides to appeal any decision made by the Board with respect to any matter considered at the public hearings or meeting is advised that person will need a record of proceedings and that accordingly, the person may need to ensure that a verbatim record of the proceedings is made, including the testimony and evidence upon which such appeal is to be based.

District Manager

### RESOLUTION 2025-29

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE ORANGE BEND COMMUNITY DEVELOPMENT DISTRICT DECLARING SPECIAL ASSESSMENTS; DESIGNATING THE NATURE AND LOCATION OF THE PROPOSED IMPROVEMENTS; DECLARING THE TOTAL ESTIMATED COST OF THE IMPROVEMENTS, THE PORTION TO BE PAID BY ASSESSMENTS, AND THE MANNER AND TIMING IN WHICH THE ASSESSMENTS ARE TO BE PAID; DESIGNATING THE LANDS UPON WHICH THE ASSESSMENTS SHALL BE LEVIED; PROVIDING FOR AN ASSESSMENT PLAT AND A PRELIMINARY ASSESSMENT ROLL; ADDRESSING THE SETTING OF PUBLIC HEARINGS; PROVIDING FOR PUBLICATION OF THIS RESOLUTION; AND ADDRESSING CONFLICTS, SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, the Orange Bend Community Development District ("District") is a local unit of special-purpose government organized and existing under and pursuant to Chapter 190, *Florida Statutes*; and

WHEREAS, the District is authorized by Chapter 190, *Florida Statutes*, to finance, fund, plan, establish, acquire, install, equip, operate, extend, construct, or reconstruct roadways, sewer and water distribution systems, stormwater management/earthwork improvements, landscape, irrigation and entry features, conservation and mitigation, street lighting and other infrastructure projects, and services necessitated by the development of, and serving lands within, the District; and

WHEREAS, the District hereby determines to undertake, install, plan, establish, construct or reconstruct, enlarge or extend, equip, acquire, operate, and/or maintain the portion of the infrastructure improvements comprising the District's overall capital improvement plan as described in the District *Engineer's Report* ("Project"), which is attached hereto as **Exhibit A** and incorporated herein by reference; and

WHEREAS, it is in the best interest of the District to pay for all or a portion of the cost of the Project by the levy of special assessments ("Assessments") using the methodology set forth in that *Master Special Assessment Methodology Report*, which is attached hereto as **Exhibit B**, incorporated herein by reference, and on file with the District Manager at c/o Wrathell, Hunt and Associates LLC, 2300 Glades Road, Suite 410W, Boca Raton, Florida 33431 ("District Records Office");

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE ORANGE BEND COMMUNITY DEVELOPMENT DISTRICT:

1. **AUTHORITY FOR THIS RESOLUTION; INCORPORATION OF RECITALS.** This Resolution is adopted pursuant to the provisions of Florida law, including without limitation Chapters 170, 190 and 197, *Florida Statutes*. The recitals stated above are incorporated herein and are adopted by the Board as true and correct statements.

2. **DECLARATION OF ASSESSMENTS.** The Board hereby declares that it has determined to undertake the Project and to defray all or a portion of the cost thereof by the Assessments.

3. **DESIGNATING THE NATURE AND LOCATION OF IMPROVEMENTS.** The nature and general location of, and plans and specifications for, the Project are described in **Exhibit A**, which is on file at the District Records Office. **Exhibit B** is also on file and available for public inspection at the same location.

4. **DECLARING THE TOTAL ESTIMATED COST OF THE IMPROVEMENTS, THE PORTION TO BE PAID BY ASSESSMENTS, AND THE MANNER AND TIMING IN WHICH THE ASSESSMENTS ARE TO BE PAID.**

A. The total estimated cost of the Project is **\$39,500,000** ("Estimated Cost").

B. The Assessments will defray approximately **\$54,365,000**, which is the anticipated maximum par value of any bonds and which includes all or a portion of the Estimated Cost, as well as other financing-related costs, as set forth in **Exhibit B**, and which is in addition to interest and collection costs. On an annual basis, the Assessments will defray no more than **\$4,829,103** per year, again as set forth in **Exhibit B**.

C. The manner in which the Assessments shall be apportioned and paid is set forth in **Exhibit B**, as may be modified by supplemental assessment resolutions. The Assessments will constitute a "master" lien, which may be imposed without further public hearing in one or more separate liens each securing a series of bonds, and each as determined by supplemental assessment resolution. With respect to each lien securing a series of bonds, the special assessments shall be paid in not more than (30) thirty yearly installments. The special assessments may be payable at the same time and in the same manner as are ad-valorem taxes and collected pursuant to Chapter 197, *Florida Statutes*; provided, however, that in the event the uniform non ad-valorem assessment method of collecting the Assessments is not available to the District in any year, or if determined by the District to be in its best interest, the Assessments may be collected as is otherwise permitted by law, including but not limited to by direct bill. The decision to collect special assessments by any particular method – e.g., on the tax roll or by direct bill – does not mean that such method will be used to collect special assessments in future years, and the District reserves the right in its sole discretion to select collection methods in any given year, regardless of past practices.

5. **DESIGNATING THE LANDS UPON WHICH THE SPECIAL ASSESSMENTS SHALL BE LEVIED.** The Assessments securing the Project shall be levied on the lands within the District, as described in **Exhibit B**, and as further designated by the assessment plat hereinafter provided for.

6. **ASSESSMENT PLAT.** Pursuant to Section 170.04, *Florida Statutes*, there is on file, at the District Records Office, an assessment plat showing the area to be assessed certain plans and specifications describing the Project and the estimated cost of the Project, all of which shall be open to inspection by the public.

7. **PRELIMINARY ASSESSMENT ROLL.** Pursuant to Section 170.06, *Florida Statutes*, the District Manager has caused to be made a preliminary assessment roll, in accordance with the method of assessment described in **Exhibit B** hereto, which shows the lots and lands assessed, the amount of benefit to and the assessment against each lot or parcel of land and the number of annual installments into which the assessment may be divided, which assessment roll is hereby adopted and approved as the District's preliminary assessment roll.

8. **PUBLIC HEARINGS DECLARED; DIRECTION TO PROVIDE NOTICE OF THE HEARINGS.** Pursuant to Sections 170.07 and 197.3632(4)(b), *Florida Statutes*, among other provisions of Florida law, there are hereby declared two public hearings to be held as follows:

| NOTICE OF PUBLIC HEARINGS |                                                                                 |
|---------------------------|---------------------------------------------------------------------------------|
| DATE:                     | March 20, 2025                                                                  |
| TIME:                     | 9:00 a.m.                                                                       |
| LOCATION:                 | City of Minneola City Hall<br>800 N. U.S. Highway 27<br>Minneola, Florida 34715 |

The purpose of the public hearings is to hear comment and objections to the proposed special assessment program for District improvements as identified in the preliminary assessment roll, a copy of which is on file and as set forth in **Exhibit B**. Interested parties may appear at that hearing or submit their comments in writing prior to the hearings at the District Records Office.

Notice of said hearings shall be advertised in accordance with Chapters 170, 190 and 197, *Florida Statutes*, and the District Manager is hereby authorized and directed to place said notice in a newspaper of general circulation within the County in which the District is located (by two publications one week apart with the first publication at least twenty (20) days prior to the date of the hearing established herein). The District Manager shall file a publisher's affidavit with the District Secretary verifying such publication of notice. The District Manager is further authorized and directed to give thirty (30) days written notice by mail of the time and place of this hearing to the owners of all property to be assessed and include in such notice the amount of the assessment for each such property owner, a description of the areas to be improved and notice that information concerning all assessments may be ascertained at the District Records Office. The District Manager shall file proof of such mailing by affidavit with the District Secretary.

9. **PUBLICATION OF RESOLUTION.** Pursuant to Section 170.05, *Florida Statutes*, the District Manager is hereby directed to cause this Resolution to be published twice (once a week for two (2) weeks) in a newspaper of general circulation within the County in which the District is located and to provide such other notice as may be required by law or desired in the best interests of the District.

10. **CONFLICTS.** All resolutions or parts thereof in conflict herewith are, to the extent of such conflict, superseded and repealed.

11. **SEVERABILITY.** If any section or part of a section of this resolution be declared invalid or unconstitutional, the validity, force, and effect of any other section or part of a section of this resolution shall not thereby be affected or impaired unless it clearly appears that such other section or part of a section of this resolution is wholly or necessarily dependent upon the section or part of a section so held to be invalid or unconstitutional.

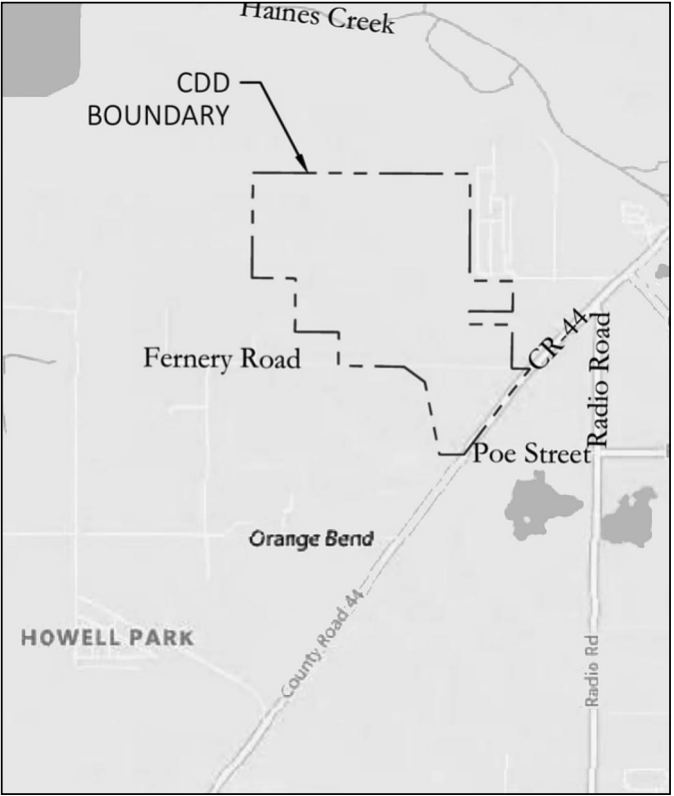
12. **EFFECTIVE DATE.** This Resolution shall become effective upon its adoption.

**PASSED AND ADOPTED** this 9th day of December, 2024.

ATTEST: **ORANGE BEND COMMUNITY DEVELOPMENT DISTRICT**

|                               |                                       |
|-------------------------------|---------------------------------------|
| <u>/s/ Daniel Rom</u>         | <u>/s/ Shelley Kaercher</u>           |
| Secretary/Assistant Secretary | Chair/Vice Chair, Board of Supervisor |

**Exhibit A:** *Engineer's Report*  
**Exhibit B:** *Master Special Assessment Methodology Report*





NOTICE OF PUBLIC HEARINGS TO CONSIDER THE IMPOSITION OF SPECIAL ASSESSMENTS PURSUANT TO SECTIONS 170.07 AND 197.3632, FLORIDA STATUTES, BY THE ORANGE BEND COMMUNITY DEVELOPMENT DISTRICT

NOTICE OF SPECIAL MEETING OF THE ORANGE BEND COMMUNITY DEVELOPMENT DISTRICT

In accordance with Chapters 170, 190 and 197, *Florida Statutes*, the Orange Bend Community Development District's ("District") Board of Supervisors ("Board") hereby provides notice of the following public hearings and public meeting:

| NOTICE OF PUBLIC HEARINGS |                                                                                 |
|---------------------------|---------------------------------------------------------------------------------|
| DATE:                     | March 20, 2025                                                                  |
| TIME:                     | 9:00 a.m.                                                                       |
| LOCATION:                 | City of Minneola City Hall<br>800 N. U.S. Highway 27<br>Minneola, Florida 34715 |

The purpose of the public hearings announced above is to consider the imposition of special assessments ("Debt Assessments"), and adoption of assessment rolls to secure proposed bonds, on benefited lands within the District, and, to provide for the levy, collection and enforcement of the Debt Assessments. The proposed bonds secured by the Debt Assessments are intended to finance certain public infrastructure improvements, including, but not limited to, stormwater management, water and sewer utilities, landscape, irrigation, lighting, and other infrastructure improvements (together, "Project"), benefitting certain lands within the District. The Project is described in more detail in the *Engineer's Report* ("Engineer's Report"). Specifically, the Project includes a Capital Improvement Plan to provide public infrastructure benefitting all lands within the District, as identified in the *Engineer's Report*. The Debt Assessments are proposed to be levied as one or more assessment liens and allocated to the benefitted lands within the District, as set forth in the *Master Special Assessment Methodology Report* ("Assessment Report"). At the conclusion of the public hearings, the Board will, by resolution, levy and impose assessments as finally approved by the Board. A special meeting of the District will also be held where the Board may consider any other business that may properly come before it.

The District consists of 243.89 acres of land and is located entirely within the City of Leesburg, Florida. The site is generally located west of County Road 44, north of Poe Street, east of Lake Griffin, and south of Haines Creek. A geographic depiction of the District is shown below. All lands within the District are expected to be improved in accordance with the reports identified above.

A description of the property to be assessed and the amount to be assessed to each piece or parcel of property may be ascertained at the "District's Office" located at c/o Wrathell, Hunt and Associates, LLC, 2300 Glades Road, Suite 410W, Boca Raton, Florida 33431 (877)276-0889. Also, a copy of the agendas and other documents referenced herein may be obtained from the District Office.

Proposed Debt Assessments

The proposed Debt Assessments are in the total principal amount of **\$54,365,000** (not including interest or collection costs), and are as follows:

| Product Type      | Number of Units | ERU | Maximum Principal Bond Assessments | Maximum Annual Bond Assessments |
|-------------------|-----------------|-----|------------------------------------|---------------------------------|
| Townhome          | 200             | 0.6 | \$42,451                           | \$4,055                         |
| Single Family 50' | 352             | 1.0 | \$70,751                           | \$6,758                         |
| Single Family 60' | 247             | 1.2 | \$84,901                           | \$8,109                         |
| TOTAL             | 799             |     |                                    |                                 |

\*Amount includes principal only, and not interest or collect costs  
\*\*Amount includes estimated 3% County collection costs and 4% early payment discounts

The assessments shall be paid in not more than thirty (30) annual installments subsequent to the issuance of debt to finance the improvements. These annual assessments will be collected on the County tax roll by the Tax Collector. Alternatively, the District may choose to directly collect and enforce these assessments.

The public hearings and meeting are open to the public and will be conducted in accordance with Florida law. The public hearings and meeting may be continued to a date, time, and place to be specified on the record. There may be occasions when staff or board members may participate by speaker telephone. Any person requiring special accommodations because of a disability or physical impairment should contact the District Office at least forty-eight (48) hours prior to the meeting. If you are hearing or speech impaired, please contact the Florida Relay Service by dialing 7-1-1, or 1-800-955-8771 (TTY) / 1-800-955-8770 (Voice), for aid in contacting the District Office.

Please note that all affected property owners have the right to appear and comment at the public hearings and meeting, and may also file written objections with the District Office within twenty (20) days of issuance of this notice. Each person who decides to appeal any decision made by the Board with respect to any matter considered at the public hearings or meeting is advised that person will need a record of proceedings and that accordingly, the person may need to ensure that a verbatim record of the proceedings is made, including the testimony and evidence upon which such appeal is to be based.

District Manager

RESOLUTION 2025-29

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE ORANGE BEND COMMUNITY DEVELOPMENT DISTRICT DECLARING SPECIAL ASSESSMENTS; DESIGNATING THE NATURE AND LOCATION OF THE PROPOSED IMPROVEMENTS; DECLARING THE TOTAL ESTIMATED COST OF THE IMPROVEMENTS, THE PORTION TO BE PAID BY ASSESSMENTS, AND THE MANNER AND TIMING IN WHICH THE ASSESSMENTS ARE TO BE PAID; DESIGNATING THE LANDS UPON WHICH THE ASSESSMENTS SHALL BE LEVIED; PROVIDING FOR AN ASSESSMENT PLAT AND A PRELIMINARY ASSESSMENT ROLL; ADDRESSING THE SETTING OF PUBLIC HEARINGS; PROVIDING FOR PUBLICATION OF THIS RESOLUTION; AND ADDRESSING CONFLICTS, SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, the Orange Bend Community Development District ("District") is a local unit of special-purpose government organized and existing under and pursuant to Chapter 190, *Florida Statutes*; and

WHEREAS, the District is authorized by Chapter 190, *Florida Statutes*, to finance, fund, plan, establish, acquire, install, equip, operate, extend, construct, or reconstruct roadways, sewer and water distribution systems, stormwater management/earthwork improvements, landscape, irrigation and entry features, conservation and mitigation, street lighting and other infrastructure projects, and services necessitated by the development of, and serving lands within, the District; and

WHEREAS, the District hereby determines to undertake, install, plan, establish, construct or reconstruct, enlarge or extend, equip, acquire, operate, and/or maintain the portion of the infrastructure improvements comprising the District's overall capital improvement plan as described in the District *Engineer's Report* ("Project"), which is attached hereto as **Exhibit A** and incorporated herein by reference; and

WHEREAS, it is in the best interest of the District to pay for all or a portion of the cost of the Project by the levy of special assessments ("Assessments") using the methodology set forth in that *Master Special Assessment Methodology Report*, which is attached hereto as **Exhibit B**, incorporated herein by reference, and on file with the District Manager at c/o Wrathell, Hunt and Associates LLC, 2300 Glades Road, Suite 410W, Boca Raton, Florida 33431 ("District Records Office");

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE ORANGE BEND COMMUNITY DEVELOPMENT DISTRICT:

1. **AUTHORITY FOR THIS RESOLUTION; INCORPORATION OF RECITALS.** This Resolution is adopted pursuant to the provisions of Florida law, including without limitation Chapters 170, 190 and 197, *Florida Statutes*. The recitals stated above are incorporated herein and are adopted by the Board as true and correct statements.

2. **DECLARATION OF ASSESSMENTS.** The Board hereby declares that it has determined to undertake the Project and to defray all or a portion of the cost thereof by the Assessments.

3. **DESIGNATING THE NATURE AND LOCATION OF IMPROVEMENTS.** The nature and general location of, and plans and specifications for, the Project are described in **Exhibit A**, which is on file at the District Records Office. **Exhibit B** is also on file and available for public inspection at the same location.

4. **DECLARING THE TOTAL ESTIMATED COST OF THE IMPROVEMENTS, THE PORTION TO BE PAID BY ASSESSMENTS, AND THE MANNER AND TIMING IN WHICH THE ASSESSMENTS ARE TO BE PAID.**

A. The total estimated cost of the Project is **\$39,500,000** ("Estimated Cost").

B. The Assessments will defray approximately **\$54,365,000**, which is the anticipated maximum par value of any bonds and which includes all or a portion of the Estimated Cost, as well as other financing-related costs, as set forth in **Exhibit B**, and which is in addition to interest and collection costs. On an annual basis, the Assessments will defray no more than **\$4,829,103** per year, again as set forth in **Exhibit B**.

C. The manner in which the Assessments shall be apportioned and paid is set forth in **Exhibit B**, as may be modified by supplemental assessment resolutions. The Assessments will constitute a "master" lien, which may be imposed without further public hearing in one or more separate liens each securing a series of bonds, and each as determined by supplemental assessment resolution. With respect to each lien securing a series of bonds, the special assessments shall be paid in not more than (30) thirty yearly installments. The special assessments may be payable at the same time and in the same manner as are ad-valorem taxes and collected pursuant to Chapter 197, *Florida Statutes*; provided, however, that in the event the uniform non ad-valorem assessment method of collecting the Assessments is not available to the District in any year, or if determined by the District to be in its best interest, the Assessments may be collected as is otherwise permitted by law, including but not limited to by direct bill. The decision to collect special assessments by any particular method – e.g., on the tax roll or by direct bill – does not mean that such method will be used to collect special assessments in future years, and the District reserves the right in its sole discretion to select collection methods in any given year, regardless of past practices.

5. **DESIGNATING THE LANDS UPON WHICH THE SPECIAL ASSESSMENTS SHALL BE LEVIED.** The Assessments securing the Project shall be levied on the lands within the District, as described in **Exhibit B**, and as further designated by the assessment plat hereinafter provided for.

6. **ASSESSMENT PLAT.** Pursuant to Section 170.04, *Florida Statutes*, there is on file, at the District Records Office, an assessment plat showing the area to be assessed certain plans and specifications describing the Project and the estimated cost of the Project, all of which shall be open to inspection by the public.

7. **PRELIMINARY ASSESSMENT ROLL.** Pursuant to Section 170.06, *Florida Statutes*, the District Manager has caused to be made a preliminary assessment roll, in accordance with the method of assessment described in **Exhibit B** hereto, which shows the lots and lands assessed, the amount of benefit to and the assessment against each lot or parcel of land and the number of annual installments into which the assessment may be divided, which assessment roll is hereby adopted and approved as the District's preliminary assessment roll.

8. **PUBLIC HEARINGS DECLARED; DIRECTION TO PROVIDE NOTICE OF THE HEARINGS.** Pursuant to Sections 170.07 and 197.3632(4)(b), *Florida Statutes*, among other provisions of Florida law, there are hereby declared two public hearings to be held as follows:

| NOTICE OF PUBLIC HEARINGS |                                                                                 |
|---------------------------|---------------------------------------------------------------------------------|
| DATE:                     | March 20, 2025                                                                  |
| TIME:                     | 9:00 a.m.                                                                       |
| LOCATION:                 | City of Minneola City Hall<br>800 N. U.S. Highway 27<br>Minneola, Florida 34715 |

The purpose of the public hearings is to hear comment and objections to the proposed special assessment program for District improvements as identified in the preliminary assessment roll, a copy of which is on file and as set forth in **Exhibit B**. Interested parties may appear at that hearing or submit their comments in writing prior to the hearings at the District Records Office.

Notice of said hearings shall be advertised in accordance with Chapters 170, 190 and 197, *Florida Statutes*, and the District Manager is hereby authorized and directed to place said notice in a newspaper of general circulation within the County in which the District is located (by two publications one week apart with the first publication at least twenty (20) days prior to the date of the hearing established herein). The District Manager shall file a publisher's affidavit with the District Secretary verifying such publication of notice. The District Manager is further authorized and directed to give thirty (30) days written notice by mail of the time and place of this hearing to the owners of all property to be assessed and include in such notice the amount of the assessment for each such property owner, a description of the areas to be improved and notice that information concerning all assessments may be ascertained at the District Records Office. The District Manager shall file proof of such mailing by affidavit with the District Secretary.

9. **PUBLICATION OF RESOLUTION.** Pursuant to Section 170.05, *Florida Statutes*, the District Manager is hereby directed to cause this Resolution to be published twice (once a week for two (2) weeks) in a newspaper of general circulation within the County in which the District is located and to provide such other notice as may be required by law or desired in the best interests of the District.

10. **CONFLICTS.** All resolutions or parts thereof in conflict herewith are, to the extent of such conflict, superseded and repealed.

11 **SEVERABILITY.** If any section or part of a section of this resolution be declared invalid or unconstitutional, the validity, force, and effect of any other section or part of a section of this resolution shall not thereby be affected or impaired unless it clearly appears that such other section or part of a section of this resolution is wholly or necessarily dependent upon the section or part of a section so held to be invalid or unconstitutional.

12. **EFFECTIVE DATE.** This Resolution shall become effective upon its adoption.

**PASSED AND ADOPTED** this 9th day of December, 2024.

ATTEST: **ORANGE BEND COMMUNITY DEVELOPMENT DISTRICT**

|                               |                                       |
|-------------------------------|---------------------------------------|
| <u>/s/ Daniel Rom</u>         | <u>/s/ Shelley Kaercher</u>           |
| Secretary/Assistant Secretary | Chair/Vice Chair, Board of Supervisor |

**Exhibit A:** *Engineer's Report*  
**Exhibit B:** *Master Special Assessment Methodology Report*





**ORANGE BEND**  
**COMMUNITY DEVELOPMENT DISTRICT**

**6B**

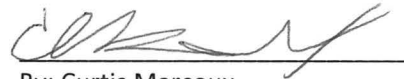
STATE OF FLORIDA       )  
COUNTY OF PALM BEACH)

**AFFIDAVIT OF MAILING**

**BEFORE ME**, the undersigned authority, this day personally appeared Curtis Marcoux, who by me first being duly sworn and deposed says:

1. I am over eighteen (18) years of age and am competent to testify as to the matters contained herein. I have personal knowledge of the matters stated herein.
2. I, Curtis Marcoux, am employed by Wrathell Hunt & Associates, LLC, and, in the course of that employment, serve as Financial Analyst for the Orange Bend Community Development District ("**District**").
3. Among other things, my duties include preparing and transmitting correspondence relating to the District.
4. I do hereby certify that on February 18, 2025, and in the regular course of business, I caused letters, in the forms attached hereto as **Exhibit A**, to be sent notifying affected landowner(s) in the District of their rights under Chapters 170, 190 and 197, *Florida Statutes*, with respect to the District's anticipated imposition of assessments. I further certify that the letters were sent to the addressees identified in **Exhibit B** and in the manner identified in **Exhibit A**.
5. I have personal knowledge of having sent the letters to the addressees, and those records are kept in the course of the regular business activity for my office.

**FURTHER AFFIANT SAYETH NOT.**



By: Curtis Marcoux

**SWORN AND SUBSCRIBED** before me by means of ☒ physical presence or ☐ online notarization this 18<sup>th</sup> day of February 2025, by Curtis Marcoux, for Wrathell Hunt & Associates, LLC, who ☒ is personally known to me or ☐ has provided \_\_\_\_\_ as identification, and who ☐ did or ☒ did not take an oath.



**DAPHNE GILLYARD**  
Notary Public  
State of Florida  
Comm# HH390392  
Expires 8/20/2027

NOTARY PUBLIC

  
Print Name: Daphne Gillyard  
Notary Public, State of Florida  
Commission No.: HH390392  
My Commission Expires: 8/20/2027

**EXHIBIT A:** Copies of Forms of Mailed Notices  
**EXHIBIT B:** List of Addressee

9589 0710 5270 2050 8417 60

U.S. Postal Service<sup>TM</sup>  
**CERTIFIED MAIL<sup>®</sup> RECEIPT**  
Domestic Mail Only

For delivery information, visit our website at [www.usps.com](http://www.usps.com).

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Extra Services & Fees (check box, add fee as appropriate)

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☐ Return Receipt (electronic) \$  
☐ Certified Mail Restricted Delivery \$  
☐ Adult Signature Required \$  
☐ Adult Signature Restricted Delivery \$

Postage

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To

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**FORESTAR (USA) REAL ESTATE  
GROUP INC  
2221 E LAMAR BLVD STE 790  
ARLINGTON, TX 76006**

PS Form 3800, January 2023 PSN 7530-02-000-9047 See Reverse for Instructions

FEB 18 2025

Postmark  
Here

3343-USPS

9589 0710 5270 2050 8380 05

U.S. Postal Service<sup>TM</sup>  
**CERTIFIED MAIL<sup>®</sup> RECEIPT**  
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For delivery information, visit our website at [www.usps.com](http://www.usps.com).

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Extra Services & Fees (check box, add fee as appropriate)

- ☐ Return Receipt (hardcopy) \$  
☐ Return Receipt (electronic) \$  
☐ Certified Mail Restricted Delivery \$  
☐ Adult Signature Required \$  
☐ Adult Signature Restricted Delivery \$

Postage

\$

Total Postage and Fees

\$

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Street

City, St

PS For

**LOWRIE BROWN INVESTMENT CO  
PO BOX 568546  
ORLANDO, FL 32856-8546**

Instructions

WOODLAND STATION  
BOCA RATON, FL

FEB 18 2025

Postmark  
Here

3343-USPS

# Orange Bend Community Development District

## OFFICE OF THE DISTRICT MANAGER

2300 Glades Road, Suite 410W • Boca Raton, Florida 33431

Phone: (561) 571-0010 • Toll-free: (877) 276-0889 • Fax: (561) 571-0013

Via First Class U.S. Mail

February 18, 2025

FORESTAR (USA) REAL ESTATE GROUP INC  
2221 E LAMAR BLVD STE 790  
ARLINGTON, TX 76006

Property Appraiser PINs:  
331825000100000200 (Alt Key: 1387060)  
031925010000000800 (Alt Key: 1535921)

**RE:     *Orange Bend Community Development District ("District")***  
***Notice of Hearings on Debt Assessments***

Dear Property Owner:

In accordance with Chapters 170, 190 and 197, *Florida Statutes*, the District's Board of Supervisors ("**Board**") hereby provides notice of the following public hearings, and public meeting:

### NOTICE OF PUBLIC HEARINGS

|           |                                                                                 |
|-----------|---------------------------------------------------------------------------------|
| DATE:     | March 20, 2025                                                                  |
| TIME:     | 9 a.m.                                                                          |
| LOCATION: | City of Minneola City Hall<br>800 N. U.S. Highway 27<br>Minneola, Florida 34715 |

The purpose of the public hearings announced above is to consider the imposition of special assessments ("**Debt Assessments**"), and adoption of assessment rolls to secure proposed bonds, on certain benefited lands within the District, and, to provide for the levy, collection and enforcement of the Debt Assessments. The proposed bonds secured by the Debt Assessments are intended to finance certain public infrastructure improvements, including, but not limited to, stormwater management, water and sewer utilities, landscape, irrigation, lighting, and other infrastructure improvements (together, "**Project**"), benefitting certain lands within the District. The Project is described in more detail in the *Engineer's Report* ("**Engineer's Report**"). Specifically, the Project includes a Capital Improvement Plan to provide public infrastructure benefitting all lands within the District, as identified in the Engineer's Report. The Debt Assessments are proposed to be levied as one or more assessment liens and allocated to the benefitted lands within the District, as set forth in the *Master Special Assessment Methodology Report* ("**Assessment Report**"). Copies of the Engineer's Report and Assessment Report are attached hereto. As required by Chapters 170, 190 and 197, *Florida Statutes*, the Assessment Report, together with the Engineer's Report, describe in more detail the purpose of the Debt Assessments; the total amount to be levied against each parcel of land within the District; the units of measurement to be applied against each parcel to determine the Debt Assessments; the number of such units contained within each parcel; and the total revenue the District will collect by the Debt Assessments. At the conclusion of the public hearings, the Board will, by resolution, levy and impose the Debt Assessments as finally approved by the

Board. A special meeting of the District will also be held where the Board may consider any other business that may come before it.

The Debt Assessments constitute a lien against benefitted property located within the District just as do each year's property taxes. For the Debt Assessments, the District may elect to have the County Tax Collector collect the assessments, or alternatively may collect the assessments by sending out an annual bill. For delinquent assessments that were initially directly billed by the District, the District may initiate a foreclosure action or may place the delinquent assessments on the next year's county tax bill. IT IS IMPORTANT TO PAY YOUR ASSESSMENT BECAUSE FAILURE TO PAY WILL CAUSE A TAX CERTIFICATE TO BE ISSUED AGAINST THE PROPERTY WHICH MAY RESULT IN LOSS OF TITLE, OR FOR DIRECT BILLED ASSESSMENTS, MAY RESULT IN A FORECLOSURE ACTION, WHICH ALSO MAY RESULT IN A LOSS OF TITLE. The District's decision to collect assessments on the tax roll or by direct billing does not preclude the District from later electing to collect those or other assessments in a different manner at a future time.

The District consists of 243.89 acres of land and is located entirely within the City of Leesburg, Florida. The site is generally located west of County Road 44, north of Poe Street, east of Lake Griffin, and south of Haines Creek. All lands within the District are expected to be improved in accordance with the reports identified above. A geographic description of the property to be assessed and the amount to be assessed to each piece or parcel of property may be ascertained at the "**District's Office**" located at c/o Wrathell, Hunt and Associates, LLC, 2300 Glades Road, Suite 410W, Boca Raton, Florida 33431 (877) 276-0889. Also, a copy of the agendas and other documents referenced herein may be obtained from the District Office.

The public hearings and meeting are open to the public and will be conducted in accordance with Florida law. The public hearings and meeting may be continued to a date, time, and place to be specified on the record. There may be occasions when staff or board members may participate by speaker telephone. Any person requiring special accommodations because of a disability or physical impairment should contact the District Office at least forty-eight (48) hours prior to the meeting. If you are hearing or speech impaired, please contact the Florida Relay Service by dialing 7-1-1, or 1-800-955-8771 (TTY) / 1-800-955-8770 (Voice), for aid in contacting the District Office.

Please note that all affected property owners have the right to appear and comment at the public hearings and meeting, and may also file written objections with the District Office within twenty (20) days of issuance of this notice. Each person who decides to appeal any decision made by the Board with respect to any matter considered at the public hearings or meeting is advised that person will need a record of proceedings and that accordingly, the person may need to ensure that a verbatim record of the proceedings is made, including the testimony and evidence upon which such appeal is to be based.

If you have any questions, please do not hesitate to contact the District Office.

Sincerely,



Daniel Rom  
District Manager

**ATTACHMENTS:** Engineer's Report and Assessment Report (with Legal Descriptions of Lands)

# Orange Bend Community Development District

## OFFICE OF THE DISTRICT MANAGER

2300 Glades Road, Suite 410W • Boca Raton, Florida 33431

Phone: (561) 571-0010 • Toll-free: (877) 276-0889 • Fax: (561) 571-0013

Via First Class U.S. Mail

February 18, 2025

LOWRIE BROWN INVESTMENT CO  
PO BOX 568546  
ORLANOD, FL 32856-8546

Property Appraiser PINs:  
331825000100000200 (Alt Key: 1387060)  
031925010000000800 (Alt Key: 1535921)

**RE:     *Orange Bend Community Development District ("District")***  
***Notice of Hearings on Debt Assessments***

Dear Property Owner:

In accordance with Chapters 170, 190 and 197, *Florida Statutes*, the District's Board of Supervisors ("**Board**") hereby provides notice of the following public hearings, and public meeting:

### NOTICE OF PUBLIC HEARINGS

|           |                                                                                 |
|-----------|---------------------------------------------------------------------------------|
| DATE:     | March 20, 2025                                                                  |
| TIME:     | 9 a.m.                                                                          |
| LOCATION: | City of Minneola City Hall<br>800 N. U.S. Highway 27<br>Minneola, Florida 34715 |

The purpose of the public hearings announced above is to consider the imposition of special assessments ("**Debt Assessments**"), and adoption of assessment rolls to secure proposed bonds, on certain benefited lands within the District, and, to provide for the levy, collection and enforcement of the Debt Assessments. The proposed bonds secured by the Debt Assessments are intended to finance certain public infrastructure improvements, including, but not limited to, stormwater management, water and sewer utilities, landscape, irrigation, lighting, and other infrastructure improvements (together, "**Project**"), benefitting certain lands within the District. The Project is described in more detail in the *Engineer's Report* ("**Engineer's Report**"). Specifically, the Project includes a Capital Improvement Plan to provide public infrastructure benefitting all lands within the District, as identified in the Engineer's Report. The Debt Assessments are proposed to be levied as one or more assessment liens and allocated to the benefitted lands within the District, as set forth in the *Master Special Assessment Methodology Report* ("**Assessment Report**"). Copies of the Engineer's Report and Assessment Report are attached hereto. As required by Chapters 170, 190 and 197, *Florida Statutes*, the Assessment Report, together with the Engineer's Report, describe in more detail the purpose of the Debt Assessments; the total amount to be levied against each parcel of land within the District; the units of measurement to be applied against each parcel to determine the Debt Assessments; the number of such units contained within each parcel; and the total revenue the District will collect by the Debt Assessments. At the conclusion of the public hearings, the Board will, by resolution, levy and impose the Debt Assessments as finally approved by the

Board. A special meeting of the District will also be held where the Board may consider any other business that may come before it.

The Debt Assessments constitute a lien against benefitted property located within the District just as do each year's property taxes. For the Debt Assessments, the District may elect to have the County Tax Collector collect the assessments, or alternatively may collect the assessments by sending out an annual bill. For delinquent assessments that were initially directly billed by the District, the District may initiate a foreclosure action or may place the delinquent assessments on the next year's county tax bill. IT IS IMPORTANT TO PAY YOUR ASSESSMENT BECAUSE FAILURE TO PAY WILL CAUSE A TAX CERTIFICATE TO BE ISSUED AGAINST THE PROPERTY WHICH MAY RESULT IN LOSS OF TITLE, OR FOR DIRECT BILLED ASSESSMENTS, MAY RESULT IN A FORECLOSURE ACTION, WHICH ALSO MAY RESULT IN A LOSS OF TITLE. The District's decision to collect assessments on the tax roll or by direct billing does not preclude the District from later electing to collect those or other assessments in a different manner at a future time.

The District consists of 243.89 acres of land and is located entirely within the City of Leesburg, Florida. The site is generally located west of County Road 44, north of Poe Street, east of Lake Griffin, and south of Haines Creek. All lands within the District are expected to be improved in accordance with the reports identified above. A geographic description of the property to be assessed and the amount to be assessed to each piece or parcel of property may be ascertained at the "**District's Office**" located at c/o Wrathell, Hunt and Associates, LLC, 2300 Glades Road, Suite 410W, Boca Raton, Florida 33431 (877) 276-0889. Also, a copy of the agendas and other documents referenced herein may be obtained from the District Office.

The public hearings and meeting are open to the public and will be conducted in accordance with Florida law. The public hearings and meeting may be continued to a date, time, and place to be specified on the record. There may be occasions when staff or board members may participate by speaker telephone. Any person requiring special accommodations because of a disability or physical impairment should contact the District Office at least forty-eight (48) hours prior to the meeting. If you are hearing or speech impaired, please contact the Florida Relay Service by dialing 7-1-1, or 1-800-955-8771 (TTY) / 1-800-955-8770 (Voice), for aid in contacting the District Office.

Please note that all affected property owners have the right to appear and comment at the public hearings and meeting, and may also file written objections with the District Office within twenty (20) days of issuance of this notice. Each person who decides to appeal any decision made by the Board with respect to any matter considered at the public hearings or meeting is advised that person will need a record of proceedings and that accordingly, the person may need to ensure that a verbatim record of the proceedings is made, including the testimony and evidence upon which such appeal is to be based.

If you have any questions, please do not hesitate to contact the District Office.

Sincerely,



Daniel Rom  
District Manager

**ATTACHMENTS:** Engineer's Report and Assessment Report (with Legal Descriptions of Lands)



ENGINEER'S REPORT

PREPARED FOR:

BOARD OF SUPERVISORS  
ORANGE BEND COMMUNITY DEVELOPMENT DISTRICT

ENGINEER:

**POULOS & BENNETT**  
2602 East Livingston Street  
Orlando, Florida 32803

December 2024

**ORANGE BEND COMMUNITY DEVELOPMENT DISTRICT  
ENGINEER'S REPORT**

**1. INTRODUCTION**

The purpose of this report is to provide a description of the capital improvement plan (“CIP”) and estimated costs of the CIP, for the Orange Bend Community Development District (“District”).

**2. GENERAL SITE DESCRIPTION**

The District consists of 243.89 acres of land and is located entirely within the City of Leesburg, Florida. The site is generally located west of County Road 44, north of Poe Street, east of Lake Griffin, and south of Haines Creek.

NOTE: It is contemplated that some additional conservation acreage (appx. 279 acres) may be added to the District in the future, and that the District will be responsible for the ownership and maintenance of such lands. Such conservation is part of the overall CIP, but no capital costs are anticipated at this time. The additional acreage of 279 acres is contemplated to be a mixture of Conservation, Open Space, Stormwater Management, and natural Flex Space uses.

**3. PROPOSED CAPITAL IMPROVEMENT PLAN**

The CIP is intended to provide public infrastructure improvements for the entire development. The following chart shows the planned product types for the District:

**PRODUCT TYPES**

| Product Type | Phase 1    | Phase 2   | Phase 3   | Phase 4    | Phase 5    | Phase 6    | Total Units |
|--------------|------------|-----------|-----------|------------|------------|------------|-------------|
| Townhome     | 102        | 98        |           |            |            |            | 200         |
| 50' Lot      | 72         |           | 69        | 70         | 54         | 87         | 352         |
| 60' Lot      | 37         |           | 19        | 31         | 91         | 69         | 247         |
| <b>TOTAL</b> | <b>211</b> | <b>98</b> | <b>88</b> | <b>101</b> | <b>145</b> | <b>156</b> | <b>799</b>  |

The public infrastructure for the project is as follows:

**Roadway Improvements:**

The CIP includes subdivision roads within the District. Generally, all roads will be 2-lane un-divided roads with periodic roundabouts. Such roads include the roadway asphalt, base, and subgrade, roadway curb and gutter, striping and signage and sidewalks within rights-of-way abutting non-lot lands. Sidewalks abutting lots will be constructed by the homebuilders. All roads will be designed in accordance with applicable design requirements.

All internal roadways may be financed by the District. Collector roads are intended to be dedicated to a local general purpose unit of government for ownership, operation, and

maintenance, while the District anticipates owning and operating all other roads. Alternatively, the developer may elect to finance the internal roads, gate them, and turn them over to a homeowner's association for ownership, operation and maintenance (in such an event, the District would be limited to financing only utilities, conservation and stormwater improvements behind such gated areas).

#### **Stormwater Management System:**

The stormwater collection and outfall system is a combination of roadway curbs, curb inlets, pipes, control structures and open lakes designed to treat and attenuate stormwater runoff from District lands. The stormwater system will be designed consistent with the applicable design requirements for stormwater/floodplain management systems. The District will finance, own, operate and maintain the stormwater system.

NOTE: No private earthwork is included in the CIP. Accordingly, the District will not fund any costs of any grading of lots or the transportation of any fill to such lots.

#### **Water, Wastewater and Reclaim Utilities:**

As part of the CIP, the District intends to construct and/or acquire water, wastewater and reclaim infrastructure. In particular, the on-site water supply improvements include water mains that will be located within rights-of-way and used for potable water service and fire protection.

Wastewater improvements for the project will include an onsite gravity collection system, offsite and onsite force main and onsite lift stations.

Similarly, the reclaim water distribution system will be constructed to provide service for irrigation throughout the community.

The water and reclaim distribution and wastewater collection systems for all phases will be constructed and/or acquired by the District and then dedicated to a local, public utility provider for operation and maintenance. The CIP will only include laterals to the lot lines (i.e., point of connection).

#### **Hardscape, Landscape, and Irrigation:**

The District will construct and/or install landscaping, irrigation and hardscaping within District rights-of-way. The District must meet local design criteria requirements for planting and irrigation design. This project will at a minimum meet those requirements and in most cases will exceed the requirements with enhancements for the benefit of the community.

All such landscaping, irrigation and hardscaping will be owned, maintained and funded by the District. Such infrastructure, to the extent that it is located in rights-of-way owned by a local general purpose government will be maintained pursuant to a right-of-way agreement or permit. Any landscaping, irrigation or hardscaping systems behind hard-gated roads, if any, would not be financed by the District and instead would be privately installed and maintained.

### **Streetlights / Undergrounding of Electrical Utility Lines**

The District intends to lease street lights through an agreement with a local utility provider and will fund the street lights through an annual operations and maintenance assessment. As such, streetlights are not included as part of the CIP.

The CIP does however include the incremental cost of undergrounding of electrical utility lines within right-of-way utility easements throughout the community. Any lines and transformers located in such areas would be owned by the local utility provider and not paid for by the District as part of the CIP.

### **Recreational Amenities:**

As part of the overall development, the Developer may privately fund amenity facilities and, upon completion, transfer them to a homeowners' association for ownership, operation and maintenance. In such event, the amenities would be considered common elements for the exclusive benefit of the District landowners.

### **Environmental Conservation**

The District will provide onsite conservation areas in order to offset wetland impacts associated with the construction of the development. The District will be responsible for the design, permitting, construction, maintenance, and government reporting of the environmental mitigation. These costs are negligible and so are not included as part of the construction cost, but the District will be responsible for the operation and maintenance of any conservation areas and buffers.

### **Off-Site Improvements**

Offsite improvements include County Road 44 intersection improvements and signalization, as well as potable watermain and force main extensions.

### **Professional Services**

The CIP also includes various professional services. These include: (i) engineering, surveying and architectural fees, (ii) permitting and plan review costs, and (iii) development/construction management services fees that are required for the design, permitting, construction, and maintenance acceptance of the public improvements and community facilities.

NOTE: In the event that impact fee credits are generated from any roadway, utilities or other improvements funded by the District, any such credits, if any, will be the subject of an acquisition agreement between the applicable developer and the District.

## **4. PERMITTING/CONSTRUCTION COMMENCEMENT**

All necessary permits for the construction of the CIP have either been obtained or are currently under review by respective governmental authorities.

## 5. CIP COST ESTIMATE / MAINTENANCE RESPONSIBILITIES

The table below presents, among other things, a cost estimate for the CIP. It is our professional opinion that the costs set forth below are reasonable and consistent with market pricing.

### CIP COST ESTIMATE

| Improvement                                                                     | Estimated Cost        | Financing Entity | Operation & Maintenance Entity |
|---------------------------------------------------------------------------------|-----------------------|------------------|--------------------------------|
| Public Sitework and Storm Drainage                                              | \$8.2 million         | CDD              | CDD                            |
| Public Roadways                                                                 | \$9 million           | CDD              | City                           |
| Water, Sewer & Reclaim Utilities                                                | \$7.5 million         | CDD              | City                           |
| Differential Cost of Undergrounding Conduit (electric, city gas, street lights) | \$3 million           | CDD              | CDD                            |
| Hardscaping, Landscaping, Irrigation                                            | \$1.8 million         | CDD              | CDD                            |
| On-Site Wetland Conservation                                                    | n/a                   | CDD              | CDD                            |
| Offsite Improvements                                                            | \$3.9 million         | CDD              | City                           |
| Professional Services                                                           | \$2.5 million         | CDD              | n/a                            |
| Contingency                                                                     | \$3.6 million         | As above         | As above                       |
| <b>TOTAL</b>                                                                    | <b>\$39.5 million</b> |                  |                                |

- a. The probable costs estimated herein do not include anticipated carrying cost, interest reserves or other anticipated CDD expenditures that may be incurred.
- b. The developer reserves the right to finance any of the improvements outlined above, and have such improvements owned and maintained by a property owner's or homeowner's association, in which case such items would not be part of the CIP.
- c. The District may enter into an agreement with a third-party, or an applicable property owner's or homeowner's association, to maintain any District-owned improvements, subject to the approval of the District's bond counsel.

## 6. CONCLUSIONS

The CIP will be designed in accordance with current governmental regulations and requirements. The CIP will serve its intended function so long as the construction is in substantial compliance with the design.

It is further our opinion that:

- the estimated cost to the CIP as set forth herein is reasonable based on prices currently being experienced in the jurisdiction in which the District is located, and is not greater than the lesser of the actual cost of construction or the fair market value of such infrastructure;
- All of the improvements comprising the CIP are required by applicable development approvals issued pursuant to Section 380.06, Florida Statutes;

- the CIP is feasible to construct, there are no technical reasons existing at this time that would prevent the implementation of the CIP, and it is reasonable to assume that all necessary regulatory approvals will be obtained in due course; and
- the assessable property within the District will receive a special benefit from the CIP that is at least equal to such costs.

Also, the CIP will constitute a system of improvements that will provide benefits, both general, and special and peculiar, to all lands within the District. The general public, property owners, and property outside the District will benefit from the provisions of the District's CIP; however, these are incidental to the District's CIP, which is designed solely to provide special benefits peculiar to property within the District. Special and peculiar benefits accrue to property within the District and enables properties within its boundaries to be developed.

The CIP will be owned by the District or other governmental units and such CIP is intended to be available and will reasonably be available for use by the general public (either by being part of a system of improvements that is available to the general public or is otherwise available to the general public) including nonresidents of the District. All of the CIP is or will be located on lands owned or to be owned by the District or another governmental entity or on perpetual easements in favor of the District or other governmental entity. The CIP, and any cost estimates set forth herein, do not include any earthwork, grading or other improvements on private lots or property. The District will pay the lesser of the cost of the components of the CIP or the fair market value.

Please note that the CIP as presented herein is based on current plans and market conditions which are subject to change. Accordingly, the CIP, as used herein, refers to sufficient public infrastructure of the kinds described herein (i.e., stormwater/floodplain management, sanitary sewer, potable water, etc.) to support the development and sale of the planned residential units in the District, which (subject to true-up determinations) number and type of units may be changed with the development of the site. Stated differently, during development and implementation of the public infrastructure improvements as described for the District, it may be necessary to make modifications and/or deviations for the plans, and the District expressly reserves the right to do so.

**POULOS & BENNETT**

2602 East Livingston Street  
Orlando, Florida 32803

---

J. Andrew Ivey, P.E.  
FL License No. 86607

December 6, 2023

# ORANGE BEND COMMUNITY DEVELOPMENT DISTRICT

## Master Special Assessment Methodology Report

December 9, 2024



Provided by:

**Wrathell, Hunt and Associates, LLC**

2300 Glades Road, Suite 410W

Boca Raton, FL 33431

Phone: 561-571-0010

Fax: 561-571-0013

Website: [www.whhassociates.com](http://www.whhassociates.com)



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## **1.0 Introduction**

### **1.1 Purpose**

This Master Special Assessment Methodology Report (the "Report") was developed to provide a financing plan and a special assessment methodology for the Orange Bend Community Development District (the "District"), located in the City of Leesburg, Florida, as related to funding the costs of public infrastructure improvements (the "Capital Improvement Plan" or "CIP") contemplated to be provided by the District.

### **1.2 Scope of the Report**

This Report presents the projections for financing the District's Capital Improvement Plan described in the Engineer's Report developed by Poulos & Bennett LLC (the "District Engineer") and dated December 2024 (the "Engineer's Report"), as well as describes the method for the allocation of special benefits and the apportionment of special assessment debt resulting from the provision and funding of the Capital Improvement Plan.

### **1.3 Special Benefits and General Benefits**

The public infrastructure improvements undertaken and funded by the District as part of the Capital Improvement Plan create special and peculiar benefits, different in kind and degree from the general and incidental benefits to the public at large. However, as discussed within this Report, these general benefits are incidental in nature and are readily distinguishable from the special and peculiar benefits which accrue to property within the District. The District's Capital Improvement Plan enables properties within its boundaries to be developed.

There is no doubt that the general public and property owners of property outside the District will benefit from the provision of the Capital Improvement Plan. However, these benefits are only incidental since the Capital Improvement Plan is designed solely to provide special benefits peculiar to property within the District. Properties outside the District are not directly served by the Capital Improvement Plan and do not depend upon the Capital Improvement Plan to obtain or to maintain their development entitlements. This fact alone clearly distinguishes the special benefits which District properties receive compared to those lying outside of the District's boundaries.

The Capital Improvement Plan will provide public infrastructure improvements which are all necessary in order to make the lands within the District developable and saleable. The installation of such improvements will cause the value of the developable and saleable lands within the District to increase by more than the sum of the financed cost of the individual components of the Capital Improvement Plan. Even though the exact value of the benefits provided by the Capital Improvement Plan is hard to estimate at this point, it is nevertheless greater than the costs associated with providing the same.

#### **1.4 Organization of the Report**

*Section Two* describes the development program as proposed by the Developer, as defined below.

*Section Three* provides a summary of the Capital Improvement Plan as determined by the District Engineer.

*Section Four* discusses the financing program for the District.

*Section Five* introduces the special assessment methodology for the District.

### **2.0 Development Program**

#### **2.1 Overview**

The District will serve the Orange Bend development (the "Development" or "Orange Bend"), a master planned residential development located in the City of Leesburg, Florida. The District currently consists of approximately 243.89 +/- acres and is generally located west of County Road 44, north of Poe Street, east of Lake Griffin, and south of Haines Creek.

#### **2.2 The Development Program**

The development of Orange Bend is anticipated to be conducted by Forestar (USA) Real Estate Group Inc. or an affiliated entity (the "Developer"). Based upon the information provided by the Developer and the District Engineer, the current development plan envisions a total of 799 residential dwelling units, although land use types and unit numbers may change throughout the development period. Table 1 in the *Appendix* illustrates the development plan for the District.

### **3.0 The Capital Improvement Plan**

#### **3.1 Overview**

The public infrastructure costs to be funded by the District are described by the District Engineer in the Engineer's Report. Only public infrastructure that may qualify for bond financing by the District under Chapter 190, Florida Statutes and under the Internal Revenue Code of 1986, as amended, was included in these estimates.

#### **3.2 The Capital Improvement Plan**

The Capital Improvement Plan needed to serve the Development is projected to consist of improvements which will serve all of the lands in the District. The District, however, reserves the right to create distinct assessment areas to coincide with the phases of development. The Capital Improvement Plan will consist of, but not limited to, public sitework and storm drainage, public roadways, water, sewer & reclaim utilities, differential cost of undergrounding conduit, hardscaping, landscaping, irrigation, on-site wetland conservation, offsite improvements, professional services, and contingencies as set forth in more detail in the Engineer's Report. At the time of this writing, the total cost of the public infrastructure improvements is estimated to total approximately \$39,500,000.

The public infrastructure improvements that comprise the Capital Improvement Plan will serve and provide benefit to all land uses in the District and will comprise an interrelated system of improvements, which means all of the improvements will serve the entire District and improvements will be interrelated such that they will reinforce one another.

Table 2 in the *Appendix* illustrates the specific components of the Capital Improvement Plan.

### **4.0 Financing Program**

#### **4.1 Overview**

As noted above, the District is embarking on a program of capital improvements which will facilitate the development of lands within the District. Generally, construction of public improvements is either funded by the Developer and then acquired by the District or funded directly by the District. As of the time of writing of this Report, the District will most likely acquire completed improvements from the

Developer, although the District maintains the complete flexibility to either acquire the public infrastructure from the Developer or construct it, or even partly acquire it and partly construct it.

Even though the actual financing plan may change to include multiple series of bonds, it is likely that in order to fully fund the costs of the Capital Improvement Plan as described in *Section 3.2* in one financing transaction, the District would have to issue approximately \$54,365,000 in par amount of special assessment bonds (the "Bonds") as illustrated in Table 3 in the *Appendix*.

**Please note that the purpose of this Report is to allocate the benefit of the Capital Improvement Plan to the various land uses in the District and based on such benefit allocation to apportion the maximum debt necessary to fund the Capital Improvement Plan. The discussion of the structure and size of the indebtedness is based on various estimates and is subject to change.**

#### **4.2 Types of Bonds Proposed**

The proposed financing plan for the District provides for the issuance of the Bonds in the approximate principal amount of \$54,365,000 to finance approximately \$39,500,000 in Capital Improvement Plan costs. The Bonds of each series as projected under this financing plan would be structured to be amortized in 30 annual installments following a 24-month capitalized interest period. Interest payments on the Bonds would be made every May 1 and November 1, and principal payments on the Bonds would be made either on May 1 or on November 1.

In order to finance the CIP, the District would need to borrow more funds and incur indebtedness in the total amount of approximately \$54,365,000. The difference is comprised of funding debt service reserves, paying capitalized interest, underwriter's discount and costs of issuance. Preliminary sources and uses of funding for the Bonds are presented in Table 3 in the *Appendix*.

**Please note that the structure of the Bonds as presented in this Report is preliminary and may change due to changes in the development program, market conditions, timing of infrastructure installation as well as for other reasons. The District maintains complete flexibility as to the structure of the Bonds and reserves the right to modify it as necessary.**

## **5.0 Assessment Methodology**

### **5.1 Overview**

The issuance of the Bonds provides the District with funds necessary to construct/acquire the infrastructure improvements which are part of the Capital Improvement Plan outlined in *Section 3.2* and described in more detail by the District Engineer in the Engineer's Report. These improvements lead to special and general benefits, with special benefits accruing to the assessable properties within the boundaries of the District and general benefits accruing to areas outside the District but being only incidental in nature. The debt incurred in financing the public infrastructure will be secured by assessing properties within the District that derive special and peculiar benefits from the Capital Improvement Plan. All properties within the District that receive special benefits from the Capital Improvement Plan will be assessed for their fair share of the debt issued in order to finance all or a portion of the Capital Improvement Plan.

### **5.2 Benefit Allocation**

The most current development plan for the District envisions the development of 799 residential dwelling units, although unit numbers and land use types may change throughout the development period.

The public infrastructure improvements that comprise the Capital Improvement Plan will serve and provide benefit to all land uses in the District and will comprise an interrelated system of improvements, which means all of the improvements will serve the entire District and improvements will be interrelated such that they will reinforce one another.

By allowing for the land in the District to be developable, both the public infrastructure improvements that comprise the Capital Improvement Plan and their combined benefit will be greater than the sum of their individual benefits. All of the land uses within the District will benefit from each infrastructure improvement category, as the improvements provide basic infrastructure to all land within the District and benefit all land within the District as an integrated system of improvements.

As stated previously, the public infrastructure improvements included in the Capital Improvement Plan have a logical connection to the special and peculiar benefits received by the land within the District, as without such improvements, the development of the properties

within the District would not be possible. Based upon the connection between the improvements and the special and peculiar benefits to the land within the District, the District will assign or allocate a portion of the District's debt through the imposition of non-ad valorem special assessments, to the land receiving such special and peculiar benefits. Even though these special and peculiar benefits are real and ascertainable, the precise amount of the benefit cannot yet be calculated with mathematical certainty. However, such benefit is more valuable than either the cost of, or the actual non-ad valorem special assessment amount levied for, the improvement or debt allocated to that parcel.

The benefit associated with the Capital Improvement Plan of the District is proposed to be allocated to the different unit types within the District in proportion to the density of development and intensity of use of the infrastructure as measured by a standard unit called an Equivalent Residential Unit ("ERU"). Table 4 in the *Appendix* illustrates the ERU weights that are proposed to be assigned to the unit types contemplated to be developed within the District based on the relative density of development and the intensity of use of master infrastructure, the total ERU counts for each unit type, and the share of the benefit received by each unit type.

The rationale behind different ERU weights is supported by the fact that generally and on average units with smaller lot sizes will use and benefit from the District's improvements less than units with larger lot sizes, as for instance, generally and on average units with smaller lot sizes produce less storm water runoff, may produce fewer vehicular trips, and may need less water/sewer capacity than units with larger lot sizes. Additionally, the value of the units with larger lot sizes is likely to appreciate by more in terms of dollars than that of the units with smaller lot sizes as a result of the implementation of the Capital Improvement Plan. As the exact amount of the benefit and appreciation is not possible to be calculated at this time, the use of ERU measures serves as a reasonable approximation of the relative amount of benefit received by the different unit types from the District's improvements. As the development plan associated with the District land is preliminary and subject to change, there is a possibility that certain product types may be created which are not currently contemplated within Table 4 herein. To the extent new product types are designed for development within the District boundaries, by nature of this methodology an ERU factor will be assigned to such product type on the basis of front footage ("FF") using the formula  $FF/50$ .

Table 5 in the *Appendix* presents the apportionment of the non-ad valorem special assessments associated with funding the District's Capital Improvement Plan (the "Bond Assessments") in accordance with the ERU benefit allocation method presented in Table 4. Table 5 also presents the annual levels of the projected annual Bond Assessments per unit.

***Amenities.*** No Bond Assessments are allocated herein to any private amenities or other common areas planned for the Development. If owned by a homeowner's association, the amenities and common areas would be considered a common element for the exclusive benefit of property owners. Accordingly, any benefit to the amenities and common areas would directly benefit all platted lots in the District. If the common elements are owned by the District, then they would be governmental property not subject to the Bond Assessments and would be open to the general public, subject to District rules and policies. As such, no Bond Assessments will be assigned to the amenities and common areas.

***Government Property.*** Real property owned by units of local, state, and federal governments, or similarly exempt entities, shall not be subject to the Bond Assessments without specific consent thereto. If at any time, any real property on which Bond Assessments are proposed to be sold or otherwise transferred to a unit of local, state, or federal government, or similarly exempt entity, all future unpaid Bond Assessments for such tax parcel shall become due and payable immediately prior to such transfer by way of a mandatory true-up payment without any further action of the District.

### **5.3 Assigning Debt**

The Bond Assessments will initially be levied on all of the gross acres of land in the District. Consequently, the Bond Assessments will be levied on approximately 243.89 +/- gross acres on an equal pro-rata gross acre basis and thus the total bonded debt in the amount of \$54,365,000 will be preliminarily levied on approximately 243.89 +/- gross acres at a rate of \$222,907.87 per acre.

As the land is platted, the Bond Assessments will be allocated to each platted parcel on a first platted-first assigned basis based on the planned use for that platted parcel as reflected in Table 5 in the *Appendix*. Such allocation of Bond Assessments to platted parcels will reduce the amount of Bond Assessments levied on unplatted gross acres within the District.



***Transferred Property.*** In the event unplatted land is sold to a third party (the “Transferred Property”), the Bond Assessments will be assigned to such Transferred Property at the time of the sale based on the maximum total number of ERUs assigned by the Developer to that Transferred Property, subject to review by the District’s methodology consultant, to ensure that any such assignment is reasonable, supported by current development rights and plans, and otherwise consistent with this Report. The owner of the Transferred Property will be responsible for the total Bond Assessments applicable to the Transferred Property, regardless of the total number of ERUs ultimately actually platted. This total Bond Assessment is allocated to the Transferred Property at the time of the sale.

#### **5.4 Lienability Test: Special and Peculiar Benefit to the Property**

As first discussed in *Section 1.3*, Special Benefits and General Benefits, public infrastructure improvements undertaken by the District create special and peculiar benefits to certain properties within the District. The District’s improvements benefit assessable properties within the District and accrue to all such assessable properties on an ERU basis.

Public infrastructure improvements undertaken by the District can be shown to be creating special and peculiar benefits to the property within the District. The special and peculiar benefits resulting from each improvement include, but are not limited to:

- a. added use of the property;
- b. added enjoyment of the property;
- c. decreased insurance premiums; and
- d. increased marketability and value of the property.

The public infrastructure improvements which are part of the Capital Improvement Plan make the land in the District developable and saleable and when implemented jointly as parts of the Capital Improvement Plan, provide special and peculiar benefits which are greater than the benefits of any single category of improvements. These special and peculiar benefits are real and ascertainable, but not yet capable of being calculated and assessed in terms of numerical value; however, such benefits are more valuable than either the cost of, or the actual assessment levied for, the improvement or debt allocated to the parcel of land.

#### **5.5 Lienability Test: Reasonable and Fair Apportionment of the Duty to Pay**

A reasonable estimate of the proportion of special and peculiar benefits received from the improvements is delineated in Table 4 (expressed as ERU factors) in the *Appendix*.

The apportionment of the Bond Assessments is fair and reasonable because it was conducted on the basis of consistent application of the methodology described in *Section 5.2* across all assessable property within the District according to reasonable estimates of the special and peculiar benefits derived from the Capital Improvement Plan by different unit types.

Accordingly, no acre or parcel of property within the District will be lienied for the payment of any non-ad valorem special assessment more than the determined special benefit peculiar to that property.

## **5.6 True-Up Mechanism**

The District's assessment program is predicated on the development of lots in a manner sufficient to include all of the planned ERUs as set forth in Table 4 in the *Appendix* ("Development Plan"). At such time as lands are to be platted (or re-platted) or site plans are to be approved (or re-approved), the plat or site plan (either, herein, "Proposed Plat") shall be presented to the District for a "true-up" review as follows:

- a. If a Proposed Plat results in the same amount of ERUs (and thus Bond Assessments) able to be imposed on the "Remaining Unplatted Lands" (i.e., those remaining unplatted lands after the Proposed Plat is recorded) as compared to what was originally contemplated under the Development Plan, then the District shall allocate the Bond Assessments to the product types being platted and the remaining property in accordance with this Report, and cause the Bond Assessments to be recorded in the District's improvement lien book.
- b. If a Proposed Plat within the District has more than the anticipated ERUs (and Bond Assessments) such that the Remaining Unplatted Developable Lands would be assigned fewer ERUs (and Bond Assessments) than originally contemplated in the Development Plan, then the District may undertake a pro rata reduction of Bond Assessments for all assessed properties within the District, or may otherwise address such net decrease as permitted by law.
- c. If a Proposed Plat within the District has fewer than the anticipated ERUs (and Bond Assessments) such that the Remaining

Unplatted Developable Lands would have to be assigned more ERUs (and Bond Assessments) in order to fully assign all of the ERUs originally contemplated in the Development Plan, then the District shall require the landowner(s) of the lands encompassed by the Proposed Plat to pay a "True-Up Payment" equal to the difference between: (i) the Bond Assessments originally contemplated to be imposed on the lands subject to the Proposed Plat, and (ii) the Bond Assessments able to be imposed on the lands subject to the Proposed Plat, after the Proposed Plat (plus applicable interest, collection costs, penalties, etc.).

With respect to the foregoing true-up analysis, the District's Assessment Consultant, in consultation with the District Engineer and District Counsel, shall determine in their sole discretion what amount of ERUs (and thus Bond Assessments) are able to be imposed on the Remaining Unplatted Lands, taking into account a Proposed Plat, by reviewing: a) the original, overall development plan showing the number and type of units reasonably planned for the Development, b) the revised, overall Development Plan showing the number and type of units reasonably planned for the development, c) proof of the amount of entitlements for the Remaining Unplatted Lands, d) evidence of allowable zoning conditions that would enable those entitlements to be placed in accordance with the revised Development Plan, and e) documentation that shows the feasibility of implementing the proposed Development Plan. Prior to any decision by the District not to impose a true-up payment, a supplemental methodology shall be produced demonstrating that there will be sufficient Bond Assessments to pay debt service on the applicable series of Bonds and the District will conduct new proceedings under Chapters 170, 190 and 197, Florida Statutes upon the advice of District Counsel.

Any True-Up Payment shall become due and payable that tax year by the landowner of the lands subject to the Proposed Plat, shall be in addition to the regular Bond Assessments installment payable for such lands, and shall constitute part of the Bond Assessments liens imposed against the Proposed Plat property until paid. A True-Up Payment shall include accrued interest on the applicable series of Bonds to the interest payment date that occurs at least 45 days after the True-Up Payment (or the second succeeding interest payment date if such True-Up Payment is made within forty-five (45) calendar days before an interest payment date (or such other time as set forth in the supplemental indentures for the applicable bond series)).

All Bond Assessments levied run with the land, and such assessment liens include any True-Up Payments. The District will not release any

liens on property for which True-Up Payments are due, until provision for such payment has been satisfactorily made. Further, upon the District's review of the final plat for the developable acres, any unallocated Bond Assessments shall become due and payable and must be paid prior to the District's approval of that plat. This true-up process applies for both plats and/or re-plats.

Such review shall be limited solely to the function and the enforcement of the District's assessment liens and/or true-up obligations. Nothing herein shall in any way operate to or be construed as providing any other plat approval or disapproval powers to the District. For further detail on the true-up process, please refer to the applicable assessment resolution(s).

## **5.7 Assessment Roll**

The Bond Assessments in the amount of \$54,365,000 are proposed to be levied over the area described in Exhibit "A". Excluding any capitalized interest period, Bond Assessments shall be paid in no more than thirty (30) annual principal installments.

## **5.8 Additional Items Regarding Bond Assessment Imposition and Allocation**

This Report is intended to establish the necessary benefit and fair and reasonable allocation findings for a master assessment lien, which may give rise to one or more individual assessment liens relating to individual Bond issuances necessary to fund all or a portion of the project(s) referenced herein comprising the Capital Improvement Plan. All such liens shall be within the benefit limits established herein and using the allocation methodology described herein, and shall be described in one or more supplemental reports.

As noted herein, the Capital Improvement Plan functions as a system of improvements. Among other implications, this means that proceeds from any particular Bond issuance can be used to fund improvements within any benefitted property or designated assessment area within the District, regardless of where the Bond Assessments are levied, provided that Bond Assessments are fairly and reasonably allocated across all benefitted properties.

As set forth in any supplemental report, and for any particular Bond issuance, the Developer may opt to "buy down" the Bond Assessments on particular product types and/or lands using a contribution of cash, infrastructure or other consideration, and in order for Bond Assessments to reach certain target levels. Note that

any “true-up,” as described herein, shall require a payment to satisfy “true-up” obligations. Any amounts contributed by the Developer to pay down Bond Assessments will not be eligible for “deferred costs,” if any are provided for in connection with any particular Bond issuance.

## **6.0 Additional Stipulations**

### **6.1 Overview**

Wrathell, Hunt and Associates, LLC was retained by the District to prepare a methodology to fairly allocate the special assessments related to the District’s Capital Improvement Plan. Certain financing, development and engineering data was provided by members of District Staff and/or the Developer. The allocation methodology described herein was based on information provided by those professionals. Wrathell, Hunt and Associates, LLC makes no representations regarding said information transactions beyond restatement of the factual information necessary for compilation of this Report. For additional information on the bond structure and related items, please refer to the Offering Statement associated with this transaction.

**Wrathell, Hunt and Associates, LLC does not represent the District as a Municipal Advisor or Securities Broker nor is Wrathell, Hunt and Associates, LLC registered to provide such services as described in Section 15B of the Securities and Exchange Act of 1934, as amended. Similarly, Wrathell, Hunt and Associates, LLC does not provide the District with financial advisory services or offer investment advice in any form.**

## 7.0 Appendix

Table 1

### Orange Bend

#### Community Development District

##### Development Plan

| Unit Type         | Total Number of Units |
|-------------------|-----------------------|
| Townhome          | 200                   |
| Single Family 50' | 352                   |
| Single Family 60' | 247                   |
| <b>Total</b>      | <b>799</b>            |

Table 2

### Orange Bend

#### Community Development District

##### Capital Improvement Plan

| Improvement                                        | Total CIP Costs        |
|----------------------------------------------------|------------------------|
| <i>Public Sitework and Storm Drainage</i>          | \$8,200,000.00         |
| <i>Public Roadways</i>                             | \$9,000,000.00         |
| <i>Water, Sewer &amp; Reclaim Utilities</i>        | \$7,500,000.00         |
| <i>Differential Cost of Undergrounding Conduit</i> | \$3,000,000.00         |
| <i>Hardscaping, Landscaping, Irrigation</i>        | \$1,800,000.00         |
| <i>On-Site Wetland Conservation</i>                | \$0.00                 |
| <i>Offsite Improvements</i>                        | \$3,900,000.00         |
| <i>Professional Services</i>                       | \$2,500,000.00         |
| <i>Contingency</i>                                 | \$3,600,000.00         |
| <b>Total</b>                                       | <b>\$39,500,000.00</b> |

Table 3

## Orange Bend

### Community Development District

#### Preliminary Sources and Uses of Funds

##### Sources

|                      |                        |
|----------------------|------------------------|
| Bond Proceeds:       |                        |
| Par Amount           | \$54,365,000.00        |
| <b>Total Sources</b> | <b>\$54,365,000.00</b> |

##### Uses

|                           |                        |
|---------------------------|------------------------|
| Project Fund Deposits:    |                        |
| Project Fund              | \$39,500,000.00        |
| Other Fund Deposits:      |                        |
| Debt Service Reserve Fund | \$4,829,103.42         |
| Capitalized Interest Fund | \$8,698,400.00         |
| Delivery Date Expenses:   |                        |
| Costs of Issuance         | \$1,337,300.00         |
| Rounding                  | \$196.58               |
| <b>Total Uses</b>         | <b>\$54,365,000.00</b> |

Coupon Rate: 8%  
 CAPI Length: 24 Months  
 Bond Duration: 30 Years  
 Underwriter's Discount Rate: 2%  
 Cost Of Issuance: \$250,000

Table 4

## Orange Bend

### Community Development District

#### Benefit Allocation

| Unit Type         | Total Number of Units | ERU per Unit | Total ERU     |
|-------------------|-----------------------|--------------|---------------|
| Townhome          | 200                   | 0.60         | 120.00        |
| Single Family 50' | 352                   | 1.00         | 352.00        |
| Single Family 60' | 247                   | 1.20         | 296.40        |
| <b>Total</b>      | <b>799</b>            |              | <b>768.40</b> |

Table 5

# Orange Bend

## Community Development District

### Bond Assessment Apportionment

| Unit Type         | Total Number of Units | Total Cost Allocation  | Total Bond Assessment Apportionment | Bond Assessment Apportionment per Unit | Annual Bond Assessment Debt Service per Unit - paid in March* |
|-------------------|-----------------------|------------------------|-------------------------------------|----------------------------------------|---------------------------------------------------------------|
| Townhome          | 200                   | \$6,168,662.16         | \$8,490,109.32                      | \$42,450.55                            | \$4,054.59                                                    |
| Single Family 50' | 352                   | \$18,094,742.32        | \$24,904,320.67                     | \$70,750.91                            | \$6,757.66                                                    |
| Single Family 60' | 247                   | \$15,236,595.52        | \$20,970,570.02                     | \$84,901.09                            | \$8,109.19                                                    |
| <b>Total</b>      | <b>799</b>            | <b>\$39,500,000.00</b> | <b>\$54,365,000.00</b>              |                                        |                                                               |

\* Includes costs of collection estimated at 3% (subject to change) and an allowance for early payment discount estimated at 4% (subject to change)



## **Exhibit “A”**

Bond Assessments in the estimated amount of \$54,365,000.00 are proposed to be levied over the area as described below:

# SKETCH OF DESCRIPTION

## LEGAL DESCRIPTION

A parcel of land being a portion of Section 34, Township 18 South, Range 25 East and Section 3, Township 19 South, Range 25 East, Lake County, Florida and all of Lots 1 through 16, ORANGE BEND, according to the plat thereof, as recorded in Plat Book 1, Page 35 of the Public Records of Lake County, Florida, being more particularly described as follows:

Begin at the Southwest corner of Section 34, Township 18 South, Range 25 East, Lake County, Florida; thence N00°41'02"E, along the West line of said Section 34, a distance of 249.66 feet; thence departing said West line, run S89°42'18"E, a distance of 3,314.85 feet; thence S00°17'42"W, a distance of 1,630.14 feet to the Southeast corner of the Southwest  $\frac{1}{4}$  of the Northwest  $\frac{1}{4}$  of the Northwest  $\frac{1}{4}$  of Section 3, Township 19 South, Range 25 East, Lake County, Florida; thence S89°19'59"E, a distance of 663.94 feet to the Northeast corner of the Southwest  $\frac{1}{4}$  of the Northeast  $\frac{1}{4}$  of said Section 3; thence S00°51'19"W, a distance of 466.37 feet; thence N89°23'03"W, a distance of 663.88 feet; thence S00°50'17"W, a distance of 199.45 feet; thence S89°20'34"E, a distance of 664.16 feet; thence S00°52'17"W, a distance of 666.74 feet; thence S89°08'22"E, a distance of 245.70 feet to a Point on a Non-Tangent Curve, Concave to the Southeast, having a Radius of 5,789.58 feet and a Central Angle of 02°36'56"; thence run Southwesterly along the arc of said curve, a distance of 264.29 feet (Chord Bearing = S39°11'00"W, Chord = 264.27 feet) to a Point of Non Tangency; thence S40°17'05"W, a distance of 210.44 feet; thence S37°10'51"W, a distance of 151.57 feet; thence S82°10'51"W, a distance of 53.74 feet; thence S37°10'51"W, a distance of 112.00 feet; thence S07°49'09"E, a distance of 70.71 feet; thence S37°10'51"W, a distance of 830.43 feet; thence N89°25'32"W, a distance of 341.38 feet; thence N11°28'19"W, a distance of 1,127.60 feet; thence N53°43'33"W, a distance of 396.00 feet to a point on the South line of the Northwest  $\frac{1}{4}$  of Section 3, Township 19 South, Range 25 East, Lake County, Florida; thence N89°08'22"W, along said South line, a distance of 1,000.93 feet; thence departing said South line, run N00°34'02"E, a distance of 511.62 feet; thence N89°25'52"W, a distance of 666.47 feet; thence N00°30'09"E, a distance of 816.66 feet; thence N89°27'45"W, a distance of 665.33 feet to a point on the West line of the Northwest  $\frac{1}{4}$  of said Section 3; thence N00°34'56"E, along said West line, a distance of 1,357.39 feet to the Point of Beginning.

Containing 243.89 acres, more or less.

### ABBREVIATIONS/LEGEND

|       |                   |          |                       |
|-------|-------------------|----------|-----------------------|
| SEC.  | SECTION           | CHD.     | CHORD                 |
| TWP.  | TOWNSHIP          | NT       | NON TANGENT           |
| RNG.  | RANGE             | F.D.O.T. | FLORIDA DEPARTMENT OF |
| S.    | SOUTH             |          | TRANSPORTATION        |
| E.    | EAST              | P.S.M.   | PROFESSIONAL SURVEYOR |
| NO./# | NUMBER            |          | & MAPPER              |
| ●     | DESCRIPTIVE POINT | O.R.B.   | OFFICIAL RECORDS BOOK |

### NOTES

BEARINGS AS SHOWN HEREON ARE BASED ON THE FLORIDA STATE PLANE COORDINATE SYSTEM, EAST ZONE, (NAD 83, 2007 ADJUSTMENT). THIS SURVEYOR HAS NOT MADE A SEARCH OF THE PUBLIC RECORDS FOR EASEMENTS, RESTRICTIONS, RESERVATIONS AND/OR RIGHT OF WAYS. THIS SKETCH IS NOT INTENDED TO REPRESENT A BOUNDARY SURVEY. NO CORNERS WERE SET AS A PART OF THIS SKETCH.

REQUESTED BY: FORESTAR (USA) REAL ESTATE GROUP INC.

S-L CDD

|                                                                                |           |                   |
|--------------------------------------------------------------------------------|-----------|-------------------|
| DATE OF SKETCH                                                                 | 8/15/2024 | REVISIONS         |
| SCALE                                                                          | 1" = 500' | REVISED 8/19/2024 |
| F.B.                                                                           | PAGE      |                   |
| SECTION 34, TWP. 18 S., RNG. 25 E.<br>AND<br>SECTION 3, TWP. 19 S., RNG. 25 E. |           |                   |
| JOB NO.                                                                        | 23-204    | SHEET 1 OF 4      |

**JOHNSTON'S**  
**SURVEYING INC.**  
900 Cross Prairie Parkway, Kissimmee, Florida 34744  
Tel. (407) 847-2179 Fax (407) 847-6140

*R.D.B.*

8/19/2024

RICHARD D. BROWN, P.S.M. #5700 (DATE)

NOTE: NOT VALID WITHOUT RAISED SURVEYOR'S SEAL.

## Exhibit "B"

The debt assessment lien is being placed on property described in the attached legal description. For notice purposes, listed below are the potentially applicable County Property Appraiser parcels, and property owners, developers/potential property owners, and developers that will be included on a mailing list related to debt assessments:

331825000100000200 (Alt Key: **1387060**) - LOWRIE BROWN INVESTMENT CO  
031925010000000800 (Alt Key: **1535921**) - FORESTAR (USA) REAL ESTATE GROUP INC

LOWRIE BROWN INVESTMENT CO  
PO BOX 568546  
ORLANDO, FL 32856-8546

FORESTAR (USA) REAL ESTATE GROUP INC  
2221 E LAMAR BLVD STE 790  
ARLINGTON, TX 76006

**ORANGE BEND**  
**COMMUNITY DEVELOPMENT DISTRICT**

**6C**

ENGINEER'S REPORT

PREPARED FOR:

BOARD OF SUPERVISORS  
ORANGE BEND COMMUNITY DEVELOPMENT DISTRICT

ENGINEER:

**POULOS & BENNETT**  
2602 East Livingston Street  
Orlando, Florida 32803

December 2024

**ORANGE BEND COMMUNITY DEVELOPMENT DISTRICT  
ENGINEER'S REPORT**

**1. INTRODUCTION**

The purpose of this report is to provide a description of the capital improvement plan (“CIP”) and estimated costs of the CIP, for the Orange Bend Community Development District (“District”).

**2. GENERAL SITE DESCRIPTION**

The District consists of 243.89 acres of land and is located entirely within the City of Leesburg, Florida. The site is generally located west of County Road 44, north of Poe Street, east of Lake Griffin, and south of Haines Creek.

NOTE: It is contemplated that some additional conservation acreage (appx. 279 acres) may be added to the District in the future, and that the District will be responsible for the ownership and maintenance of such lands. Such conservation is part of the overall CIP, but no capital costs are anticipated at this time. The additional acreage of 279 acres is contemplated to be a mixture of Conservation, Open Space, Stormwater Management, and natural Flex Space uses.

**3. PROPOSED CAPITAL IMPROVEMENT PLAN**

The CIP is intended to provide public infrastructure improvements for the entire development. The following chart shows the planned product types for the District:

**PRODUCT TYPES**

| Product Type | Phase 1    | Phase 2   | Phase 3   | Phase 4    | Phase 5    | Phase 6    | Total Units |
|--------------|------------|-----------|-----------|------------|------------|------------|-------------|
| Townhome     | 102        | 98        |           |            |            |            | 200         |
| 50' Lot      | 72         |           | 69        | 70         | 54         | 87         | 352         |
| 60' Lot      | 37         |           | 19        | 31         | 91         | 69         | 247         |
| <b>TOTAL</b> | <b>211</b> | <b>98</b> | <b>88</b> | <b>101</b> | <b>145</b> | <b>156</b> | <b>799</b>  |

The public infrastructure for the project is as follows:

**Roadway Improvements:**

The CIP includes subdivision roads within the District. Generally, all roads will be 2-lane un-divided roads with periodic roundabouts. Such roads include the roadway asphalt, base, and subgrade, roadway curb and gutter, striping and signage and sidewalks within rights-of-way abutting non-lot lands. Sidewalks abutting lots will be constructed by the homebuilders. All roads will be designed in accordance with applicable design requirements.

All internal roadways may be financed by the District. Collector roads are intended to be dedicated to a local general purpose unit of government for ownership, operation, and

maintenance, while the District anticipates owning and operating all other roads. Alternatively, the developer may elect to finance the internal roads, gate them, and turn them over to a homeowner's association for ownership, operation and maintenance (in such an event, the District would be limited to financing only utilities, conservation and stormwater improvements behind such gated areas).

#### **Stormwater Management System:**

The stormwater collection and outfall system is a combination of roadway curbs, curb inlets, pipes, control structures and open lakes designed to treat and attenuate stormwater runoff from District lands. The stormwater system will be designed consistent with the applicable design requirements for stormwater/floodplain management systems. The District will finance, own, operate and maintain the stormwater system.

NOTE: No private earthwork is included in the CIP. Accordingly, the District will not fund any costs of any grading of lots or the transportation of any fill to such lots.

#### **Water, Wastewater and Reclaim Utilities:**

As part of the CIP, the District intends to construct and/or acquire water, wastewater and reclaim infrastructure. In particular, the on-site water supply improvements include water mains that will be located within rights-of-way and used for potable water service and fire protection.

Wastewater improvements for the project will include an onsite gravity collection system, offsite and onsite force main and onsite lift stations.

Similarly, the reclaim water distribution system will be constructed to provide service for irrigation throughout the community.

The water and reclaim distribution and wastewater collection systems for all phases will be constructed and/or acquired by the District and then dedicated to a local, public utility provider for operation and maintenance. The CIP will only include laterals to the lot lines (i.e., point of connection).

#### **Hardscape, Landscape, and Irrigation:**

The District will construct and/or install landscaping, irrigation and hardscaping within District rights-of-way. The District must meet local design criteria requirements for planting and irrigation design. This project will at a minimum meet those requirements and in most cases will exceed the requirements with enhancements for the benefit of the community.

All such landscaping, irrigation and hardscaping will be owned, maintained and funded by the District. Such infrastructure, to the extent that it is located in rights-of-way owned by a local general purpose government will be maintained pursuant to a right-of-way agreement or permit. Any landscaping, irrigation or hardscaping systems behind hard-gated roads, if any, would not be financed by the District and instead would be privately installed and maintained.

### **Streetlights / Undergrounding of Electrical Utility Lines**

The District intends to lease street lights through an agreement with a local utility provider and will fund the street lights through an annual operations and maintenance assessment. As such, streetlights are not included as part of the CIP.

The CIP does however include the incremental cost of undergrounding of electrical utility lines within right-of-way utility easements throughout the community. Any lines and transformers located in such areas would be owned by the local utility provider and not paid for by the District as part of the CIP.

### **Recreational Amenities:**

As part of the overall development, the Developer may privately fund amenity facilities and, upon completion, transfer them to a homeowners' association for ownership, operation and maintenance. In such event, the amenities would be considered common elements for the exclusive benefit of the District landowners.

### **Environmental Conservation**

The District will provide onsite conservation areas in order to offset wetland impacts associated with the construction of the development. The District will be responsible for the design, permitting, construction, maintenance, and government reporting of the environmental mitigation. These costs are negligible and so are not included as part of the construction cost, but the District will be responsible for the operation and maintenance of any conservation areas and buffers.

### **Off-Site Improvements**

Offsite improvements include County Road 44 intersection improvements and signalization, as well as potable watermain and force main extensions.

### **Professional Services**

The CIP also includes various professional services. These include: (i) engineering, surveying and architectural fees, (ii) permitting and plan review costs, and (iii) development/construction management services fees that are required for the design, permitting, construction, and maintenance acceptance of the public improvements and community facilities.

NOTE: In the event that impact fee credits are generated from any roadway, utilities or other improvements funded by the District, any such credits, if any, will be the subject of an acquisition agreement between the applicable developer and the District.

## **4. PERMITTING/CONSTRUCTION COMMENCEMENT**

All necessary permits for the construction of the CIP have either been obtained or are currently under review by respective governmental authorities.



## 5. CIP COST ESTIMATE / MAINTENANCE RESPONSIBILITIES

The table below presents, among other things, a cost estimate for the CIP. It is our professional opinion that the costs set forth below are reasonable and consistent with market pricing.

### CIP COST ESTIMATE

| Improvement                                                                     | Estimated Cost        | Financing Entity | Operation & Maintenance Entity |
|---------------------------------------------------------------------------------|-----------------------|------------------|--------------------------------|
| Public Sitework and Storm Drainage                                              | \$8.2 million         | CDD              | CDD                            |
| Public Roadways                                                                 | \$9 million           | CDD              | City                           |
| Water, Sewer & Reclaim Utilities                                                | \$7.5 million         | CDD              | City                           |
| Differential Cost of Undergrounding Conduit (electric, city gas, street lights) | \$3 million           | CDD              | CDD                            |
| Hardscaping, Landscaping, Irrigation                                            | \$1.8 million         | CDD              | CDD                            |
| On-Site Wetland Conservation                                                    | n/a                   | CDD              | CDD                            |
| Offsite Improvements                                                            | \$3.9 million         | CDD              | City                           |
| Professional Services                                                           | \$2.5 million         | CDD              | n/a                            |
| Contingency                                                                     | \$3.6 million         | As above         | As above                       |
| <b>TOTAL</b>                                                                    | <b>\$39.5 million</b> |                  |                                |

- a. The probable costs estimated herein do not include anticipated carrying cost, interest reserves or other anticipated CDD expenditures that may be incurred.
- b. The developer reserves the right to finance any of the improvements outlined above, and have such improvements owned and maintained by a property owner's or homeowner's association, in which case such items would not be part of the CIP.
- c. The District may enter into an agreement with a third-party, or an applicable property owner's or homeowner's association, to maintain any District-owned improvements, subject to the approval of the District's bond counsel.

## 6. CONCLUSIONS

The CIP will be designed in accordance with current governmental regulations and requirements. The CIP will serve its intended function so long as the construction is in substantial compliance with the design.

It is further our opinion that:

- the estimated cost to the CIP as set forth herein is reasonable based on prices currently being experienced in the jurisdiction in which the District is located, and is not greater than the lesser of the actual cost of construction or the fair market value of such infrastructure;
- All of the improvements comprising the CIP are required by applicable development approvals issued pursuant to Section 380.06, Florida Statutes;

- the CIP is feasible to construct, there are no technical reasons existing at this time that would prevent the implementation of the CIP, and it is reasonable to assume that all necessary regulatory approvals will be obtained in due course; and
- the assessable property within the District will receive a special benefit from the CIP that is at least equal to such costs.

Also, the CIP will constitute a system of improvements that will provide benefits, both general, and special and peculiar, to all lands within the District. The general public, property owners, and property outside the District will benefit from the provisions of the District's CIP; however, these are incidental to the District's CIP, which is designed solely to provide special benefits peculiar to property within the District. Special and peculiar benefits accrue to property within the District and enables properties within its boundaries to be developed.

The CIP will be owned by the District or other governmental units and such CIP is intended to be available and will reasonably be available for use by the general public (either by being part of a system of improvements that is available to the general public or is otherwise available to the general public) including nonresidents of the District. All of the CIP is or will be located on lands owned or to be owned by the District or another governmental entity or on perpetual easements in favor of the District or other governmental entity. The CIP, and any cost estimates set forth herein, do not include any earthwork, grading or other improvements on private lots or property. The District will pay the lesser of the cost of the components of the CIP or the fair market value.

Please note that the CIP as presented herein is based on current plans and market conditions which are subject to change. Accordingly, the CIP, as used herein, refers to sufficient public infrastructure of the kinds described herein (i.e., stormwater/floodplain management, sanitary sewer, potable water, etc.) to support the development and sale of the planned residential units in the District, which (subject to true-up determinations) number and type of units may be changed with the development of the site. Stated differently, during development and implementation of the public infrastructure improvements as described for the District, it may be necessary to make modifications and/or deviations for the plans, and the District expressly reserves the right to do so.

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December 6, 2023

**ORANGE BEND**  
**COMMUNITY DEVELOPMENT DISTRICT**

**6D**

# ORANGE BEND COMMUNITY DEVELOPMENT DISTRICT

## Master Special Assessment Methodology Report

December 9, 2024



Provided by:

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## **1.0 Introduction**

### **1.1 Purpose**

This Master Special Assessment Methodology Report (the "Report") was developed to provide a financing plan and a special assessment methodology for the Orange Bend Community Development District (the "District"), located in the City of Leesburg, Florida, as related to funding the costs of public infrastructure improvements (the "Capital Improvement Plan" or "CIP") contemplated to be provided by the District.

### **1.2 Scope of the Report**

This Report presents the projections for financing the District's Capital Improvement Plan described in the Engineer's Report developed by Poulos & Bennett LLC (the "District Engineer") and dated December 2024 (the "Engineer's Report"), as well as describes the method for the allocation of special benefits and the apportionment of special assessment debt resulting from the provision and funding of the Capital Improvement Plan.

### **1.3 Special Benefits and General Benefits**

The public infrastructure improvements undertaken and funded by the District as part of the Capital Improvement Plan create special and peculiar benefits, different in kind and degree from the general and incidental benefits to the public at large. However, as discussed within this Report, these general benefits are incidental in nature and are readily distinguishable from the special and peculiar benefits which accrue to property within the District. The District's Capital Improvement Plan enables properties within its boundaries to be developed.

There is no doubt that the general public and property owners of property outside the District will benefit from the provision of the Capital Improvement Plan. However, these benefits are only incidental since the Capital Improvement Plan is designed solely to provide special benefits peculiar to property within the District. Properties outside the District are not directly served by the Capital Improvement Plan and do not depend upon the Capital Improvement Plan to obtain or to maintain their development entitlements. This fact alone clearly distinguishes the special benefits which District properties receive compared to those lying outside of the District's boundaries.

The Capital Improvement Plan will provide public infrastructure improvements which are all necessary in order to make the lands within the District developable and saleable. The installation of such improvements will cause the value of the developable and saleable lands within the District to increase by more than the sum of the financed cost of the individual components of the Capital Improvement Plan. Even though the exact value of the benefits provided by the Capital Improvement Plan is hard to estimate at this point, it is nevertheless greater than the costs associated with providing the same.

#### **1.4 Organization of the Report**

*Section Two* describes the development program as proposed by the Developer, as defined below.

*Section Three* provides a summary of the Capital Improvement Plan as determined by the District Engineer.

*Section Four* discusses the financing program for the District.

*Section Five* introduces the special assessment methodology for the District.

### **2.0 Development Program**

#### **2.1 Overview**

The District will serve the Orange Bend development (the "Development" or "Orange Bend"), a master planned residential development located in the City of Leesburg, Florida. The District currently consists of approximately 243.89 +/- acres and is generally located west of County Road 44, north of Poe Street, east of Lake Griffin, and south of Haines Creek.

#### **2.2 The Development Program**

The development of Orange Bend is anticipated to be conducted by Forestar (USA) Real Estate Group Inc. or an affiliated entity (the "Developer"). Based upon the information provided by the Developer and the District Engineer, the current development plan envisions a total of 799 residential dwelling units, although land use types and unit numbers may change throughout the development period. Table 1 in the *Appendix* illustrates the development plan for the District.

### **3.0 The Capital Improvement Plan**

#### **3.1 Overview**

The public infrastructure costs to be funded by the District are described by the District Engineer in the Engineer's Report. Only public infrastructure that may qualify for bond financing by the District under Chapter 190, Florida Statutes and under the Internal Revenue Code of 1986, as amended, was included in these estimates.

#### **3.2 The Capital Improvement Plan**

The Capital Improvement Plan needed to serve the Development is projected to consist of improvements which will serve all of the lands in the District. The District, however, reserves the right to create distinct assessment areas to coincide with the phases of development. The Capital Improvement Plan will consist of, but not limited to, public sitework and storm drainage, public roadways, water, sewer & reclaim utilities, differential cost of undergrounding conduit, hardscaping, landscaping, irrigation, on-site wetland conservation, offsite improvements, professional services, and contingencies as set forth in more detail in the Engineer's Report. At the time of this writing, the total cost of the public infrastructure improvements is estimated to total approximately \$39,500,000.

The public infrastructure improvements that comprise the Capital Improvement Plan will serve and provide benefit to all land uses in the District and will comprise an interrelated system of improvements, which means all of the improvements will serve the entire District and improvements will be interrelated such that they will reinforce one another.

Table 2 in the *Appendix* illustrates the specific components of the Capital Improvement Plan.

### **4.0 Financing Program**

#### **4.1 Overview**

As noted above, the District is embarking on a program of capital improvements which will facilitate the development of lands within the District. Generally, construction of public improvements is either funded by the Developer and then acquired by the District or funded directly by the District. As of the time of writing of this Report, the District will most likely acquire completed improvements from the



Developer, although the District maintains the complete flexibility to either acquire the public infrastructure from the Developer or construct it, or even partly acquire it and partly construct it.

Even though the actual financing plan may change to include multiple series of bonds, it is likely that in order to fully fund the costs of the Capital Improvement Plan as described in *Section 3.2* in one financing transaction, the District would have to issue approximately \$54,365,000 in par amount of special assessment bonds (the "Bonds") as illustrated in Table 3 in the *Appendix*.

**Please note that the purpose of this Report is to allocate the benefit of the Capital Improvement Plan to the various land uses in the District and based on such benefit allocation to apportion the maximum debt necessary to fund the Capital Improvement Plan. The discussion of the structure and size of the indebtedness is based on various estimates and is subject to change.**

#### **4.2 Types of Bonds Proposed**

The proposed financing plan for the District provides for the issuance of the Bonds in the approximate principal amount of \$54,365,000 to finance approximately \$39,500,000 in Capital Improvement Plan costs. The Bonds of each series as projected under this financing plan would be structured to be amortized in 30 annual installments following a 24-month capitalized interest period. Interest payments on the Bonds would be made every May 1 and November 1, and principal payments on the Bonds would be made either on May 1 or on November 1.

In order to finance the CIP, the District would need to borrow more funds and incur indebtedness in the total amount of approximately \$54,365,000. The difference is comprised of funding debt service reserves, paying capitalized interest, underwriter's discount and costs of issuance. Preliminary sources and uses of funding for the Bonds are presented in Table 3 in the *Appendix*.

**Please note that the structure of the Bonds as presented in this Report is preliminary and may change due to changes in the development program, market conditions, timing of infrastructure installation as well as for other reasons. The District maintains complete flexibility as to the structure of the Bonds and reserves the right to modify it as necessary.**

## **5.0 Assessment Methodology**

### **5.1 Overview**

The issuance of the Bonds provides the District with funds necessary to construct/acquire the infrastructure improvements which are part of the Capital Improvement Plan outlined in *Section 3.2* and described in more detail by the District Engineer in the Engineer's Report. These improvements lead to special and general benefits, with special benefits accruing to the assessable properties within the boundaries of the District and general benefits accruing to areas outside the District but being only incidental in nature. The debt incurred in financing the public infrastructure will be secured by assessing properties within the District that derive special and peculiar benefits from the Capital Improvement Plan. All properties within the District that receive special benefits from the Capital Improvement Plan will be assessed for their fair share of the debt issued in order to finance all or a portion of the Capital Improvement Plan.

### **5.2 Benefit Allocation**

The most current development plan for the District envisions the development of 799 residential dwelling units, although unit numbers and land use types may change throughout the development period.

The public infrastructure improvements that comprise the Capital Improvement Plan will serve and provide benefit to all land uses in the District and will comprise an interrelated system of improvements, which means all of the improvements will serve the entire District and improvements will be interrelated such that they will reinforce one another.

By allowing for the land in the District to be developable, both the public infrastructure improvements that comprise the Capital Improvement Plan and their combined benefit will be greater than the sum of their individual benefits. All of the land uses within the District will benefit from each infrastructure improvement category, as the improvements provide basic infrastructure to all land within the District and benefit all land within the District as an integrated system of improvements.

As stated previously, the public infrastructure improvements included in the Capital Improvement Plan have a logical connection to the special and peculiar benefits received by the land within the District, as without such improvements, the development of the properties

within the District would not be possible. Based upon the connection between the improvements and the special and peculiar benefits to the land within the District, the District will assign or allocate a portion of the District's debt through the imposition of non-ad valorem special assessments, to the land receiving such special and peculiar benefits. Even though these special and peculiar benefits are real and ascertainable, the precise amount of the benefit cannot yet be calculated with mathematical certainty. However, such benefit is more valuable than either the cost of, or the actual non-ad valorem special assessment amount levied for, the improvement or debt allocated to that parcel.

The benefit associated with the Capital Improvement Plan of the District is proposed to be allocated to the different unit types within the District in proportion to the density of development and intensity of use of the infrastructure as measured by a standard unit called an Equivalent Residential Unit ("ERU"). Table 4 in the *Appendix* illustrates the ERU weights that are proposed to be assigned to the unit types contemplated to be developed within the District based on the relative density of development and the intensity of use of master infrastructure, the total ERU counts for each unit type, and the share of the benefit received by each unit type.

The rationale behind different ERU weights is supported by the fact that generally and on average units with smaller lot sizes will use and benefit from the District's improvements less than units with larger lot sizes, as for instance, generally and on average units with smaller lot sizes produce less storm water runoff, may produce fewer vehicular trips, and may need less water/sewer capacity than units with larger lot sizes. Additionally, the value of the units with larger lot sizes is likely to appreciate by more in terms of dollars than that of the units with smaller lot sizes as a result of the implementation of the Capital Improvement Plan. As the exact amount of the benefit and appreciation is not possible to be calculated at this time, the use of ERU measures serves as a reasonable approximation of the relative amount of benefit received by the different unit types from the District's improvements. As the development plan associated with the District land is preliminary and subject to change, there is a possibility that certain product types may be created which are not currently contemplated within Table 4 herein. To the extent new product types are designed for development within the District boundaries, by nature of this methodology an ERU factor will be assigned to such product type on the basis of front footage ("FF") using the formula  $FF/50$ .

Table 5 in the *Appendix* presents the apportionment of the non-ad valorem special assessments associated with funding the District's Capital Improvement Plan (the "Bond Assessments") in accordance with the ERU benefit allocation method presented in Table 4. Table 5 also presents the annual levels of the projected annual Bond Assessments per unit.

**Amenities.** No Bond Assessments are allocated herein to any private amenities or other common areas planned for the Development. If owned by a homeowner's association, the amenities and common areas would be considered a common element for the exclusive benefit of property owners. Accordingly, any benefit to the amenities and common areas would directly benefit all platted lots in the District. If the common elements are owned by the District, then they would be governmental property not subject to the Bond Assessments and would be open to the general public, subject to District rules and policies. As such, no Bond Assessments will be assigned to the amenities and common areas.

**Government Property.** Real property owned by units of local, state, and federal governments, or similarly exempt entities, shall not be subject to the Bond Assessments without specific consent thereto. If at any time, any real property on which Bond Assessments are proposed to be sold or otherwise transferred to a unit of local, state, or federal government, or similarly exempt entity, all future unpaid Bond Assessments for such tax parcel shall become due and payable immediately prior to such transfer by way of a mandatory true-up payment without any further action of the District.

### 5.3 Assigning Debt

The Bond Assessments will initially be levied on all of the gross acres of land in the District. Consequently, the Bond Assessments will be levied on approximately 243.89 +/- gross acres on an equal pro-rata gross acre basis and thus the total bonded debt in the amount of \$54,365,000 will be preliminarily levied on approximately 243.89 +/- gross acres at a rate of \$222,907.87 per acre.

As the land is platted, the Bond Assessments will be allocated to each platted parcel on a first platted-first assigned basis based on the planned use for that platted parcel as reflected in Table 5 in the *Appendix*. Such allocation of Bond Assessments to platted parcels will reduce the amount of Bond Assessments levied on unplatted gross acres within the District.

***Transferred Property.*** In the event unplatted land is sold to a third party (the “Transferred Property”), the Bond Assessments will be assigned to such Transferred Property at the time of the sale based on the maximum total number of ERUs assigned by the Developer to that Transferred Property, subject to review by the District’s methodology consultant, to ensure that any such assignment is reasonable, supported by current development rights and plans, and otherwise consistent with this Report. The owner of the Transferred Property will be responsible for the total Bond Assessments applicable to the Transferred Property, regardless of the total number of ERUs ultimately actually platted. This total Bond Assessment is allocated to the Transferred Property at the time of the sale.

#### **5.4 Lienability Test: Special and Peculiar Benefit to the Property**

As first discussed in *Section 1.3*, Special Benefits and General Benefits, public infrastructure improvements undertaken by the District create special and peculiar benefits to certain properties within the District. The District’s improvements benefit assessable properties within the District and accrue to all such assessable properties on an ERU basis.

Public infrastructure improvements undertaken by the District can be shown to be creating special and peculiar benefits to the property within the District. The special and peculiar benefits resulting from each improvement include, but are not limited to:

- a. added use of the property;
- b. added enjoyment of the property;
- c. decreased insurance premiums; and
- d. increased marketability and value of the property.

The public infrastructure improvements which are part of the Capital Improvement Plan make the land in the District developable and saleable and when implemented jointly as parts of the Capital Improvement Plan, provide special and peculiar benefits which are greater than the benefits of any single category of improvements. These special and peculiar benefits are real and ascertainable, but not yet capable of being calculated and assessed in terms of numerical value; however, such benefits are more valuable than either the cost of, or the actual assessment levied for, the improvement or debt allocated to the parcel of land.

#### **5.5 Lienability Test: Reasonable and Fair Apportionment of the Duty to Pay**

A reasonable estimate of the proportion of special and peculiar benefits received from the improvements is delineated in Table 4 (expressed as ERU factors) in the *Appendix*.

The apportionment of the Bond Assessments is fair and reasonable because it was conducted on the basis of consistent application of the methodology described in *Section 5.2* across all assessable property within the District according to reasonable estimates of the special and peculiar benefits derived from the Capital Improvement Plan by different unit types.

Accordingly, no acre or parcel of property within the District will be lienied for the payment of any non-ad valorem special assessment more than the determined special benefit peculiar to that property.

## **5.6 True-Up Mechanism**

The District's assessment program is predicated on the development of lots in a manner sufficient to include all of the planned ERUs as set forth in Table 4 in the *Appendix* ("Development Plan"). At such time as lands are to be platted (or re-platted) or site plans are to be approved (or re-approved), the plat or site plan (either, herein, "Proposed Plat") shall be presented to the District for a "true-up" review as follows:

- a. If a Proposed Plat results in the same amount of ERUs (and thus Bond Assessments) able to be imposed on the "Remaining Unplatted Lands" (i.e., those remaining unplatted lands after the Proposed Plat is recorded) as compared to what was originally contemplated under the Development Plan, then the District shall allocate the Bond Assessments to the product types being platted and the remaining property in accordance with this Report, and cause the Bond Assessments to be recorded in the District's improvement lien book.
- b. If a Proposed Plat within the District has more than the anticipated ERUs (and Bond Assessments) such that the Remaining Unplatted Developable Lands would be assigned fewer ERUs (and Bond Assessments) than originally contemplated in the Development Plan, then the District may undertake a pro rata reduction of Bond Assessments for all assessed properties within the District, or may otherwise address such net decrease as permitted by law.
- c. If a Proposed Plat within the District has fewer than the anticipated ERUs (and Bond Assessments) such that the Remaining

Unplatted Developable Lands would have to be assigned more ERUs (and Bond Assessments) in order to fully assign all of the ERUs originally contemplated in the Development Plan, then the District shall require the landowner(s) of the lands encompassed by the Proposed Plat to pay a "True-Up Payment" equal to the difference between: (i) the Bond Assessments originally contemplated to be imposed on the lands subject to the Proposed Plat, and (ii) the Bond Assessments able to be imposed on the lands subject to the Proposed Plat, after the Proposed Plat (plus applicable interest, collection costs, penalties, etc.).

With respect to the foregoing true-up analysis, the District's Assessment Consultant, in consultation with the District Engineer and District Counsel, shall determine in their sole discretion what amount of ERUs (and thus Bond Assessments) are able to be imposed on the Remaining Unplatted Lands, taking into account a Proposed Plat, by reviewing: a) the original, overall development plan showing the number and type of units reasonably planned for the Development, b) the revised, overall Development Plan showing the number and type of units reasonably planned for the development, c) proof of the amount of entitlements for the Remaining Unplatted Lands, d) evidence of allowable zoning conditions that would enable those entitlements to be placed in accordance with the revised Development Plan, and e) documentation that shows the feasibility of implementing the proposed Development Plan. Prior to any decision by the District not to impose a true-up payment, a supplemental methodology shall be produced demonstrating that there will be sufficient Bond Assessments to pay debt service on the applicable series of Bonds and the District will conduct new proceedings under Chapters 170, 190 and 197, Florida Statutes upon the advice of District Counsel.

Any True-Up Payment shall become due and payable that tax year by the landowner of the lands subject to the Proposed Plat, shall be in addition to the regular Bond Assessments installment payable for such lands, and shall constitute part of the Bond Assessments liens imposed against the Proposed Plat property until paid. A True-Up Payment shall include accrued interest on the applicable series of Bonds to the interest payment date that occurs at least 45 days after the True-Up Payment (or the second succeeding interest payment date if such True-Up Payment is made within forty-five (45) calendar days before an interest payment date (or such other time as set forth in the supplemental indentures for the applicable bond series)).

All Bond Assessments levied run with the land, and such assessment liens include any True-Up Payments. The District will not release any

liens on property for which True-Up Payments are due, until provision for such payment has been satisfactorily made. Further, upon the District's review of the final plat for the developable acres, any unallocated Bond Assessments shall become due and payable and must be paid prior to the District's approval of that plat. This true-up process applies for both plats and/or re-plats.

Such review shall be limited solely to the function and the enforcement of the District's assessment liens and/or true-up obligations. Nothing herein shall in any way operate to or be construed as providing any other plat approval or disapproval powers to the District. For further detail on the true-up process, please refer to the applicable assessment resolution(s).

## **5.7 Assessment Roll**

The Bond Assessments in the amount of \$54,365,000 are proposed to be levied over the area described in Exhibit "A". Excluding any capitalized interest period, Bond Assessments shall be paid in no more than thirty (30) annual principal installments.

## **5.8 Additional Items Regarding Bond Assessment Imposition and Allocation**

This Report is intended to establish the necessary benefit and fair and reasonable allocation findings for a master assessment lien, which may give rise to one or more individual assessment liens relating to individual Bond issuances necessary to fund all or a portion of the project(s) referenced herein comprising the Capital Improvement Plan. All such liens shall be within the benefit limits established herein and using the allocation methodology described herein, and shall be described in one or more supplemental reports.

As noted herein, the Capital Improvement Plan functions as a system of improvements. Among other implications, this means that proceeds from any particular Bond issuance can be used to fund improvements within any benefitted property or designated assessment area within the District, regardless of where the Bond Assessments are levied, provided that Bond Assessments are fairly and reasonably allocated across all benefitted properties.

As set forth in any supplemental report, and for any particular Bond issuance, the Developer may opt to "buy down" the Bond Assessments on particular product types and/or lands using a contribution of cash, infrastructure or other consideration, and in order for Bond Assessments to reach certain target levels. Note that



any “true-up,” as described herein, shall require a payment to satisfy “true-up” obligations. Any amounts contributed by the Developer to pay down Bond Assessments will not be eligible for “deferred costs,” if any are provided for in connection with any particular Bond issuance.

## **6.0 Additional Stipulations**

### **6.1 Overview**

Wrathell, Hunt and Associates, LLC was retained by the District to prepare a methodology to fairly allocate the special assessments related to the District’s Capital Improvement Plan. Certain financing, development and engineering data was provided by members of District Staff and/or the Developer. The allocation methodology described herein was based on information provided by those professionals. Wrathell, Hunt and Associates, LLC makes no representations regarding said information transactions beyond restatement of the factual information necessary for compilation of this Report. For additional information on the bond structure and related items, please refer to the Offering Statement associated with this transaction.

**Wrathell, Hunt and Associates, LLC does not represent the District as a Municipal Advisor or Securities Broker nor is Wrathell, Hunt and Associates, LLC registered to provide such services as described in Section 15B of the Securities and Exchange Act of 1934, as amended. Similarly, Wrathell, Hunt and Associates, LLC does not provide the District with financial advisory services or offer investment advice in any form.**

## 7.0 Appendix

Table 1

### Orange Bend

#### Community Development District

##### Development Plan

| Unit Type         | Total Number of Units |
|-------------------|-----------------------|
| Townhome          | 200                   |
| Single Family 50' | 352                   |
| Single Family 60' | 247                   |
| <b>Total</b>      | <b>799</b>            |

Table 2

### Orange Bend

#### Community Development District

##### Capital Improvement Plan

| Improvement                                        | Total CIP Costs        |
|----------------------------------------------------|------------------------|
| <i>Public Sitework and Storm Drainage</i>          | \$8,200,000.00         |
| <i>Public Roadways</i>                             | \$9,000,000.00         |
| <i>Water, Sewer &amp; Reclaim Utilities</i>        | \$7,500,000.00         |
| <i>Differential Cost of Undergrounding Conduit</i> | \$3,000,000.00         |
| <i>Hardscaping, Landscaping, Irrigation</i>        | \$1,800,000.00         |
| <i>On-Site Wetland Conservation</i>                | \$0.00                 |
| <i>Offsite Improvements</i>                        | \$3,900,000.00         |
| <i>Professional Services</i>                       | \$2,500,000.00         |
| <i>Contingency</i>                                 | \$3,600,000.00         |
| <b>Total</b>                                       | <b>\$39,500,000.00</b> |

Table 3

## Orange Bend

### Community Development District

#### Preliminary Sources and Uses of Funds

##### Sources

|                      |                        |
|----------------------|------------------------|
| Bond Proceeds:       |                        |
| Par Amount           | \$54,365,000.00        |
| <b>Total Sources</b> | <b>\$54,365,000.00</b> |

##### Uses

|                           |                        |
|---------------------------|------------------------|
| Project Fund Deposits:    |                        |
| Project Fund              | \$39,500,000.00        |
| Other Fund Deposits:      |                        |
| Debt Service Reserve Fund | \$4,829,103.42         |
| Capitalized Interest Fund | \$8,698,400.00         |
| Delivery Date Expenses:   |                        |
| Costs of Issuance         | \$1,337,300.00         |
| Rounding                  | \$196.58               |
| <b>Total Uses</b>         | <b>\$54,365,000.00</b> |

Coupon Rate: 8%  
 CAPI Length: 24 Months  
 Bond Duration: 30 Years  
 Underwriter's Discount Rate: 2%  
 Cost Of Issuance: \$250,000

Table 4

## Orange Bend

### Community Development District

#### Benefit Allocation

| Unit Type         | Total Number of Units | ERU per Unit | Total ERU     |
|-------------------|-----------------------|--------------|---------------|
| Townhome          | 200                   | 0.60         | 120.00        |
| Single Family 50' | 352                   | 1.00         | 352.00        |
| Single Family 60' | 247                   | 1.20         | 296.40        |
| <b>Total</b>      | <b>799</b>            |              | <b>768.40</b> |

Table 5

# Orange Bend

## Community Development District

### Bond Assessment Apportionment

| Unit Type         | Total Number of Units | Total Cost Allocation  | Total Bond Assessment Apportionment | Bond Assessment Apportionment per Unit | Annual Bond Assessment Debt Service per Unit - paid in March* |
|-------------------|-----------------------|------------------------|-------------------------------------|----------------------------------------|---------------------------------------------------------------|
| Townhome          | 200                   | \$6,168,662.16         | \$8,490,109.32                      | \$42,450.55                            | \$4,054.59                                                    |
| Single Family 50' | 352                   | \$18,094,742.32        | \$24,904,320.67                     | \$70,750.91                            | \$6,757.66                                                    |
| Single Family 60' | 247                   | \$15,236,595.52        | \$20,970,570.02                     | \$84,901.09                            | \$8,109.19                                                    |
| <b>Total</b>      | <b>799</b>            | <b>\$39,500,000.00</b> | <b>\$54,365,000.00</b>              |                                        |                                                               |

\* Includes costs of collection estimated at 3% (subject to change) and an allowance for early payment discount estimated at 4% (subject to change)

## **Exhibit “A”**

Bond Assessments in the estimated amount of \$54,365,000.00 are proposed to be levied over the area as described below:

# SKETCH OF DESCRIPTION

## LEGAL DESCRIPTION

A parcel of land being a portion of Section 34, Township 18 South, Range 25 East and Section 3, Township 19 South, Range 25 East, Lake County, Florida and all of Lots 1 through 16, ORANGE BEND, according to the plat thereof, as recorded in Plat Book 1, Page 35 of the Public Records of Lake County, Florida, being more particularly described as follows:

Begin at the Southwest corner of Section 34, Township 18 South, Range 25 East, Lake County, Florida; thence N00°41'02"E, along the West line of said Section 34, a distance of 249.66 feet; thence departing said West line, run S89°42'18"E, a distance of 3,314.85 feet; thence S00°17'42"W, a distance of 1,630.14 feet to the Southeast corner of the Southwest ¼ of the Northwest ¼ of the Northwest ¼ of Section 3, Township 19 South, Range 25 East, Lake County, Florida; thence S89°19'59"E, a distance of 663.94 feet to the Northeast corner of the Southwest ¼ of the Northeast ¼ of said Section 3; thence S00°51'19"W, a distance of 466.37 feet; thence N89°23'03"W, a distance of 663.88 feet; thence S00°50'17"W, a distance of 199.45 feet; thence S89°20'34"E, a distance of 664.16 feet; thence S00°52'17"W, a distance of 666.74 feet; thence S89°08'22"E, a distance of 245.70 feet to a Point on a Non-Tangent Curve, Concave to the Southeast, having a Radius of 5,789.58 feet and a Central Angle of 02°36'56"; thence run Southwesterly along the arc of said curve, a distance of 264.29 feet (Chord Bearing = S39°11'00"W, Chord = 264.27 feet) to a Point of Non Tangency; thence S40°17'05"W, a distance of 210.44 feet; thence S37°10'51"W, a distance of 151.57 feet; thence S82°10'51"W, a distance of 53.74 feet; thence S37°10'51"W, a distance of 112.00 feet; thence S07°49'09"E, a distance of 70.71 feet; thence S37°10'51"W, a distance of 830.43 feet; thence N89°25'32"W, a distance of 341.38 feet; thence N11°28'19"W, a distance of 1,127.60 feet; thence N53°43'33"W, a distance of 396.00 feet to a point on the South line of the Northwest ¼ of Section 3, Township 19 South, Range 25 East, Lake County, Florida; thence N89°08'22"W, along said South line, a distance of 1,000.93 feet; thence departing said South line, run N00°34'02"E, a distance of 511.62 feet; thence N89°25'52"W, a distance of 666.47 feet; thence N00°30'09"E, a distance of 816.66 feet; thence N89°27'45"W, a distance of 665.33 feet to a point on the West line of the Northwest ¼ of said Section 3; thence N00°34'56"E, along said West line, a distance of 1,357.39 feet to the Point of Beginning.

Containing 243.89 acres, more or less.

### ABBREVIATIONS/LEGEND

|       |                   |          |                       |
|-------|-------------------|----------|-----------------------|
| SEC.  | SECTION           | CHD.     | CHORD                 |
| TWP.  | TOWNSHIP          | NT       | NON TANGENT           |
| RNG.  | RANGE             | F.D.O.T. | FLORIDA DEPARTMENT OF |
| S.    | SOUTH             |          | TRANSPORTATION        |
| E.    | EAST              | P.S.M.   | PROFESSIONAL SURVEYOR |
| NO./# | NUMBER            |          | & MAPPER              |
| ●     | DESCRIPTIVE POINT | O.R.B.   | OFFICIAL RECORDS BOOK |

### NOTES

BEARINGS AS SHOWN HEREON ARE BASED ON THE FLORIDA STATE PLANE COORDINATE SYSTEM, EAST ZONE, (NAD 83, 2007 ADJUSTMENT). THIS SURVEYOR HAS NOT MADE A SEARCH OF THE PUBLIC RECORDS FOR EASEMENTS, RESTRICTIONS, RESERVATIONS AND/OR RIGHT OF WAYS. THIS SKETCH IS NOT INTENDED TO REPRESENT A BOUNDARY SURVEY. NO CORNERS WERE SET AS A PART OF THIS SKETCH.

REQUESTED BY: FORESTAR (USA) REAL ESTATE GROUP INC.

S-L CDD

|                                                                                |           |                   |
|--------------------------------------------------------------------------------|-----------|-------------------|
| DATE OF SKETCH                                                                 | 8/15/2024 | REVISIONS         |
| SCALE                                                                          | 1" = 500' | REVISED 8/19/2024 |
| F.B.                                                                           | PAGE      |                   |
| SECTION 34, TWP. 18 S., RNG. 25 E.<br>AND<br>SECTION 3, TWP. 19 S., RNG. 25 E. |           |                   |
| JOB NO.                                                                        | 23-204    | SHEET 1 OF 4      |

**JOHNSTON'S**  
**SURVEYING INC.**  
900 Cross Prairie Parkway, Kissimmee, Florida 34744  
Tel. (407) 847-2179 Fax (407) 847-6140

*R.D.B.*

8/19/2024

RICHARD D. BROWN, P.S.M. #5700 (DATE)

NOTE: NOT VALID WITHOUT RAISED SURVEYOR'S SEAL.

## Exhibit "B"

The debt assessment lien is being placed on property described in the attached legal description. For notice purposes, listed below are the potentially applicable County Property Appraiser parcels, and property owners, developers/potential property owners, and developers that will be included on a mailing list related to debt assessments:

331825000100000200 (Alt Key: **1387060**) - LOWRIE BROWN INVESTMENT CO  
031925010000000800 (Alt Key: **1535921**) - FORESTAR (USA) REAL ESTATE GROUP INC

LOWRIE BROWN INVESTMENT CO  
PO BOX 568546  
ORLANDO, FL 32856-8546

FORESTAR (USA) REAL ESTATE GROUP INC  
2221 E LAMAR BLVD STE 790  
ARLINGTON, TX 76006

**ORANGE BEND**  
**COMMUNITY DEVELOPMENT DISTRICT**

**6E**



**RESOLUTION 2025-32**

**[SECTION 170.08, F.S. DEBT ASSESSMENT RESOLUTION FOR  
ORANGE BEND CDD MASTER LIEN]**

**A RESOLUTION MAKING CERTAIN FINDINGS; AUTHORIZING A CAPITAL IMPROVEMENT PLAN; ADOPTING AN ENGINEER'S REPORT; PROVIDING AN ESTIMATED COST OF IMPROVEMENTS; ADOPTING AN ASSESSMENT REPORT; EQUALIZING, APPROVING, CONFIRMING AND LEVYING DEBT ASSESSMENTS; ADDRESSING THE FINALIZATION OF SPECIAL ASSESSMENTS; ADDRESSING THE PAYMENT OF DEBT ASSESSMENTS AND THE METHOD OF COLLECTION; PROVIDING FOR THE ALLOCATION OF DEBT ASSESSMENTS AND TRUE-UP PAYMENTS; ADDRESSING GOVERNMENT PROPERTY, AND TRANSFERS OF PROPERTY TO UNITS OF LOCAL, STATE AND FEDERAL GOVERNMENT; AUTHORIZING AN ASSESSMENT NOTICE; AND PROVIDING FOR SEVERABILITY, CONFLICTS AND AN EFFECTIVE DATE.**

**WHEREAS**, the Orange Bend Community Development District ("**District**") is a local unit of special-purpose government established pursuant to the Uniform Community Development District Act of 1980, Chapter 190, *Florida Statutes*, as amended ("**Act**"); and

**WHEREAS**, the District has previously indicated its intention to construct certain types of improvements and to finance such improvements through the issuance of bonds, notes or other specific financing mechanisms, which bonds, notes or other specific financing mechanisms would be repaid by the imposition of special assessments on benefited property within the District; and

**WHEREAS**, the District's Board of Supervisors ("**Board**") has noticed and conducted a public hearing pursuant to Chapters 170, 190 and 197, *Florida Statutes*, relating to the imposition, levy, collection and enforcement of such assessments, and now desires to adopt a resolution imposing and levying such assessments as set forth herein.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE ORANGE BEND COMMUNITY DEVELOPMENT DISTRICT AS FOLLOWS:**

1. **AUTHORITY.** This Resolution is adopted pursuant to Chapters 170, 190 and 197, *Florida Statutes*, including without limitation, Section 170.08, *Florida Statutes*. The recitals stated above are incorporated herein; are adopted by the Board as true and correct statements; and are further declared to be findings made and determined by the Board.

2. **FINDINGS.** The Board further finds and determines as follows:

### ***The Capital Improvement Plan***

- a. The District is authorized by Chapter 190, *Florida Statutes*, to finance, fund, plan, establish, acquire, install, equip, operate, extend, construct, or reconstruct roadways, sewer and water distribution systems, stormwater management/earthwork improvements, landscape, irrigation and entry features, conservation and mitigation, street lighting and other infrastructure projects and services necessitated by the development of, and serving lands within, the District; and
- b. On December 9, 2024, and pursuant to Section 170.03, *Florida Statutes*, among other laws, the Board adopted Resolution 2025-29 ("**Declaring Resolution**"), and in doing so determined to undertake a capital improvement plan to install, plan, establish, construct or reconstruct, enlarge, equip, acquire, operate and/or maintain the District's capital improvements planned for the lands within the District ("**Project**"); and
- c. The Project is described in the Declaring Resolution and the *Engineer's Report* ("**Engineer's Report**," attached hereto as **Exhibit A** and incorporated herein by this reference), and the plans and specifications for the Project are on file in the offices of the District Manager at c/o Wrathell, Hunt & Associates, LLC, 2300 Glades Road, Suite 410W, Boca Raton, Florida 33431 ("**District Records Office**"); and

### ***The Debt Assessment Process***

- d. Also as part of the Declaring Resolution, the Board expressed an intention to issue bonds, notes or other specific financing mechanisms to provide a portion of the funds needed for the Project, and further declared its intention to defray the whole or any part of the expense of the Projects by levying special assessments ("**Debt Assessments**") on specially benefited property within the District ("**Assessment Area**"); and
- e. The Declaring Resolution was adopted in compliance with the requirements of Section 170.03, *Florida Statutes*, and prior to the time it was adopted, the requirements of Section 170.04, *Florida Statutes*, had been met; and
- f. As directed by the Declaring Resolution, said Declaring Resolution was published as required by Section 170.05, *Florida Statutes*, and a copy of the publisher's affidavit of publication is on file with the Secretary of the District; and
- g. As directed by the Declaring Resolution, the Board caused to be made a preliminary assessment roll as required by Section 170.06, *Florida Statutes*; and

- h. As required by Section 170.07, *Florida Statutes*, and as part of the Declaring Resolution, the Board fixed the time and place of a public hearing at which owners of the property to be assessed and other persons interested therein could appear before the Board and be heard as to (i) the propriety and advisability of making the improvements, (ii) the cost thereof, (iii) the manner of payment therefore, and (iv) the amount thereof to be assessed against each specially benefited property or parcel, and the Board further authorized publication of notice of such public hearing and individual mailed notice of such public hearing in accordance with Chapters 170, 190, and 197, *Florida Statutes*; and
- i. Notice of the scheduled public hearing was given by publication and also by mail as required by Sections 170.07 and 197.3632, *Florida Statutes*, and affidavits as to such publication and mailings are on file in the office of the Secretary of the District; and
- j. On March 20, 2025, the Board conducted such public hearing and heard and considered all complaints and testimony as to the matters described above; the Board further met as an “Equalization Board;” and the Board has made such modifications in the preliminary assessment roll as it deems necessary, just and right in the making of the final assessment roll; and

***Equalization Board Additional Findings***

- k. Having considered the estimated costs of the Projects, the estimated financing costs and all comments and evidence presented at such public hearing, the Board further finds and determines that:
  - i. It is necessary to the public health, safety and welfare and in the best interests of the District that: (1) the District provide the Project as set forth in the Engineer’s Report; (2) the cost of such Project be assessed against the lands specially benefited by such Project, and within the Assessment Area, as set forth in the Assessment Report; and (3) the District issue bonds, notes or other specific financing mechanisms to provide funds for such purposes pending the receipt of such Debt Assessments; and
  - ii. The provision of said Project, the levying of the Debt Assessments, and the sale and issuance of such bonds, notes, or other specific financing mechanisms serve a proper, essential, and valid public purpose and are in the best interests of the District, its landowners and residents; and
  - iii. The estimated costs of the Project is as specified in the Engineer’s Report and Assessment Report (defined below), and the amount of such costs is reasonable and proper; and

- iv. It is reasonable, proper, just and right to assess the cost of such Projects against the properties specially benefited thereby in the Assessment Areas, using the method determined by the Board and set forth in the *Master Special Assessment Methodology Report* ("**Assessment Report**," attached hereto as **Exhibit B** and incorporated herein by this reference), which results in the Debt Assessments set forth on the final assessment roll; and
- v. The Project benefits the Assessment Area as set forth in the Assessment Report; and
- vi. Accordingly, the Debt Assessments as set forth in the Assessment Report constitute a special benefit to the applicable parcels of real property listed on said final assessment roll, and the benefit, in the case of each such parcel, will be equal to or in excess of the Debt Assessments imposed thereon, as set forth in **Exhibit B**; and
- vii. All developable property within the Assessment Area is deemed to be benefited by the Project, and the Debt Assessments will be allocated in accordance with the Assessment Report at **Exhibit B**; and
- viii. The Debt Assessments are fairly and reasonably allocated across the benefitted property, as set forth in **Exhibit B**; and
- ix. It is in the best interests of the District that the Debt Assessments be paid and collected as herein provided; and
- x. In order to provide funds with which to pay the costs of the Project which are to be assessed against the benefited properties, pending the collection of the Debt Assessments, it is necessary for the District to issue revenue bonds, notes or other specific financing mechanisms, including refunding bonds (together, "**Bonds**").

3. **AUTHORIZATION FOR THE PROJECT; ADOPTION OF ENGINEER'S REPORT.** The Engineer's Report identifies and describes the infrastructure improvements to be financed in part with the Bonds, and sets forth the cost of the Project. The District hereby confirms that the Project serves a proper, essential, and valid public purpose. The use of the Engineer's Report in connection with the sale of the Bonds is hereby authorized, approved and ratified, and the proper officers, employees and/or agents of the District are hereby authorized and directed to take such further action as may be necessary or desirable to cause the same to be made.

4. **ESTIMATED COST OF IMPROVEMENTS.** The total estimated cost of the Project and the cost to be paid by the Debt Assessments on all specially benefited property are set forth in **Exhibits A and B**, respectively, hereto.

5. **ADOPTION OF ASSESSMENT REPORT.** The Assessment Report setting forth the allocation of Debt Assessments to the benefitted lands within the Assessment Area is hereby approved, adopted, and confirmed. The District ratifies its use in connection with the sale of the Bonds.

6. **EQUALIZATION, APPROVAL, CONFIRMATION AND LEVY OF DEBT ASSESSMENTS.** The Debt Assessments imposed on the parcels specially benefited by the Project within the Assessment Area, all as specified in the final assessment roll set forth in **Exhibit B**, attached hereto, are hereby equalized, approved, confirmed and levied.

Immediately following the adoption of this Resolution, the lien of Debt Assessments as reflected in **Exhibit B**, attached hereto, shall be recorded by the Secretary of the District in the District's "**Improvement Lien Book**." The Debt Assessments levied against each respective parcel shown on such final assessment roll and interest, costs, and penalties thereon, as hereafter provided, shall be and shall remain a legal, valid and binding first lien on such parcel, coequal with the lien of all state, county, district, municipal or other governmental taxes and superior in dignity to all other liens, titles, and claims.

- a. ***Supplemental Assessment Resolutions for Bonds.*** The lien for the Debt Assessments established hereunder shall be inchoate until the District issues Bonds. In connection with the issuance of any particular series of the Bonds, the District may adopt, without the need for further public hearing, a supplemental assessment resolution establishing specific Debt Assessments, in one or more separately enforceable Debt Assessment liens, securing such Bonds. Such subsequent resolutions shall be adopted at a noticed meeting of the District, and shall set forth the actual amounts financed, costs of issuance, expected costs of collection, and the total amount of the assessments pledged to that issue, which amount shall be consistent with the lien imposed by this Resolution. Among other things, the supplemental assessment resolutions may provide for the issuance of multiple series of Bonds each secured by the Assessment Area.
- b. ***Adjustments to Debt Assessments.*** The District may, by subsequent resolution, adjust the acreage assigned to particular parcel identification numbers listed on the final assessment roll to reflect accurate apportionment of acreage amongst individual parcel identification numbers. The District may make any other such acreage and boundary adjustments to parcels listed on the final assessment roll as may be necessary and in the best interests of the District, as determined by the Board by subsequent resolution. Any such adjustment in the assessment roll shall be consistent with the requirements of law.
- c. ***Contributions.*** In connection with the issuance of a series of the Bonds, the project developer may request that any related Debt Assessments be reduced for certain product types. To accomplish any such requested reduction, and pursuant

to the terms of an applicable acquisition agreement, and this resolution, the developer will agree to provide a contribution of infrastructure, work product, or land based on the lesser of cost basis or appraised value, comprising a portion of the Project and to meet the minimum requirements set forth in the Assessment Report, if any. Any such contributions shall not be eligible for payment under the Bonds.

- d. **Impact Fee Credits.** The District may or may not be entitled to impact fee credits as a result of the development of the Project, based on applicable laws and/or agreements governing impact fee credits. Unless otherwise addressed by supplemental assessment resolution, the proceeds from any impact fee credits received may be used in the District's sole discretion as an offset for any acquisition of any portion of the Project (e.g., land based on the lesser of cost basis or appraised value, infrastructure and/or work product), for completion of the Project, or otherwise used against the outstanding indebtedness of any debt issuance that funded the improvement giving rise to the credits.

7. **FINALIZATION OF DEBT ASSESSMENTS.** When the Project has been constructed or otherwise provided to the satisfaction of the Board, the Board shall adopt a resolution accepting the same and determining the actual costs (including financing costs) thereof, as required by Sections 170.08 and 170.09, *Florida Statutes*. Pursuant to Section 170.08, *Florida Statutes*, the District shall credit to each Debt Assessment the difference, if any, between the Debt Assessment as hereby made, approved and confirmed and the actual costs incurred in completing the Project. In making such credits, no credit shall be given for bond, note or other specific financing mechanism costs, capitalized interest, funded reserves or bond or other discounts. Such credits, if any, shall be entered in the Improvement Lien Book.

8. **PAYMENT OF DEBT ASSESSMENTS AND METHOD OF COLLECTION.**

- a. **Payment.** The Debt Assessments, as further set forth in each supplemental assessment resolution, and securing the issuance of each series of the Bonds, may be paid in not more than thirty (30) yearly installments of principal and interest – beginning upon the issuance of the particular series of the Bonds (and after taking into account any capitalized interest periods), provided, however, that the Board shall at any time make such adjustments by resolution, and at a noticed meeting of the Board, to that payment schedule as may be necessary and in the best interests of the District to account for changes in long and short term debt as actually issued by the District.
- b. **Prepayment.** Subject to the provisions of any supplemental assessment resolution, any owner of property subject to the Debt Assessments may, at its option, pre-pay the entire amount of the Debt Assessment any time, or a portion of the amount of the Debt Assessment up to two times, plus accrued interest to the next succeeding interest payment date (or the second succeeding interest

payment date if such prepayment is made within forty-five (45) calendar days before an interest payment date (or such other time as set forth in the supplemental indenture for the applicable series of bonds secured by the Debt Assessments in question)), attributable to the property subject to Debt Assessments owned by such owner. Prepayment of Debt Assessments does not entitle the property owner to any discounts for early payment. If authorized by a supplemental assessment resolution, the District may grant a discount equal to all or a part of the payee's proportionate share of the cost of the applicable Project consisting of bond financing costs, such as capitalized interest, funded reserves, and bond discount included in the estimated cost of the applicable Project, upon payment in full of any Debt Assessment during such period prior to the time such financing costs are incurred as may be specified by the District.

- c. **Uniform Method; Alternatives.** The District may elect to use the method of collecting Debt Assessments authorized by Sections 197.3632 and 197.3635, *Florida Statutes* ("**Uniform Method**"). The District has heretofore taken all required actions to comply with Sections 197.3632 and 197.3635, *Florida Statutes*. Such Debt Assessments may be subject to all of the collection provisions of Chapter 197, *Florida Statutes*. Notwithstanding the above, in the event the Uniform Method of collecting its Debt Assessments is not available to the District in any year, or if determined by the District to be in its best interests, and subject to the terms of any applicable trust indenture, the Debt Assessments may be collected as is otherwise permitted by law. In particular, the District may, in its sole discretion, collect Debt Assessments by directly billing landowners and enforcing said collection in any manner authorized by law. Any prejudgment interest on delinquent assessments that are directly billed shall accrue at the applicable rate of any bonds or other debt instruments secured by the Debt Assessments. The decision to collect Debt Assessments by any particular method – e.g., on the tax roll or by direct bill – does not mean that such method will be used to collect Debt Assessments in future years, and the District reserves the right in its sole discretion to select collection methods in any given year, regardless of past practices.
- d. **Uniform Method Agreements Authorized.** For each year the District uses the Uniform Method, the District shall enter into an agreement with the County Tax Collector who may notify each owner of a lot or parcel within the District of the amount of the special assessment, including interest thereon, in the manner provided in Section 197.3635, *Florida Statutes*.
- e. **Re-amortization.** Any particular lien of the Debt Assessments shall be subject to re-amortization where the applicable series of Bonds is subject to re-amortization pursuant to the applicable trust indenture and where the context allows.

**9. ALLOCATION OF DEBT ASSESSMENTS; APPLICATION OF TRUE-UP PAYMENTS.**

- a. At such time as parcels of land, or portions thereof, are included in a plat or site plan, it shall be an express condition of the lien established by this Resolution that, prior to County approval, any and all plats or site plans for any portion of the lands within the District, as the District's boundaries may be amended from time to time, shall be presented to the District Manager for review. As parcels of land, or portions thereof, are included in a plat or site plan, the District Manager shall review the plat or site plan and cause the Debt Assessments securing each series of Bonds to be reallocated to the units being included in the plat or site plan and the remaining property in accordance with **Exhibit B**, and cause such reallocation to be recorded in the District's Improvement Lien Book.
- b. Pursuant to the Assessment Report, attached hereto as **Exhibit B**, and which terms are incorporated herein, there may be required from time to time certain true-up payments. When a plat or site plan is presented to the District, the District Manager shall review the plat or site plan to determine whether, taking into account the plat or site plan, there is a net shortfall in the overall principal amount of assessments reasonably able to be assigned to benefitted lands within the Assessment Area. Such determination shall be made based on the language in this Resolution and/or the tests or other methods set forth in **Exhibit B** (if any), or any tests or methods set forth in a supplemental assessment resolution and corresponding assessment report. If the overall principal amount of assessments reasonably cannot be assigned, or is not reasonably expected to be assigned, as set forth in more detail in and subject to the terms of **Exhibit B** (or any supplemental resolution and report, as applicable), to the platted and site planned lands as well as the undeveloped lands, then a debt reduction payment ("**True-Up Payment**") in the amount of such shortfall shall become due and payable that tax year by the landowner(s) of record of the land subject to the proposed plat or site plan and of the remaining undeveloped lands, in addition to any regular assessment installment. The District's review shall be limited solely to this function and the enforcement of the lien established by this Resolution. In the event a True-Up Payment is due and unpaid, the lien established herein for the True-Up Payment amount shall remain in place until such time as the True-Up Payment is made. The District shall record all True-Up Payments in its Improvement Lien Book.
- c. In connection with any true-up determination, affected landowner(s) may request that such true-up determination be deferred because the remaining undeveloped lands are able to support the development of all of the originally planned units within the Assessment Area. To support the request, the affected landowner(s) shall provide the following evidence for the District's consideration: a) proof of the amount of entitlements remaining on the undeveloped lands within the Assessment Area, b) a revised overall development plan showing the number and type of units reasonably planned for the remainder of the development, c)



evidence of allowable zoning conditions that would enable those entitlements to be placed in accordance with the revised development plan, and d) documentation prepared by a licensed engineer that shows the feasibility of implementing the proposed development plan. Any deferment shall be in the District's reasonable discretion.

- d. The foregoing is based on the District's understanding that the community would be developed with the type and number of units set forth in **Exhibit B**, on the developable acres. However, more than the stated number of units may be developed. In no event shall the District collect Debt Assessments pursuant to this Resolution in excess of the total debt service related to the Project, including all costs of financing and interest. The District recognizes that such things as regulatory requirements and market conditions may affect the timing and scope of the development in the District. If the strict application of the true-up methodology to any assessment reallocation pursuant to this paragraph would result in Debt Assessments collected in excess of the District's total debt service obligations for the Project, the Board shall by resolution take appropriate action to equitably reallocate the Debt Assessments.
- e. As set forth in any supplemental assessment resolution and/or supplemental assessment report for a specific series of Bonds, the District may assign a specific debt service assessment lien comprising a portion of the Debt Assessments to the Assessment Area, and, accordingly, any related true-up determinations may be limited to determining whether the planned units for such specified lands in the Assessment Area have been and/or will be developed.

**10. GOVERNMENT PROPERTY; TRANSFERS OF PROPERTY TO UNITS OF LOCAL, STATE, AND FEDERAL GOVERNMENT.** Real property owned by units of local, state, and federal governments, or similarly exempt entities, shall not be subject to the Debt Assessments without specific consent thereto. If at any time, any real property on which Debt Assessments are imposed by this Resolution is sold or otherwise transferred to a unit of local, state, or federal government (without consent of such governmental unit to the imposition of Debt Assessments thereon), or similarly exempt entity, all future unpaid Debt Assessments for such tax parcel shall become due and payable immediately prior to such transfer without any further action of the District.

**11. ASSESSMENT NOTICE.** The District's Secretary is hereby directed to record a general Notice of Assessments in the Official Records of the County in which the District is located, which notice shall be updated from time to time in a manner consistent with changes in the boundaries of the District.

**12. SEVERABILITY.** If any section or part of a section of this Resolution is declared invalid or unconstitutional, the validity, force and effect of any other section or part of a section of this Resolution shall not thereby be affected or impaired unless it clearly appears that such

other section or part of a section of this Resolution is wholly or necessarily dependent upon the section or part of a section so held to be invalid or unconstitutional.

**13. CONFLICTS.** All resolutions or parts thereof in conflict herewith are, to the extent of such conflict, superseded and repealed.

**14. EFFECTIVE DATE.** This Resolution shall become effective upon its adoption.

**[CONTINUED ON NEXT PAGE]**

**APPROVED AND ADOPTED THIS 20TH day of MARCH, 2025.**

ATTEST:

**ORANGE BEND  
COMMUNITY DEVELOPMENT DISTRICT**

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Secretary/Assistant Secretary

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Chair/Vice Chair, Board of Supervisors

**Exhibit A:**     *Engineer's Report*

**Exhibit B:**     *Master Special Assessment Methodology Report*

**ORANGE BEND**  
**COMMUNITY DEVELOPMENT DISTRICT**

**7A**

# The Villages® DAILY SUN

Published Daily  
Lady Lake, Florida  
State of Florida  
County Of Lake

Before the undersigned authority personally appeared

**ALLAN LOVELL**

who on oath says that he is Legal Ad Coordinator of the DAILY SUN, a daily newspaper published at Lady Lake in Lake County, Florida with circulation in Lake, Sumter and Marion Counties; that the attached copy of advertisement, being a **Legal Ad #1236026**

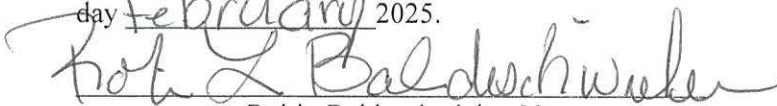
in the matter of **NOTICE OF RULE DEVELOPMENT** was published in said newspaper in the issue(s) of

**February 13, 2025**

Affiant further says that the said Daily Sun is a newspaper published at Lady Lake in said Lake County, Florida, and that the said newspaper has heretofore been continuously published in said Lake County, Florida each week and has been entered as second class mail matter at the post office in Lady Lake, in said Lake County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisements; and affiant further says that he has neither paid nor promised any person, firm, or Corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

  
(Signature Of Affiant)

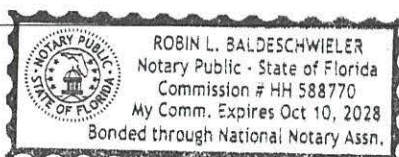
Sworn to and subscribed before me this 13  
day February 2025.

  
Robin Baldeschwieler, Notary

Personally Known \_\_\_\_\_ or

Production Identification \_\_\_\_\_

Type of Identification Produced \_\_\_\_\_



Attach Notice

## NOTICE OF RULE DEVELOPMENT BY THE ORANGE BEND COMMUNITY DEVELOPMENT DISTRICT

In accord with Chapters 120 and 190, Florida Statutes, the Orange Bend Community Development District ("District") hereby gives notice of its intention to develop Rules of Procedure to govern the operations of the District.

The Rules of Procedure will address such areas as the Board of Supervisors, officers and voting, district offices, public information and inspection of records, policies, public meetings, hearings and workshops, rulemaking proceedings and competitive purchase including procedure under the Consultants Competitive Negotiation Act, procedure regarding auditor selection, purchase of insurance, pre-qualification, construction contracts, goods, supplies and materials, maintenance services, contractual services and protests with respect to proceedings, as well as any other area of the general operation of the District.

The purpose and effect of the Rules of Procedure is to provide for efficient and effective District operations and to ensure compliance with Florida law. The legal authority for the adoption of the proposed Rules of Procedure includes Sections 190.011(5), 190.011(15) and 190.035, Florida Statutes (2022). The specific laws implemented in the Rules of Procedure include, but are not limited to, Sections 112.08, 112.3143, 112.31446, 112.3145, 119.07, 119.0701, 189.053, 189.069(2)(a)16, 190.006, 190.007, 190.008, 190.011(3), 190.011(5), 190.011(15), 190.033, 190.035, 218.33, 218.391, 255.05, 255.0518, 255.0525, 255.20, 286.0105, 286.011, 286.0113, 286.0114, 287.017, 287.055 and 287.084, Florida Statutes (2023).

A copy of the proposed Rules of Procedure may be obtained by contacting the District

Manager, at Wrathell, Hunt & Associates, LLC, 2300 Glades Road, Suite 410W, Boca Raton, Florida 33431, 561-571-0010.

District Manager

**#01236026 February 13, 2025**



# The Villages DAILY SUN

Published Daily  
Lady Lake, Florida  
State of Florida  
County Of Lake

Before the undersigned authority personally appeared

**ALLAN LOVELL**

who on oath says that he is Legal Ad Coordinator of the DAILY SUN, a daily newspaper published at Lady Lake in Lake County, Florida with circulation in Lake, Sumter and Marion Counties; that the attached copy of advertisement, being a Legal Ad #1236027

in the matter of **NOTICE OF RULEMAKING** was published in said newspaper in the issue(s) of

**February 14, 2025**

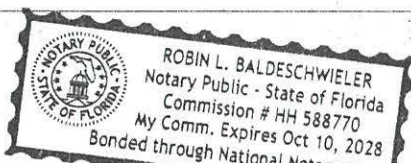
Affiant further says that the said Daily Sun is a newspaper published at Lady Lake in said Lake County, Florida, and that the said newspaper has heretofore been continuously published in said Lake County, Florida each week and has been entered as second class mail matter at the post office in Lady Lake, in said Lake County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisements; and affiant further says that he has neither paid nor promised any person, firm, or Corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

(Signature Of Affiant)

Sworn to and subscribed before me this 14  
day February 2025.

Robin Baldeschwieler  
Robin Baldeschwieler, Notary

Personally Known \_\_\_\_\_ or  
Production Identification \_\_\_\_\_  
Type of Identification Produced \_\_\_\_\_



Attach Notice Here

## NOTICE OF RULEMAKING REGARDING THE RULES OF PROCEDURE OF THE ORANGE BEND COMMUNITY DEVELOPMENT DISTRICT

A public hearing will be conducted by the Board of Supervisors of the Orange Bend Community Development District ("District") on March 20, 2025 at 9:00 a.m., at City of Minneola City Hall, 800 N US Highway 27, Minneola, Florida 3471.

In accord with Chapters 120 and 190, Florida Statutes, the District hereby gives the public notice of its intent to adopt its proposed Rules of Procedure. The purpose and effect of the proposed Rules of Procedure is to provide for efficient and effective District operations and to ensure compliance with recent changes to Florida law. Prior notice of rule development was published in the Villages Daily Sun on February 13, 2025.

The Rules of Procedure may address such areas as the Board of Supervisors, officers and voting, district offices, public information and inspection of records, policies, public meetings, hearings and workshops, rulemaking proceedings and competitive purchase including procedure under the Consultants' Competitive Negotiation Act, procedure regarding auditor selection, purchase of insurance, pre-qualification, construction contracts, goods, supplies and materials, maintenance services, contractual services and protests with respect to proceedings, as well as any other area of the general operation of the District.

Specific legal authority for the adoption of the proposed Rules of Procedure includes Sections 190.011(5), 190.011(15) and 190.035, Florida Statutes (2022). The specific laws implemented in the Rules of Procedure include, but are not limited to, Sections 112.08, 112.3143, 112.31446, 112.3145, 119.07, 119.0701, 189.053, 189.069(2)(a)16, 190.006, 190.007, 190.008,

190.011(3), 190.011(5), 190.011(15), 190.033, 190.035, 218.33, 218.391, 255.05, 255.0518, 255.0525, 255.20, 286.0105, 286.011, 286.0113, 286.0114, 287.017, 287.055 and 287.084, Florida Statutes (2023):

A copy of the proposed Rules of Procedure may be obtained by contacting the District Manager's Office at Wrathell, Hunt & Associates, LLC, 2300 Glades Road, Suite 410W, Boca Raton, Florida 33431, (561) 571-0010.

Any person who wishes to provide the District with a proposal for a lower cost regulatory alternative as provided by Section 120.541(1), Florida Statutes, must do so in writing within twenty-one (21) days after publication of this notice to the District Manager's Office.

This public hearing may be continued to a date, time, and place to be specified on the record at the hearing without additional notice. If anyone chooses to appeal any decision of the Board with respect to any matter considered at a public hearing, such person will need a record of the proceedings and should accordingly ensure that a verbatim record of the proceedings is made which includes the testimony and evidence upon which such appeal is to be based. At the hearing, staff or Supervisors may participate in the public hearing by speaker telephone.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations at this meeting because of a disability or physical impairment should contact the District Manager's Office at least forty-eight (48) hours prior to the meeting. If you are hearing or speech impaired, please contact the Florida Relay Service at 1-800-955-8771 or 1-800-955-8770 for aid in contacting the District Office.

Orange Bend Community  
Development District  
District Manager

#01236027 February 14, 2025

**ORANGE BEND**  
**COMMUNITY DEVELOPMENT DISTRICT**

**7B**

**RESOLUTION 2025-33**

**A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE ORANGE BEND  
COMMUNITY DEVELOPMENT DISTRICT ADOPTING RULES OF PROCEDURE;  
PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the Orange Bend Community Development District (“**District**”) is a local unit of special purpose government created and existing pursuant to Chapter 190, *Florida Statutes*, being situated entirely within The City of Leesburg, Florida; and

**WHEREAS**, Chapter 190, *Florida Statutes*, authorizes the District to adopt rules to govern the administration of the District and to adopt resolutions as may be necessary for the conduct of District business; and

**WHEREAS**, to provide for efficient and effective District operations and to maintain compliance with Florida law, the Board of Supervisors finds that it is in the best interests of the District to adopt by resolution the Rules of Procedure attached hereto as **Exhibit A** for immediate use and application; and

**WHEREAS**, the Board of Supervisors has complied with applicable Florida law concerning rule development and adoption.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE  
ORANGE BEND COMMUNITY DEVELOPMENT DISTRICT:**

**SECTION 1.** The attached Rules of Procedure are hereby adopted pursuant to this Resolution as necessary for the conduct of District business. These Rules of Procedure shall stay in full force and effect until such time as the Board of Supervisors may amend these rules in accordance with Chapter 190, *Florida Statutes*.

**SECTION 2.** If any provision of this Resolution is held to be illegal or invalid, the other provisions shall remain in full force and effect.

**SECTION 3.** This Resolution shall become effective upon its passage and shall remain in effect unless rescinded or repealed.

**PASSED AND ADOPTED** this 20<sup>th</sup> day of March, 2025.

ATTEST:

**ORANGE BEND COMMUNITY DEVELOPMENT  
DISTRICT**

\_\_\_\_\_  
Secretary/Assistant Secretary

\_\_\_\_\_  
Chair/Vice Chair, Board of Supervisors

**Exhibit A:** Rules of Procedure



**Exhibit A**  
**Rules of Procedure**

**RULES OF PROCEDURE  
ORANGE BEND COMMUNITY DEVELOPMENT DISTRICT**

**EFFECTIVE AS OF MARCH 20, 2025**

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**Rule 1.0      General.**

- (1) The Orange Bend Community Development District (the “District”) was created pursuant to the provisions of Chapter 190 of the Florida Statutes, and was established to provide for the ownership, operation, maintenance, and provision of various capital facilities and services within its jurisdiction. The purpose of these rules (the “Rules”) is to describe the general operations of the District.
- (2) Definitions located within any section of these Rules shall be applicable within all other sections, unless specifically stated to the contrary.
- (3) Unless specifically permitted by a written agreement with the District, the District does not accept documents filed by electronic mail or facsimile transmission. Filings are only accepted during normal business hours.
- (4) A Rule of the District shall be effective upon adoption by affirmative vote of the District Board. After a Rule becomes effective, it may be repealed or amended only through the rulemaking procedures specified in these Rules. Notwithstanding, the District may immediately suspend the application of a Rule if the District determines that the Rule conflicts with Florida law. In the event that a Rule conflicts with Florida law and its application has not been suspended by the District, such Rule should be interpreted in the manner that best effectuates the intent of the Rule while also complying with Florida law. If the intent of the Rule absolutely cannot be effectuated while complying with Florida law, the Rule shall be automatically suspended.

**Specific Authority:** §§ 190.011(5), 190.011(15), Fla. Stat.

**Law Implemented:** §§ 190.011(5), 190.011(15), Fla. Stat.

**Rule 1.1      Board of Supervisors; Officers and Voting.**

- (1) Board of Supervisors. The Board of Supervisors of the District (the “Board”) shall consist of five (5) members. Members of the Board (“Supervisors”) appointed by ordinance or rule or elected by landowners must be citizens of the United States of America and residents of the State of Florida. Supervisors elected or appointed by the Board to elector seats must be citizens of the United States of America, residents of the State of Florida and of the District and registered to vote with the Supervisor of Elections of the county in which the District is located and for those elected, shall also be qualified to run by the Supervisor of Elections. The Board shall exercise the powers granted to the District under Florida law.
  - (a) Supervisors shall hold office for the term specified by Section 190.006 of the Florida Statutes. If, during the term of office, any Board member(s) vacates their office, the remaining member(s) of the Board shall fill the vacancies by appointment for the remainder of the term(s). If three or more vacancies exist at the same time, a quorum, as defined herein, shall not be required to appoint replacement Board members.
  - (b) Three (3) members of the Board shall constitute a quorum for the purposes of conducting business, exercising powers and all other purposes. A Board member shall be counted toward the quorum if physically present at the meeting, regardless of whether such Board member is prohibited from, or abstains from, participating in discussion or voting on a particular item.
  - (c) Action taken by the Board shall be upon a majority vote of the members present, unless otherwise provided in the Rules or required by law. Subject to Rule 1.3(10), a Board member participating in the Board meeting by teleconference or videoconference shall be entitled to vote and take all other action as though physically present.
  - (d) Unless otherwise provided for by an act of the Board, any one Board member may attend a mediation session on behalf of the Board. Any agreement resulting from such mediation session must be approved pursuant to subsection (1)(c) of this Rule.
- (2) Officers. At the first Board meeting held after each election where the newly elected members take office, the Board shall select a Chairperson, Vice-Chairperson, Secretary, Assistant Secretary, and Treasurer.
  - (a) The Chairperson must be a member of the Board. If the Chairperson resigns from that office or ceases to be a member of the Board, the Board shall select a Chairperson. The Chairperson serves at the pleasure of the Board. The Chairperson shall be authorized to execute resolutions and contracts on the District’s behalf. The Chairperson shall convene and conduct all meetings of the Board. In the event the Chairperson is unable to attend a

meeting, the Vice-Chairperson shall convene and conduct the meeting. The Chairperson or Vice-Chairperson may delegate the responsibility of conducting the meeting to the District's manager ("District Manager") or District Counsel, in whole or in part.

- (b) The Vice-Chairperson shall be a member of the Board and shall have such duties and responsibilities as specifically designated by the Board from time to time. The Vice-Chairperson has the authority to execute resolutions and contracts on the District's behalf in the absence of the Chairperson. If the Vice-Chairperson resigns from office or ceases to be a member of the Board, the Board shall select a Vice-Chairperson. The Vice-Chairperson serves at the pleasure of the Board.
- (c) The Secretary of the Board serves at the pleasure of the Board and need not be a member of the Board. The Secretary shall be responsible for maintaining the minutes of Board meetings and may have other duties assigned by the Board from time to time. An employee of the District Manager may serve as Secretary. The Secretary shall be bonded by a reputable and qualified bonding company in at least the amount of one million dollars (\$1,000,000), or have in place a fidelity bond, employee theft insurance policy, or a comparable product in at least the amount of one million dollars (\$1,000,000) that names the District as an additional insured.
- (d) The Treasurer need not be a member of the Board but must be a resident of the State of Florida. The Treasurer shall perform duties described in Section 190.007(2) and (3) of the Florida Statutes, as well as those assigned by the Board from time to time. The Treasurer shall serve at the pleasure of the Board. The Treasurer shall either be bonded by a reputable and qualified bonding company in at least the amount of one million dollars (\$1,000,000), or have in place a fidelity bond, employee theft insurance policy, or a comparable product in at least the amount of one million dollars (\$1,000,000) that names the District as an additional insured.
- (e) In the event that both the Chairperson and Vice-Chairperson are absent from a Board meeting and a quorum is present, the Board may designate one of its members or a member of District staff to convene and conduct the meeting. In such circumstances, any of the Board members present are authorized to execute agreements, resolutions, and other documents approved by the Board at such meeting. In the event that the Chairperson and Vice-Chairperson are both unavailable to execute a document previously approved by the Board, the Secretary or any Assistant Secretary may execute such document.
- (f) The Board may assign additional duties to District officers from time to time, which include, but are not limited to, executing documents on behalf of the District.

- (g) The Chairperson, Vice-Chairperson, and any other person authorized by District Resolution may sign checks and warrants for the District, countersigned by the Treasurer or other persons authorized by the Board.
- (3) Committees. The Board may establish committees of the Board, either on a permanent or temporary basis, to perform specifically designated functions. Committees may include individuals who are not members of the Board. Such functions may include, but are not limited to, review of bids, proposals, and qualifications, contract negotiations, personnel matters, and budget preparation.
- (4) Record Book. The Board shall keep a permanent record book entitled "Record of Proceedings," in which shall be recorded minutes of all meetings, resolutions, proceedings, certificates, and corporate acts. The Records of Proceedings shall be located at a District office and shall be available for inspection by the public.
- (5) Meetings. For each fiscal year, the Board shall establish a schedule of regular meetings, which shall be published in a newspaper of general circulation in the county in which the District is located and filed with the local general-purpose governments within whose boundaries the District is located. All meetings of the Board and Committees serving an advisory function shall be open to the public in accord with the provisions of Chapter 286 of the Florida Statutes.
- (6) Voting Conflict of Interest. The Board shall comply with Section 112.3143 of the Florida Statutes, so as to ensure the proper disclosure of conflicts of interest on matters coming before the Board for a vote. For the purposes of this section, "voting conflict of interest" shall be governed by the Florida Constitution and Chapters 112 and 190 of the Florida Statutes, as amended from time to time. Generally, a voting conflict exists when a Board member is called upon to vote on an item which would inure to the Board member's special private gain or loss or the Board member knows would inure to the special private gain or loss of a principal by whom the Board member is retained, the parent organization or subsidiary of a corporate principal, a business associate, or a relative including only a father, mother, son, daughter, husband, wife, brother, sister, father-in-law, mother-in-law, son-in-law, and daughter-in-law.
  - (a) When a Board member knows the member has a conflict of interest on a matter coming before the Board, the member should notify the Board's Secretary prior to participating in any discussion with the Board on the matter. The member shall publicly announce the conflict of interest at the meeting. This announcement shall appear in the minutes.

If the Board member was elected at a landowner's election or appointed to fill a vacancy of a seat last filled at a landowner's election, the Board member may vote or abstain from voting on the matter at issue. If the Board member was elected by electors residing within the District, the Board

member is prohibited from voting on the matter at issue. In the event that the Board member intends to abstain or is prohibited from voting, such Board member shall not participate in the discussion on the item subject to the vote.

The Board's Secretary shall prepare a Memorandum of Voting Conflict (Form 8B) which shall then be signed by the Board member, filed with the Board's Secretary, and provided for attachment to the minutes of the meeting within fifteen (15) days of the meeting.

- (b) If a Board member inadvertently votes on a matter and later learns he or she has a conflict on the matter, the member shall immediately notify the Board's Secretary. Within fifteen (15) days of the notification, the member shall file the appropriate Memorandum of Voting Conflict, which will be attached to the minutes of the Board meeting during which the vote on the matter occurred. The Memorandum of Voting Conflict shall immediately be provided to other Board members and shall be read publicly at the next meeting held subsequent to the filing of the Memorandum of Voting Conflict. The Board member's vote is unaffected by this filing.
- (c) It is not a conflict of interest for a Board member, the District Manager, or an employee of the District to be a stockholder, officer or employee of a landowner or of an entity affiliated with a landowner.
- (d) In the event that a Board member elected at a landowner's election or appointed to fill a vacancy of a seat last filled at a landowner's election, has a continuing conflict of interest, such Board member is permitted to file a Memorandum of Voting Conflict at any time in which it shall state the nature of the continuing conflict. Only one such continuing Memorandum of Voting Conflict shall be required to be filed for each term the Board member is in office.

**Specific Authority:** §§ 190.011(5), 190.011(15), Fla. Stat.

**Law Implemented:** §§ 112.3143, 190.006, 190.007, Fla. Stat.

**Rule 1.2      District Offices; Public Information and Inspection of Records; Policies; Service Contract Requirements; Financial Disclosure Coordination.**

(1)    District Offices. Unless otherwise designated by the Board, the official District office shall be the District Manager's office identified by the District Manager. If the District Manager's office is not located within the county in which the District is located, the Board shall designate a local records office within such county which shall at a minimum contain, but not be limited to, the following documents:

- (a)    Agenda packages for prior 24 months and next meeting;
- (b)    Official minutes of meetings, including adopted resolutions of the Board;
- (c)    Names and addresses of current Board members and District Manager, unless such addresses are protected from disclosure by law;
- (d)    Adopted engineer's reports;
- (e)    Adopted assessment methodologies/reports;
- (f)    Adopted disclosure of public financing;
- (g)    Limited Offering Memorandum for each financing undertaken by the District;
- (h)    Proceedings, certificates, bonds given by all employees, and any and all corporate acts;
- (i)    District policies and rules;
- (j)    Fiscal year end audits; and
- (k)    Adopted budget for the current fiscal year.

The District Manager shall ensure that each District records office contains the documents required by Florida law.

(2)    Public Records. District public records include all documents, papers, letters, maps, books, tapes, photographs, films, sound recordings, data processing software, or other material, regardless of the physical form, characteristics, or means of transmission, made or received in connection with the transaction of official business of the District. All District public records not otherwise restricted by law may be copied or inspected at the District Manager's office during regular business hours. Certain District records can also be inspected and copied at the District's local records office during regular business hours. All written public records requests shall be directed to the Secretary who by these rules is appointed as the



District's records custodian. Regardless of the form of the request, any Board member or staff member who receives a public records request shall immediately forward or communicate such request to the Secretary for coordination of a prompt response. The Secretary, after consulting with District Counsel as to the applicability of any exceptions under the public records laws, shall be responsible for responding to the public records request. At no time can the District be required to create records or summaries of records, or prepare opinions regarding District policies, in response to a public records request.

- (3) Service Contracts. Any contract for services, regardless of cost, shall include provisions required by law that require the contractor to comply with public records laws. The District Manager shall be responsible for initially enforcing all contract provisions related to a contractor's duty to comply with public records laws.
- (4) Fees; Copies. Copies of public records shall be made available to the requesting person at a charge of \$0.15 per page for one-sided copies and \$0.20 per page for two-sided copies if not more than 8 ½ by 14 inches. For copies of public records in excess of the sizes listed in this section and for outside duplication services, the charge shall be equal to the actual cost of reproduction. Certified copies of public records shall be made available at a charge of one dollar (\$1.00) per page. If the nature or volume of records requested requires extensive use of information technology resources or extensive clerical or supervisory assistance, the District may charge, in addition to the duplication charge, a special service charge that is based on the cost the District incurs to produce the records requested. This charge may include, but is not limited to, the cost of information technology resource, employee labor, and fees charged to the District by consultants employed in fulfilling the request. In cases where the special service charge is based in whole or in part on the costs incurred by the District due to employee labor, consultant fees, or other forms of labor, those portions of the charge shall be calculated based on the lowest labor cost of the individual(s) who is/are qualified to perform the labor, taking into account the nature or volume of the public records to be inspected or copied. The charge may include the labor costs of supervisory and/or clerical staff whose assistance is required to complete the records request, in accordance with Florida law. For purposes of this Rule, the word "extensive" shall mean that it will take more than 15 minutes to locate, review for confidential information, copy and re-file the requested material. In cases where extensive personnel time is determined by the District to be necessary to safeguard original records being inspected, the special service charge provided for in this section shall apply. If the total fees, including but not limited to special service charges, are anticipated to exceed twenty-five dollars (\$25.00), then, prior to commencing work on the request, the District will inform the person making the public records request of the estimated cost, with the understanding that the final cost may vary from that estimate. If the person making the public records request decides to proceed with the request, payment of the estimated cost is required in advance. Should the person fail to pay the estimate, the District is under no duty to produce the requested records. After the request has been fulfilled, additional payments or credits may be

due. The District is under no duty to produce records in response to future records requests if the person making the request owes the District for past unpaid duplication charges, special service charges, or other required payments or credits.

- (5) Records Retention. The Secretary of the District shall be responsible for retaining the District's records in accordance with applicable Florida law.
- (6) Policies. The Board may adopt policies related to the conduct of its business and the provision of services either by resolution or motion.
- (7) Financial Disclosure Coordination. Unless specifically designated by Board resolution otherwise, the Secretary shall serve as the Financial Disclosure Coordinator ("Coordinator") for the District as required by the Florida Commission on Ethics ("Commission"). The Coordinator shall create, maintain and update a list of the names, e-mail addresses, physical addresses, and names of the agency of, and the office or position held by, all Supervisors and other persons required by Florida law to file a statement of financial interest due to his or her affiliation with the District ("Reporting Individual"). The Coordinator shall provide this list to the Commission by February 1 of each year, which list shall be current as of December 31 of the prior year. Each Supervisor and Reporting Individual shall promptly notify the Coordinator in writing if there are any changes to such person's name, e-mail address, or physical address. Each Supervisor and Reporting Individual shall promptly notify the Commission in the manner prescribed by the Commission if there are any changes to such person's e-mail address.

**Specific Authority:** §§ 190.011(5), 190.011(15), Fla. Stat.

**Law Implemented:** §§ 112.31446(3), 112.3145(8)(a)1., 119.07, 119.0701, 190.006, Fla. Stat.

**Rule 1.3      Public Meetings, Hearings, and Workshops.**

- (1) Notice. Except in emergencies, or as otherwise required by statute or these Rules, at least seven (7) days, but no more than thirty (30) days public notice shall be given of any public meeting, hearing or workshop of the Board. Public notice shall be given by publication in a newspaper of general circulation in the District and in the county in which the District is located. “General circulation” means a publication that is printed and published at least once a week for the preceding year, offering at least 25% of its words in the English language, qualifies as a periodicals material for postal purposes in the county in which the District is located, is for sale to the public generally, is available to the public generally for the publication of official or other notices, and is customarily containing information of a public character or of interest or of value to the residents or owners of property in the county where published, or of interest or of value to the general public. The annual meeting notice required to be published by Section 189.015 of the Florida Statutes, shall be published in a newspaper not of limited subject matter, which is published at least five days a week, unless the only newspaper in the county is published less than five days a week. Each Notice shall state, as applicable:
- (a) The date, time and place of the meeting, hearing or workshop;
  - (b) A brief description of the nature, subjects, and purposes of the meeting, hearing, or workshop;
  - (c) The District office address for the submission of requests for copies of the agenda, as well as a contact name and telephone number for verbal requests for copies of the agenda; and
  - (d) The following or substantially similar language: “Pursuant to provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting/hearing/workshop is asked to advise the District Office at least forty-eight (48) hours before the meeting/hearing/workshop by contacting the District Manager at (561) 571-0010. If you are hearing or speech impaired, please contact the Florida Relay Service at 1 (800) 955-8770 or 1 (800) 955-8771, who can aid you in contacting the District Office.”
  - (e) The following or substantially similar language: “A person who decides to appeal any decision made at the meeting/hearing/workshop with respect to any matter considered at the meeting/hearing/workshop is advised that person will need a record of the proceedings and that accordingly, the person may need to ensure that a verbatim record of the proceedings is made including the testimony and evidence upon which the appeal is to be based.”

- (f) The following or substantially similar language: “The meeting [or hearing or workshop] may be continued in progress without additional notice to a time, date, and location stated on the record.”
- (2) Mistake. In the event that a meeting is held under the incorrect assumption that notice required by law and these Rules has been given, the Board at its next properly noticed meeting shall cure such defect by considering the agenda items from the prior meeting individually and anew.
- (3) Agenda. The District Manager, under the guidance of District Counsel and the Chairperson or Vice-Chairperson, shall prepare an agenda of the meeting/hearing/workshop. The agenda and any meeting materials available in an electronic format, excluding any confidential and any confidential and exempt information, shall be available to the public at least seven days before the meeting/hearing/workshop, except in an emergency. Meeting materials shall be defined as, and limited to, the agenda, meeting minutes, resolutions, and agreements of the District that District staff deems necessary for Board approval. Inclusion of additional materials for Board consideration other than those defined herein as “meeting materials” shall not convert such materials into “meeting materials.” For good cause, the agenda may be changed after it is first made available for distribution, and additional materials may be added or provided under separate cover at the meeting. The requirement of good cause shall be liberally construed to allow the District to efficiently conduct business and to avoid the expenses associated with special meetings.

The District may, but is not required to, use the following format in preparing its agenda for its regular meetings:

- Call to order
- Roll call
- Public comment
- Organizational matters
- Review of minutes
- Specific items of old business
- Specific items of new business
- Staff reports
  - (a) District Counsel
  - (b) District Engineer
  - (c) District Manager
    - 1. Financial Report
    - 2. Approval of Expenditures
- Supervisor’s requests and comments
- Public comment
- Adjournment

- (4) Minutes. The Secretary shall be responsible for preparing and keeping the minutes of each meeting of the Board. Minutes shall be corrected and approved by the Board at a subsequent meeting. The Secretary may work with other staff members in preparing draft minutes for the Board's consideration.
- (5) Special Requests. Persons wishing to receive, by mail, notices or agendas of meetings, may so advise the District Manager or Secretary at the District Office. Such persons shall furnish a mailing address in writing and shall be required to pre-pay the cost of the copying and postage.
- (6) Emergency Meetings. The Chairperson, or Vice-Chairperson if the Chairperson is unavailable, upon consultation with the District Manager and District Counsel, if available, may convene an emergency meeting of the Board without first having complied with sections (1) and (3) of this Rule, to act on emergency matters that may affect the public health, safety, or welfare. Whenever possible, the District Manager shall make reasonable efforts to provide public notice and notify all Board members of an emergency meeting twenty-four (24) hours in advance. Reasonable efforts may include telephone notification. Notice of the emergency meeting must be provided both before and after the meeting on the District's website, if it has one. Whenever an emergency meeting is called, the District Manager shall be responsible for notifying at least one newspaper of general circulation in the District. After an emergency meeting, the Board shall publish in a newspaper of general circulation in the District, the time, date and place of the emergency meeting, the reasons why an emergency meeting was necessary, and a description of the action taken. Actions taken at an emergency meeting may be ratified by the Board at a regularly noticed meeting subsequently held.
- (7) Public Comment. The Board shall set aside a reasonable amount of time at each meeting for public comment and members of the public shall be permitted to provide comment on any proposition before the Board. The portion of the meeting generally reserved for public comment shall be identified in the agenda. Policies governing public comment may be adopted by the Board in accordance with Florida law.
- (8) Budget Hearing. Notice of hearing on the annual budget(s) shall be in accord with Section 190.008 of the Florida Statutes. Once adopted in accord with Section 190.008 of the Florida Statutes, the annual budget(s) may be amended from time to time by action of the Board. Approval of invoices by the Board in excess of the funds allocated to a particular budgeted line item shall serve to amend the budgeted line item.
- (9) Public Hearings. Notice of required public hearings shall contain the information required by applicable Florida law and by these Rules applicable to meeting notices and shall be mailed and published as required by Florida law. The District Manager shall ensure that all such notices, whether mailed or published, contain the information required by Florida law and these Rules and are mailed and published

as required by Florida law. Public hearings may be held during Board meetings when the agenda includes such public hearing.

- (10) Participation by Teleconference/Videoconference. District staff may participate in Board meetings by teleconference or videoconference. Board members may also participate in Board meetings by teleconference or videoconference if in the good judgment of the Board extraordinary circumstances exist; provided however, at least three Board members must be physically present at the meeting location to establish a quorum. Such extraordinary circumstances shall be presumed when a Board member participates by teleconference or videoconference, unless a majority of the Board members physically present determines that extraordinary circumstances do not exist.
- (11) Board Authorization. The District has not adopted Robert's Rules of Order. For each agenda item, there shall be discussion permitted among the Board members during the meeting. Unless such procedure is waived by the Board, approval or disapproval of resolutions and other proposed Board actions shall be in the form of a motion by one Board member, a second by another Board member, and an affirmative vote by the majority of the Board members present. Any Board member, including the Chairperson, can make or second a motion.
- (12) Continuances. Any meeting or public hearing of the Board may be continued without re-notice or re-advertising provided that:
  - (a) The Board identifies on the record at the original meeting a reasonable need for a continuance;
  - (b) The continuance is to a specified date, time, and location publicly announced at the original meeting; and
  - (c) The public notice for the original meeting states that the meeting may be continued to a date and time and states that the date, time, and location of any continuance shall be publicly announced at the original meeting and posted at the District Office immediately following the original meeting.
- (13) Attorney-Client Sessions. An Attorney-Client Session is permitted when the District's attorneys deem it necessary to meet in private with the Board to discuss pending litigation to which the District is a party before a court or administrative agency or as may be authorized by law. The District's attorney must request such session at a public meeting. Prior to holding the Attorney-Client Session, the District must give reasonable public notice of the time and date of the session and the names of the persons anticipated to attend the session. The session must commence at an open meeting in which the Chairperson or Vice-Chairperson announces the commencement of the session, the estimated length of the session, and the names of the persons who will be attending the session. The discussion during the session is confined to settlement negotiations or strategy related to

litigation expenses or as may be authorized by law. Only the Board, the District's attorneys (including outside counsel), the District Manager, and the court reporter may attend an Attorney-Client Session. During the session, no votes may be taken and no final decisions concerning settlement can be made. Upon the conclusion of the session, the public meeting is reopened, and the Chairperson or Vice-Chairperson must announce that the session has concluded. The session must be transcribed by a court-reporter and the transcript of the session filed with the District Secretary within a reasonable time after the session. The transcript shall not be available for public inspection until after the conclusion of the litigation.

- (14) Security and Firesafety Board Discussions. Portions of a meeting which relate to or would reveal a security or firesafety system plan or portion thereof made confidential and exempt by section 119.071(3)(a), Florida Statutes, are exempt from the public meeting requirements and other requirements of section 286.011, Florida Statutes, and section 24(b), Article 1 of the State Constitution. Should the Board wish to discuss such matters, members of the public shall be required to leave the meeting room during such discussion. Any records of the Board's discussion of such matters, including recordings or minutes, shall be maintained as confidential and exempt records in accordance with Florida law.

**Specific Authority:** §§ 190.011(5), 190.011(15), Fla. Stat.

**Law Implemented:** §§ 189.069(2)(a)16, 190.006, 190.007, 190.008, 286.0105, 286.011, 286.0113, 286.0114, Fla. Stat.

**Rule 1.4      Internal Controls to Prevent Fraud, Waste and Abuse**

- (1)      Internal Controls. The District shall establish and maintain internal controls designed to:
- (a)      Prevent and detect “fraud,” “waste” and “abuse” as those terms are defined in section 11.45(1), Florida Statutes; and
  - (b)      Promote and encourage compliance with applicable laws, rules contracts, grant agreements, and best practices; and
  - (c)      Support economical and efficient operations; and
  - (d)      Ensure reliability of financial records and reports; and
  - (e)      Safeguard assets.
- (2)      Adoption. The internal controls to prevent fraud, waste and abuse shall be adopted and amended by the District in the same manner as District policies.

**Specific Authority:** §§ 190.011(5), 190.011(15), Fla. Stat.  
**Law Implemented:** § 218.33(3), Fla. Stat.



## **Rule 2.0      Rulemaking Proceedings.**

- (1) Commencement of Proceedings. Proceedings held for adoption, amendment, or repeal of a District rule shall be conducted according to these Rules. Rulemaking proceedings shall be deemed to have been initiated upon publication of notice by the District. A “rule” is a District statement of general applicability that implements, interprets, or prescribes law or policy, or describes the procedure or practice requirements of the District (“Rule”). Nothing herein shall be construed as requiring the District to consider or adopt rules unless required by Chapter 190 of the Florida Statutes. Policies adopted by the District which do not consist of rates, fees, rentals or other monetary charges may be, but are not required to be, implemented through rulemaking proceedings.
- (2) Notice of Rule Development.
  - (a) Except when the intended action is the repeal of a Rule, the District shall provide notice of the development of a proposed rule by publication of a Notice of Rule Development in a newspaper of general circulation in the District before providing notice of a proposed rule as required by section (3) of this Rule. Consequently, the Notice of Rule Development shall be published at least twenty-nine (29) days prior to the public hearing on the proposed Rule. The Notice of Rule Development shall indicate the subject area to be addressed by rule development, provide a short, plain explanation of the purpose and effect of the proposed rule, cite the specific legal authority for the proposed rule, and include a statement of how a person may promptly obtain, without cost, a copy of any preliminary draft, if available.
  - (b) All rules as drafted shall be consistent with Sections 120.54(1)(g) and 120.54(2)(b) of the Florida Statutes.
- (3) Notice of Proceedings and Proposed Rules.
  - (a) Prior to the adoption, amendment, or repeal of any rule other than an emergency rule, the District shall give notice of its intended action, setting forth a short, plain explanation of the purpose and effect of the proposed action, a reference to the specific rulemaking authority pursuant to which the rule is adopted, and a reference to the section or subsection of the Florida Statutes being implemented, interpreted, or made specific. The notice shall include a summary of the District’s statement of the estimated regulatory costs, if one has been prepared, based on the factors set forth in Section 120.541(2) of the Florida Statutes, and a statement that any person who wishes to provide the District with a lower cost regulatory alternative as provided by Section 120.541(1), must do so in writing within twenty-one (21) days after publication of the notice. The notice shall additionally include a statement that any affected person may request a public hearing by submitting a written request within twenty-one (21) days after the date

of publication of the notice. Except when intended action is the repeal of a rule, the notice shall include a reference to both the date on which and the place where the Notice of Rule Development required by section (2) of this Rule appeared.

- (b) The notice shall be published in a newspaper of general circulation in the District and each county in which the District is located not less than twenty-eight (28) days prior to the intended action. The proposed rule shall be available for inspection and copying by the public at the time of the publication of notice.
  - (c) The notice shall be mailed to all persons named in the proposed rule and to all persons who, at least fourteen (14) days prior to such mailing, have made requests of the District for advance notice of its rulemaking proceedings. Any person may file a written request with the District Manager to receive notice by mail of District proceedings to adopt, amend, or repeal a rule. Such persons must furnish a mailing address and may be required to pay the cost of copying and mailing.
- (4) Rule Development Workshops. Whenever requested in writing by any affected person, the District must either conduct a rule development workshop prior to proposing rules for adoption or the Chairperson must explain in writing why a workshop is unnecessary. The District may initiate a rule development workshop but is not required to do so.
- (5) Petitions to Initiate Rulemaking. All Petitions to Initiate Rulemaking proceedings must contain the name, address, and telephone number of the petitioner, the specific action requested, the specific reason for adoption, amendment, or repeal, the date submitted, the text of the proposed rule, and the facts showing that the petitioner is regulated by the District or has a substantial interest in the rulemaking. Not later than sixty (60) calendar days following the date of filing a petition, the Board shall initiate rulemaking proceedings or deny the petition with a written statement of its reasons for the denial. If the petition is directed to an existing policy that the District has not formally adopted as a rule, the District may, in its discretion, notice and hold a public hearing on the petition to consider the comments of the public directed to the policy, its scope and application, and to consider whether the public interest is served adequately by the application of the policy on a case-by-case basis, as contrasted with its formal adoption as a rule. However, this section shall not be construed as requiring the District to adopt a rule to replace a policy.
- (6) Rulemaking Materials. After the publication of the notice referenced in section (3) of this Rule, the Board shall make available for public inspection and shall provide, upon request and payment of the cost of copies, the following materials:
  - (a) The text of the proposed rule, or any amendment or repeal of any existing rules;

- (b) A detailed written statement of the facts and circumstances justifying the proposed rule;
  - (c) A copy of the statement of estimated regulatory costs if required by Section 120.541 of the Florida Statutes; and
  - (d) The published notice.
- (7) Hearing. The District may, or, upon the written request of any affected person received within twenty-one (21) days after the date of publication of the notice described in section (3) of this Rule, shall, provide a public hearing for the presentation of evidence, argument, and oral statements, within the reasonable conditions and limitations imposed by the District to avoid duplication, irrelevant comments, unnecessary delay, or disruption of the proceedings. The District shall publish notice of the public hearing in a newspaper of general circulation within the District either in the text of the notice described in section (3) of this Rule or in a separate publication at least seven (7) days before the scheduled public hearing. The notice shall specify the date, time, and location of the public hearing, and the name, address, and telephone number of the District contact person who can provide information about the public hearing. Written statements may be submitted by any person prior to or at the public hearing. All timely submitted written statements shall be considered by the District and made part of the rulemaking record.
- (8) Emergency Rule Adoption. The Board may adopt an emergency rule if it finds that immediate danger to the public health, safety, or welfare exists which requires immediate action. Prior to the adoption of an emergency rule, the District Manager shall make reasonable efforts to notify a newspaper of general circulation in the District. Notice of emergency rules shall be published as soon as possible in a newspaper of general circulation in the District. The District may use any procedure which is fair under the circumstances in the adoption of an emergency rule as long as it protects the public interest as determined by the District and otherwise complies with these provisions.
- (9) Negotiated Rulemaking. The District may use negotiated rulemaking in developing and adopting rules pursuant to Section 120.54(2)(d) of the Florida Statutes, except that any notices required under Section 120.54(2)(d) of the Florida Statutes, may be published in a newspaper of general circulation in the county in which the District is located.
- (10) Rulemaking Record. In all rulemaking proceedings, the District shall compile and maintain a rulemaking record. The record shall include, if applicable:
  - (a) The texts of the proposed rule and the adopted rule;
  - (b) All notices given for a proposed rule;

- (c) Any statement of estimated regulatory costs for the rule;
- (d) A written summary of hearings, if any, on the proposed rule;
- (e) All written comments received by the District and responses to those written comments; and
- (f) All notices and findings pertaining to an emergency rule.

(11) Petitions to Challenge Existing Rules.

- (a) Any person substantially affected by a rule may seek an administrative determination of the invalidity of the rule on the ground that the rule is an invalid exercise of the District's authority.
- (b) The petition seeking an administrative determination must state with particularity the provisions alleged to be invalid with sufficient explanation of the facts or grounds for the alleged invalidity and facts sufficient to show that the person challenging a rule is substantially affected by it.
- (c) The petition shall be filed with the District. Within 10 days after receiving the petition, the Chairperson shall, if the petition complies with the requirements of subsection (b) of this section, designate any member of the Board (including the Chairperson), District Manager, District Counsel, or other person as a hearing officer who shall conduct a hearing within 30 days thereafter, unless the petition is withdrawn or a continuance is granted by agreement of the parties. The failure of the District to follow the applicable rulemaking procedures or requirements in this Rule shall be presumed to be material; however, the District may rebut this presumption by showing that the substantial interests of the petitioner and the fairness of the proceedings have not been impaired.
- (d) Within 30 days after the hearing, the hearing officer shall render a decision and state the reasons therefor in writing.
- (e) Hearings held under this section shall be de novo in nature. The petitioner has a burden of proving by a preponderance of the evidence that the existing rule is an invalid exercise of District authority as to the objections raised. The hearing officer may:
  - (i) Administer oaths and affirmations;
  - (ii) Rule upon offers of proof and receive relevant evidence;

- (iii) Regulate the course of the hearing, including any pre-hearing matters;
    - (iv) Enter orders; and
    - (v) Make or receive offers of settlement, stipulation, and adjustment.
  - (f) The petitioner and the District shall be adverse parties. Other substantially affected persons may join the proceedings as intervenors on appropriate terms which shall not unduly delay the proceedings.
- (12) Variances and Waivers. A “variance” means a decision by the District to grant a modification to all or part of the literal requirements of a rule to a person who is subject to the rule. A “waiver” means a decision by the District not to apply all or part of a rule to a person who is subject to the rule. Variances and waivers from District rules may be granted subject to the following:
- (a) Variances and waivers shall be granted when the person subject to the rule demonstrates that the purpose of the underlying statute will be or has been achieved by other means by the person, and when application of the rule would create a substantial hardship or would violate principles of fairness. For purposes of this section, "substantial hardship" means a demonstrated economic, technological, legal, or other type of hardship to the person requesting the variance or waiver. For purposes of this section, "principles of fairness" are violated when the literal application of a rule affects a particular person in a manner significantly different from the way it affects other similarly situated persons who are subject to the rule.
  - (b) A person who is subject to regulation by a District Rule may file a petition with the District, requesting a variance or waiver from the District’s Rule. Each petition shall specify:
    - (i) The rule from which a variance or waiver is requested;
    - (ii) The type of action requested;
    - (iii) The specific facts that would justify a waiver or variance for the petitioner; and
    - (iv) The reason why the variance or the waiver requested would serve the purposes of the underlying statute.
  - (c) The District shall review the petition and may request only that information needed to clarify the petition or to answer new questions raised by or directly related to the petition. If the petitioner asserts that any request for additional information is not authorized by law or by Rule of the District,

the District shall proceed, at the petitioner's written request, to process the petition.

- (d) The Board shall grant or deny a petition for variance or waiver and shall announce such disposition at a publicly held meeting of the Board, within ninety (90) days after receipt of the original petition, the last item of timely requested additional material, or the petitioner's written request to finish processing the petition. The District's statement granting or denying the petition shall contain a statement of the relevant facts and reasons supporting the District's action.

- (13) Rates, Fees, Rentals and Other Charges. All rates, fees, rentals, or other charges shall be subject to rulemaking proceedings. Policies adopted by the District which do not consist of rates, fees, rentals or other charges may be, but are not required to be, implemented through rulemaking proceedings.

**Specific Authority:** §§ 190.011(5), 190.011(15), 190.035, Fla. Stat.

**Law Implemented:** §§ 190.011(5), 190.035(2), Fla. Stat.

### **Rule 3.0      Competitive Purchase.**

- (1) Purpose and Scope. In order to comply with Sections 190.033(1) through (3), 287.055 and 287.017 of the Florida Statutes, the following provisions shall apply to the purchase of Professional Services, insurance, construction contracts, design-build services, goods, supplies, and materials, Contractual Services, and maintenance services.
- (2) Board Authorization. Except in cases of an Emergency Purchase, a competitive purchase governed by these Rules shall only be undertaken after authorization by the Board.
- (3) Definitions.
  - (a) “Competitive Solicitation” means a formal, advertised procurement process, other than an Invitation to Bid, Request for Proposals, or Invitation to Negotiate, approved by the Board to purchase commodities and/or services which affords vendors fair treatment in the competition for award of a District purchase contract.
  - (b) “Continuing Contract” means a contract for Professional Services entered into in accordance with Section 287.055 of the Florida Statutes, between the District and a firm, whereby the firm provides Professional Services to the District for projects in which the costs do not exceed two million dollars (\$2,000,000), for a study activity when the fee for such Professional Services to the District does not exceed two hundred thousand dollars (\$200,000), or for work of a specified nature as outlined in the contract with the District, with no time limitation except that the contract must provide a termination clause (for example, a contract for general District engineering services). Firms providing Professional Services under Continuing Contracts shall not be required to bid against one another.
  - (c) “Contractual Service” means the rendering by a contractor of its time and effort rather than the furnishing of specific commodities. The term applies only to those services rendered by individuals and firms who are independent contractors. Contractual Services do not include auditing services, Maintenance Services, or Professional Services as defined in Section 287.055(2)(a) of the Florida Statutes, and these Rules. Contractual Services also do not include any contract for the furnishing of labor or materials for the construction, renovation, repair, modification, or demolition of any facility, building, portion of building, utility, park, parking lot, or structure or other improvement to real property entered into pursuant to Chapter 255 of the Florida Statutes, and Rules 3.5 or 3.6.
  - (d) “Design-Build Contract” means a single contract with a Design-Build Firm for the design and construction of a public construction project.

- (e) “Design-Build Firm” means a partnership, corporation or other legal entity that:
  - (i) Is certified under Section 489.119 of the Florida Statutes, to engage in contracting through a certified or registered general contractor or a certified or registered building contractor as the qualifying agent; or
  - (ii) Is certified under Section 471.023 of the Florida Statutes, to practice or to offer to practice engineering; certified under Section 481.219 of the Florida Statutes, to practice or to offer to practice architecture; or certified under Section 481.319 of the Florida Statutes, to practice or to offer to practice landscape architecture.
- (f) “Design Criteria Package” means concise, performance-oriented drawings or specifications for a public construction project. The purpose of the Design Criteria Package is to furnish sufficient information to permit Design-Build Firms to prepare a bid or a response to the District’s Request for Proposals, or to permit the District to enter into a negotiated Design-Build Contract. The Design Criteria Package must specify performance-based criteria for the public construction project, including the legal description of the site, survey information concerning the site, interior space requirements, material quality standards, schematic layouts and conceptual design criteria of the project, cost or budget estimates, design and construction schedules, site development requirements, provisions for utilities, stormwater retention and disposal, and parking requirements applicable to the project. Design Criteria Packages shall require firms to submit information regarding the qualifications, availability, and past work of the firms, including the partners and members thereof.
- (g) “Design Criteria Professional” means a firm who holds a current certificate of registration under Chapter 481 of the Florida Statutes, to practice architecture or landscape architecture, or a firm who holds a current certificate as a registered engineer under Chapter 471 of the Florida Statutes, to practice engineering, and who is employed by or under contract to the District to provide professional architect services, landscape architect services, or engineering services in connection with the preparation of the Design Criteria Package.
- (h) “Emergency Purchase” means a purchase necessitated by a sudden unexpected turn of events (for example, acts of God, riot, fires, floods, hurricanes, accidents, or any circumstances or cause beyond the control of the Board in the normal conduct of its business), where the Board finds that the delay incident to competitive purchase would be detrimental to the interests of the District. This includes, but is not limited to, instances where



the time to competitively award the project will jeopardize the funding for the project, will materially increase the cost of the project, or will create an undue hardship on the public health, safety, or welfare.

- (i) “Invitation to Bid” is a written solicitation for sealed bids with the title, date, and hour of the public bid opening designated specifically and defining the commodity or service involved. It includes printed instructions prescribing conditions for bidding, qualification, evaluation criteria, and provides for a manual signature of an authorized representative. It may include one or more bid alternates.
- (j) “Invitation to Negotiate” means a written solicitation for competitive sealed replies to select one or more vendors with which to commence negotiations for the procurement of commodities or services.
- (k) “Negotiate” means to conduct legitimate, arm’s length discussions and conferences to reach an agreement on a term or price.
- (l) “Professional Services” means those services within the scope of the practice of architecture, professional engineering, landscape architecture, or registered surveying and mapping, as defined by the laws of Florida, or those services performed by any architect, professional engineer, landscape architect, or registered surveyor and mapper, in connection with the firm's or individual's professional employment or practice.
- (m) “Proposal (or Reply or Response) Most Advantageous to the District” means, as determined in the sole discretion of the Board, the proposal, reply, or response that is:
  - (i) Submitted by a person or firm capable and qualified in all respects to perform fully the contract requirements, who has the integrity and reliability to assure good faith performance;
  - (ii) The most responsive to the Request for Proposals, Invitation to Negotiate, or Competitive Solicitation as determined by the Board; and
  - (iii) For a cost to the District deemed by the Board to be reasonable.
- (n) “Purchase” means acquisition by sale, rent, lease, lease/purchase, or installment sale. It does not include transfer, sale, or exchange of goods, supplies, or materials between the District and any federal, state, regional or local governmental entity or political subdivision of the State of Florida.
- (o) “Request for Proposals” or “RFP” is a written solicitation for sealed proposals with the title, date, and hour of the public opening designated and

requiring the manual signature of an authorized representative. It may provide general information, applicable laws and rules, statement of work, functional or general specifications, qualifications, proposal instructions, work detail analysis, and evaluation criteria as necessary.

- (p) “Responsive and Responsible Bidder” means an entity or individual that has submitted a bid that conforms in all material respects to the Invitation to Bid and has the capability in all respects to fully perform the contract requirements and the integrity and reliability that will assure good faith performance. “Responsive and Responsible Vendor” means an entity or individual that has submitted a proposal, reply, or response that conforms in all material respects to the Request for Proposals, Invitation to Negotiate, or Competitive Solicitation and has the capability in all respects to fully perform the contract requirements and the integrity and reliability that will assure good faith performance. In determining whether an entity or individual is a Responsive and Responsible Bidder (or Vendor), the District may consider, in addition to factors described in the Invitation to Bid, Request for Proposals, Invitation to Negotiate, or Competitive Solicitation, the following:
  - (i) The ability and adequacy of the professional personnel employed by the entity/individual;
  - (ii) The past performance of the entity/individual for the District and in other professional employment;
  - (iii) The willingness of the entity/individual to meet time and budget requirements;
  - (iv) The geographic location of the entity’s/individual’s headquarters or office in relation to the project;
  - (v) The recent, current, and projected workloads of the entity/individual;
  - (vi) The volume of work previously awarded to the entity/individual;
  - (vii) Whether the cost components of the bid or proposal are appropriately balanced; and
  - (viii) Whether the entity/individual is a certified minority business enterprise.
- (q) “Responsive Bid,” “Responsive Proposal,” “Responsive Reply,” and “Responsive Response” all mean a bid, proposal, reply, or response which conforms in all material respects to the specifications and conditions in the

Invitation to Bid, Request for Proposals, Invitations to Negotiate, or Competitive Solicitation document and these Rules, and the cost components of which, if any, are appropriately balanced. A bid, proposal, reply or response is not responsive if the person or firm submitting it fails to meet any material requirement relating to the qualifications, financial stability, or licensing of the bidder.

**Specific Authority:** §§ 190.011(5), 190.011(15), Fla. Stat.

**Law Implemented:** §§ 190.033, 255.20, 287.055, Fla. Stat.

### **Rule 3.1      Procedure Under the Consultants' Competitive Negotiations Act.**

- (1) Scope. The following procedures are adopted for the selection of firms or individuals to provide Professional Services exceeding the thresholds herein described, for the negotiation of such contracts, and to provide for protest of actions of the Board under this Rule. As used in this Rule, “Project” means that fixed capital outlay study or planning activity when basic construction cost is estimated by the District to exceed the threshold amount provided in Section 287.017 of the Florida Statutes, for CATEGORY FIVE, or for a planning study activity when the fee for Professional Services is estimated by the District to exceed the threshold amount provided in Section 287.017 for CATEGORY TWO, as such categories may be amended or adjusted from time to time.
- (2) Qualifying Procedures. In order to be eligible to provide Professional Services to the District, a consultant must, at the time of receipt of the firm’s qualification submittal:
  - (a) Hold all required applicable state professional licenses in good standing;
  - (b) Hold all required applicable federal licenses in good standing, if any;
  - (c) Hold a current and active Florida corporate charter or be authorized to do business in the State of Florida in accordance with Chapter 607 of the Florida Statutes, if the consultant is a corporation; and
  - (d) Meet any qualification requirements set forth in the District’s Request for Qualifications.

Evidence of compliance with this Rule may be submitted with the qualifications, if requested by the District. In addition, evidence of compliance must be submitted any time requested by the District.

- (3) Public Announcement. Except in cases of valid public emergencies as certified by the Board, the District shall announce each occasion when Professional Services are required for a Project or a Continuing Contract by publishing a notice providing a general description of the Project, or the nature of the Continuing Contract, and the method for interested consultants to apply for consideration. The notice shall appear in at least one (1) newspaper of general circulation in the District and in such other places as the District deems appropriate. The notice must allow at least fourteen (14) days for submittal of qualifications from the date of publication. The District may maintain lists of consultants interested in receiving such notices. These consultants are encouraged to submit annually statements of qualifications and performance data. The District shall make reasonable efforts to provide copies of any notices to such consultants, but the failure to do so shall not give such consultants any bid protest or other rights or otherwise disqualify any otherwise valid procurement process. The Board has the right to reject any and all

qualifications, and such reservation shall be included in the published notice. Consultants not receiving a contract award shall not be entitled to recover from the District any costs of qualification package preparation or submittal.

(4) Competitive Selection.

- (a) The Board shall review and evaluate the data submitted in response to the notice described in section (3) of this Rule regarding qualifications and performance ability, as well as any statements of qualifications on file. The Board shall conduct discussions with, and may require public presentation by consultants regarding their qualifications, approach to the Project, and ability to furnish the required services. The Board shall then select and list the consultants, in order of preference, deemed to be the most highly capable and qualified to perform the required Professional Services, after considering these and other appropriate criteria:
  - (i) The ability and adequacy of the professional personnel employed by each consultant;
  - (ii) Whether a consultant is a certified minority business enterprise;
  - (iii) Each consultant's past performance;
  - (iv) The willingness of each consultant to meet time and budget requirements;
  - (v) The geographic location of each consultant's headquarters, office and personnel in relation to the project;
  - (vi) The recent, current, and projected workloads of each consultant; and
  - (vii) The volume of work previously awarded to each consultant by the District.
- (b) Nothing in these Rules shall prevent the District from evaluating and eventually selecting a consultant if less than three (3) Responsive qualification packages, including packages indicating a desire not to provide Professional Services on a given Project, are received.
- (c) If the selection process is administered by any person or committee other than the full Board, the selection made will be presented to the full Board with a recommendation that competitive negotiations be instituted with the selected firms in order of preference listed.
- (d) Notice of the rankings adopted by the Board, including the rejection of some or all qualification packages, shall be provided in writing to all consultants

by United States Mail, hand delivery, facsimile, or overnight delivery service. The notice shall include the following statement: "Failure to file a protest within the time prescribed in Rule 3.11 of the Rules of the District shall constitute a waiver of proceedings under those Rules," or wording to that effect. Protests of the District's ranking decisions under this Rule shall be in accordance with the procedures set forth in Rule 3.11.

(5) Competitive Negotiation.

- (a) After the Board has authorized the beginning of competitive negotiations, the District may begin such negotiations with the firm listed as most qualified to perform the required Professional Services at a rate or amount of compensation which the Board determines is fair, competitive, and reasonable.
- (b) In negotiating a lump-sum or cost-plus-a-fixed-fee professional contract for more than the threshold amount provided in Section 287.017 of the Florida Statutes, for CATEGORY FOUR, the firm receiving the award shall be required to execute a truth-in-negotiation certificate stating that "wage rates and other factual unit costs supporting the compensation are accurate, complete and current at the time of contracting." In addition, any professional service contract under which such a certificate is required, shall contain a provision that "the original contract price and any additions thereto, shall be adjusted to exclude any significant sums by which the Board determines the contract price was increased due to inaccurate, incomplete, or noncurrent wage rates and other factual unit costs."
- (c) Should the District be unable to negotiate a satisfactory agreement with the firm determined to be the most qualified at a price deemed by the District to be fair, competitive, and reasonable, then negotiations with that firm shall be terminated and the District shall immediately begin negotiations with the second most qualified firm. If a satisfactory agreement with the second firm cannot be reached, those negotiations shall be terminated and negotiations with the third most qualified firm shall be undertaken.
- (d) Should the District be unable to negotiate a satisfactory agreement with one of the top three (3) ranked consultants, additional firms shall be selected by the District, in order of their competence and qualifications. Negotiations shall continue, beginning with the first-named firm on the list, until an agreement is reached or the list of firms is exhausted.

(6) Contracts; Public Records. In accordance with Florida law, each contract entered into pursuant to this Rule shall include provisions required by law that require the contractor to comply with public records laws.

- (7) Continuing Contract. Nothing in this Rule shall prohibit a Continuing Contract between a consultant and the District.
- (8) Emergency Purchase. The District may make an Emergency Purchase without complying with these Rules. The fact that an Emergency Purchase has occurred or is necessary shall be noted in the minutes of the next Board meeting.

**Specific Authority:** §§ 190.011(5), 190.011(15), Fla. Stat.

**Law Implemented:** §§ 119.0701, 190.011(3), 190.033, 287.055, Fla. Stat.

### **Rule 3.2      Procedure Regarding Auditor Selection.**

In order to comply with the requirements of Section 218.391 of the Florida Statutes, the following procedures are outlined for selection of firms or individuals to provide Auditing Services and for the negotiation of such contracts. For audits required under Chapter 190 of the Florida Statutes but not meeting the thresholds of Chapter 218 of the Florida Statutes, the District need not follow these procedures but may proceed with the selection of a firm or individual to provide Auditing Services and for the negotiation of such contracts in the manner the Board determines is in the best interests of the District.

(1)    Definitions.

- (a)    "Auditing Services" means those services within the scope of the practice of a certified public accounting firm licensed under Chapter 473 of the Florida Statutes, and qualified to conduct audits in accordance with government auditing standards as adopted by the Florida Board of Accountancy.
- (b)    "Committee" means the auditor selection committee appointed by the Board as described in section (2) of this Rule.

(2)    Establishment of Auditor Selection Committee. Prior to a public announcement under section (4) of this Rule that Auditing Services are required, the Board shall establish an auditor selection committee ("Committee"), the primary purpose of which is to assist the Board in selecting an auditor to conduct the annual financial audit required by Section 218.39 of the Florida Statutes. The Committee shall include at least three individuals, at least one of which must also be a member of the Board. The establishment and selection of the Committee must be conducted at a publicly noticed and held meeting of the Board. The Chairperson of the Committee must be a member of the Board. An employee, a chief executive officer, or a chief financial officer of the District may not serve as a member of the Committee; provided however such individual may serve the Committee in an advisory capacity.

(3)    Establishment of Minimum Qualifications and Evaluation Criteria. Prior to a public announcement under section (4) of this Rule that Auditing Services are required, the Committee shall meet at a publicly noticed meeting to establish minimum qualifications and factors to use for the evaluation of Auditing Services to be provided by a certified public accounting firm licensed under Chapter 473 of the Florida Statutes, and qualified to conduct audits in accordance with government auditing standards as adopted by the Florida Board of Accountancy.

- (a)    Minimum Qualifications. In order to be eligible to submit a proposal, a firm must, at all relevant times including the time of receipt of the proposal by the District:



- (i) Hold all required applicable state professional licenses in good standing;
- (ii) Hold all required applicable federal licenses in good standing, if any;
- (iii) Hold a current and active Florida corporate charter or be authorized to do business in the State of Florida in accordance with Chapter 607 of the Florida Statutes, if the proposer is a corporation; and
- (iv) Meet any pre-qualification requirements established by the Committee and set forth in the RFP or other specifications.

If requested in the RFP or other specifications, evidence of compliance with the minimum qualifications as established by the Committee must be submitted with the proposal.

- (b) **Evaluation Criteria.** The factors established for the evaluation of Auditing Services by the Committee shall include, but are not limited to:
  - (i) Ability of personnel;
  - (ii) Experience;
  - (iii) Ability to furnish the required services; and
  - (iv) Such other factors as may be determined by the Committee to be applicable to its particular requirements.

The Committee may also choose to consider compensation as a factor. If the Committee establishes compensation as one of the factors, compensation shall not be the sole or predominant factor used to evaluate proposals.

- (4) **Public Announcement.** After identifying the factors to be used in evaluating the proposals for Auditing Services as set forth in section (3) of this Rule, the Committee shall publicly announce the opportunity to provide Auditing Services. Such public announcement shall include a brief description of the audit and how interested firms can apply for consideration and obtain the RFP. The notice shall appear in at least one (1) newspaper of general circulation in the District and the county in which the District is located. The public announcement shall allow for at least seven (7) days for the submission of proposals.
- (5) **Request for Proposals.** The Committee shall provide interested firms with a Request for Proposals (“RFP”). The RFP shall provide information on how proposals are to be evaluated and such other information the Committee determines

is necessary for the firm to prepare a proposal. The RFP shall state the time and place for submitting proposals.

- (6) Committee's Evaluation of Proposals and Recommendation. The Committee shall meet at a publicly held meeting that is publicly noticed for a reasonable time in advance of the meeting to evaluate all qualified proposals and may, as part of the evaluation, require that each interested firm provide a public presentation where the Committee may conduct discussions with the firm, and where the firm may present information, regarding the firm's qualifications. At the public meeting, the Committee shall rank and recommend in order of preference no fewer than three firms deemed to be the most highly qualified to perform the required services after considering the factors established pursuant to subsection (3)(b) of this Rule. If fewer than three firms respond to the RFP or if no firms respond to the RFP, the Committee shall recommend such firm as it deems to be the most highly qualified. Notwithstanding the foregoing, the Committee may recommend that any and all proposals be rejected.
- (7) Board Selection of Auditor.
  - (a) Where compensation was not selected as a factor used in evaluating the proposals, the Board shall negotiate with the firm ranked first and inquire of that firm as to the basis of compensation. If the Board is unable to negotiate a satisfactory agreement with the first ranked firm at a price deemed by the Board to be fair, competitive, and reasonable, then negotiations with that firm shall be terminated and the Board shall immediately begin negotiations with the second ranked firm. If a satisfactory agreement with the second ranked firm cannot be reached, those negotiations shall be terminated and negotiations with the third ranked firm shall be undertaken. The Board may reopen formal negotiations with any one of the three top-ranked firms, but it may not negotiate with more than one firm at a time. If the Board is unable to negotiate a satisfactory agreement with any of the selected firms, the Committee shall recommend additional firms in order of the firms' respective competence and qualifications. Negotiations shall continue, beginning with the first-named firm on the list, until an agreement is reached or the list of firms is exhausted.
  - (b) Where compensation was selected as a factor used in evaluating the proposals, the Board shall select the highest-ranked qualified firm or document in its public records the reason for not selecting the highest-ranked qualified firm.
  - (c) In negotiations with firms under this Rule, the Board may allow the District Manager, District Counsel, or other designee to conduct negotiations on its behalf.

- (d) Notwithstanding the foregoing, the Board may reject any or all proposals. The Board shall not consider any proposal, or enter into any contract for Auditing Services, unless the proposed agreed-upon compensation is reasonable to satisfy the requirements of Section 218.39 of the Florida Statutes, and the needs of the District.
- (8) Contract. Any agreement reached under this Rule shall be evidenced by a written contract, which may take the form of an engagement letter signed and executed by both parties. The written contract shall include all provisions and conditions of the procurement of such services and shall include, at a minimum, the following:
  - (a) A provision specifying the services to be provided and fees or other compensation for such services;
  - (b) A provision requiring that invoices for fees or other compensation be submitted in sufficient detail to demonstrate compliance with the terms of the contract;
  - (c) A provision setting forth deadlines for the auditor to submit a preliminary draft audit report to the District for review and to submit a final audit report no later than June 30 of the fiscal year that follows the fiscal year for which the audit is being conducted;
  - (d) A provision specifying the contract period, including renewals, and conditions under which the contract may be terminated or renewed. The maximum contract period including renewals shall be five (5) years. A renewal may be done without the use of the auditor selection procedures provided in this Rule but must be in writing.
  - (e) Provisions required by law that require the auditor to comply with public records laws.
- (9) Notice of Award. Once a negotiated agreement with a firm or individual is reached, or the Board authorizes the execution of an agreement with a firm where compensation was a factor in the evaluation of proposals, notice of the intent to award, including the rejection of some or all proposals, shall be provided in writing to all proposers by United States Mail, hand delivery, facsimile, or overnight delivery service. The notice shall include the following statement: "Failure to file a protest within the time prescribed in Rule 3.11 of the Rules of the District shall constitute a waiver of proceedings under those Rules," or wording to that effect. Protests regarding the award of contracts under this Rule shall be as provided for in Rule 3.11. No proposer shall be entitled to recover any costs of proposal preparation or submittal from the District.

**Specific Authority:** §§ 190.011(5), 190.011(15), Fla. Stat.  
**Law Implemented:** §§ 119.0701, 218.33, 218.391, Fla. Stat.

### **Rule 3.3      Purchase of Insurance.**

- (1) Scope. The purchases of life, health, accident, hospitalization, legal expense, or annuity insurance, or all of any kinds of such insurance for the officers and employees of the District, and for health, accident, hospitalization, and legal expenses upon a group insurance plan by the District, shall be governed by this Rule. This Rule does not apply to the purchase of any other type of insurance by the District, including but not limited to liability insurance, property insurance, and directors and officers insurance. Nothing in this Rule shall require the District to purchase insurance.
- (2) Procedure. For a purchase of insurance within the scope of these Rules, the following procedure shall be followed:
  - (a) The Board shall cause to be prepared a Notice of Invitation to Bid.
  - (b) Notice of the Invitation to Bid shall be advertised at least once in a newspaper of general circulation within the District. The notice shall allow at least fourteen (14) days for submittal of bids.
  - (c) The District may maintain a list of persons interested in receiving notices of Invitations to Bid. The District shall make reasonable efforts to provide copies of any notices to such persons, but the failure to do so shall not give such consultants any bid protest or other rights or otherwise disqualify any otherwise valid procurement process.
  - (d) Bids shall be opened at the time and place noted in the Invitation to Bid.
  - (e) If only one (1) response to an Invitation is received, the District may proceed with the purchase. If no response to an Invitation to Bid is received, the District may take whatever steps are reasonably necessary in order to proceed with the purchase.
  - (f) The Board has the right to reject any and all bids and such reservations shall be included in all solicitations and advertisements.
  - (g) Simultaneously with the review of the submitted bids, the District may undertake negotiations with those companies that have submitted reasonable and timely bids and, in the opinion of the District, are fully qualified and capable of meeting all services and requirements. Bid responses shall be evaluated in accordance with the specifications and criteria contained in the Invitation to Bid; in addition, the total cost to the District, the cost, if any, to the District officers, employees, or their dependents, the geographic location of the company's headquarters and offices in relation to the District, and the ability of the company to guarantee premium stability may be considered. A contract to purchase insurance

shall be awarded to that company whose response to the Invitation to Bid best meets the overall needs of the District, its officers, employees, and/or dependents.

- (h) Notice of the intent to award, including rejection of some or all bids, shall be provided in writing to all bidders by United States Mail, by hand delivery, or by overnight delivery service. The notice shall include the following statement: "Failure to file a protest within the time prescribed in Rule 3.11 of the Rules of the District shall constitute a waiver of proceedings under those Rules," or wording to that effect. Protests of the District's procurement of insurance under this Rule shall be in accordance with the procedures set forth in Rule 3.11.

**Specific Authority:** §§ 190.011(5), 190.011(15), Fla. Stat.

**Law Implemented:** § 112.08, Fla. Stat.

### **Rule 3.4      Pre-qualification**

- (1) Scope. In its discretion, the District may undertake a pre-qualification process in accordance with this Rule for vendors to provide construction services, goods, supplies, and materials, Contractual Services, and maintenance services.
- (2) Procedure. When the District seeks to pre-qualify vendors, the following procedures shall apply:
  - (a) The Board shall cause to be prepared a Request for Qualifications.
  - (b) For construction services exceeding the thresholds described in Section 255.20 of the Florida Statutes, the Board must advertise the proposed pre-qualification criteria and procedures and allow at least seven (7) days notice of the public hearing for comments on such pre-qualification criteria and procedures. At such public hearing, potential vendors may object to such pre-qualification criteria and procedures. Following such public hearing, the Board shall formally adopt pre-qualification criteria and procedures prior to the advertisement of the Request for Qualifications for construction services.
  - (c) The Request for Qualifications shall be advertised at least once in a newspaper of general circulation within the District and within the county in which the District is located. The notice shall allow at least seven (7) days for submittal of qualifications for goods, supplies and materials, Contractual Services, maintenance services, and construction services under two hundred fifty thousand dollars (\$250,000). The notice shall allow at least twenty-one (21) days for submittal of qualifications for construction services estimated to cost over two hundred fifty thousand dollars (\$250,000) and thirty (30) days for construction services estimated to cost over five hundred thousand dollars (\$500,000).
  - (d) The District may maintain lists of persons interested in receiving notices of Requests for Qualifications. The District shall make a good faith effort to provide written notice, by electronic mail, United States Mail, hand delivery, or facsimile, to persons who provide their name and address to the District Manager for inclusion on the list. However, failure of a person to receive the notice shall not invalidate any pre-qualification determination or contract awarded in accordance with these Rules and shall not be a basis for a protest of any pre-qualification determination or contract award.
  - (e) If the District has pre-qualified vendors for a particular category of purchase, at the option of the District, only those persons who have been pre-qualified will be eligible to submit bids, proposals, replies or responses in response to the applicable Invitation to Bid, Request for Proposals, Invitation to Negotiate, or Competitive Solicitation.

- (f) In order to be eligible to submit qualifications, a firm or individual must, at the time of receipt of the qualifications:
  - (i) Hold all required applicable state professional licenses in good standing;
  - (ii) Hold all required applicable federal licenses in good standing, if any;
  - (iii) Hold a current and active Florida corporate charter or be authorized to do business in the State of Florida in accordance with Chapter 607 of the Florida Statutes, if the vendor is a corporation; and
  - (iv) Meet any special pre-qualification requirements set forth in the Request for Qualifications.

Evidence of compliance with these Rules must be submitted with the qualifications if required by the District. Failure to submit evidence of compliance when required may be grounds for rejection of the qualifications.

- (g) Qualifications shall be presented to the Board, or a committee appointed by the Board, for evaluation in accordance with the Request for Qualifications and this Rule. Minor variations in the qualifications may be waived by the Board. A variation is minor if waiver of the variation does not create a competitive advantage or disadvantage of a material nature.
- (h) All vendors determined by the District to meet the pre-qualification requirements shall be pre-qualified. To assure full understanding of the responsiveness to the requirements contained in a Request for Qualifications, discussions may be conducted with qualified vendors. Vendors shall be accorded fair treatment prior to the submittal date with respect to any opportunity for discussion and revision of qualifications. For construction services, any contractor pre-qualified and considered eligible by the Department of Transportation to bid to perform the type of work the project entails shall be presumed to be qualified to perform the project.
- (i) The Board shall have the right to reject all qualifications if there are not enough to be competitive or if rejection is determined to be in the best interest of the District. No vendor shall be entitled to recover any costs of qualification preparation or submittal from the District.
- (j) Notice of intent to pre-qualify, including rejection of some or all qualifications, shall be provided in writing to all vendors by United States Mail, electronic mail, hand delivery, facsimile, or overnight delivery service. The notice

shall include the following statement: "Failure to file a protest within the time prescribed in Rule 3.11 of the Rules of the District shall constitute a waiver of proceedings under those Rules," or wording to that effect. Protests of the District's pre-qualification decisions under this Rule shall be in accordance with the procedures set forth in Rule 3.11; provided however, protests related to the pre-qualification criteria and procedures for construction services shall be resolved in accordance with section (2)(b) of this Rule and Section 255.20(1)(b) of the Florida Statutes.

(3) Suspension, Revocation, or Denial of Qualification

(a) The District, for good cause, may deny, suspend, or revoke a prequalified vendor's pre-qualified status. A suspension, revocation, or denial for good cause shall prohibit the vendor from bidding on any District construction contract for which qualification is required, shall constitute a determination of non-responsibility to bid on any other District construction or maintenance contract, and shall prohibit the vendor from acting as a material supplier or subcontractor on any District contract or project during the period of suspension, revocation, or denial. Good cause shall include the following:

- i. One of the circumstances specified under Section 337.16(2), Fla. Stat., has occurred.
- ii. Affiliated contractors submitted more than one proposal for the same work. In this event the pre-qualified status of all of the affiliated bidders will be revoked, suspended, or denied. All bids of affiliated bidders will be rejected.
- iii. The vendor made or submitted false, deceptive, or fraudulent statements, certifications, or materials in any claim for payment or any information required by any District contract.
- iv. The vendor or its affiliate defaulted on any contract or a contract surety assumed control of financial responsibility for any contract of the vendor.
- v. The vendor's qualification to bid is suspended, revoked, or denied by any other public or semi-public entity, or the vendor has been the subject of a civil enforcement proceeding or settlement involving a public or semi-public entity.
- vi. The vendor failed to comply with contract or warranty requirements or failed to follow District direction in the performance of a contract.
- vii. The vendor failed to timely furnish all contract documents required by the contract specifications, special provisions, or by any state or federal statutes or regulations. If the vendor fails to furnish any of the subject contract documents by the expiration of the period of suspension,



revocation, or denial set forth above, the vendor's pre-qualified status shall remain suspended, revoked, or denied until the documents are furnished.

- viii. The vendor failed to notify the District within 10 days of the vendor, or any of its affiliates, being declared in default or otherwise not completing work on a contract or being suspended from qualification to bid or denied qualification to bid by any other public or semi-public agency.
  - ix. The vendor did not pay its subcontractors or suppliers in a timely manner or in compliance with contract documents.
  - x. The vendor has demonstrated instances of poor or unsatisfactory performance, deficient management resulting in project delay, poor quality workmanship, a history of payment of liquidated damages, untimely completion of projects, uncooperative attitude, contract litigation, inflated claims or defaults.
  - xi. An affiliate of the vendor has previously been determined by the District to be non-responsible, and the specified period of suspension, revocation, denial, or non-responsibility remains in effect.
  - xii. The vendor or affiliate(s) has been convicted of a contract crime.
    - 1. The term "contract crime" means any violation of state or federal antitrust laws with respect to a public contract or any violation of any state or federal law involving fraud, bribery, collusion, conspiracy, or material misrepresentation with respect to a public contract.
    - 2. The term "convicted" or "conviction" means a finding of guilt or a conviction of a contract crime, with or without an adjudication of guilt, in any federal or state trial court of record as a result of a jury verdict, nonjury trial, or entry of a plea of guilty or nolo contendere.
- (b) A denial, suspension, or revocation shall prohibit the vendor from being a subcontractor on District work during the period of denial, suspension, or revocation, except when a prime contractor's bid has used prices of a subcontractor who becomes disqualified after the bid, but before the request for authorization to sublet is presented.
- (c) The District shall inform the vendor in writing of its intent to deny, suspend, or revoke its pre-qualified status and inform the vendor of its right to a hearing, the procedure which must be followed, and the applicable time limits. If a hearing is requested within 10 days after the receipt of the notice of intent, the

hearing shall be held within 30 days after receipt by the District of the request for the hearing. The decision shall be issued within 15 days after the hearing.

- (d) Such suspension or revocation shall not affect the vendor's obligations under any preexisting contract.
- (e) In the case of contract crimes, the vendor's pre-qualified status under this Rule shall be revoked indefinitely. For all violations of Rule 3.4(3)(a) other than for the vendor's conviction for contract crimes, the revocation, denial, or suspension of a vendor's pre-qualified status under this Rule shall be for a specific period of time based on the seriousness of the deficiency.

Examples of factors affecting the seriousness of a deficiency are:

- i. Impacts on project schedule, cost, or quality of work;
- ii. Unsafe conditions allowed to exist;
- iii. Complaints from the public;
- iv. Delay or interference with the bidding process;
- v. The potential for repetition;
- vi. Integrity of the public contracting process;
- vii. Effect on the health, safety, and welfare of the public.

**Specific Authority:** §§ 190.011(5), 190.011(15), Fla. Stat.  
**Law Implemented:** §§ 190.033, 255.0525, 255.20, Fla. Stat.

**Rule 3.5      Construction Contracts, Not Design-Build.**

- (1) Scope. All contracts for the construction or improvement of any building, structure, or other public construction works authorized by Chapter 190 of the Florida Statutes, the costs of which are estimated by the District in accordance with generally accepted cost accounting principles to be in excess of the threshold amount for applicability of Section 255.20 of the Florida Statutes, as that amount may be indexed or amended from time to time, shall be let under the terms of these Rules and the procedures of Section 255.20 of the Florida Statutes, as the same may be amended from time to time. A project shall not be divided solely to avoid the threshold bidding requirements.
- (2) Procedure. When a purchase of construction services is within the scope of this Rule, the following procedures shall apply:
  - (a) The Board shall cause to be prepared an Invitation to Bid, Request for Proposals, Invitation to Negotiate, or Competitive Solicitation.
  - (b) Notice of the Invitation to Bid, Request for Proposals, Invitation to Negotiate, or Competitive Solicitation shall be advertised at least once in a newspaper of general circulation in the District and in the county in which the District is located. The notice shall also include the amount of the bid bond, if one is required. The notice shall allow at least twenty-one (21) days for submittal of sealed bids, proposals, replies, or responses, unless the Board, for good cause, determines a shorter period of time is appropriate. Any project projected to cost more than five hundred thousand dollars (\$500,000) must be noticed at least thirty (30) days prior to the date for submittal of bids, proposals, replies, or responses. If the Board has previously pre-qualified contractors pursuant to Rule 3.4 and determined that only the contractors that have been pre-qualified will be permitted to submit bids, proposals, replies, and responses, the Notice of Invitation to Bid, Request for Proposals, Invitation to Negotiate, or Competitive Solicitation need not be published. Instead, the Notice of Invitation to Bid, Request for Proposals, Invitation to Negotiate, or Competitive Solicitation shall be sent to the pre-qualified contractors by United States Mail, hand delivery, facsimile, or overnight delivery service.
  - (c) The District may maintain lists of persons interested in receiving notices of Invitations to Bid, Requests for Proposals, Invitations to Negotiate, and Competitive Solicitations. The District shall make a good faith effort to provide written notice, by electronic mail, United States Mail, hand delivery, or facsimile, to persons who provide their name and address to the District Manager for inclusion on the list. However, failure of a person to receive the notice shall not invalidate any contract awarded in accordance with this Rule and shall not be a basis for a protest of any contract award.

- (d) If the District has pre-qualified providers of construction services, then, at the option of the District, only those persons who have been pre-qualified will be eligible to submit bids, proposals, replies, or responses to Invitations to Bid, Requests for Proposals, Invitations to Negotiate, and Competitive Solicitations.
- (e) In order to be eligible to submit a bid, proposal, reply, or response, a firm or individual must, at the time of receipt of the bids, proposals, replies, or responses:
  - (i) Hold all required applicable state professional licenses in good standing;
  - (ii) Hold all required applicable federal licenses in good standing, if any;
  - (iii) Hold a current and active Florida corporate charter or be authorized to do business in the State of Florida in accordance with Chapter 607 of the Florida Statutes, if the bidder is a corporation; and
  - (iv) Meet any special pre-qualification requirements set forth in the Invitation to Bid, Request for Proposals, Invitation to Negotiate, or Competitive Solicitation.

Any contractor that has been found guilty by a court of any violation of federal labor or employment tax laws regarding subjects including but not limited to, reemployment assistance, safety, tax withholding, worker's compensation, unemployment tax, social security and Medicare tax, wage or hour, or prevailing rate laws within the past 5 years may be considered ineligible by the District to submit a bid, response, or proposal for a District project.

Evidence of compliance with these Rules must be submitted with the bid, proposal, reply, or response, if required by the District. Failure to submit evidence of compliance when required may be grounds for rejection of the bid, proposal, reply, or response.

- (f) Bids, proposals, replies, and responses, or the portions of which that include the price, shall be publicly opened at a meeting noticed in accordance with Rule 1.3, and at which at least one district representative is present. The name of each bidder and the price submitted in the bid shall be announced at such meeting and shall be made available upon request. Minutes should be taken at the meeting and maintained by the District. Bids, proposals, replies, and responses shall be evaluated in accordance with the respective Invitation to Bid, Request for Proposals, Invitation to Negotiate, or Competitive Solicitation and these Rules. Minor variations in the bids,

proposals, replies, or responses may be waived by the Board. A variation is minor if waiver of the variation does not create a competitive advantage or disadvantage of a material nature. Mistakes in arithmetic extension of pricing may be corrected by the Board. Bids and proposals may not be modified or supplemented after opening; provided however, additional information may be requested and/or provided to evidence compliance, make non-material modifications, clarifications, or supplementations, and as otherwise permitted by Florida law.

- (g) The lowest Responsive Bid submitted by a Responsive and Responsible Bidder in response to an Invitation to Bid shall be accepted. In relation to a Request for Proposals, Invitation to Negotiate, or Competitive Solicitation, the Board shall select the Responsive Proposal, Reply, or Response submitted by a Responsive and Responsible Vendor which is most advantageous to the District. To assure full understanding of the responsiveness to the solicitation requirements contained in a Request for Proposals, Invitation to Negotiate, or Competitive Solicitation, discussions may be conducted with qualified vendors. Vendors shall be accorded fair treatment prior to the submittal date with respect to any opportunity for discussion, preparation, and revision of bids, proposals, replies, and responses.
- (h) The Board shall have the right to reject all bids, proposals, replies, or responses because they exceed the amount of funds budgeted for the purchase, if there are not enough to be competitive, or if rejection is determined to be in the best interest of the District. No contractor shall be entitled to recover any costs of bid, proposal, response, or reply preparation or submittal from the District.
- (i) The Board may require potential contractors to furnish bid bonds, performance bonds, and/or other bonds with a responsible surety to be approved by the Board.
- (j) Notice of intent to award, including rejection of some or all bids, proposals, replies, or responses, shall be provided in writing to all contractors by United States Mail, hand delivery, facsimile, or overnight delivery service. The notice shall include the following statement: "Failure to file a protest within the time prescribed in Rule 3.11 of the Rules of the District shall constitute a waiver of proceedings under those Rules," or wording to that effect. Protests of the District's purchase of construction services under this Rule shall be in accordance with the procedures set forth in Rule 3.11.
- (k) If less than three (3) Responsive Bids, Proposals, Replies, or Responses are received, the District may purchase construction services or may reject the bids, proposals, replies, or responses for a lack of competitiveness. If no Responsive Bid, Proposal, Reply, or Response is received, the District may

proceed with the procurement of construction services, in the manner the Board determines is in the best interests of the District, which may include but is not limited to a direct purchase of the construction services without further competitive selection processes.

- (3) Sole Source; Government. Construction services that are only available from a single source are exempt from this Rule. Construction services provided by governmental agencies are exempt from this Rule. This Rule shall not apply to the purchase of construction services, which may include goods, supplies, or materials, that are purchased under a federal, state, or local government contract that has been competitively procured by such federal, state, or local government in a manner consistent with the material procurement requirements of these Rules. A contract for construction services is exempt from this Rule if state or federal law prescribes with whom the District must contract or if the rate of payment is established during the appropriation process.
- (4) Contracts; Public Records. In accordance with Florida law, each contract entered into pursuant to this Rule shall include provisions required by law that require the contractor to comply with public records laws.
- (5) Emergency Purchases. The District may make an Emergency Purchase without complying with these rules. The fact that an Emergency Purchase has occurred or is necessary shall be noted in the minutes of the next Board Meeting.
- (6) Exceptions. This Rule is inapplicable when:
  - (a) The project is undertaken as repair or maintenance of an existing public facility;
  - (b) The funding source of the project will be diminished or lost because the time required to competitively award the project after the funds become available exceeds the time within which the funding source must be spent;
  - (c) The District has competitively awarded a project and the contractor has abandoned the project or the District has terminated the contract; or
  - (d) The District, after public notice, conducts a public meeting under Section 286.011 of the Florida Statutes, and finds by a majority vote of the Board that it is in the public's best interest to perform the project using its own services, employees, and equipment.

**Specific Authority:** §§ 190.011(5), 190.011(15), Fla. Stat.

**Law Implemented:** §§ 119.0701, 189.053, 190.033, 255.0518, 255.0525, 255.20, 287.055, Fla. Stat.

**Rule 3.6 Construction Contracts, Design-Build.**

- (1) Scope. The District may utilize Design-Build Contracts for any public construction project for which the Board determines that use of such contract is in the best

interest of the District. When letting a Design-Build Contract, the District shall use the following procedure:

(2) Procedure.

- (a) The District shall utilize a Design Criteria Professional meeting the requirements of Section 287.055(2)(k) of the Florida Statutes, when developing a Design Criteria Package, evaluating the proposals and qualifications submitted by Design-Build Firms, and determining compliance of the project construction with the Design Criteria Package. The Design Criteria Professional may be an employee of the District, may be the District Engineer selected by the District pursuant to Section 287.055 of the Florida Statutes, or may be retained pursuant to Rule 3.1. The Design Criteria Professional is not eligible to render services under a Design-Build Contract executed pursuant to the Design Criteria Package.
- (b) A Design Criteria Package for the construction project shall be prepared and sealed by the Design Criteria Professional. If the project utilizes existing plans, the Design Criteria Professional shall create a Design Criteria Package by supplementing the plans with project specific requirements, if any.
- (c) The Board may either choose to award the Design-Build Contract pursuant to the competitive proposal selection process set forth in Section 287.055(9) of the Florida Statutes, or pursuant to the qualifications-based selection process pursuant to Rule 3.1.
  - (i) Qualifications-Based Selection. If the process set forth in Rule 3.1 is utilized, subsequent to competitive negotiations, a guaranteed maximum price and guaranteed completion date shall be established.
  - (ii) Competitive Proposal-Based Selection. If the competitive proposal selection process is utilized, the Board, in consultation with the Design Criteria Professional, shall establish the criteria, standards and procedures for the evaluation of Design-Build Proposals based on price, technical, and design aspects of the project, weighted for the project. After a Design Criteria Package and the standards and procedures for evaluation of proposals have been developed, competitive proposals from qualified firms shall be solicited pursuant to the design criteria by the following procedure:
    - 1. A Request for Proposals shall be advertised at least once in a newspaper of general circulation in the county in which the District is located. The notice shall allow at least twenty-one (21) days for submittal of sealed proposals, unless the Board,

for good cause, determines a shorter period of time is appropriate. Any project projected to cost more than five hundred thousand dollars (\$500,000) must be noticed at least thirty (30) days prior to the date for submittal of proposals.

2. The District may maintain lists of persons interested in receiving notices of Requests for Proposals. The District shall make a good faith effort to provide written notice, by electronic mail, United States Mail, hand delivery, or facsimile, to persons who provide their name and address to the District Manager for inclusion on the list. However, failure of a person to receive the notice shall not invalidate any contract awarded in accordance with this Rule and shall not be a basis for a protest of any contract award.
3. In order to be eligible to submit a proposal, a firm must, at the time of receipt of the proposals:
  - a. Hold the required applicable state professional licenses in good standing, as defined by Section 287.055(2)(h) of the Florida Statutes;
  - b. Hold all required applicable federal licenses in good standing, if any;
  - c. Hold a current and active Florida corporate charter or be authorized to do business in the State of Florida in accordance with Chapter 607 of the Florida Statutes, if the proposer is a corporation;
  - d. Meet any special pre-qualification requirements set forth in the Request for Proposals and Design Criteria Package.

Any contractor that has been found guilty by a court of any violation of federal labor or employment tax laws regarding subjects including but not limited to reemployment assistance, safety, tax withholding, worker's compensation, unemployment tax, social security and Medicare tax, wage or hour, or prevailing rate laws within the past 5 years may be considered ineligible by the District to submit a bid, response, or proposal for a District project.

Evidence of compliance with these Rules must be submitted with the proposal if required by the District. Failure to



submit evidence of compliance when required may be grounds for rejection of the proposal.

4. The proposals, or the portions of which that include the price, shall be publicly opened at a meeting noticed in accordance with Rule 1.3, and at which at least one district representative is present. The name of each bidder and the price submitted in the bid shall be announced at such meeting and shall be made available upon request. Minutes should be taken at the meeting and maintained by the District. In consultation with the Design Criteria Professional, the Board shall evaluate the proposals received based on evaluation criteria and procedures established prior to the solicitation of proposals, including but not limited to qualifications, availability, and past work of the firms and the partners and members thereof. The Board shall then select no fewer than three (3) Design-Build Firms as the most qualified.
5. The Board shall have the right to reject all proposals if the proposals are too high, or rejection is determined to be in the best interest of the District. No vendor shall be entitled to recover any costs of proposal preparation or submittal from the District.
6. If less than three (3) Responsive Proposals are received, the District may purchase design-build services or may reject the proposals for lack of competitiveness. If no Responsive Proposals are received, the District may proceed with the procurement of design-build services in the manner the Board determines is in the best interests of the District, which may include but is not limited to a direct purchase of the design-build services without further competitive selection processes.
7. Notice of the rankings adopted by the Board, including the rejection of some or all proposals, shall be provided in writing to all consultants by United States Mail, hand delivery, facsimile, or overnight delivery service. The notice shall include the following statement: "Failure to file a protest within the time prescribed in Rule 3.11 of the Rules of the District shall constitute a waiver of proceedings under those Rules," or wording to that effect. Protests of the District's rankings under this Rule shall be in accordance with the procedures set forth in Rule 3.11.

8. The Board shall negotiate a contract with the firm ranking the highest based on the evaluation standards and shall establish a price which the Board determines is fair, competitive and reasonable. Should the Board be unable to negotiate a satisfactory contract with the firm considered to be the most qualified at a price considered by the Board to be fair, competitive, and reasonable, negotiations with that firm must be terminated. The Board shall then undertake negotiations with the second most qualified firm, based on the ranking by the evaluation standards. Should the Board be unable to negotiate a satisfactory contract with the firm considered to be the second most qualified at a price considered by the Board to be fair, competitive, and reasonable, negotiations with that firm must be terminated. The Board shall then undertake negotiations with the third most qualified firm. Should the Board be unable to negotiate a satisfactory contract with the firm considered to be the third most qualified at a price considered by the Board to be fair, competitive, and reasonable, negotiations with that firm must be terminated. Should the Board be unable to negotiate a satisfactory contract with any of the selected firms, the Board shall select additional firms in order of their rankings based on the evaluation standards and continue negotiations until an agreement is reached or the list of firms is exhausted.
  9. After the Board contracts with a firm, the firm shall bring to the Board for approval, detailed working drawings of the project.
  10. The Design Criteria Professional shall evaluate the compliance of the detailed working drawings and project construction with the Design Criteria Package and shall provide the Board with a report of the same.
- (3) Contracts; Public Records. In accordance with Florida law, each contract entered into pursuant to this Rule shall include provisions required by law that require the contractor to comply with public records laws.
  - (4) Emergency Purchase. The Board may, in case of public emergency, declare an emergency and immediately proceed with negotiations with the best qualified Design-Build Firm available at the time. The fact that an Emergency Purchase has occurred shall be noted in the minutes of the next Board meeting.
  - (5) Exceptions. This Rule is inapplicable when:

- (a) The project is undertaken as repair or maintenance of an existing public facility;
- (b) The funding source of the project will be diminished or lost because the time required to competitively award the project after the funds become available exceeds the time within which the funding source must be spent;
- (c) The District has competitively awarded a project and the contractor has abandoned the project or the District has terminated the contractor; or
- (d) The District, after public notice, conducts a public meeting under Section 286.011 of the Florida Statutes, and finds by a majority vote of the Board that it is in the public's best interest to perform the project using its own services, employees, and equipment.

**Specific Authority:** §§ 190.011(5), 190.011(15), Fla. Stat.

**Law Implemented:** §§ 119.0701, 189.053, 190.033, 255.0518, 255.0525, 255.20, 287.055, Fla. Stat.

**Rule 3.7      Payment and Performance Bonds.**

- (1)    Scope. This Rule shall apply to contracts for the construction of a public building, for the prosecution and completion of a public work, or for repairs upon a public building or public work and shall be construed in addition to terms prescribed by any other Rule that may also apply to such contracts.
- (2)    Required Bond. Upon entering into a contract for any of the services described in section (1) of this Rule in excess of \$200,000, the Board should require that the contractor, before commencing the work, execute and record a payment and performance bond in an amount equal to the contract price. Notwithstanding the terms of the contract or any other law, the District may not make payment to the contractor until the contractor has provided to the District a certified copy of the recorded bond.
- (3)    Discretionary Bond. At the discretion of the Board, upon entering into a contract for any of the services described in section (1) of this Rule for an amount not exceeding \$200,000, the contractor may be exempted from executing a payment and performance bond.

**Specific Authority:** §§ 190.011(5), 190.011(15), Fla. Stat.

**Law Implemented:** § 255.05, Fla. Stat.

**Rule 3.8      Goods, Supplies, and Materials.**

- (1) Purpose and Scope. All purchases of goods, supplies, or materials exceeding the amount provided in Section 287.017 of the Florida Statutes, for CATEGORY FOUR, shall be purchased under the terms of this Rule. Contracts for purchases of “goods, supplies, and materials” do not include printing, insurance, advertising, or legal notices. A contract involving goods, supplies, or materials plus maintenance services may, in the discretion of the Board, be treated as a contract for maintenance services. However, a purchase shall not be divided solely in order to avoid the threshold bidding requirements.
- (2) Procedure. When a purchase of goods, supplies, or materials is within the scope of this Rule, the following procedures shall apply:
  - (a) The Board shall cause to be prepared an Invitation to Bid, Request for Proposals, Invitation to Negotiate, or Competitive Solicitation.
  - (b) Notice of the Invitation to Bid, Request for Proposals, Invitation to Negotiate, or Competitive Solicitation shall be advertised at least once in a newspaper of general circulation within the District and within the county in which the District is located. The notice shall also include the amount of the bid bond, if one is required. The notice shall allow at least seven (7) days for submittal of bids, proposals, replies, or responses.
  - (c) The District may maintain lists of persons interested in receiving notices of Invitations to Bid, Requests for Proposals, Invitations to Negotiate, or Competitive Solicitations. The District shall make a good faith effort to provide written notice, by electronic mail, United States Mail, hand delivery, or facsimile, to persons who provide their name and address to the District Manager for inclusion on the list. However, failure of a person to receive the notice shall not invalidate any contract awarded in accordance with this Rule and shall not be a basis for a protest of any contract award.
  - (d) If the District has pre-qualified suppliers of goods, supplies, and materials, then, at the option of the District, only those persons who have been pre-qualified will be eligible to submit bids, proposals, replies, or responses.
  - (e) In order to be eligible to submit a bid, proposal, reply, or response, a firm or individual must, at the time of receipt of the bids, proposals, replies, or responses:
    - (i) Hold all required applicable state professional licenses in good standing;
    - (ii) Hold all required applicable federal licenses in good standing, if any;

- (iii) Hold a current and active Florida corporate charter or be authorized to do business in the State of Florida in accordance with Chapter 607 of the Florida Statutes, if the vendor is a corporation; and
- (iv) Meet any special pre-qualification requirements set forth in the Invitation to Bid, Request for Proposals, Invitation to Negotiate, or Competitive Solicitation.

Evidence of compliance with these Rules must be submitted with the bid, proposal, reply or response if required by the District. Failure to submit evidence of compliance when required may be grounds for rejection of the bid, proposal, reply, or response.

Any firm or individual whose principal place of business is outside the State of Florida must also submit a written opinion of an attorney at law licensed to practice law in that foreign state, as to the preferences, if any or none, granted by the law of that foreign state to business entities whose principal places of business are in that foreign state, in the letting of any or all public contracts. Failure to submit such a written opinion or submission of a false or misleading written opinion may be grounds for rejection of the bid, proposal, reply, or response.

- (f) Bids, proposals, replies, and responses shall be publicly opened at the time and place noted on the Invitation to Bid, Request for Proposals, Invitation to Negotiate, or Competitive Solicitation. Bids, proposals, replies, and responses shall be evaluated in accordance with the respective Invitation to Bid, Request for Proposals, Invitation to Negotiate, or Competitive Solicitation, and this Rule. Minor variations in the bids, proposals, replies, or responses may be waived by the Board. A variation is minor if waiver of the variation does not create a competitive advantage or disadvantage of a material nature. Mistakes in arithmetic extension of pricing may be corrected by the Board. Bids and proposals may not be modified or supplemented after opening; provided however, additional information may be requested and/or provided to evidence compliance, make non-material modifications, clarifications, or supplementations, and as otherwise permitted by Florida law.
- (g) The lowest Responsive Bid, after taking into account the preferences provided for in this subsection, submitted by a Responsive and Responsible Bidder in response to an Invitation to Bid, Request for Proposals, Invitation to Negotiate, or Competitive Solicitation shall be accepted. If the lowest Responsive Bid is submitted by a Responsive and Responsible Bidder whose principal place of business is located in a foreign state which does not grant a preference in competitive purchase to businesses whose principal place of business are in that foreign state, the lowest Responsible and Responsive Bidder whose principal place of business is in the State of

Florida shall be awarded a preference of five (5) percent. If the lowest Responsive Bid is submitted by a Responsive and Responsible Bidder whose principal place of business is located in a foreign state which grants a preference in competitive purchase to businesses whose principal place of business are in that foreign state, the lowest Responsive and Responsible Bidder whose principal place of business is in the State of Florida shall be awarded a preference equal to the preference granted by such foreign state.

To assure full understanding of the responsiveness to the solicitation requirements contained in an Invitation to Bid, Request for Proposals, Invitation to Negotiate, or Competitive Solicitation, discussions may be conducted with qualified vendors. Vendors shall be accorded fair treatment prior to the submittal date with respect to any opportunity for discussion, preparation, and revision of bids, proposals, replies, and responses.

- (h) The Board shall have the right to reject all bids, proposals, replies, or responses because they exceed the amount of funds budgeted for the purchase, if there are not enough to be competitive, or if rejection is determined to be in the best interest of the District. No vendor shall be entitled to recover any costs of bid, proposal, reply, or response preparation or submittal from the District.
  - (i) The Board may require bidders and proposers to furnish bid bonds, performance bonds, and/or other bonds with a responsible surety to be approved by the Board.
  - (j) Notice of intent to award, including rejection of some or all bids, proposals, replies, or responses shall be provided in writing to all vendors by United States Mail, hand delivery, facsimile, or overnight delivery service. The notice shall include the following statement: "Failure to file a protest within the time prescribed in Rule 3.11 of the Rules of the District shall constitute a waiver of proceedings under those Rules," or wording to that effect. Protests of the District's purchase of goods, supplies, and materials under this Rule shall be in accordance with the procedures set forth in Rule 3.11.
  - (k) If less than three (3) Responsive Bids, Proposals, Replies, or Responses are received, the District may purchase goods, supplies, or materials, or may reject the bids, proposals, replies, or responses for a lack of competitiveness. If no Responsive Bid, Proposal, Reply, or Response is received, the District may proceed with the procurement of goods, supplies, and materials, in the manner the Board determines is in the best interests of the District, which may include but is not limited to a direct purchase of the goods, supplies, and materials without further competitive selection processes.
- (3) Goods, Supplies, and Materials included in a Construction Contract Awarded Pursuant to Rule 3.5 or 3.6. There may be occasions where the District has

undergone the competitive purchase of construction services which contract may include the provision of goods, supplies, or materials. In that instance, the District may approve a change order to the contract and directly purchase the goods, supplies, and materials. Such purchase of goods, supplies, and materials deducted from a competitively purchased construction contract shall be exempt from this Rule.

- (4) Exemption. Goods, supplies, and materials that are only available from a single source are exempt from this Rule. Goods, supplies, and materials provided by governmental agencies are exempt from this Rule. A contract for goods, supplies, or materials is exempt from this Rule if state or federal law prescribes with whom the District must contract or if the rate of payment is established during the appropriation process. This Rule shall not apply to the purchase of goods, supplies or materials that are purchased under a federal, state, or local government contract that has been competitively procured by such federal, state, or local government in a manner consistent with the material procurement requirements of these Rules.
- (5) Renewal. Contracts for the purchase of goods, supplies, and/or materials subject to this Rule may be renewed for a maximum period of five (5) years.
- (6) Emergency Purchases. The District may make an Emergency Purchase without complying with these rules. The fact that an Emergency Purchase has occurred or is necessary shall be noted in the minutes of the next Board meeting.

**Specific Authority:** §§ 190.011(5), 190.011(15), Fla. Stat.

**Law Implemented:** §§ 189.053, 190.033, 287.017, 287.084, Fla. Stat.



**Rule 3.9      Maintenance Services.**

- (1) Scope. All contracts for maintenance of any District facility or project shall be set under the terms of this Rule if the cost exceeds the amount provided in Section 287.017 of the Florida Statutes, for CATEGORY FOUR. A contract involving goods, supplies, and materials plus maintenance services may, in the discretion of the Board, be treated as a contract for maintenance services. However, a purchase shall not be divided solely in order to avoid the threshold bidding requirements.
- (2) Procedure. When a purchase of maintenance services is within the scope of this Rule, the following procedures shall apply:
  - (a) The Board shall cause to be prepared an Invitation to Bid, Request for Proposals, Invitation to Negotiate, or Competitive Solicitation.
  - (b) Notice of the Invitation to Bid, Request for Proposals, Invitation to Negotiate, or Competitive Solicitation shall be advertised at least once in a newspaper of general circulation within the District and within the county in which the District is located. The notice shall also include the amount of the bid bond, if one is required. The notice shall allow at least seven (7) days for submittal of bids, proposals, replies, or responses.
  - (c) The District may maintain lists of persons interested in receiving notices of Invitations to Bid, Requests for Proposals, Invitations to Negotiate, and Competitive Solicitations. The District shall make a good faith effort to provide written notice, by electronic mail, United States Mail, hand delivery, or facsimile, to persons who provide their name and address to the District Manager for inclusion on the list. However, failure of a person to receive the notice shall not invalidate any contract awarded in accordance with this Rule and shall not be a basis for a protest of any contract award.
  - (d) If the District has pre-qualified suppliers of maintenance services, then, at the option of the District, only those persons who have been pre-qualified will be eligible to submit bids, proposals, replies, and responses.
  - (e) In order to be eligible to submit a bid, proposal, reply, or response, a firm or individual must, at the time of receipt of the bids, proposals, replies, or responses:
    - (i) Hold all required applicable state professional licenses in good standing;
    - (ii) Hold all required applicable federal licenses in good standing, if any;

- (iii) Hold a current and active Florida corporate charter or be authorized to do business in the State of Florida in accordance with Chapter 607 of the Florida Statutes, if the vendor is a corporation; and
- (iv) Meet any special pre-qualification requirements set forth in the Invitation to Bid, Request for Proposals, Invitation to Negotiate, or Competitive Solicitation.

Evidence of compliance with these Rules must be submitted with the bid, proposal, reply, or response if required by the District. Failure to submit evidence of compliance when required may be grounds for rejection of the bid, proposal, reply, or response.

- (f) Bids, proposals, replies, and responses shall be publicly opened at the time and place noted on the Invitation to Bid, Request for Proposals, Invitation to Negotiate, or Competitive Solicitation. Bids, proposals, replies, and responses shall be evaluated in accordance with the respective Invitation to Bid, Request for Proposals, Invitation to Negotiate, or Competitive Solicitation, and these Rules. Minor variations in the bids, proposals, replies, and responses may be waived by the Board. A variation is minor if waiver of the variation does not create a competitive advantage or disadvantage of a material nature. Mistakes in arithmetic extension of pricing may be corrected by the Board. Bids and proposals may not be modified or supplemented after opening; provided however, additional information may be requested and/or provided to evidence compliance, make non-material modifications, clarifications, or supplementations, and as otherwise permitted by Florida law.
- (g) The lowest Responsive Bid submitted in response to an Invitation to Bid by a Responsive and Responsible Bidder shall be accepted. In relation to a Request for Proposals, Invitation to Negotiate or Competitive Solicitation the Board shall select the Responsive Proposal, Reply, or Response submitted by a Responsive and Responsible Vendor which is most advantageous to the District. To assure full understanding of the responsiveness to the solicitation requirements contained in a Request for Proposals, Invitation to Negotiate, or Competitive Solicitation, discussions may be conducted with qualified vendors. Vendors shall be accorded fair treatment prior to the submittal date with respect to any opportunity for discussion, preparation, and revision of bids, proposals, replies, or responses.
- (h) The Board shall have the right to reject all bids, proposals, replies, or responses because they exceed the amount of funds budgeted for the purchase, if there are not enough to be competitive, or if rejection is determined to be in the best interest of the District. No Vendor shall be

entitled to recover any costs of bid, proposal, reply, or response preparation or submittal from the District.

- (i) The Board may require bidders and proposers to furnish bid bonds, performance bonds, and/or other bonds with a responsible surety to be approved by the Board.
  - (j) Notice of intent to award, including rejection of some or all bids, proposals, replies, or responses shall be provided in writing to all vendors by United States Mail, hand delivery, facsimile, or overnight delivery service. The notice shall include the following statement: "Failure to file a protest within the time prescribed in Rule 3.11 of the Rules of the District shall constitute a waiver of proceedings under those Rules," or wording to that effect. Protests of the District's procurement of maintenance services under this Rule shall be in accordance with the procedures set forth in Rule 3.11.
  - (k) If less than three (3) Responsive Bids, Proposals, Replies, or Responses are received, the District may purchase the maintenance services or may reject the bids, proposals, replies, or responses for a lack of competitiveness. If no Responsive Bid, Proposal, Reply, or Response is received, the District may proceed with the procurement of maintenance services, in the manner the Board determines is in the best interests of the District, which may include but is not limited to a direct purchase of the maintenance services without further competitive selection processes.
- (3) Exemptions. Maintenance services that are only available from a single source are exempt from this Rule. Maintenance services provided by governmental agencies are exempt from this Rule. A contract for maintenance services is exempt from this Rule if state or federal law prescribes with whom the District must contract or if the rate of payment is established during the appropriation process.
  - (4) Renewal. Contracts for the purchase of maintenance services subject to this Rule may be renewed for a maximum period of five (5) years.
  - (5) Contracts; Public Records. In accordance with Florida law, each contract entered into pursuant to this Rule shall include provisions required by law that require the contractor to comply with public records laws.
  - (6) Emergency Purchases. The District may make an Emergency Purchase without complying with these rules. The fact that an Emergency Purchase has occurred or is necessary shall be noted in the minutes of the next Board meeting.

**Specific Authority:** §§ 190.011(5), 190.011(15), 190.033, Fla. Stat.  
**Law Implemented:** §§ 119.0701, 190.033, 287.017, Fla. Stat.

**Rule 3.10 Contractual Services.**

- (1) Exemption from Competitive Purchase. Pursuant to Section 190.033(3) of the Florida Statutes, Contractual Services shall not be subject to competitive purchasing requirements. If an agreement is predominantly for Contractual Services, but also includes maintenance services or the purchase of goods and services, the contract shall not be subject to competitive purchasing requirements. Regardless of whether an advertisement or solicitation for Contractual Services is identified as an Invitation to Bid, Request for Proposals, Invitation to Negotiate, or Competitive Solicitation, no rights or remedies under these Rules, including but not limited to protest rights, are conferred on persons, firms, or vendors proposing to provide Contractual Services to the District.
- (2) Contracts; Public Records. In accordance with Florida law, each contract for Contractual Services shall include provisions required by law that require the contractor to comply with public records laws.

**Specific Authority:** §§ 190.011(5), 190.011(15), Fla. Stat.

**Law Implemented:** §§ 119.0701, 190.011(3), 190.033, Fla. Stat.

**Rule 3.11      Protests with Respect to Proceedings under Rules 3.1, 3.2, 3.3, 3.4, 3.5, 3.6, 3.8, and 3.9.**

The resolution of any protests with respect to proceedings under Rules 3.1, 3.2, 3.3, 3.4, 3.5, 3.6, 3.8, and 3.9 shall be in accordance with this Rule.

(1)      Filing.

- (a)      With respect to a protest regarding qualifications, specifications, documentation, or other requirements contained in a Request for Qualifications, Request for Proposals, Invitation to Bid, or Competitive Solicitation issued by the District, the notice of protest shall be filed in writing within seventy-two (72) calendar hours (excluding Saturdays, Sundays, and state holidays) after the first advertisement of the Request for Qualifications, Request for Proposals, Invitation to Bid, or Competitive Solicitation. A formal protest setting forth with particularity the facts and law upon which the protest is based shall be filed within seven (7) calendar days (including Saturdays, Sundays, and state holidays) after the initial notice of protest was filed. For purposes of this Rule, wherever applicable, filing will be perfected and deemed to have occurred upon receipt by the District. Failure to file a notice of protest shall constitute a waiver of all rights to protest the District's intended decision. Failure to file a formal written protest shall constitute an abandonment of the protest proceedings and shall automatically terminate the protest proceedings.
- (b)      Except for those situations covered by subsection (1)(a) of this Rule, any firm or person who is affected adversely by a District's ranking or intended award under Rules 3.1, 3.2, 3.3, 3.4, 3.5, 3.6, 3.8, or 3.9 and desires to contest the District's ranking or intended award, shall file with the District a written notice of protest within seventy-two (72) calendar hours (excluding Saturdays, Sundays, and state holidays) after receipt of the notice of the District's ranking or intended award. A formal protest setting forth with particularity the facts and law upon which the protest is based shall be filed within seven (7) calendar days (including Saturdays, Sundays, and state holidays) after the initial notice of protest was filed. For purposes of this Rule, wherever applicable, filing will be perfected and deemed to have occurred upon receipt by the District. Failure to file a notice of protest shall constitute a waiver of all rights to protest the District's ranking or intended award. Failure to file a formal written protest shall constitute an abandonment of the protest proceedings and shall automatically terminate the protest proceedings.
- (c)      If the requirement for the posting of a protest bond and the amount of the protest bond, which may be expressed by a percentage of the contract to be awarded or a set amount, is disclosed in the District's competitive solicitation documents for a particular purchase under Rules 3.1, 3.2, 3.3,

3.4, 3.5, 3.6, 3.8, or 3.9, any person who files a notice of protest must post the protest bond. The amount of the protest bond shall be determined by District staff after consultation with the Board and within the limits, if any, imposed by Florida law. In the event the protest is successful, the protest bond shall be refunded to the protestor. In the event the protest is unsuccessful, the protest bond shall be applied towards the District's costs, expenses, and attorney's fees associated with hearing and defending the protest. In the event the protest is settled by mutual agreement of the parties, the protest bond shall be distributed as agreed to by the District and protestor.

- (d) The District does not accept documents filed by electronic mail or facsimile transmission. Filings are only accepted during normal business hours.
- (2) Contract Execution. Upon receipt of a notice of protest which has been timely filed, the District shall not execute the contract under protest until the subject of the protest is resolved. However, if the District sets forth in writing particular facts and circumstances showing that delay incident to protest proceedings will jeopardize the funding for the project, will materially increase the cost of the project, or will create an immediate and serious danger to the public health, safety, or welfare, the contract may be executed.
- (3) Informal Proceeding. If the Board determines a protest does not involve a disputed issue of material fact, the Board may, but is not obligated to, schedule an informal proceeding to consider the protest. Such informal proceeding shall be at a time and place determined by the Board. Notice of such proceeding shall be sent via facsimile, United States Mail, or hand delivery to the protestor and any substantially affected persons or parties not less than three (3) calendar days prior to such informal proceeding. Within thirty (30) calendar days following the informal proceeding, the Board shall issue a written decision setting forth the factual, legal, and policy grounds for its decision.
- (4) Formal Proceeding. If the Board determines a protest involves disputed issues of material fact or if the Board elects not to use the informal proceeding process provided for in section (3) of this Rule, the District shall schedule a formal hearing to resolve the protest. The Chairperson shall designate any member of the Board (including the Chairperson), District Manager, District Counsel, or other person as a hearing officer to conduct the hearing. The hearing officer may:
  - (a) Administer oaths and affirmations;
  - (b) Rule upon offers of proof and receive relevant evidence;
  - (c) Regulate the course of the hearing, including any pre-hearing matters;
  - (d) Enter orders; and

- (e) Make or receive offers of settlement, stipulation, and adjustment.

The hearing officer shall, within thirty (30) days after the hearing or receipt of the hearing transcript, whichever is later, file a recommended order which shall include a caption, time and place of hearing, appearances entered at the hearing, statement of the issues, findings of fact and conclusions of law, separately stated, and a recommendation for final District action. The District shall allow each party fifteen (15) days in which to submit written exceptions to the recommended order. The District shall issue a final order within sixty (60) days after the filing of the recommended order.

- (5) Intervenors. Other substantially affected persons may join the proceedings as intervenors on appropriate terms which shall not unduly delay the proceedings.
- (6) Rejection of all Qualifications, Bids, Proposals, Replies and Responses after Receipt of Notice of Protest. If the Board determines there was a violation of law, defect, or an irregularity in the competitive solicitation process, the Bids, Proposals, Replies, and Responses are too high, or if the Board determines it is otherwise in the District's best interest, the Board may reject all qualifications, bids, proposals, replies, and responses and start the competitive solicitation process anew. If the Board decides to reject all qualifications, bids, proposals, replies, and responses and start the competitive solicitation process anew, any pending protests shall automatically terminate.
- (7) Settlement. Nothing herein shall preclude the settlement of any protest under this Rule at any time.

**Specific Authority:** §§ 190.011(5), 190.011(15), Fla. Stat.

**Law Implemented:** § 190.033, Fla. Stat.

**Rule 4.0      Effective Date.**

These Rules shall be effective March 20, 2025, except that no election of officers required by these Rules shall be required until after the next regular election for the Board.

**Specific Authority:** §§ 190.011(5), 190.011(15), Fla. Stat.

**Law Implemented:** §§ 190.011(5), 190.011(15), Fla. Stat.



**ORANGE BEND**  
**COMMUNITY DEVELOPMENT DISTRICT**

**8A**

# The Villages® DAILY SUN

Published Daily  
Lady Lake, Florida  
State of Florida  
County Of Lake

Before the undersigned authority personally appeared

**ALLAN LOVELL**

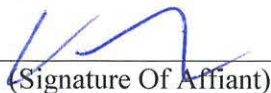
who on oath says that he is Legal Ad Coordinator of the DAILY SUN, a daily newspaper published at Lady Lake in Lake County, Florida with circulation in Lake, Sumter and Marion Counties; that the attached copy of advertisement, being a Legal Ad #1238148

in the matter of **NOTICE OF PUBLIC HEARING** was published in said newspaper in the issue(s) of

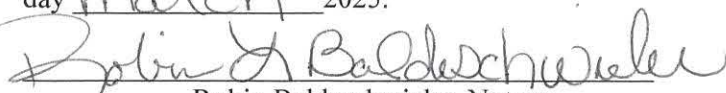
**February 28, 2025**

**March 7, 2025**

Affiant further says that the said Daily Sun is a newspaper published at Lady Lake in said Lake County, Florida, and that the said newspaper has heretofore been continuously published in said Lake County, Florida each week and has been entered as second class mail matter at the post office in Lady Lake, in said Lake County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisements; and affiant further says that he has neither paid nor promised any person, firm, or Corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

  
(Signature Of Affiant)

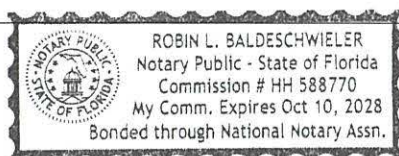
Sworn to and subscribed before me this 7  
day March 2025.

  
Robin Baldeschwieler, Notary

Personally Known \_\_\_\_\_ or

Production Identification \_\_\_\_\_

Type of Identification Produced \_\_\_\_\_



Attach Notice Here

**ORANGE BEND COMMUNITY  
DEVELOPMENT DISTRICT  
NOTICE OF PUBLIC  
HEARING TO CONSIDER THE  
ADOPTION OF THE FISCAL  
YEAR 2025 PROPOSED  
BUDGET(S); AND NOTICE OF  
REGULAR BOARD OF  
SUPERVISORS' MEETING**

The Board of Supervisors ("Board") of the Orange Bend Community Development District ("District") will hold a public hearing and regular meeting as follows:

DATE: March 20, 2025

TIME: 9:00 AM

LOCATION: City of Minneola City Hall

800 N US Highway 27  
Minneola, Florida 34715

The purpose of the public hearing is to receive comments and objections on the adoption of the District's proposed budget(s) for the fiscal year beginning October 1, 2024, and ending September 30, 2025 ("Proposed Budget"). A regular Board meeting of the District will also be held at the above time where the Board may consider any other business that may properly come before it. A copy of the agenda and Proposed Budget may be obtained at the offices of the District Manager, Wrathell, Hunt and Associates, LLC, 2300 Glades Road, Suite 410W, Boca Raton, Florida 33431, Phone (561) 571-0010 ("District Manager's Office"), during normal business hours.

The public hearing and meeting are open to the public and will be conducted in accordance with the provisions of Florida law. The public hearing and/or meeting may be continued in progress to a date, time certain, and place to be specified on the record at the public hearing and/or meeting. There may be occasions when Board Supervisors or District Staff may participate by speaker telephone.

Any person requiring special accommodations at the public hearing or meeting because of a disability or physical impairment should contact the District Manager's Office at least forty-eight (48) hours prior to the public hearing and meeting. If you are hearing or speech impaired, please

contact the Florida Relay Service by dialing 7-1-1, or 1-800-955-8771 (TTY) / 1-800-955-8770 (Voice), for aid in contacting the District Manager's Office.

Each person who decides to appeal any decision made by the Board with respect to any matter considered at the public hearing or meeting is advised that person will need a record of proceedings and that accordingly, the person may need to ensure that a verbatim record of the proceedings is made, including the testimony and evidence upon which such appeal is to be based.

District Manager

**#01238148 February 28, 2025  
March 7, 2025**

**ORANGE BEND**  
**COMMUNITY DEVELOPMENT DISTRICT**

**8B**

**RESOLUTION 2025-34**  
**[FY 2025 APPROPRIATION RESOLUTION]**

**THE ANNUAL APPROPRIATION RESOLUTION OF THE ORANGE BEND COMMUNITY DEVELOPMENT DISTRICT (“DISTRICT”) RELATING TO THE ANNUAL APPROPRIATIONS AND ADOPTING THE BUDGET(S) FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2024, AND ENDING SEPTEMBER 30, 2025; AUTHORIZING BUDGET AMENDMENTS; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, for the fiscal year beginning October 1, 2024, and ending September 30, 2025 (“**FY 2025**”), the District Manager prepared and submitted to the Board of Supervisors (“**Board**”) of the Orange Bend Community Development District (“**District**”) proposed budget(s) (“**Proposed Budget**”) along with an explanatory and complete financial plan for each fund of the District, pursuant to the provisions of Section 190.008(2)(a), *Florida Statutes*; and

**WHEREAS**, at least sixty (60) days prior to the adoption of the Proposed Budget, the District filed a copy of the Proposed Budget with the local general-purpose government(s) having jurisdiction over the area included in the District pursuant to the provisions of Section 190.008(2)(b), *Florida Statutes*; and

**WHEREAS**, the Board set a public hearing on the Proposed Budget and caused notice of such public hearing to be given by publication pursuant to Section 190.008(2)(a), *Florida Statutes*; and

**WHEREAS**, the District Manager will post the Proposed Budget on the District’s website in accordance with Chapter 189, *Florida Statutes*; and

**WHEREAS**, Section 190.008(2)(a), *Florida Statutes*, requires that, prior to October 1<sup>st</sup> of each year, the Board, by passage of the Annual Appropriation Resolution, shall adopt a budget for the ensuing fiscal year and appropriate such sums of money as the Board deems necessary to defray all expenditures of the District during the ensuing fiscal year.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE ORANGE BEND COMMUNITY DEVELOPMENT DISTRICT:**

**SECTION 1. BUDGET**

- a. The Proposed Budget, attached hereto as **Exhibit A**, as amended by the Board, is hereby adopted in accordance with the provisions of Section 190.008(2)(a), *Florida Statutes* (“**Adopted Budget**”), and incorporated herein by reference; provided, however, that the comparative figures contained in the Adopted Budget may be subsequently revised as deemed necessary by the District Manager to reflect actual revenues and expenditures.

- b. The Adopted Budget, as amended, shall be maintained in the office of the District Manager and at the District's Local Records Office and identified as "The Budget for the Orange Bend Community Development District for the Fiscal Year Ending September 30, 2025."
- c. The Adopted Budget shall be posted by the District Manager on the District's official website in accordance with Chapter 189, *Florida Statutes*, and shall remain on the website for at least two (2) years.

## **SECTION 2. APPROPRIATIONS**

There is hereby appropriated out of the revenues of the District, for FY 2025, the sum(s) set forth in **Exhibit A** to be raised by the levy of assessments and/or otherwise, which sum is deemed by the Board to be necessary to defray all expenditures of the District during said budget year, to be divided and appropriated as set forth in **Exhibit A**.

## **SECTION 3. BUDGET AMENDMENTS**

Pursuant to Section 189.016, *Florida Statutes*, the District at any time within FY 2025 or within 60 days following the end of the FY 2025 may amend its Adopted Budget for that fiscal year as follows:

- a. A line-item appropriation for expenditures within a fund may be decreased or increased by motion of the Board recorded in the minutes, and approving the expenditure, if the total appropriations of the fund do not increase.
- b. The District Manager or Treasurer may approve an expenditure that would increase or decrease a line-item appropriation for expenditures within a fund if the total appropriations of the fund do not increase and if either (i) the aggregate change in the original appropriation item does not exceed the greater of \$15,000 or 15% of the original appropriation, or (ii) such expenditure is authorized by separate disbursement or spending resolution.
- c. Any other budget amendments shall be adopted by resolution and consistent with Florida law. The District Manager or Treasurer must ensure that any amendments to the budget under this paragraph c. are posted on the District's website in accordance with Chapter 189, *Florida Statutes*, and remain on the website for at least two (2) years.

**SECTION 4. EFFECTIVE DATE.** This Resolution shall take effect immediately upon adoption.

**PASSED AND ADOPTED THIS 20<sup>th</sup> DAY OF MARCH, 2025.**

ATTEST:

**ORANGE BEND COMMUNITY  
DEVELOPMENT DISTRICT**

---

Secretary/Assistant Secretary

---

Chair/Vice Chair, Board of Supervisors

**Exhibit A:**     FY 2025 Budget

**Exhibit A**  
FY 2025 Budget

**ORANGE BEND  
COMMUNITY DEVELOPMENT DISTRICT  
PROPOSED BUDGET  
FISCAL YEAR 2025**



**ORANGE BEND  
COMMUNITY DEVELOPMENT DISTRICT  
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**ORANGE BEND  
COMMUNITY DEVELOPMENT DISTRICT  
GENERAL FUND BUDGET  
FISCAL YEAR 2025**

|                                                              | Proposed<br>Budget |
|--------------------------------------------------------------|--------------------|
| <b>REVENUES</b>                                              |                    |
| Landowner contribution                                       | \$ 68,765          |
| Total revenues                                               | <u>68,765</u>      |
| <b>EXPENDITURES</b>                                          |                    |
| <b>Professional &amp; administrative</b>                     |                    |
| Supervisors                                                  | -                  |
| Management/accounting/recording**                            | 24,000             |
| Legal                                                        | 25,000             |
| Engineering                                                  | 2,000              |
| Audit                                                        | -                  |
| Arbitrage rebate calculation*                                | -                  |
| Dissemination agent*                                         | -                  |
| Trustee*                                                     | -                  |
| Telephone                                                    | 200                |
| Postage                                                      | 500                |
| Printing & binding                                           | 500                |
| Legal advertising                                            | 7,500              |
| Annual special district fee                                  | 175                |
| Insurance                                                    | 5,500              |
| Contingencies/bank charges                                   | 1,500              |
| Website hosting & maintenance                                | 1,680              |
| Website ADA compliance                                       | 210                |
| Total expenditures                                           | <u>68,765</u>      |
| Excess/(deficiency) of revenues<br>over/(under) expenditures | -                  |
| Fund balance - beginning (unaudited)                         | -                  |
| Fund balance - ending (projected)                            | -                  |
| Unassigned                                                   | -                  |
| Fund balance - ending                                        | <u><u>\$ -</u></u> |

\*These items will be realized when bonds are issued.

\*\*WHA will charge a reduced management fee of \$2,000 per month until bonds are issued.

**ORANGE BEND  
COMMUNITY DEVELOPMENT DISTRICT  
DEFINITIONS OF GENERAL FUND EXPENDITURES**

**EXPENDITURES**

**Professional & administrative**

|                                                                                                                                                                                                                                                                                                                                                                                                               |                         |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------|
| Supervisors                                                                                                                                                                                                                                                                                                                                                                                                   | \$ -                    |
| Statutorily set at \$200 for each meeting of the Board of Supervisors not to exceed \$4,800 for each fiscal year.                                                                                                                                                                                                                                                                                             |                         |
| Management/accounting/recording**                                                                                                                                                                                                                                                                                                                                                                             | 24,000                  |
| <b>Wrathell, Hunt and Associates, LLC</b> (WHA), specializes in managing community development districts by combining the knowledge, skills and experience of a team of professionals to ensure compliance with all of the District's governmental requirements. WHA develops financing programs, administers the issuance of tax exempt bond financings, operates and maintains the assets of the community. |                         |
| Legal                                                                                                                                                                                                                                                                                                                                                                                                         | 25,000                  |
| General counsel and legal representation, which includes issues relating to public finance, public bidding, rulemaking, open meetings, public records, real property dedications, conveyances and contracts.                                                                                                                                                                                                  |                         |
| Engineering                                                                                                                                                                                                                                                                                                                                                                                                   | 2,000                   |
| The District's Engineer will provide construction and consulting services, to assist the District in crafting sustainable solutions to address the long term interests of the community while recognizing the needs of government, the environment and maintenance of the District's facilities.                                                                                                              |                         |
| Audit                                                                                                                                                                                                                                                                                                                                                                                                         | -                       |
| Statutorily required for the District to undertake an independent examination of its books, records and accounting procedures.                                                                                                                                                                                                                                                                                |                         |
| Arbitrage rebate calculation*                                                                                                                                                                                                                                                                                                                                                                                 | -                       |
| To ensure the District's compliance with all tax regulations, annual computations are necessary to calculate the arbitrage rebate liability.                                                                                                                                                                                                                                                                  |                         |
| Dissemination agent*                                                                                                                                                                                                                                                                                                                                                                                          | -                       |
| The District must annually disseminate financial information in order to comply with the requirements of Rule 15c2-12 under the Securities Exchange Act of 1934. Wrathell, Hunt & Associates serves as dissemination agent.                                                                                                                                                                                   |                         |
| Trustee*                                                                                                                                                                                                                                                                                                                                                                                                      | -                       |
| Telephone                                                                                                                                                                                                                                                                                                                                                                                                     | 200                     |
| Postage                                                                                                                                                                                                                                                                                                                                                                                                       | 500                     |
| Telephone and fax machine.                                                                                                                                                                                                                                                                                                                                                                                    |                         |
| Printing & binding                                                                                                                                                                                                                                                                                                                                                                                            | 500                     |
| Mailing of agenda packages, overnight deliveries, correspondence, etc.                                                                                                                                                                                                                                                                                                                                        |                         |
| Legal advertising                                                                                                                                                                                                                                                                                                                                                                                             | 7,500                   |
| Letterhead, envelopes, copies, agenda packages                                                                                                                                                                                                                                                                                                                                                                |                         |
| Annual special district fee                                                                                                                                                                                                                                                                                                                                                                                   | 175                     |
| The District advertises for monthly meetings, special meetings, public hearings, public bids, etc.                                                                                                                                                                                                                                                                                                            |                         |
| Insurance                                                                                                                                                                                                                                                                                                                                                                                                     | 5,500                   |
| Contingencies/bank charges                                                                                                                                                                                                                                                                                                                                                                                    | 1,500                   |
| Bank charges and other miscellaneous expenses incurred during the year and automated AP routing etc.                                                                                                                                                                                                                                                                                                          |                         |
| Website hosting & maintenance                                                                                                                                                                                                                                                                                                                                                                                 | 1,680                   |
| Website ADA compliance                                                                                                                                                                                                                                                                                                                                                                                        | 210                     |
| Total expenditures                                                                                                                                                                                                                                                                                                                                                                                            | <u><u>\$ 68,765</u></u> |

\*These items will be realized when bonds are issued.

\*\*WHA will charge a reduced management fee of \$2,000 per month until bonds are issued.

# **ORANGE BEND**

## **COMMUNITY DEVELOPMENT DISTRICT**

**9**

## RESOLUTION 2025-35

**A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE ORANGE BEND COMMUNITY DEVELOPMENT DISTRICT APPROVING A PROPOSED BUDGET FOR FISCAL YEAR 2025/2026 AND SETTING A PUBLIC HEARING THEREON PURSUANT TO FLORIDA LAW; ADDRESSING TRANSMITTAL, POSTING AND PUBLICATION REQUIREMENTS; ADDRESSING SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the District Manager has heretofore prepared and submitted to the Board of Supervisors ("**Board**") of the Orange Bend Community Development District ("**District**"), prior to June 15, 2025, a proposed budget ("**Proposed Budget**") for the fiscal year beginning October 1, 2025 and ending September 30, 2026 ("**Fiscal Year 2025/2026**"); and

**WHEREAS**, the Board has considered the Proposed Budget and desires to set the required public hearing thereon.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE ORANGE BEND COMMUNITY DEVELOPMENT DISTRICT:**

1. **PROPOSED BUDGET APPROVED.** The Proposed Budget prepared by the District Manager for Fiscal Year 2025/2026 attached hereto as **Exhibit A** is hereby approved as the basis for conducting a public hearing to adopt said Proposed Budget.
2. **SETTING A PUBLIC HEARING.** A public hearing on said approved Proposed Budget is hereby declared and set as follows:

**DATE:** \_\_\_\_\_

**HOUR:** 9:00 AM

**LOCATION:** City of Minneola City Hall  
800 N US Highway 27  
Minneola, Florida 34715

3. **TRANSMITTAL; POSTING; NOTICE.** The District Manager is hereby directed to submit a copy of the proposed budget to the local general purpose unit(s) of government at least sixty (60) days prior to the hearing set above. In accordance with Section 189.016, *Florida Statutes*, the District's Secretary is further directed to post the approved budget on the District's website at least two (2) days before the budget hearing date as set forth in Section 2. If the District does not have its own website, the District's Secretary is directed to transmit the approved budget to the manager or administrator of the local general purpose unit(s) of government for posting on the applicable website(s). Notice of this public hearing shall be published in the manner prescribed in Florida law.

4. **SEVERABILITY.** The invalidity or unenforceability of any one or more provisions of this Resolution shall not affect the validity or enforceability of the remaining portions of this Resolution, or any part thereof.

5. **EFFECTIVE DATE.** This Resolution shall take effect immediately upon adoption.

**PASSED AND ADOPTED THIS 20TH DAY OF MARCH, 2025.**

ATTEST:

**ORANGE BEND  
COMMUNITY DEVELOPMENT DISTRICT**

---

Secretary/Assistant Secretary

---

Chair/Vice Chair, Board of Supervisors

**Exhibit A:** Fiscal Year 2025/2026 Proposed Budget

**Exhibit A:** Fiscal Year 2025/2026 Proposed Budget

**ORANGE BEND  
COMMUNITY DEVELOPMENT DISTRICT  
PROPOSED BUDGET  
FISCAL YEAR 2026**



**ORANGE BEND  
COMMUNITY DEVELOPMENT DISTRICT  
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**ORANGE BEND  
COMMUNITY DEVELOPMENT DISTRICT  
GENERAL FUND BUDGET  
FISCAL YEAR 2026**

|                                                              | Proposed<br>Budget |
|--------------------------------------------------------------|--------------------|
| <b>REVENUES</b>                                              |                    |
| Landowner contribution                                       | \$ 87,290          |
| Total revenues                                               | <u>87,290</u>      |
| <b>EXPENDITURES</b>                                          |                    |
| <b>Professional &amp; administrative</b>                     |                    |
| Management/accounting/recording**                            | 48,000             |
| Legal                                                        | 25,000             |
| Engineering                                                  | 2,000              |
| Audit                                                        | -                  |
| Arbitrage rebate calculation*                                | -                  |
| Dissemination agent*                                         | 1,500              |
| Trustee*                                                     | -                  |
| Telephone                                                    | 200                |
| Postage                                                      | 500                |
| Printing & binding                                           | 500                |
| Legal advertising                                            | 1,500              |
| Annual special district fee                                  | 175                |
| Insurance                                                    | 5,500              |
| Contingencies/bank charges                                   | 1,500              |
| Website hosting & maintenance                                | 705                |
| Website ADA compliance                                       | 210                |
| Total expenditures                                           | <u>87,290</u>      |
| Excess/(deficiency) of revenues<br>over/(under) expenditures | -                  |
| Fund balance - beginning (unaudited)                         | -                  |
| Fund balance - ending (projected)                            | -                  |
| Unassigned                                                   | -                  |
| Fund balance - ending                                        | <u><u>\$ -</u></u> |

\*These items will be realized when bonds are issued.

\*\*WHA will charge a reduced management fee of \$2,000 per month until bonds are issued.

**ORANGE BEND  
COMMUNITY DEVELOPMENT DISTRICT  
DEFINITIONS OF GENERAL FUND EXPENDITURES**

**EXPENDITURES**

**Professional & administrative**

|                                   |           |
|-----------------------------------|-----------|
| Management/accounting/recording** | \$ 48,000 |
|-----------------------------------|-----------|

**Wrathell, Hunt and Associates, LLC** (WHA), specializes in managing community development districts by combining the knowledge, skills and experience of a team of professionals to ensure compliance with all of the District's governmental requirements. WHA develops financing programs, administers the issuance of tax exempt bond financings, operates and maintains the assets of the community.

|       |        |
|-------|--------|
| Legal | 25,000 |
|-------|--------|

General counsel and legal representation, which includes issues relating to public finance, public bidding, rulemaking, open meetings, public records, real property dedications, conveyances and contracts.

|             |       |
|-------------|-------|
| Engineering | 2,000 |
|-------------|-------|

The District's Engineer will provide construction and consulting services, to assist the District in crafting sustainable solutions to address the long term interests of the community while recognizing the needs of government, the environment and maintenance of the District's facilities.

|       |   |
|-------|---|
| Audit | - |
|-------|---|

Statutorily required for the District to undertake an independent examination of its books, records and accounting procedures.

|                               |   |
|-------------------------------|---|
| Arbitrage rebate calculation* | - |
|-------------------------------|---|

To ensure the District's compliance with all tax regulations, annual computations are necessary to calculate the arbitrage rebate liability.

|                      |       |
|----------------------|-------|
| Dissemination agent* | 1,500 |
|----------------------|-------|

The District must annually disseminate financial information in order to comply with the requirements of Rule 15c2-12 under the Securities Exchange Act of 1934. Wrathell, Hunt & Associates serves as dissemination agent.

|          |   |
|----------|---|
| Trustee* | - |
|----------|---|

|           |     |
|-----------|-----|
| Telephone | 200 |
|-----------|-----|

|         |     |
|---------|-----|
| Postage | 500 |
|---------|-----|

Telephone and fax machine.

|                    |     |
|--------------------|-----|
| Printing & binding | 500 |
|--------------------|-----|

Mailing of agenda packages, overnight deliveries, correspondence, etc.

|                   |       |
|-------------------|-------|
| Legal advertising | 1,500 |
|-------------------|-------|

Letterhead, envelopes, copies, agenda packages

|                             |     |
|-----------------------------|-----|
| Annual special district fee | 175 |
|-----------------------------|-----|

The District advertises for monthly meetings, special meetings, public hearings, public bids, etc.

|           |       |
|-----------|-------|
| Insurance | 5,500 |
|-----------|-------|

|                            |       |
|----------------------------|-------|
| Contingencies/bank charges | 1,500 |
|----------------------------|-------|

Bank charges and other miscellaneous expenses incurred during the year and automated AP routing etc.

|                               |     |
|-------------------------------|-----|
| Website hosting & maintenance | 705 |
|-------------------------------|-----|

|                        |     |
|------------------------|-----|
| Website ADA compliance | 210 |
|------------------------|-----|

|                    |           |
|--------------------|-----------|
| Total expenditures | \$ 87,290 |
|--------------------|-----------|

\*These items will be realized when bonds are issued.

\*\*WHA will charge a reduced management fee of \$2,000 per month until bonds are issued.

# **ORANGE BEND**

## **COMMUNITY DEVELOPMENT DISTRICT**

# **10**

**ORANGE BEND COMMUNITY DEVELOPMENT DISTRICT  
FISCAL YEAR 2025/2026 BUDGET FUNDING AGREEMENT**

This Agreement ("**Agreement**") is made and entered into this 20th day of March, 2025, by and between:

**ORANGE BEND COMMUNITY DEVELOPMENT DISTRICT**, a local unit of special-purpose government established pursuant to Chapter 190, Florida Statutes, and with an address of c/o Wrathell, Hunt & Associates, LLC, 2300 Glades Road, Suite 410W, Boca Raton, Florida 33431 ("**District**"), and

**FORESTAR (USA) REAL ESTATE GROUP INC.**, a Delaware corporation, and the developer of the lands in the District ("**Developer**") with a mailing address of 10700 Pecan Park Blvd., Suite 150, Arlington, Texas 76011.

**RECITALS**

**WHEREAS**, the District was established for the purpose of planning, financing, constructing, operating and/or maintaining certain infrastructure; and

**WHEREAS**, the District, pursuant to Chapter 190, Florida Statutes, is authorized to levy such taxes, special assessments, fees and other charges as may be necessary in furtherance of the District's activities and services; and

**WHEREAS**, Developer presently is developing the majority of all real property ("**Property**") within the District, which Property will benefit from the timely construction and acquisition of the District's facilities, activities and services and from the continued operations of the District; and

**WHEREAS**, the District is adopting its general fund budget for Fiscal Year 2025/2026, which year concludes on September 30, 2026; and

**WHEREAS**, this general fund budget, which the parties recognize may be amended from time to time in the sole discretion of the District, is attached hereto and incorporated herein by reference as **Exhibit A**; and

**WHEREAS**, the District has the option of levying non-ad valorem assessments on all land, including the Property owned by the Developer, that will benefit from the activities, operations and services set forth in the Fiscal Year 2025/2026 budget, or utilizing such other revenue sources as may be available to it; and

**WHEREAS**, in lieu of levying assessments on the Property, the Developer is willing to provide such funds as are necessary to allow the District to proceed with its operations as described in **Exhibit A**; and

**WHEREAS**, the Developer agrees that the activities, operations and services provide a special and peculiar benefit equal to or in excess of the costs reflected on **Exhibit A** to the Property; and

**WHEREAS**, the Developer has agreed to enter into this Agreement in lieu of having the District levy and collect any non-ad valorem assessments as authorized by law against the Property located within the District for the activities, operations and services set forth in **Exhibit A**;

**NOW, THEREFORE**, based upon good and valuable consideration and the mutual covenants of the parties, the receipt of which and sufficiency of which are hereby acknowledged, the parties agree as follows:

1. **FUNDING.** The Developer agrees to make available to the District the monies ("**Funding Obligation**") necessary for the operation of the District as called for in the budget attached hereto as **Exhibit A** (and as **Exhibit A** may be amended from time to time pursuant to Florida law, but subject to the Developer's consent to such amendments to incorporate them herein), within thirty (30) days of written request by the District. As a point of clarification, the District shall only request as part of the Funding Obligation that the Developer fund the actual expenses of the District, and the Developer is not required to fund the total general fund budget in the event that actual expenses are less than the projected total general fund budget set forth in **Exhibit A**. The funds shall be placed in the District's general checking account. These payments are made by the Developer in lieu of taxes, fees, or assessments which might otherwise be levied or imposed by the District. Nothing contained herein shall constitute or be construed as a waiver of the District's right to levy assessments in the event of a funding deficit.

2. **ENTIRE AGREEMENT.** This instrument shall constitute the final and complete expression of the agreement among the parties relating to the subject matter of this Agreement. Amendments to and waivers of the provisions contained in this Agreement may be made only by an instrument in writing which is executed by both of the parties hereto.

3. **AUTHORIZATION.** The execution of this Agreement has been duly authorized by the appropriate body or official of all parties hereto, each party has complied with all of the requirements of law, and each party has full power and authority to comply with the terms and provisions of this instrument.

4. **ASSIGNMENT.** This Agreement may be assigned, in whole or in part, by either party only upon the written consent of the other. Any purported assignment without such consent shall be void.

5. **DEFAULT.** A default by either party under this Agreement shall entitle the other to all remedies available at law or in equity, which shall include, but not be limited to, the right of damages, injunctive relief and specific performance.

6. **ENFORCEMENT.** In the event that any party is required to enforce this Agreement by court proceedings or otherwise, then the parties agree that the prevailing party shall be entitled to recover from the other all costs incurred, including reasonable attorneys' fees and costs for trial, alternative dispute resolution, or appellate proceedings.

7. **THIRD PARTY BENEFICIARIES.** This Agreement is solely for the benefit of the formal parties herein and no right or cause of action shall accrue upon or by reason hereof, to or for the benefit of any third party not a formal party hereto. Nothing in this Agreement expressed or implied is intended or shall be construed to confer upon any person or corporation other than the parties hereto any right, remedy or claim under or by reason of this Agreement or any provisions or conditions hereof; and all of the provisions, representations, covenants and conditions herein contained shall inure to the sole benefit of and shall be binding upon the parties hereto and their respective representatives, successors and assigns.

8. **CHOICE OF LAW.** This Agreement and the provisions contained herein shall be construed, interpreted and controlled according to the laws of the State of Florida.

9. **ARM'S LENGTH.** This Agreement has been negotiated fully among the parties as an arm's length transaction. The parties participated fully in the preparation of this Agreement with the assistance of their respective counsel. In the case of a dispute concerning the interpretation of any provision of this Agreement, the parties are each deemed to have drafted, chosen and selected the language, and the doubtful language will not be interpreted or construed against any party.

10. **EFFECTIVE DATE.** The Agreement shall be effective after execution by the parties hereto.

[SIGNATURES ON NEXT PAGE]

**IN WITNESS WHEREOF**, the parties execute this Agreement the day and year first written above.

**ORANGE BEND COMMUNITY  
DEVELOPMENT DISTRICT**

\_\_\_\_\_  
Chair/Vice Chair, Board of Supervisors

**FORESTAR (USA) REAL ESTATE GROUP INC.**

\_\_\_\_\_  
By: \_\_\_\_\_  
Its: \_\_\_\_\_

**Exhibit A:**      Fiscal Year 2025/2026 General Fund Budget



**ORANGE BEND**  
**COMMUNITY DEVELOPMENT DISTRICT**

**12A**

# The Villages® DAILY SUN

Published Daily  
Lady Lake, Florida  
State of Florida  
County Of Lake

Before the undersigned authority personally appeared

**ALLAN LOVELL**

who on oath says that he is Legal Ad Coordinator of the DAILY SUN, a daily newspaper published at Lady Lake in Lake County, Florida with circulation in Lake, Sumter and Marion Counties; that the attached copy of advertisement, being a **Legal Ad #1238147**

in the matter of **NOTICE OF REQUEST**

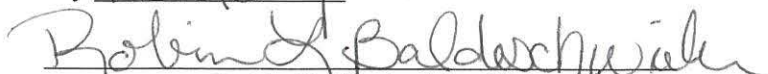
was published in said newspaper in the issue(s) of

**February 25, 2025**

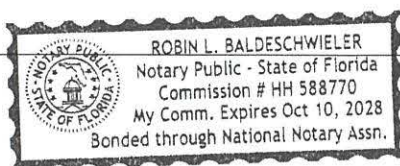
Affiant further says that the said Daily Sun is a newspaper published at Lady Lake in said Lake County, Florida, and that the said newspaper has heretofore been continuously published in said Lake County, Florida each week and has been entered as second class mail matter at the post office in Lady Lake, in said Lake County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisements; and affiant further says that he has neither paid nor promised any person, firm, or Corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

  
(Signature Of Affiant)

Sworn to and subscribed before me this 25  
day February 2025.

  
Robin Baldeschwieler, Notary

Personally Known \_\_\_\_\_ or  
Production Identification \_\_\_\_\_  
Type of Identification Produced \_\_\_\_\_



Attach Notice Here

## ORANGE BEND COMMUNITY DEVELOPMENT DISTRICT REQUEST FOR PROPOSALS FOR ANNUAL AUDIT SERVICES

The Orange Bend Community Development District hereby requests proposals for annual financial auditing services. The proposal must provide for the auditing of the District's financial records for the fiscal year ending September 30, 2025, with an option for additional annual renewals, subject to mutual agreement by both parties. The District is a local unit of special-purpose government created under Chapter 190, Florida Statutes, for the purpose of financing, constructing, and maintaining public infrastructure. The District is located in the City of Leesburg, Lake County, Florida. The final contract will require that, among other things, the audit for the fiscal year ending September 30, 2025, be completed no later than June 30, 2026.

The auditing entity submitting a proposal must be duly licensed under Chapter 473, Florida Statutes, and be qualified to conduct audits in accordance with "Government Auditing Standards," as adopted by the Florida Board of Accountancy. Audits shall be conducted in accordance with Florida Law and particularly Section 218.39, Florida Statutes, and the rules of the Florida Auditor General.

Proposal packages, which include evaluation criteria and instructions to proposers, are available from the District Manager at the address and telephone number listed below.

Proposers must provide one (1) electronic and one (1) unbound copy of their proposal to the offices of the District Manager, located at 2300 Glades Road, Suite 410W, Boca Raton, Florida 33431, ph: (877) 276-0889 ("District Manager"), in an envelope marked on the outside "Auditing Services, Orange Bend Community Development District." Proposals must be received by 12:00 p.m. on March 5, 2025, at the office of the District Manager. Please direct all questions regarding this Notice to the District Manager.

District Manager

**#01238147 February 25, 2025**

**ORANGE BEND**  
**COMMUNITY DEVELOPMENT DISTRICT**

**12B**

**ORANGE BEND COMMUNITY DEVELOPMENT DISTRICT  
REQUEST FOR PROPOSALS FOR ANNUAL AUDIT SERVICES**

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District Manager

## **ORANGE BEND COMMUNITY DEVELOPMENT DISTRICT**

### **REQUEST FOR PROPOSALS**

#### **District Auditing Services for Fiscal Year 2025**

City of Leesburg, Lake County, Florida

#### **INSTRUCTIONS TO PROPOSERS**

**SECTION 1. DUE DATE.** Sealed proposals must be received no later than March 5, 2025 at 12:00 p.m., at the offices of District Manager, located at Wrathell, Hunt and Associates, LLC, 2300 Glades Road, Suite 410W, Boca Raton, Florida 33431. Proposals will be publicly opened at that time.

**SECTION 2. FAMILIARITY WITH THE LAW.** By submitting a proposal, the Proposer is assumed to be familiar 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. SUBMISSION OF ONLY ONE 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 one (1) electronic and one (1) unbound copy of the Proposal Documents, 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 – Orange Bend Community Development District" on the face of it. **Please include pricing for each additional bond issuance.**

**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. No proposal may be withdrawn after opening 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 (“**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 the 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 the position or title of all personnel to perform work on the District audit. Include resumes for 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.
- D. The lump sum cost of the provision of the services under the proposal, plus the lump sum cost of four (4) annual renewals.

**SECTION 13. PROTESTS.** In accordance with the District’s Rules of Procedure, any protest regarding the Proposal Documents, must be filed in writing, at the offices of the District Manager, within seventy-two (72) calendar hours (excluding Saturday, Sunday, and state holidays) after the receipt of the Proposal 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 (including Saturday, Sunday, and state holidays) 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 Proposal Documents.

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

**1. Ability of Personnel. (20 Points)**

**2. Proposer's Experience. (20 Points)**

**3. *Understanding of Scope of Work.* (20 Points)**

**4. Ability to Furnish the Required Services. (20 Points)**

**5. Price. (20 Points)\*\*\***

**Total** (100 Points)

\*\*\*Alternatively, the Board may choose to evaluate firms without considering price, in which case the remaining categories would be assigned 25 points each.



**ORANGE BEND**  
**COMMUNITY DEVELOPMENT DISTRICT**

**12CI**

**ORANGE BEND  
COMMUNITY DEVELOPMENT DISTRICT  
PROPOSAL FOR AUDIT SERVICES**

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**PROPOSED BY:**

Berger, Toombs, Elam, Gaines & Frank  
CERTIFIED PUBLIC ACCOUNTANTS, PL

---

600 Citrus Avenue, Suite 200  
Fort Pierce, Florida 34950

(772) 461-6120

**CONTACT PERSON:**

J. W. Gaines, CPA, Director

**DATE OF PROPOSAL:**

March 5, 2025

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# Berger, Toombs, Elam, Gaines & Frank

Certified Public Accountants PL

600 Citrus Avenue  
Suite 200  
Fort Pierce, Florida 34950

772/461-6120 // 461-1155  
FAX: 772/468-9278

March 5, 2025

Orange Bend Community Development District  
Wrathell Hunt & Associates LLC  
2300 Glades Road, Suite 410W  
Boca Raton, Florida 33431

Dear District Manager:

Thank you very much for the opportunity to present our professional credentials to provide audit services for Orange Bend Community Development District.

Berger, Toombs, Elam, Gaines & Frank, Certified Public Accountants, PL has assembled a team of governmental and nonprofit specialists second to none to serve our clients. Our firm has the necessary qualifications and experience to serve as the independent auditors for Orange Bend Community Development District. We will provide you with top quality, responsive service.

## **Experience**

Berger, Toombs, Elam, Gaines & Frank, Certified Public Accountants, PL is a recognized leader in providing services to governmental and nonprofit agencies throughout Florida. We have been the independent auditors for a number of local governmental agencies and through our experience in performing their audits, we have been able to increase our audit efficiency and; therefore, reduce costs. We have continually passed this cost savings on to our clients and will continue to do so in the future. As a result of our experience and expertise, we have developed an effective and efficient audit approach designed to meet or exceed the performance specifications in accordance with auditing standards generally accepted in the United States of America, the standards applicable to financial audits contained in Government Auditing Standards, issued by the Comptroller General of the United States, and the standards for financial and compliance audits. We will conduct the audit in accordance with auditing standards generally accepted in the United States of America; "Government Auditing Standards" issued by the Comptroller General of the United States; the provisions of the Single Audit Act, Subpart F of Title 2 US Code of Federal Regulations (CFR) Part 200, *Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards*, with minimal disruption to your operations. Our firm has frequent technical updates to keep our personnel informed and up-to-date on all changes that are occurring within the industry.



Berger, Toombs, Elam,  
Gaines & Frank  
Certified Public Accountants PL

Orange Bend Community Development District  
March 5, 2025

Our firm is a member of the Government Audit Quality Center, an organization dedicated to improving government audit quality. We also utilize the audit program software of a nationally recognized CPA firm to assure us that we are up to date with all auditing standards and to assist us maintain maximum audit efficiencies.

To facilitate your evaluation of our qualifications and experience, we have arranged this proposal to include a resume of our firm, including our available staff, our extensive prior governmental and nonprofit auditing experience and clients to be contacted.

You need a firm that will provide an efficient, cost-effective, high-quality audit within critical time constraints. You need a firm with the prerequisite governmental and nonprofit experience to perform your audit according to stringent legal and regulatory requirements, a firm that understands the complex nature of community development districts and their unique compliance requirements. You need a firm with recognized governmental and nonprofit specialists within the finance and governmental communities. And, certainly, you need a firm that will provide you with valuable feedback to enhance your current and future operations. Berger, Toombs, Elam, Gaines & Frank, Certified Public Accountants, PL is that firm. J. W. Gaines is the person authorized to make representations for the firm.

Thank you again for the opportunity to submit this proposal to Orange Bend Community Development District.

Very truly yours,

Berger, Toombs, Elam, Gaines & Frank  
Certified Public Accountants PL  
Fort Pierce, Florida

## PROFILE OF THE PROPOSER

### Description and History of Audit Firm

**Berger, Toombs, Elam, Gaines & Frank, Certified Public Accountants, PL** is a Treasure Coast public accounting firm, which qualifies as a small business firm, as established by the Small Business Administration (13 CFR 121.38), with offices in Fort Pierce and Stuart. We are a member of the Florida Institute of Certified Public Accountants and the American Institute of Certified Public Accountants. The firm was formed from the merger of Edwards, Berger, Harris & Company (originated in 1972) and McAlpin, Curtis & Associates (originated in 1949). J. W. Gaines and Associates (originated in 1979) merged with the firm in 2004. Our tremendous growth rate experienced over the last 69 years is directly attributable to the firm's unrelenting dedication to providing the highest quality, responsive professional services attainable to its clients.

We are a member of the Private Companies Practice Section (PCPS) of the American Institute of Certified Public Accountants (AICPA) to assure we meet the highest standards. Membership in this practice section requires that our firm meet more stringent standards than standard AICPA membership. These rigorous requirements include the requirement of a triennial peer review of our firm's auditing and accounting practice and annual Continuing Professional Education (CPE) for all accounting staff (whether CPA or non-CPA). For standard AICPA membership, only a quality review is required and only CPAs must meet CPE requirements.

We are also a member of the Government Audit Quality Center ("the Center") of the American Institute of Certified Public Accountants to assure the quality of our government audits. Membership in the Center, which is voluntary, requires our firm to comply with additional standards to promote the quality of government audits.

We have been extensively involved in serving local government entities with professional accounting, auditing and consulting services throughout the entire 69 year history of our firm. Our substantial experience over the years makes us uniquely qualified to provide accounting, auditing, and consulting services to these clients. We are a recognized leader in providing services to governmental and nonprofit agencies on the Treasure Coast and in Central and South Florida, with extensive experience in auditing community development districts and water control districts. We were the independent auditors of the City of Fort Pierce for over 37 years and currently, we are the independent auditors for St. Lucie County since 2002, and for 34 of the 38 years that the county has been audited by CPA firms. Additionally, we have performed audits of the City of Stuart, the City of Vero Beach, Indian River County and Martin County. We also presently audit over 75 Community Development Districts throughout Florida.

Our firm was founded on the belief that we are better able to respond to our clients needs through education, experience, independence, quality control, and personal service. Our firm's commitment to quality is reflected in our endeavor of professional excellence via continuing education, the use of the latest computer technology, professional membership in PCPS and peer review.

We believe our approach to audit engagements, intelligence and innovation teamed with sound professional judgment enables us to explore new concepts while remaining sensitive to the fundamental need for practical solutions. We take pride in giving you the assurance that the personal assistance you receive comes from years of advanced training, technical experience and financial acumen.

## Professional Staff Resources

**Berger, Toombs, Elam, Gaines & Frank, Certified Public Accountants, PL** has a total of 27 professional and administrative staff (including 12 professional staff with extensive experience servicing government entities). The work will be performed out of our Fort Pierce office with a proposed staff of one senior accountant and one or two staff accountants supervised by an audit manager and audit partner. With the exception of the directors of the firm's offices, the professional staff is not specifically assigned to any of our individual offices. The professional and administrative staff resources available to you through Berger, Toombs, Elam, Gaines & Frank, Certified Public Accountants, PL are as follows:

|                                         | <u>Total</u> |
|-----------------------------------------|--------------|
| Partners/Directors (CPA's)              | 6            |
| Managers (2 CPA's)                      | 2            |
| Senior/Supervisor Accountants (3 CPA's) | 3            |
| Staff Accountants (2 CPA)               | 11           |
| Computer Specialist                     | 1            |
| Paraprofessional                        | 7            |
| Administrative                          | <u>5</u>     |
| Total – all personnel                   | 35           |

Following is a brief description of each employee classification:

**Staff Accountant** – Staff accountants work directly under the constant supervision of the auditor-in-charge and, are responsible for the various testing of documents, account analysis and any other duties as his/her supervisor believes appropriate. Minimum qualification for a staff accountant is graduation from an accredited university or college with a degree in accounting or equivalent.

**Senior Accountant** – A senior accountant must possess all the qualifications of the staff accountant, in addition to being able to draft the necessary reports and financial statements, and supervise other staff accountants when necessary.

**Managers** – A manager must possess the qualifications of the senior accountant, plus be able to work without extensive supervision from the auditor-in-charge. The manager should be able to draft audit reports from start to finish and to supervise the audit team, if necessary.

**Principal** – A principal is a partner/director in training. He has been a manager for several years and possesses the technical skills to act as the auditor-in-charge. A principal has no financial interest in the firm.

**Partner/Director** – The director has extensive governmental auditing experience and acts as the auditor-in-charge. Directors have a financial interest in the firm.

## **Professional Staff Resources (Continued)**

**Independence** – Independence of the public accounting firm, with respect to the audit client, is the foundation from which the public gains its trust in the opinion issued by the public accounting firm at the end of the audit process. This independence must be in appearance as well as in fact. The public must perceive that the accounting firm is independent of the audit entity to ensure that nothing would compromise the opinion issued by the public accounting firm. **Berger, Toombs, Elam, Gaines & Frank, Certified Public Accountants, PL** is independent of Orange Bend Community Development District, including its elected officials and related parties, at the date of this proposal, as defined by the following rules, regulations, and standards:

AuSection 220 – Statements on Auditing Standards issued by the American Institute of Certified Public Accountants;

ET Sections 101 and 102 – Code of Professional Conduct of the American Institute of Certified Public Accountants;

Chapter 21A-1, Florida Administrative Code;

Section 473.315, Florida Statutes; and,

Government Auditing Standards, issued by the Comptroller General of the United States.

On an annual basis, all members of the firm are required to confirm, in writing, that they have no personal or financial relationships or holding that would impair their independence with regard to the firm's clients.

Independence is a hallmark of our profession. We encourage our staff to use professional judgment in situations where our independence could be impaired or the perception of a conflict of interest might exist. In the governmental sector, public perception is as important as professional standards. Therefore, the utmost care must be exercised by independent auditors in the performance of their duties.

## **Ability to Furnish the Required Services**

As previously noted in the Profile of the Proposer section of this document, our firm has been in existence for over 74 years. We have provided audit services to some clients for over 30 years continually. Our firm is insured against physical loss through commercial insurance and we also carry liability insurance. The majority of our audit documentation is stored electronically, both on our office network and on each employee laptop or computer assigned to each specific job. Our office computer network is backed up on tape, so in the event of a total equipment loss, we can restore all data as soon as replacement equipment is acquired. In addition, our field laptop computers carry the same data and can be used in the event of emergency with virtually no delay in completing the required services.



## **ADDITIONAL SERVICES PROVIDED**

### **Arbitrage Rebate Services**

**Berger, Toombs, Elam, Gaines & Frank, Certified Public Accountants, PL** also provides arbitrage rebate compliance and related services to governmental issuers. The Tax Reform Act of 1986 requires issuers of most tax-exempt obligations to pay (i.e., “rebate”) to the United States government any arbitrage profits. Arbitrage profits are earnings on the investment of bond proceeds and certain other monies in excess of what would have been earned had such monies been invested at a yield equal to the yield on the bonds.

Federal tax law requires that interim rebate calculations and payments are due at the end of every fifth bond year. Final payment is required upon redemption of the bonds. More frequent calculations may be deemed advisable by an issuer’s auditor, trustee or bond counsel or to assure that accurate and current records are available. These more frequent requirements are usually contained in the Arbitrage or Rebate Certificate with respect to the bonds.

Our firm performs a comprehensive rebate analysis and includes the following:

- Verifying that the issue is subject to rebate;
- Calculating the bond yield;
- Identifying, and separately accounting for, all “Gross Proceeds” (as that term is defined in the Code) of the bond issue, including those requiring analysis due to “transferred proceeds” and/or “commingled funds” circumstances;
- Determining what general and/or elective options are available to Gross proceeds of the issue;
- Calculating the issue’s excess investment earning (rebate liability), if any;
- Delivering appropriate documentation to support all calculations;
- Providing an executive summary identifying the methodology employed, major assumptions, conclusions, and any other recommendations for changes in recordkeeping and investment policies;
- Assisting as necessary in the event of an Internal Revenue Service inquiry; and,
- Consulting with issue staff, as necessary, regarding arbitrage related matters.

## **GOVERNMENTAL AUDITING EXPERIENCE**

**Berger, Toombs, Elam, Gaines & Frank, Certified Public Accountants, PL** has been practicing public accounting in Florida for 69 years. Our success over the years has been the result of a strong commitment to providing personalized quality service to our clients.

The current members of our firm have performed audits of over 1,100 community development districts, and over 2,100 audits of municipalities, counties and other governmental entities such as the City of Fort Pierce and St. Lucie County.

Our firm provides a variety of accounting, auditing, tax litigation support, and consulting services. Some of the professional accounting, auditing and management consulting services that are provided by our firm are listed below:

- Performance of annual financial and compliance audits, including Single Audits of state and federal financial assistance programs, under the provisions of the Single Audit Act, Subpart F of Title 2 U.S. Code of Federal Regulations (CFR) Part 200, Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (Uniform Guidance), with minimal disruptions to your operations;
- Performance of special compliance audits to ascertain compliance with the applicable local, state and federal laws and regulations;
- Issuance of comfort letters and consent letters in conjunction with the issuance of tax-exempt debt obligations, including compiling financial data and interim period financial statement reviews;
- Calculation of estimated and actual federal arbitrage rebates;
- Assistance in compiling historical financial data for first-time and supplemental submissions for GFOA Certificate of Achievement for Excellence in Financial Reporting;
- Preparation of indirect cost allocation systems in accordance with Federal and State regulatory requirements;
- Providing human resource and employee benefit consulting;
- Performance of automation feasibility studies and disaster recovery plans;
- Performance feasibility studies concerning major fixed asset acquisitions and utility plant expansion plans (including electric, water, pollution control, and sanitation utilities); and
- Assistance in litigation, including testimony in civil and criminal court.
- Assist clients who utilize QuickBooks software with their software needs. Our Certified QuickBooks Advisor has undergone extensive training through QuickBooks and has passed several exams to attain this Certification.

## **Continuing Professional Education**

All members of the governmental audit staff of our firm, and audit team members assigned to this engagement, are in compliance with the Continuing Professional Education (CPE) requirements set forth in Government Auditing Standards issued by the Comptroller General of the United States. In addition, our firm is in compliance with the applicable provisions of the Florida Statutes that require CPA's to have met certain CPE requirements prior to proposing on governmental audit engagements.

## GOVERNMENTAL AUDITING EXPERIENCE (CONTINUED)

The audit team has extensive experience in performing governmental audits and is exposed to intensive and continuing concentration on these types of audits. Due to the total number of governmental audits our team performs, each member of our governmental staff must understand and be able to perform several types of governmental audits. It is our objective to provide each professional employee fifty hours or more of comprehensive continuing professional education each year. This is accomplished through attending seminars throughout Florida and is reinforced through in-house training.

Our firm has made a steadfast commitment to professional education. Our active attendance and participation in continuing professional education is a major part of our objective to obtain the most recent knowledge on issues which are of importance to our clients. We are growing on the reputation for work that our firm is providing today.

### Quality Control Program

Quality control requires continuing commitment to professional excellence. **Berger, Toombs, Elam, Gaines & Frank, Certified Public Accountants, PL** is formally dedicated to that commitment.

To ensure maintaining the standards of working excellence required by our firm, we joined the Private Companies Practice Section (PCPS) of the American Institute of Certified Public Accountants (AICPA). To be a participating member firm of this practice section, a firm must obtain an independent Peer Review of its quality control policies and procedures to ascertain the firm's compliance with existing auditing standards on the applicable engagements.

The scope of the Peer Review is comprehensive in that it specifically reviews the following quality control policies and procedures of the participating firm:

- Professional, economic, and administrative independence;
- Assignment of professional personnel to engagements;
- Consultation on technical matters;
- Supervision of engagement personnel;
- Hiring and employment of personnel;
- Professional development;
- Advancement;
- Acceptance and continuation of clients; and,
- Inspection and review system.

We believe that our commitment to the program is rewarding not only to our firm, but primarily to our clients.

The external independent Peer Review of the elements of our quality control policies and procedures performed by an independent certified public accountant, approved by the PCPS of the AICPA, provides you with the assurance that we continue to conform to standards of the profession in the conduct of our accounting and auditing practice.

## **GOVERNMENTAL AUDITING EXPERIENCE (CONTINUED)**

Our firm is also a member of Governmental Audit Quality Center (GAQC), a voluntary membership center for CPA firms that perform governmental audits. This center promotes the quality of governmental audits.

Our firm has completed successive Peer Reviews. These reviews included a representative sample of our firm's local governmental auditing engagements. As a result of these reviews, our firm obtained an unqualified opinion on our quality control program and work procedures. On page 31 is a copy of our most recent Peer Review report. It should be noted that we received a pass rating.

Our firm has never had any disciplinary actions by state regulatory bodies or professional organizations.

As our firm performs approximately one hundred audits each year that are reviewed by federal, state or local entities, we are constantly dealing with questions from these entities about our audits. We are pleased to say that any questions that have been raised were minor issues and were easily resolved without re-issuing any reports.

### **Certificate of Achievement for Excellence in Financial Reporting (CAFR)**

We are proud and honored to have been involved with the City of Fort Pierce and the Fort Pierce Utilities Authority when they received their first Certificates of Achievement for Excellence in Financial Reporting for the fiscal years ended September 30, 1988 and 1994, respectively. We were also instrumental in the City of Stuart receiving the award, in our first year of performing their audit, for the year ended September 30, 1999.

We also assisted St. Lucie County, Florida for the year ended September 30, 2003, in preparing their first Comprehensive Annual Financial Report, and St. Lucie County has received their Certificate of Achievement for Excellence in Financial Reporting every year since.

As continued commitment to insuring that we are providing the highest level of experience, we have had at least one employee of our firm serve on the GFOA – Special Review Committee since the mid-1980s. This committee is made up of selective Certified Public Accountants throughout the United States who have demonstrated their high level of knowledge and expertise in governmental accounting. Each committee member attends a special review meeting at the Annual GFOA Conference. At this meeting, the committee reports on the Certificate of Achievement Program's most recent results, future goals, and common reporting deficiencies.

We feel that our previous experience in assisting the City of Fort Pierce, the Fort Pierce Utilities Authority and St. Lucie County obtain their first CAFRs, and the City of Stuart in continuing to receive a CAFR and our firm's continued involvement with the GFOA, and the CAFR review committee make us a valued asset for any client in the field of governmental financial reporting.

## GOVERNMENTAL AUDIT EXPERIENCE (CONTINUED)

### References

Terracina Community Development  
District  
Jeff Walker, Special District Services  
(561) 630-4922

Gateway Community Development  
District  
Stephen Bloom, Severn Trent Management  
(954) 753-5841

The Reserve Community Development District  
  
Darrin Mossing, Governmental Management  
Services LLC  
(407) 841-5524

Clearwater Cay Community Development  
District  
Cal Teague, Premier District Management  
  
(239) 690-7100 ext 101

In addition to the above, we have the following additional governmental audit experience:

### Community Development Districts

Aberdeen Community Development  
District

Beacon Lakes Community  
Development District

Alta Lakes Community Development  
District

Beaumont Community Development  
District

Amelia Concourse Community  
Development District

Bella Collina Community Development  
District

Amelia Walk Community  
Development District

Bonnet Creek Community  
Development District

Aqua One Community Development  
District

Buckeye Park Community  
Development District

Arborwood Community Development  
District

Candler Hills East Community  
Development District

Arlington Ridge Community  
Development District

Cedar Hammock Community  
Development District

Bartram Springs Community  
Development District

Central Lake Community  
Development District

Baytree Community Development  
District

Channing Park Community  
Development District

## GOVERNMENTAL AUDIT EXPERIENCE (CONTINUED)

|                                                           |                                                              |
|-----------------------------------------------------------|--------------------------------------------------------------|
| Cheval West Community<br>Development District             | Evergreen Community Development<br>District                  |
| Coconut Cay Community<br>Development District             | Forest Brooke Community<br>Development District              |
| Colonial Country Club Community<br>Development District   | Gateway Services Community<br>Development District           |
| Connerton West Community<br>Development District          | Gramercy Farms Community<br>Development District             |
| Copperstone Community<br>Development District             | Greenway Improvement District                                |
| Creekside @ Twin Creeks Community<br>Development District | Greyhawk Landing Community<br>Development District           |
| Deer Run Community Development<br>District                | Griffin Lakes Community Development<br>District              |
| Dowden West Community<br>Development District             | Habitat Community Development<br>District                    |
| DP1 Community Development<br>District                     | Harbor Bay Community Development<br>District                 |
| Eagle Point Community Development<br>District             | Harbourage at Braden River<br>Community Development District |
| East Nassau Stewardship District                          | Harmony Community Development<br>District                    |
| Eastlake Oaks Community<br>Development District           | Harmony West Community<br>Development District               |
| Easton Park Community Development<br>District             | Harrison Ranch Community<br>Development District             |
| Estancia @ Wiregrass Community<br>Development District    | Hawkstone Community<br>Development District                  |

## GOVERNMENTAL AUDIT EXPERIENCE (CONTINUED)

|                                                       |                                                             |
|-------------------------------------------------------|-------------------------------------------------------------|
| Heritage Harbor Community<br>Development District     | Madeira Community Development<br>District                   |
| Heritage Isles Community<br>Development District      | Marhsall Creek Community<br>Development District            |
| Heritage Lake Park Community<br>Development District  | Meadow Pointe IV Community<br>Development District          |
| Heritage Landing Community<br>Development District    | Meadow View at Twin Creek<br>Community Development District |
| Heritage Palms Community<br>Development District      | Mediterra North Community<br>Development District           |
| Heron Isles Community<br>Development District         | Midtown Miami Community<br>Development District             |
| Heron Isles Community Development<br>District         | Mira Lago West Community<br>Development District            |
| Highland Meadows II Community<br>Development District | Montecito Community<br>Development District                 |
| Julington Creek Community<br>Development District     | Narcoossee Community<br>Development District                |
| Laguna Lakes Community<br>Development District        | Naturewalk Community<br>Development District                |
| Lake Bernadette Community<br>Development District     | New Port Tampa Bay Community<br>Development District        |
| Lakeside Plantation Community<br>Development District | Overoaks Community Development<br>District                  |
| Landings at Miami Community<br>Development District   | Panther Trace II Community<br>Development District          |
| Legends Bay Community<br>Development District         | Paseo Community Development<br>District                     |
| Lexington Oaks Community<br>Development District      | Pine Ridge Plantation Community<br>Development District     |
| Live Oak No. 2 Community<br>Development District      | Piney Z Community Development<br>District                   |

## GOVERNMENTAL AUDIT EXPERIENCE (CONTINUED)

|                                                                |                                                                      |
|----------------------------------------------------------------|----------------------------------------------------------------------|
| Poinciana Community<br>Development District                    | Sampson Creek Community<br>Development District                      |
| Poinciana West Community<br>Development District               | San Simeon Community<br>Development District                         |
| Port of the Islands Community<br>Development District          | Six Mile Creek Community<br>Development District                     |
| Portofino Isles Community<br>Development District              | South Village Community<br>Development District                      |
| Quarry Community Development<br>District                       | Southern Hills Plantation I<br>Community Development District        |
| Renaissance Commons Community<br>Development District          | Southern Hills Plantation III<br>Community Development District      |
| Reserve Community<br>Development District                      | South Fork Community<br>Development District                         |
| Reserve #2 Community<br>Development District                   | St. John's Forest Community<br>Development District                  |
| River Glen Community<br>Development District                   | Stoneybrook South Community<br>Development District                  |
| River Hall Community<br>Development District                   | Stoneybrook South at ChampionsGate<br>Community Development District |
| River Place on the St. Lucie<br>Community Development District | Stoneybrook West Community<br>Development District                   |
| Rivers Edge Community<br>Development District                  | Tern Bay Community<br>Development District                           |
| Riverwood Community<br>Development District                    | Terracina Community Development<br>District                          |
| Riverwood Estates Community<br>Development District            | Tison's Landing Community<br>Development District                    |
| Rolling Hills Community<br>Development District                | TPOST Community Development<br>District                              |
| Rolling Oaks Community<br>Development District                 |                                                                      |



## GOVERNMENTAL AUDIT EXPERIENCE (CONTINUED)

|                                                     |                                                  |
|-----------------------------------------------------|--------------------------------------------------|
| Triple Creek Community<br>Development District      | Vizcaya in Kendall<br>Development District       |
| TSR Community Development<br>District               | Waterset North Community<br>Development District |
| Turnbull Creek Community<br>Development District    | Westside Community Development<br>District       |
| Twin Creeks North Community<br>Development District | WildBlue Community Development<br>District       |
| Urban Orlando Community<br>Development District     | Willow Creek Community<br>Development District   |
| Verano #2 Community<br>Development District         | Willow Hammock Community<br>Development District |
| Viera East Community<br>Development District        | Winston Trails Community<br>Development District |
| VillaMar Community<br>Development District          | Zephyr Ridge Community<br>Development District   |

## GOVERNMENTAL AUDIT EXPERIENCE (CONTINUED)

### Other Governmental Organizations

|                                                                 |                                                    |
|-----------------------------------------------------------------|----------------------------------------------------|
| City of Westlake                                                | Office of the Medical Examiner,<br>District 19     |
| Florida Inland Navigation District                              | Rupert J. Smith Law Library<br>of St. Lucie County |
| Fort Pierce Farms Water Control<br>District                     | St. Lucie Education Foundation                     |
| Indian River Regional Crime<br>Laboratory, District 19, Florida | Seminole Improvement District                      |
| Viera Stewardship District                                      | Troup Indiantown Water<br>Control District         |

### Current or Recent Single Audits.

St. Lucie County, Florida  
Early Learning Coalition, Inc.  
Gateway Services Community Development District.

Members of our audit team have acquired extensive experience from performing or participating in over 1,800 audits of governments, independent special taxing districts, school boards, and other agencies that receive public money and utilize fund accounting.

Much of our firm's auditing experience is with compliance auditing, which is required for publicly financed agencies. In this type of audit, we do a financial examination and also confirm compliance with various statutory and regulatory guidelines.

Following is a summary of our other experience, including Auditor General experience, as it pertains to other governmental and fund accounting audits.

### Counties

(Includes elected constitutional officers, utilities and dependent taxing districts)

Indian River  
Martin  
Okeechobee  
Palm Beach

### Municipalities

City of Port St. Lucie  
City of Vero Beach  
Town of Orchid

## **GOVERNMENTAL AUDIT EXPERIENCE (CONTINUED)**

### Special Districts

Bannon Lakes Community Development District  
Boggy Creek Community Development District  
Capron Trail Community Development District  
Celebration Pointe Community Development District  
Coquina Water Control District  
Diamond Hill Community Development District  
Dovera Community Development District  
Durbin Crossing Community Development District  
Golden Lakes Community Development District  
Lakewood Ranch Community Development District  
Martin Soil and Water Conservation District  
Meadow Pointe III Community Development District  
Myrtle Creek Community Development District  
St. Lucie County – Fort Pierce Fire District  
The Crossings at Fleming Island  
St. Lucie West Services District  
Indian River County Mosquito Control District  
St. John's Water Control District  
Westchase and Westchase East Community Development Districts  
Pier Park Community Development District  
Verandahs Community Development District  
Magnolia Park Community Development District

### Schools and Colleges

Federal Student Aid Programs – Indian River Community College  
Indian River Community College  
Okeechobee County District School Board  
St. Lucie County District School Board

### State and County Agencies

Central Florida Foreign-Trade Zone, Inc. (a nonprofit organization affiliated with the St. Lucie County Board of County Commissioners)  
Florida School for Boys at Okeechobee  
Indian River Community College Crime Laboratory  
Indian River Correctional Institution

## **FEE SCHEDULE**

We propose the fee for our audit services described below to be \$3,800 for the year ended September 30, 2025. In addition, if a bond issuance occurs in the fiscal year ended September 30, 2025, the fee for our audit services will be \$5,200. The fee is contingent upon the financial records and accounting systems of Orange Bend Community Development District being "audit ready" and the financial activity for the District is not materially increased. If we discover that additional preparation work or subsidiary schedules are needed, we will consult with your authorized representative. We can assist with this additional work at our standard rates should you desire.

## **SCOPE OF WORK TO BE PERFORMED**

If selected as the District's auditors, we will perform a financial and compliance audit in accordance with Section 11.45, Florida Statutes, in order to express an opinion on an annual basis on the financial statements of Orange Bend Community Development District as of September 30, 2025. The audits will be performed to the extent necessary to express an opinion on the fairness in all material respects with which the financial statements present the financial position, results of operations and changes in financial position in conformity with generally accepted accounting principles and to determine whether, for selected transactions, operations are properly conducted in accordance with legal and regulatory requirements. Reportable conditions that are also material weaknesses shall be identified as such in the Auditors' Report on Internal Control over Financial Reporting and on Compliance and Other Matters. Other (non-reportable) conditions discovered during the course of the audit will be reported in a separate letter to management, which will be referred to in the Auditors' Report on Internal Control over Financial Reporting and on Compliance and Other Matters.

Our audit will be performed in accordance with standards for financial and compliance audits contained in *Government Auditing Standards*, as well as in compliance with rules and regulations of audits of special districts as set forth by the State Auditor General in Chapter 10.550, Local Governmental Entity Audits, and other relevant federal, state and county orders, statutes, ordinances, charter, resolutions, bond covenants, Administrative Code and procedures, or rules and regulations which may pertain to the work required in the engagement.

The primary purpose of our audit will be to express an opinion on the financial statements discussed above. It should be noted that such audits are subject to the inherent risk that errors or irregularities may not be detected. However, if conditions are discovered which lead to the belief that material errors, defalcations or other irregularities may exist or if other circumstances are encountered that require extended services, we will promptly notify the appropriate individual.

## ***Commitment to Quality Service***

### **Personnel Qualifications and Experience**

#### **J. W. Gaines, CPA, CITP**

Director – 45 years

#### **Education**

- ◆ Stetson University, B.B.A. – Accounting

#### **Registrations**

- ◆ Certified Public Accountant – State of Florida, State Board of Accountancy
- ◆ Certified Information Technology Professional (CITP) – American Institute of Certified Public Accountants

#### **Professional Affiliations/Community Service**

- ◆ Member of the American and Florida Institutes of Certified Public Accountants
- ◆ Affiliate member Government Finance Officers Association
- ◆ Past President, Vice President-Campaign Chairman, Vice President and Board Member of United Way of St. Lucie County, 1989 - 1994
- ◆ Past President, President Elect, Secretary and Treasurer of the Treasure Coast Chapter of the Florida Institute of Certified Public Accountants, 1988 - 1991
- ◆ Past President of Ft. Pierce Kiwanis Club, 1994 - 95, Member/Board Member since 1982
- ◆ Past President, Vice President and Treasurer of St. Lucie County Chapter of the American Cancer Society, 1980 -1986
- ◆ Member of the St. Lucie County Chamber of Commerce, Member Board of Directors, Treasurer, September 2002 - 2006, Chairman Elect 2007, Chairman 2008, Past Chairman 2009
- ◆ Member Lawnwood Regional Medical Center Board of Trustees, 2000 – Present, Chairman 2013 - Present
- ◆ Member of St. Lucie County Citizens Budget Committee, 2001 – 2002
- ◆ Member of Ft. Pierce Citizens Budget Advisory Committee, 2010 – 2011
- ◆ Member of Ft. Pierce Civil Service Appeals Board, 2013 - Present

#### **Professional Experience**

- ◆ Miles Grant Development/Country Club – Stuart, Florida, July 1975 – October 1976
- ◆ State Auditor General's Office – Public Accounts Auditor – November 1976 through September 1979
- ◆ Director - Berger, Toombs, Elam, Gaines & Frank, Certified Public Accountants PL, responsible for numerous government and nonprofit audits.
- ◆ Over 40 years experience in all phases of public accounting and auditing experience, with a concentration in financial and compliance audits. Mr. Gaines has been involved in all phases of the audits listed on the preceding pages.

## ***Commitment to Quality Service***

|                                                |
|------------------------------------------------|
| <b>Personnel Qualifications and Experience</b> |
|------------------------------------------------|

**J. W. Gaines, CPA, CITP (Continued)**

Director

**Continuing Professional Education**

- ♦ Has participated in numerous continuing professional education courses provided by nationally recognized sponsors over the last two years to keep abreast of the latest developments in accounting and auditing such as:
  - Governmental Accounting Report and Audit Update
  - Analytical Procedures, FICPA
  - Annual Update for Accountants and Auditors
  - Single Audit Sampling and Other Considerations

## ***Commitment to Quality Service***

### **Personnel Qualifications and Experience**

#### **David S. McGuire, CPA, CITP**

Director – 31 years experience

#### **Education**

- ◆ University of Central Florida, B.A. – Accounting
- ◆ Barry University – Master of Professional Accountancy

#### **Registrations**

- ◆ Certified Public Accountant – State of Florida, State Board of Accountancy
- ◆ Certified Information Technology Professional (CITP) – American Institute of Certified Public Accountants
- ◆ Certified Not-For-Profit Core Concepts 2018

#### **Professional Affiliations/Community Service**

- ◆ Member of the American and Florida Institutes of Certified Public Accountants
- ◆ Associate Member, Florida Government Finance Office Associates
- ◆ Assistant Coach – St. Lucie County Youth Football Organization (1994 – 2005)
- ◆ Assistant Coach – Greater Port St. Lucie Football League, Inc. (2006 – 2010)
- ◆ Board Member – Greater Port St. Lucie Football League, Inc. (2011 – 2017)
- ◆ Treasurer, AIDS Research and Treatment Center of the Treasure Coast, Inc. (2000 – 2003)
- ◆ Board Member/Treasurer, North Treasure Coast Chapter, American Red Cross (2004 – 2010)
- ◆ Member/Board Member of Port St. Lucie Kiwanis (1994 – 2001)
- ◆ President (2014/15) of Sunrise Kiwanis of Fort Pierce (2004 – 2017)
- ◆ St. Lucie District School Board Superintendent Search Committee (2013 – present)
- ◆ Board Member – Phrozen Pharos (2019-2021)

#### **Professional Experience**

- ◆ Twenty-eight years public accounting experience with an emphasis on nonprofit and governmental organizations.
- ◆ Audit Manager in-charge on a variety of audit and review engagements within several industries, including the following government and nonprofit organizations:
  - St. Lucie County, Florida
  - 19<sup>th</sup> Circuit Office of Medical Examiner
  - Troup Indiantown Water Control District
  - Exchange Club Center for the Prevention of Child Abuse, Inc.
  - Healthy Kids of St. Lucie County
  - Mustard Seed Ministries of Ft. Pierce, Inc.
  - Reaching Our Community Kids, Inc.
  - Reaching Our Community Kids - South
  - St. Lucie County Education Foundation, Inc.
  - Treasure Coast Food Bank, Inc.
  - North Springs Improvement District
- ◆ Four years of service in the United States Air Force in computer operations, with a top secret (SCI/SBI) security clearance.

## ***Commitment to Quality Service***

### **Personnel Qualifications and Experience**

**David S. McGuire, CPA, CITP (Continued)**

Director

#### **Continuing Professional Education**

- ♦ Mr. McGuire has attended numerous continuing professional education courses and seminars taught by nationally recognized sponsors in the accounting auditing and single audit compliance areas. He has attended courses over the last two years in those areas as follows:

- Not-for-Profit Auditing Financial Results and Compliance Requirements

- Update: Government Accounting Reporting and Auditing

- Annual Update for Accountants and Auditors



## ***Commitment to Quality Service***

### **Personnel Qualifications and Experience**

#### **Matthew Gonano, CPA**

Director – 14 years total experience

#### **Education**

- ◆ University of North Florida, B.B.A. – Accounting
- ◆ University of Alicante, Spain – International Business
- ◆ Florida Atlantic University – Masters of Accounting

#### **Professional Affiliations/Community Service**

- ◆ American Institute of Certified Public Accountants
- ◆ Florida Institute of Certified Public Accountants

#### **Professional Experience**

- ◆ Senior Accountant with Berger, Toombs, Elam, Gaines, & Frank providing professional services to nonprofit and governmental entities.
- ◆ Performed audits of nonprofit and governmental organizations in accordance with Governmental Accounting Auditing Standards (GAAS)
- ◆ Performed Single Audits of nonprofit organizations in accordance with OMB Circular A-133, Audits of State, Local Governments, and Non-Profit Organizations.

#### **Continuing Professional Education**

- ◆ Mr. Gonano has participated in numerous continuing professional education courses.

## ***Commitment to Quality Service***

### **Personnel Qualifications and Experience**

#### **David F. Haughton, CPA**

Accounting and Audit Manager – 34 years

#### **Education**

- ◆ Stetson University, B.B.A. – Accounting

#### **Registrations**

- ◆ Certified Public Accountant – State of Florida, State Board of Accountancy

#### **Professional Affiliations/Community Service**

- ◆ Member of the American and Florida Institutes of Certified Public Accountants
- ◆ Former Member of Florida Institute of Certified Public Accountants Committee on State and Local Government
- ◆ Affiliate Member Government Finance Officers Association (GFOA) for over 10 years
- ◆ Affiliate Member Florida Government Finance Officers Association (FGFOA) for over 10 years
- ◆ Technical Review – 1997 FICPA Course on State and Local Governments in Florida
- ◆ Board of Directors – Kiwanis of Ft. Pierce, Treasurer – 1994-1999; Vice President – 1999-2001

#### **Professional Experience**

- ◆ Twenty-seven years public accounting experience with an emphasis on governmental and nonprofit organizations.
- ◆ State Auditor General's Office – West Palm Beach, Staff Auditor, June 1985 to September 1985
- ◆ Accounting and Audit Manager of Berger, Toombs, Elam, Gaines & Frank, Certified Public Accountants PL, responsible for audit and accounting services including governmental and not-for-profit audits.
- ◆ Over 20 years of public accounting and governmental experience, specializing in governmental and nonprofit organizations with concentration in special districts, including Community Development Districts which provide services including water and sewer utilities. Governmental and non-profit entities served include the following:

##### **Counties:**

St. Lucie County

##### **Municipalities:**

City of Fort Pierce

City of Stuart

## ***Commitment to Quality Service***

### **Personnel Qualifications and Experience**

#### **David F. Haughton, CPA (Continued)**

Accounting and Audit Manager

#### **Professional Experience (Continued)**

##### **Special Districts:**

Bluewaters Community Development District  
Country Club of Mount Dora Community Development District  
Fiddler's Creek Community Development District #1 and #2  
Indigo Community Development District  
North Springs Improvement District  
Renaissance Commons Community Development District  
St. Lucie West Services District  
Stoneybrook Community Development District  
Summerville Community Development District  
Terracina Community Development District  
Thousand Oaks Community Development District  
Tree Island Estates Community Development District  
Valencia Acres Community Development District

##### **Non-Profits:**

The Dunbar Center, Inc.  
Hibiscus Children's Foundation, Inc.  
Hope Rural School, Inc.  
Maritime and Yachting Museum of Florida, Inc.  
Tykes and Teens, Inc.  
United Way of Martin County, Inc.  
Workforce Development Board of the Treasure Coast, Inc.

- ◆ While with the Auditor General's Office he was on the staff for the state audits of the Martin County School District and Okeechobee County School District.
- ◆ During 1997 he performed a technical review of the Florida Institute of Certified Public Accountants state CPE course on Audits of State and Local Governments in Florida. His comments were well received by the author and were utilized in future updates to the course.

#### **Continuing Professional Education**

- ◆ During the past several years, he has participated in numerous professional development training programs sponsored by the AICPA and FICPA, including state conferences on special districts and governmental auditing in Florida. He averages in excess of 100 hours bi-annually of advanced training which exceeds the 80 hours required in accordance with the continuing professional education requirements of the Florida State Board of accountancy and the AICPA Private Companies Practice Section. He has over 75 hours of governmental CPE credit within the past two years.

## ***Commitment to Quality Service***

|                                                |
|------------------------------------------------|
| <b>Personnel Qualifications and Experience</b> |
|------------------------------------------------|

**Paul Daly**

Staff Accountant – 12 years

**Education**

- ♦ Florida Atlantic University, B.S. – Accounting

**Professional Experience**

- ♦ Staff Accountant with Berger, Toombs, Elam, Gaines, & Frank providing professional services to nonprofit and governmental entities.

**Continuing Professional Education**

- ♦ Working to attain the requirements to take the Certified Public Accounting (CPA) exam.

## ***Commitment to Quality Service***

### **Personnel Qualifications and Experience**

#### **Melissa Marlin, CPA**

Senior Staff Accountant – 11 years

#### **Education**

- ◆ Indian River State College, A.A. – Accounting
- ◆ Florida Atlantic University, B.B.A. – Accounting

#### **Professional Experience**

- ◆ Staff accountant with Berger, Toombs, Elam, Gaines, & Frank providing professional services to nonprofit and governmental entities.

#### **Continuing Professional Education**

- ◆ Mrs. Marlin participates in numerous continuing professional education courses provided by nationally recognized sponsors to keep abreast of the latest developments.

## ***Commitment to Quality Service***

|                                                |
|------------------------------------------------|
| <b>Personnel Qualifications and Experience</b> |
|------------------------------------------------|

### **Bryan Snyder**

Staff Accountant – 10 years

#### **Education**

- ◆ Florida Atlantic University, B.B.A. – Accounting

#### **Professional Experience**

- ◆ Accountant beginning his professional auditing career with Berger, Toombs, Elam, Gaines, & Frank.
- ◆ Mr. Snyder is gaining experience auditing governmental & nonprofit entities.

#### **Continuing Professional Education**

- ◆ Mr. Snyder participates in numerous continuing education courses and plans on working to acquire his CPA certificate.
- ◆ Mr. Snyder is currently studying to pass the CPA exam.

## ***Commitment to Quality Service***

|                                                |
|------------------------------------------------|
| <b>Personnel Qualifications and Experience</b> |
|------------------------------------------------|

### **Maritza Stonebraker, CPA**

Senior Accountant – 9 years

#### **Education**

- ♦ Indian River State College, B.S. – Accounting

#### **Professional Experience**

- ♦ Staff Accountant beginning her professional auditing career with Berger, Toombs, Elam, Gaines, & Frank.

#### **Continuing Professional Education**

- ♦ Mrs. Stonebraker participates in numerous continuing professional education courses provided by nationally recognized sponsors to keep abreast of the latest developments.

## ***Commitment to Quality Service***

### **Personnel Qualifications and Experience**

#### **Jonathan Herman, CPA**

Senior Staff Accountant – 11 years

#### **Education**

- ◆ University of Central Florida, B.S. – Accounting
- ◆ Florida Atlantic University, MACC

#### **Professional Experience**

- ◆ Accounting graduate with nine years experience with Berger, Toombs, Elam, Gaines, & Frank providing professional services to nonprofit and governmental entities.

#### **Continuing Professional Education**

- ◆ Mr. Herman participates in numerous continuing professional education courses provided by nationally recognized sponsors to keep abreast of the latest developments.



## ***Commitment to Quality Service***

|                                                |
|------------------------------------------------|
| <b>Personnel Qualifications and Experience</b> |
|------------------------------------------------|

**Tifanee Terrell, CPA**

Staff Accountant – 4 years

**Education**

- ◆ Florida Atlantic University, M.A.C.C. – Accounting

**Professional Experience**

- ◆ Staff Accountant with Berger, Toombs, Elam, Gaines, & Frank providing professional services to nonprofit and governmental entities.

**Continuing Professional Education**

- ◆ Ms. Terrell participates in numerous continuing professional education courses provided by nationally recognized sponsors to keep abreast of the latest developments.
- ◆ Ms. Terrell is currently studying to pass the CPA exam.

## ***Commitment to Quality Service***

|                                                |
|------------------------------------------------|
| <b>Personnel Qualifications and Experience</b> |
|------------------------------------------------|

**Dylan Dixon**

Staff Accountant – 3 years

**Education**

- ◆ Indian River State College, B.S. – Accounting

**Professional Experience**

- ◆ Staff Accountant with Berger, Toombs, Elam, Gaines, & Frank providing professional services to nonprofit and governmental entities.

**Continuing Professional Education**

- ◆ Mr. Dixon participates in numerous continuing professional education courses provided by nationally recognized sponsors to keep abreast of the latest developments.

## ***Commitment to Quality Service***

|                                                |
|------------------------------------------------|
| <b>Personnel Qualifications and Experience</b> |
|------------------------------------------------|

**Brennen Moore**

Staff Accountant – 1 year

**Education**

- ♦ Indian River State College, B.S. – Accounting

**Professional Experience**

- ♦ Staff Accountant with Berger, Toombs, Elam, Gaines, & Frank providing professional services to nonprofit and governmental entities.

**Continuing Professional Education**

- ♦ Mr. Moore participates in numerous continuing professional education courses provided by nationally recognized sponsors to keep abreast of the latest developments.

## ***Commitment to Quality Service***

|                                                |
|------------------------------------------------|
| <b>Personnel Qualifications and Experience</b> |
|------------------------------------------------|

### **Jordan Wood**

Staff Accountant – 1 year

#### **Education**

- ◆ Indian River State College, A.A. – Accounting

#### **Professional Experience**

- ◆ Staff Accountant with Berger, Toombs, Elam, Gaines, & Frank providing professional services to nonprofit and governmental entities.

#### **Continuing Professional Education**

- ◆ Ms. Wood is currently enrolled at Indian River State College to complete her bachelor's degree.
- ◆ Ms. Wood participates in numerous continuing professional education courses provided by nationally recognized sponsors to keep abreast of the latest developments.
- ◆ Ms. Wood is currently working towards completing an additional 30 hours of education to qualify to sit for CPA exam.

## ***Commitment to Quality Service***

|                                                |
|------------------------------------------------|
| <b>Personnel Qualifications and Experience</b> |
|------------------------------------------------|

**Katie Gifford**

Staff Accountant – 1 year

**Education**

- ◆ Indian River State College, B.S. – Accounting

**Professional Experience**

- ◆ Staff Accountant with Berger, Toombs, Elam, Gaines, & Frank providing professional services to nonprofit and governmental entities.

**Continuing Professional Education**

- ◆ Ms. Gifford participates in numerous continuing professional education courses provided by nationally recognized sponsors to keep abreast of the latest developments.

## ***Commitment to Quality Service***

|                                                |
|------------------------------------------------|
| <b>Personnel Qualifications and Experience</b> |
|------------------------------------------------|

### **Rayna Zicari**

Staff Accountant – 1 year

#### **Education**

- ◆ Stetson University, B.B.A. – Accounting

#### **Professional Experience**

- ◆ Staff Accountant with Berger, Toombs, Elam, Gaines, & Frank providing professional services to nonprofit and governmental entities.

#### **Continuing Professional Education**

- ◆ Ms. Zicari participates in numerous continuing professional education courses provided by nationally recognized sponsors to keep abreast of the latest developments.
- ◆ Ms. Zicari is currently working towards completing an additional 30 hours of education to qualify to sit for CPA exam.



6815 Dairy Road  
Zephyrhills, FL 33542

813.788.2155  
[BodinePerry.com](http://BodinePerry.com)

#### Report on the Firm's System of Quality Control

To the Partners of  
Berger, Toombs, Elam, Gaines & Frank, CPAs, PL  
and the Peer Review Committee of the Florida Institute of Certified Public Accountants

November 30, 2022

We have reviewed the system of quality control for the accounting and auditing practice of Berger, Toombs, Elam, Gaines & Frank, CPAs, PL (the firm), in effect for the year ended May 31, 2022. Our peer review was conducted in accordance with the Standards for Performing and Reporting on Peer Reviews established by the Peer Review Board of the American Institute of Certified Public Accountants (Standards).

A summary of the nature, objectives, scope, limitations of, and the procedures performed in a System Review as described in the Standards may be found at [aicpa.org/prsummary](http://aicpa.org/prsummary). The summary also includes an explanation of how engagements identified as not performed or reported in conformity with applicable professional standards, if any, are evaluated by a peer reviewer to determine a peer review rating.

#### Firm's Responsibility

The firm is responsible for designing a system of quality control and complying with it to provide the firm with reasonable assurance of performing and reporting in conformity with applicable professional standards in all material respects. The firm is also responsible for evaluating actions to promptly remediate engagements deemed as not performed or reported in conformity with professional standards, when appropriate, and for remediating weaknesses in its system of quality control, if any.

#### Peer Reviewer's Responsibility

Our responsibility is to express an opinion on the design of the system of quality control, and the firm's compliance therewith based on our review.

#### Required Selections and Considerations

Engagements selected for review included engagements performed under *Government Auditing Standards*, including a compliance audit under the Single Audit Act.

As a part of our peer review, we considered reviews by regulatory entities as communicated by the firm, if applicable, in determining the nature and extent of our procedures.

#### Opinion

In our opinion, the system of quality control for the accounting and auditing practice of Berger, Toombs, Elam, Gaines & Frank, CPAs, PL, in effect for the year ended May 31, 2022, has been suitably designed and complied with to provide the firm with reasonable assurance of performing and reporting in conformity with applicable professional standards in all material respects. Firms can receive a rating of *pass*, *pass with deficiency(ies)*, or *fail*. Berger, Toombs, Elam, Gaines & Frank, CPAs, PLC, has received a peer review rating of *pass*.

*Bodine Perry*

Bodine Perry

(BERGER\_REPORT22)



**ORANGE BEND COMMUNITY DEVELOPMENT DISTRICT  
REQUEST FOR PROPOSALS**

**DISTRICT AUDITING SERVICES FOR FISCAL YEAR 2024**  
Polk County, Florida

**INSTRUCTIONS TO PROPOSERS**

**SECTION 1. DUE DATE.** Sealed proposals must be received no later than March 5, 2025, at 12:00 p.m., at the offices of District Manager, 2300 Glades Road, Suite 410W, Boca Raton, Florida 33431, (561) 571-0010. Proposals will be publicly opened at that time.

**SECTION 2. FAMILIARITY WITH THE LAW.** By submitting a proposal, the Proposer is assumed to be familiar 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. SUBMISSION OF ONLY ONE 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 one (1) unbound and one (1) electronic copy of the Proposal Documents, 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 – Orange Bend Community Development District #2 Community Development District" on the face of it. Please include pricing for each additional bond issuance.

**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. No proposal may be withdrawn after opening 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 the 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 the position or title of all personnel to perform work on the District audit. Include resumes for 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.
- D. The lump sum cost of the provision of the services under the proposal for the District's first audit for which there are no special assessment bonds, plus the lump sum cost of two (2) annual renewals, which renewals shall include services related to the District's anticipated issuance of special assessment bonds.

**SECTION 13. PROTESTS.** In accordance with the District's Rules of Procedure, any protest regarding the Proposal Documents, must be filed in writing, at the offices of the District Manager, within seventy-two (72) calendar hours (excluding Saturday, Sunday, and state holidays) after the receipt of the Proposal 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 (including Saturday, Sunday, and state holidays) 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 Proposal Documents.

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

**ORANGE BEND COMMUNITY DEVELOPMENT DISTRICT  
AUDITOR SELECTION  
EVALUATION CRITERIA**

**1. Ability of Personnel. (20 Points)**

(E.g., geographic location of the firm's headquarters or permanent office in relation to the project; capabilities and experience of key personnel; present ability to manage this project; evaluation of existing workload; proposed staffing levels, etc.)

**2. Proposer's Experience. (20 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 or current Community Development District(s) in other contracts; character, integrity, reputation of Proposer, etc.)

**3. Understanding of Scope of Work. (20 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. (20 Points)**

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.

**5. Price. (20 Points)\*\*\***

Points will be awarded based upon the lowest total proposal for rendering the services and the reasonableness of the proposal.

**Total (100 Points)**

\*\*\*Alternatively, the Board may choose to evaluate firms without considering price, in which case the remaining categories would be assigned 25 points each.

**ORANGE BEND**  
**COMMUNITY DEVELOPMENT DISTRICT**

**12CII**

# Professional Services Proposal for Orange Bend Community Development District

March 5, 2025

## Proposer

Carr, Riggs & Ingram  
189 Eglin Parkway NE, 2nd Floor  
Fort Walton Beach, FL 32548  
Phone: 850.244.8395  
Fax: 850.424.7139

## Submitted by

K. Alan Jowers  
Partner, CRI Advisors, Inc.  
Partner, Carr, Riggs & Ingram, L.L.C.  
ajowers@CRIadv.com



"Carr, Riggs & Ingram" and "CRI" are the brand names under which Carr, Riggs & Ingram, L.L.C. ("CPA Firm") and CRI Advisors provide professional services. Carr, Riggs & Ingram, L.L.C., Carr, Riggs & Ingram Capital, LLC and their respective subsidiaries operate as an alternative practice structure in accordance with the AICPA Code of Professional Conduct and applicable law, regulations and professional standards. CPA Firm is a licensed independent CPA firm that provides attest services, as well as additional ancillary services, to its clients. CRI Advisors provides tax and business consulting services to its clients. CRI Advisors and its subsidiaries are not licensed CPA firms and will not provide any attest services. The entities falling under the Carr, Riggs & Ingram or CRI brand are independently owned and are not responsible or liable for the services and/or products provided, or engaged to be provided, by any other entity under the Carr, Riggs & Ingram or CRI brand. Our use of the terms "CRI," "we," "our," "us," and terms of similar import, denote the alternative practice structure conducted by CPA Firm, CRI Advisors, and their respective subsidiaries and affiliates, as appropriate.

Dear Orange Bend Community Development District:

We appreciate the opportunity to propose on auditing services to Orange Bend Community Development District. We are eager to establish a long-term partnership that delivers immediate and ongoing value through our tailored solutions and competitive fee structure.

At CRI, our dedicated team of over 2,000 professionals aligns their expertise with your specific needs, ensuring seamless service from the start. CRI delivers big firm expertise with small firm service. Of approximately 46,000 public accounting firms in the United States, CRI currently ranks in the top 25. Additionally, as a part of PrimeGlobal, an association of independent accounting firms, we have access to international resources as – and when – needed. Leveraging these resources while maintaining local decision-making authority means that simplified solutions are only a phone call away. And we believe that's the best of both worlds for our clients.

Our partners bring over 7,500 years of collective business experience, focusing on delivering solutions that translate complex concepts into actionable insights. We strive to become trusted advisors by understanding your business and proactively contributing to your success. While accounting is the language of business, we're here to decipher the jargon and help you make educated decisions. CRInnovate embraces agility and invention.

We look forward to the opportunity to showcase our commitment to innovation, expertise, and responsiveness as one of the fastest-growing firms in the U.S. Thank you for considering our proposal.

Sincerely,

A handwritten signature in blue ink, appearing to read "Alan Jowers", with a stylized, flowing script.

K. Alan Jowers  
Partner, CRI Advisors, LLC  
Partner, Carr, Riggs & Ingram, L.L.C.



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## UNDERSTANDING & MEETING YOUR NEEDS



From the RFP or during our recent visit with your team, we understood your team to express the following needs, requests, and/or issues. We've detailed our proposed solutions below and are happy to discuss other related projects as they arise and upon request.

| NEEDS & ISSUES |                                                                                                                                                                              | SOLUTIONS & SERVICES                                                                                                                                                                                                                      |
|----------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Technical      | The District is required to have independent audits performed on its financial statements.                                                                                   | Perform external audit services in accordance with auditing standards generally accepted in the United States of America (GAAS), in order to express an opinion on the Orange Bend Community Development District's financial statements. |
| Relational     | The District's Board of Supervisors and management expect open and continuous communication with their CPA firm in order to avoid surprise findings at the end of the audit. | <p>Communicate contemporaneously and directly with management regarding the results of our procedures.</p> <p>Anticipate and respond to concerns of management and/or the Audit Committee (if/when formed).</p>                           |

## YOUR SERVICES AND FEES



We value creating mutually rewarding, long-term relationships with our clients. Our goal is to provide high quality, responsive service that yields returns far greater than your investment in our professional fees. Please find below our proposal of fees to provide the requested services for the upcoming fiscal years.

| SERVICE                                                                                                                         | CRI FEES 2025 |
|---------------------------------------------------------------------------------------------------------------------------------|---------------|
| Perform external audit services in accordance with auditing standards generally accepted in the United States of America (GAAS) | \$5,500       |

The above fee quote is based in part on the fact that the District has not yet issued bonds or other debt instruments to finance capital asset acquisition and construction. In the event the District issues such debt instruments or upon construction of major infrastructure additions, the audit fee will increase by an amount not to exceed \$5,000 per year.

If Orange Bend Community Development District requests additional services outside of this proposal, professional fee hourly rates are as follows, but may be negotiated depending on the project request:

| CLASSIFICATION   | HOURLY RATE |
|------------------|-------------|
| Partner          | \$325       |
| Manager          | \$225       |
| Senior           | \$150       |
| Staff            | \$110       |
| IT Specialist    | \$400       |
| Fraud Specialist | \$400       |

Our professional fees are based on the key assumptions that Orange Bend Community Development District will:

- Ensure that the predecessor's work papers will be made available for timely review, if applicable.
- Make available documents and work papers for review at Orange Bend Community Development District's headquarters location, although we may choose to review at alternate locations.
- Prepare certain schedules and analyses and provide supporting documents as requested.
- Assist us in obtaining an understanding of the accounting systems of Orange Bend Community Development District.
- Not experience a significant change in business operations or financial reporting standards.



# CRI FIRM PROFILE



**FOUNDED IN 1997** • **35+ MARKETS** across the United States & Mexico

Carr, Riggs & Ingram (CRI) is a top 25\* nationally-ranked accounting and advisory firm driven by relationships to cultivate growth. From traditional accounting services to leading-edge business support, technology resources, and assurance\* offerings, CRI's breadth and depth of expertise takes you from compliance to competitive advantage.



**2,000+**  
**PROFESSIONALS**



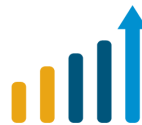
**TOP 25\***  
**FIRM**

*(as ranked by  
Accounting Today)*

**CRI FIRM  
VALUES:**

- **CLIENT SERVICE.**
- **RESPECT.**
- **INTEGRITY.**

**100,000+**  
**CLIENTS**



**25+ YEARS**  
**OF CONSISTENT GROWTH**  
**SINCE FORMATION**



## SERVICES

Advisory  
Audit & Attest\*  
Tax

Captive Insurance  
Commercial Real Estate  
Construction  
Financial Institutions  
Government & Public Sector

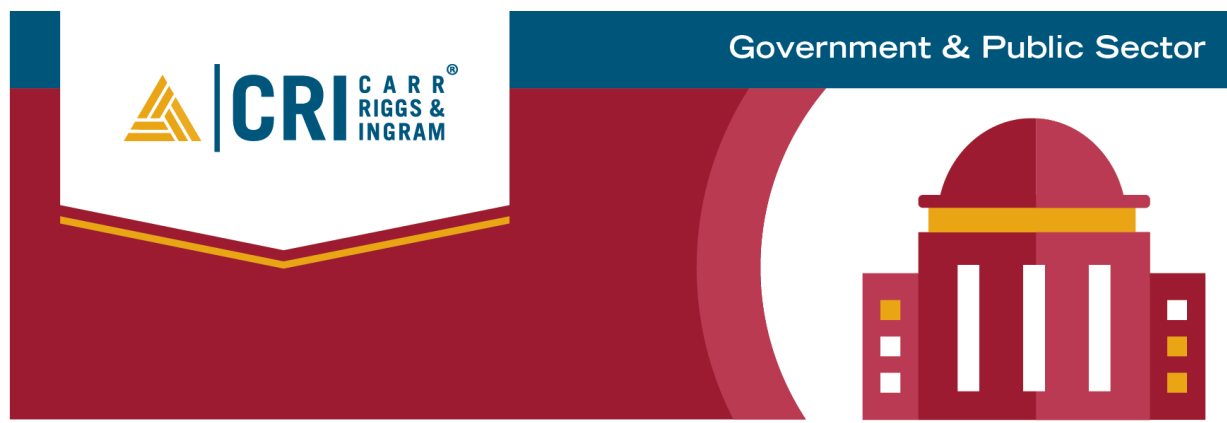
## INDUSTRY EXPERTISE

Hospitals & Health Systems  
Insurance  
Manufacturing & Distribution  
Nonprofits  
Physician Groups  
Post-Acute Care  
Private Foundations  
Religious Organizations

## CRI FAMILY OF COMPANIES

At CRI, we know that the best results come from a fully integrated approach to your business, organization, or family's financial well-being. The CRI Family of Companies works collectively to parallel our clients' evolving needs beyond traditional accounting, cutting-edge business support, technology solutions, outsourcing, and assurance\*. By working side-by-side, our expansive suite of companies and their focused solutions provide more personalized, holistic advice that checks every box.





**CRI's seasoned governmental advisory team delivers in-depth, proactive guidance to help clients provide outstanding service to their communities and organizations.**

## Why CRI?

Our experienced governmental accounting team provides assurance, compliance, and dedicated support to educational institutions and governmental entities of all sizes. By leveraging technology, data analytics, and a foundational relationship-based approach, CRI's attuned governmental professionals tailor our service offerings to your organization's unique needs, allowing for closer collaboration and attention to detail. This approach enables us to improve your entity's operations while maintaining compliance and financial controls in the face of ever-changing regulatory scrutiny.

## Related Services:

- Agreed Upon Procedures (AUPs)\*
- Audit\*
- Compliance Consulting
- Deferrals
- Financial Statement Preparation\*
- Fraud & Forensics
- Internal Audit
- Performance Audits\*
- Program Management & Administration
- Single Audit\*



**Want to Learn More? Contact us at [CRIadv.com/contact](https://CRIadv.com/contact) or by scanning the QR code.**

\* Assurance, attest, and audit services provided by Carr, Riggs & Ingram, L.L.C.

"CRI" is the brand name under which Carr, Riggs & Ingram, L.L.C. ("CPA Firm") and CRI Advisors, LLC ("Advisors") and its subsidiary entities provide professional services. CPA Firm and Advisors (and its subsidiary entities) practice as an alternative practice structure in accordance with the AICPA Code of Professional Conduct and applicable law, regulations and professional standards. CPA Firm is a licensed independent CPA firm that provides attest services to its clients, and Advisors and its subsidiary entities provide tax and business consulting services to their clients. Advisors and its subsidiary entities are not licensed CPA firms.

► [CRIadv.com](https://CRIadv.com)

## RELEVANT EXPERIENCE



CRI delivers a depth of resources that ensures our understanding of your challenges and innovative solutions for overcoming them. Our team's combined experience is derived from providing audit, tax, consulting, and accounting outsourcing services. We parlay this vast experience and derived best practices into proven solutions that benefit you. Below we share specific, relevant client references; we encourage you to consult with them.

| RELATIONSHIP                                                                                                                 | TIMELINE       | SERVICE DESCRIPTION                                | RELEVANT POINTS TO CONSIDER                                                                                                                                                             |
|------------------------------------------------------------------------------------------------------------------------------|----------------|----------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Rizzetta & Company<br>Shawn Wildermuth<br>3434 Colwell Avenue<br>Suite 200<br>Tampa, FL 33614<br>813.933.5571                | 2006 – Present | Annual Financial Statement Audits of Multiple CDDs | <ul style="list-style-type: none"> <li>• Client service experience</li> <li>• Responsiveness to client needs</li> <li>• Long-term relationship</li> <li>• CDD management co.</li> </ul> |
| GMS, LLC<br>Dave DeNagy<br>14785 Old St. Augustine Road<br>Suite 4<br>Jacksonville, FL 32258<br>904.288.9130                 | 2006 – Present | Annual Financial Statement Audits of Multiple CDDs | <ul style="list-style-type: none"> <li>• Client service experience</li> <li>• Responsiveness to client needs</li> <li>• Long-term relationship</li> <li>• CDD management co.</li> </ul> |
| Wrathell, Hunt & Associates, LLC<br>Jeffrey Pinder<br>2300 Glades Road<br>Suite 410W<br>Boca Raton, FL 33431<br>561.571.0010 | 2006 – Present | Annual Financial Statement Audits of Multiple CDDs | <ul style="list-style-type: none"> <li>• Client service experience</li> <li>• Responsiveness to client needs</li> <li>• Long-term relationship</li> <li>• CDD management co.</li> </ul> |
| PFM Group Consulting, LLC<br>Jennifer Glasgow<br>12051 Corporate Blvd.<br>Orlando, FL 32817<br>407.382.3256                  | 2007 – Present | Annual Financial Statement Audits of Multiple CDDs | <ul style="list-style-type: none"> <li>• Client service experience</li> <li>• Responsiveness to client needs</li> <li>• Long-term relationship</li> <li>• CDD management co.</li> </ul> |



### K. Alan Jowers

Partner, CRI Advisors, LLC

Partner, Carr, Riggs & Ingram, L.L.C.

AJowers@CRIadv.com

850.337.3213 | Direct



#### Representative Clients

- Santa Rosa County District School Board
- Okaloosa Gas District
- Santa Rosa Island Authority
- Pasco County
- Okaloosa County District School Board
- Pinellas County School District
- Celebration Community Development District
- Hammock Bay Community Development District
- Amelia National Community Development District

#### Experience

Alan has over 25 years of experience in public accounting primarily with financial statement assurance engagements. His practice includes local governmental entities, condominium and homeowner associations, non-profit organizations, and nonpublic companies. He currently has direct engagement responsibility for a significant number of audits throughout the state of Florida .

Alan is licensed to practice as a certified public accountant in Florida and Georgia. He is a member of the Board of Directors of the Florida Institute of Certified Public Accountants (FICPA), has been an active member of the FICPA's State and Local Governmental Committee, and is a past chair of its Common Interest Realty Association Committee. He is also active in the Panhandle Chapter of the Florida Governmental Finance Officers Association (FGFOA) and is a former member of the FGFOA's statewide Technical Resource Committee.

#### Education, Licenses & Certifications

- Masters of Accountancy, University of Alabama
- BS, Accounting, Florida State University
- Certified Public Accountant

#### Professional Affiliations

- American Institute of Certified Public Accountants (AICPA)
- Florida Institute of Certified Public Accountants (FICPA) - member of the Board of Governors
- Governmental Finance Officers Association (GFOA)
- Florida Governmental Finance Officers Association (FGFOA)

## YOUR SOLUTION TEAM



### Lauren Villarreal

Partner, CRI Advisors, LLC

Partner, Carr, Riggs & Ingram, L.L.C.

lvillarreal@CRIadv.com

850.337.3223 | Direct



#### Representative Clients

- Community Development Districts
- Condominium and Homeowner Associations
- Employee Benefit Plans
- County and Local Governments
- Non-Profit Organizations

#### Experience

Lauren has 10 years auditing and accounting experience in the Destin office of CRI. She is an audit partner with primary responsibility for fieldwork and reporting on audits of clients in a variety of industries including local governmental and non-profit entities as well as employee benefit plans and commercial businesses. She is currently the in-charge auditor for over two dozen community development districts with several CDD management companies in the State of Florida.

Lauren is licensed to practice as a Certified Public Accountant in Florida. She is a member of the American Institute of Certified Public Accountants and the Florida Institute of Certified Public Accountants. She exceeds all continuing professional education requirements related to Government Auditing Standards.

Lauren currently supervises engagements for many governmental entities in the State of Florida including community development districts and other special governments. She is active in our firm's governmental industry line as well as the condominium and homeowner association practice. In addition, Lauren has accumulated experience in Federal and Florida Single Audit Acts compliance monitoring and auditing. Lauren has performed several single audits of federal grants under OMB Circular A-133.

#### Education, Licenses & Certifications

- BS, Accounting, Florida State University
- BS, Business Administration, Florida State University
- Certified Public Accountant
- Community Association Manager (CAM), Licensed in Florida

#### Professional Affiliations

- American Institute of Certified Public Accountants (AICPA)
- Florida Institute of Certified Public Accountants (FICPA)



## AUDIT METHODOLOGY

Our audit, tax, consulting, and client accounting services documentation is maintained electronically. Compliance with our methodology is regularly reviewed and evaluated as part of our internal quality program, which is further discussed in this section under **INTERNAL QUALITY CONTROL REVIEWS AND EXTERNAL REVIEWS**. Comprehensive policies and procedures governing all of our practices and addressing professional and regulatory standards and implementation issues are constantly updated for new professional developments and emerging issues. See the table of contents to identify the relevant audit approach and methodology detailed description section.

## ENGAGEMENT QUALITY REVIEW PARTNER (CONCURRING PARTNER)

Audit engagements are assigned engagement quality review (EQR) partner, as appropriate. This role is one of the most important elements of our quality assurance process, as it provides for a timely, independent review of key accounting and auditing issues. The EQR partner also reviews the financial statements and related supporting documentation—including the disclosures—to evaluate their fair presentation under accounting principles generally accepted in the United States of America (GAAP).

## INTERNAL QUALITY CONTROL REVIEWS AND EXTERNAL REVIEWS

Experienced partners and professional staff of our firm conduct quality control reviews of our audits. Our partners' work is reviewed annually, and the inspection process includes periodic testing of the effectiveness of our quality controls and a continuous improvement program. This risk-based annual inspection is intended to mimic the triennial peer review described in the following paragraph and are performed on completed engagements. In addition to this inspection, we perform in-process, "pre-issuance" reviews of partners' work that are chosen for using a risk-based selection process; these reviews are performed by our corporate quality control team. The combination of the in-process and completed engagements is part of our continuous improvement processes.

Peer reviews are performed every three years by another independent public accounting firm. The most recent review of our firm was performed in 2022 by Brown Edwards, whose report was the most favorable possible "Pass."

In addition, we are registered with the PCAOB and our 2024 PCAOB inspection report was also the most favorable possible—no audit deficiencies or quality control defects identified.

The 2024 PCAOB report can be viewed at [https://assets.pcaobus.org/pcaob-dev/docs/default-source/inspections/reports/documents/104-2025-016-carriggs.pdf?sfvrsn=2089984d\\_2](https://assets.pcaobus.org/pcaob-dev/docs/default-source/inspections/reports/documents/104-2025-016-carriggs.pdf?sfvrsn=2089984d_2).



# SHARING CRI'S VALUES WITH YOU

We are proud of our hands-on, service-centric, and results-oriented approach. Combining that approach with quality controls and superior talent allows us to help you achieve your goals and strengthen your management systems and processes. This approach is further emphasized through our three core values which guide our team's behavior and function as the foundation for interactions with our clients and each other.



### CLIENT SERVICE

Defining our brand by meeting or exceeding the highest expectations of our clients

### RESPECT

Building productive, long-term relationships with each other that are based on mutual respect, trust, and sharing

### INTEGRITY

Living with sincerity, transparency, and honesty

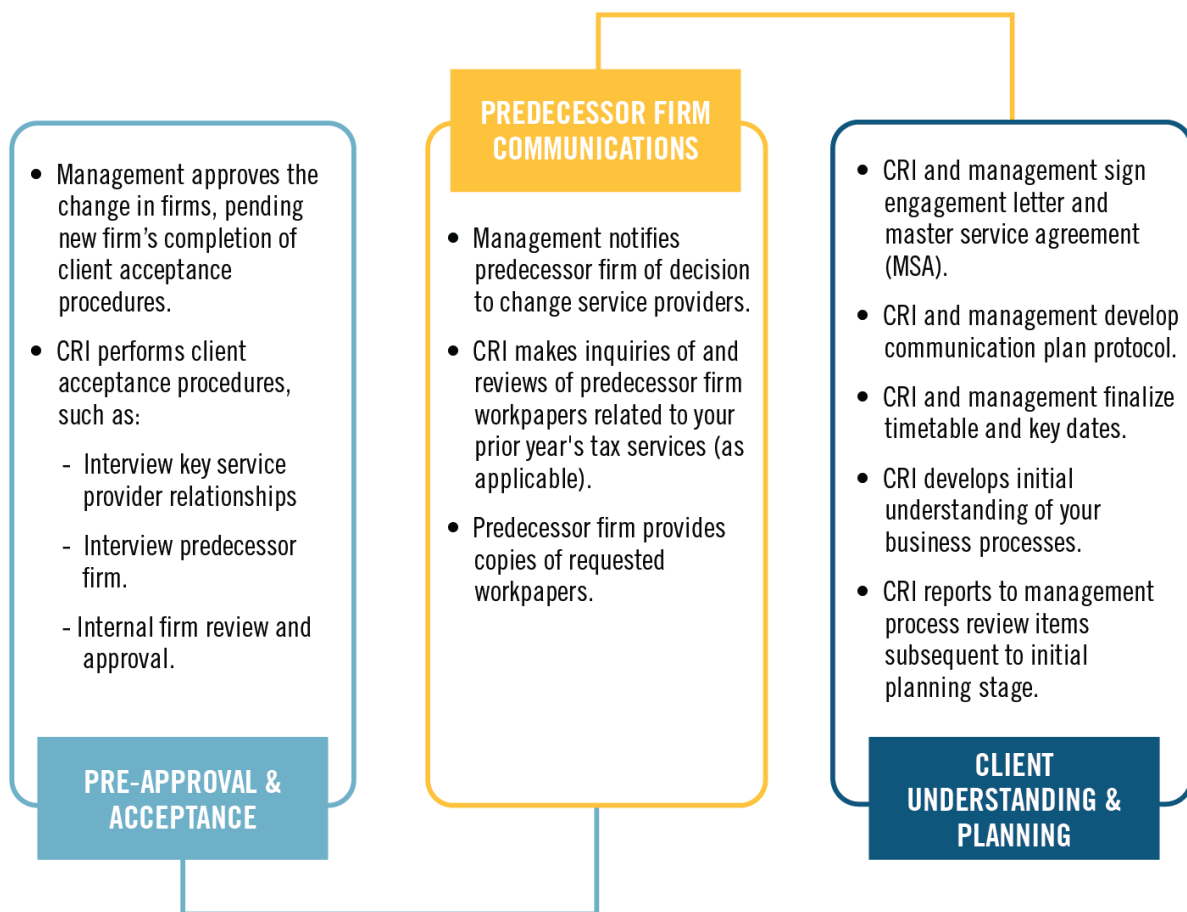
# TRANSITIONING YOU



When choosing to change firms, the time involved in working with new accounting professionals is often a concern. CRI's well-defined efficient, seamless transition process is designed to:

- Provide you with value from the very first encounter,
- Avoid interruption of service,
- Minimize disruption and investment of management's time,
- Raise the standard of service, and
- Establish ongoing channels of communication with Orange Bend Community Development District's management.

The transition plan is comprised of the following key activities and can occur within approximately two weeks, depending on the availability of the parties involved:





# CRI'S GLOBAL RESOURCES



Many businesses are expanding and/or evaluating their global reach, and they require assistance in order to comprehensively consider the various financial implications of growing in international markets. In addition to CRI's internal resources, we deliver the expertise and support of some of the world's most highly regarded accounting firms through shared alliance as members of PrimeGlobal.

## WHO IS PRIMEGLOBAL?



## HOW OUR PRIMEGLOBAL MEMBERS CAN BENEFIT YOU

We supplement our in-depth, industry knowledge and specialized services through our collaborations with other PrimeGlobal firms to help you evaluate your options globally. CRI's goal is to provide you with the information you need to make well-informed, smart business decisions.

### 4 KEY BENEFITS TO CRI CLIENTS FROM OUR PRIMEGLOBAL MEMBERSHIP

- 1 SOLUTIONS**  
that are worldwide and world-class.
- 2 ACCESSIBILITY**  
to knowledge and resources of statutory, regulatory, and compliance requirements throughout the world.
- 3 DECISION MAKING**  
with the support of local connections and cultural understanding throughout regions of the world.
- 4 SINGLE POINT OF CONTACT**  
CRI's team serves as your contact for each engagement, and we project manage across the entire team - including other PrimeGlobal firms and specialists.

## JOIN OUR CONVERSATION



We know that some information that makes perfect sense to an advisor may not be as clear to our clients. Therefore, we produce original content in the form of articles, videos, white papers, webinars, and more to provide timely, down-to-earth translations of complex subjects. We publish this original content on [CRIadv.com](https://CRIadv.com) and across all our many social channels.

### FOLLOW CRI ON SOCIAL MEDIA @CRIADVISORS



### SUBSCRIBE TO THE CRI E-NEWSLETTER

[CRIADV.COM/NEWSLETTER-SIGNUP](https://CRIADV.COM/NEWSLETTER-SIGNUP)

### CRI: FROM FOUNDATION TO FUTURE

Over a quarter-century, Carr, Riggs & Ingram has not just grown, but transformed. Now standing proudly among the top 25 firms in the U.S., our trajectory is steeped in innovation, shaping us into the firm of tomorrow—today. Our growth isn't merely a timeline; it's a testament to our entrepreneurial and pioneering spirit. As we harness cutting-edge technology and lead through industry evolution, our commitment to delivering actionable insights and solutions rooted in our founding principles of tailored Client service, Respect for all, and unyielding Integrity remains unwavering. As we look to the horizon, we at CRI are poised to redefine what's possible, and we invite our clients, old and new, to join us in shaping the future.



### IT FIGURES: THE CRI PODCAST

Created to provide insight into the latest developments and regulations in the accounting and finance space, It Figures is an accounting and advisory focused podcast for business and organization leaders, entrepreneurs, and anyone who is looking to go beyond the status quo.

Listen on Apple Podcasts, Spotify, iHeart Radio, and more.  
[itfigurespodcast.com](https://itfigurespodcast.com)

Top 25 Accounting Firm - #1 Accounting Firm in the Gulf Coast Region





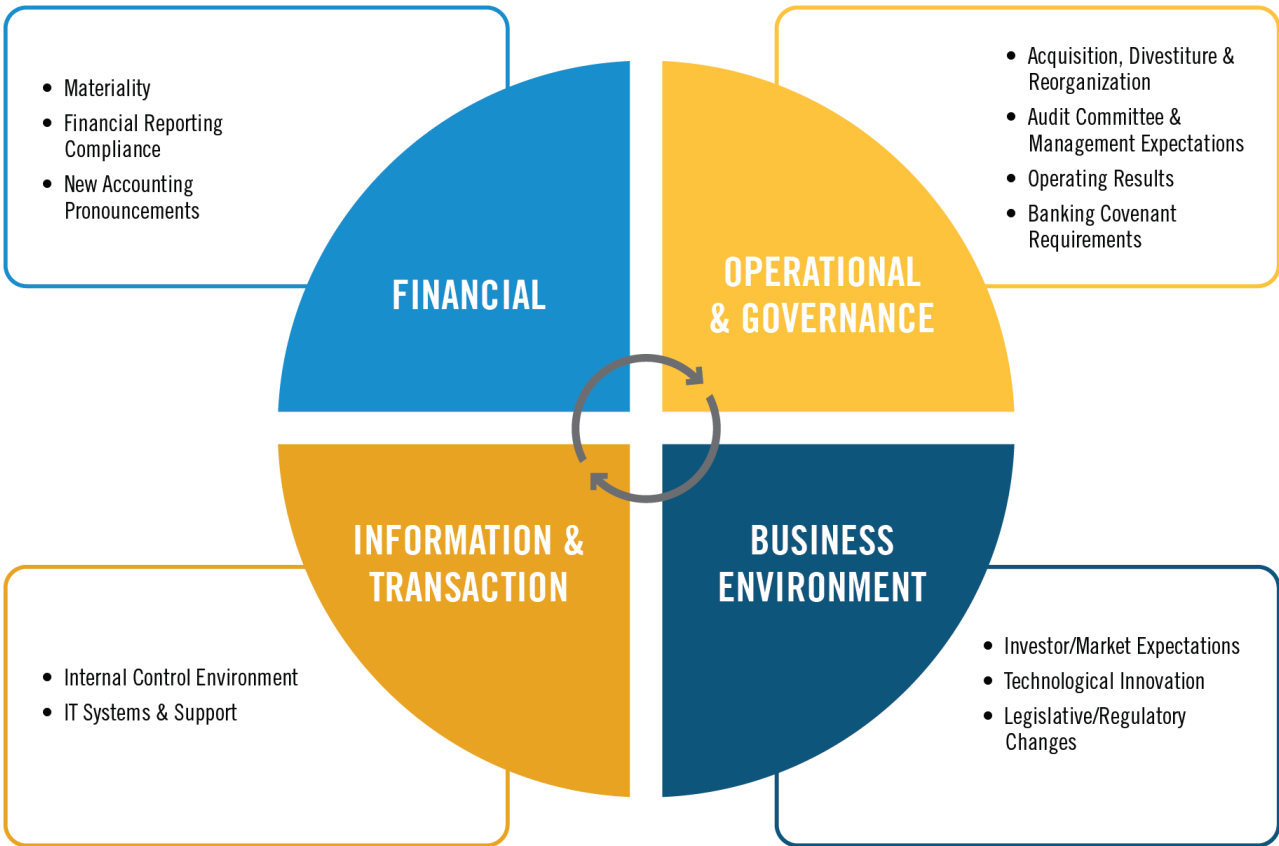
# CRI AUDIT FRAMEWORK\*

Our proposed services require a coordinated effort between us and Orange Bend Community Development District's team. Planning and continual communication are essential to developing the appropriate procedures, working collaboratively to resolve any identified issues, and meeting your timelines.

CRI's audit approach occurs within a framework of our client's business and industry; therefore, we assess risk by:

- Understanding management's perspectives and goals, and
- Considering business conditions and threats that could prevent management from achieving its business objectives.

We assess risks in the following areas:



## CRI AUDIT FRAMEWORK\*



Our ultimate intent is to drill down from these broad risks to specific financial reporting risks. We understand both these risks and management's processes and procedures for mitigating them (i.e. internal controls) in order to develop our procedures to carry out our audit responsibilities.

Although our audits are conducted through a structured, risk-based model, we focus on understanding the client's needs, requirements, and expectations. We work collaboratively with management and the Audit Committee (or similar function) to develop a communication and work plan to continuously improve client service, by doing so we help in moving your team from simple compliance to providing you with a competitive advantage.

In planning, we concentrate on "key risks," (items with a greater risk of a material misstatement, a material weakness in internal controls, or other matters resulting in the issuance of an inappropriate audit report). We focus on "material" items (i.e. those items that would be important to the user of your financial statements). When evaluating materiality of identified misstatements, certain quantitative and qualitative factors must be considered—which may include:

- Impact on operating trends (revenue/income, expenses, net income, etc).
- Nature of the misstatement (i.e., did the misstatement result from an unlawful transaction?).
- Impact on liquidity, capital/surplus, earnings capacity, etc.
- Impact to loan covenants and contractual and regulatory requirements.

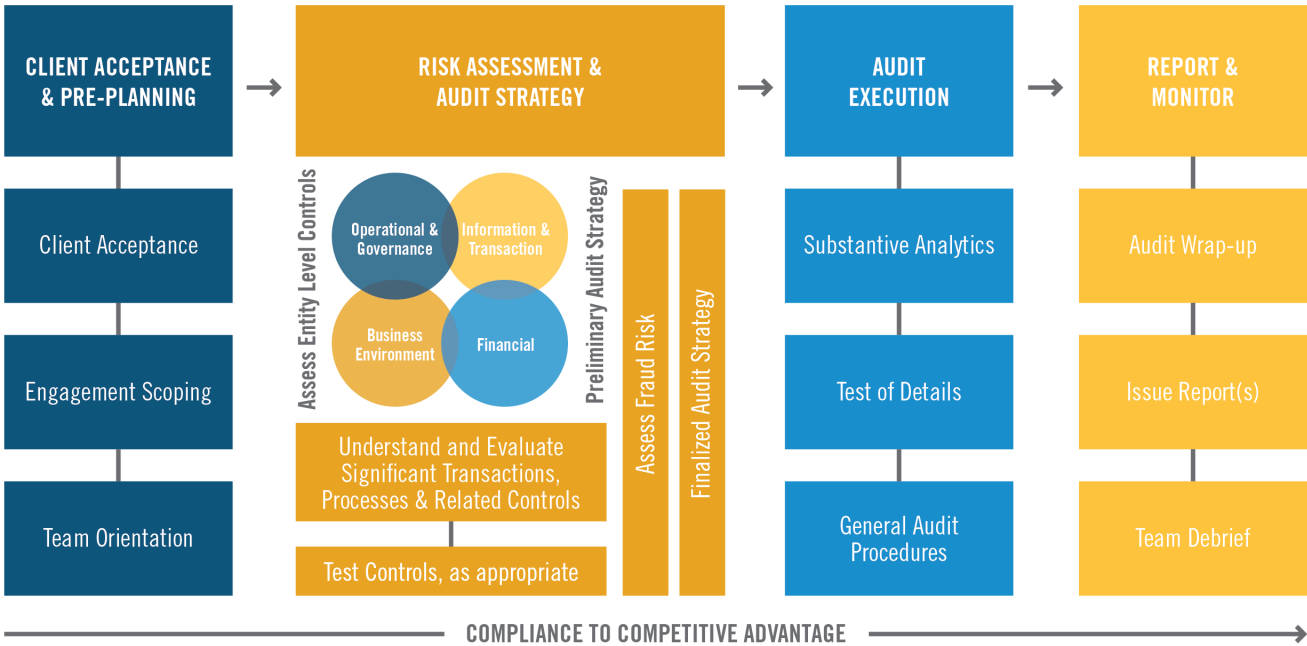
Consistent communication is a key to completion of the audit. By ensuring constant involvement, we are in a better position to respond to your issues timely and efficiently. Therefore, we plan to meet with your management to:

- Set-up the audit by reviewing the mapping of Orange Bend Community Development District's financial information (financial statements and notes) to significant processes and IT systems to ensure that all significant account balances, transactions, procedures, and systems are tested as deemed necessary.
- Discuss ongoing changes—specifically new accounting pronouncements and key business transactions in their early stages, enabling us to agree on the resolution of various complex business issues on a timely basis.



# CRI AUDIT APPROACH\*

Our audit approach is a four stage approach, as depicted in the summary below. Our client acceptance and risk assessment procedures occur during detailed conversations and observations with your team. The results of those procedures allow us to tailor an audit program to your specific risks and needs. We then execute the audit, report the results, and evaluate continuous improvement opportunities for ongoing service and benefit to you.





## STAGE 1: CLIENT ACCEPTANCE & PRE-PLANNING

- Perform client acceptance procedures.
- Collaborate with management to agree to expectations and scope.
- Assign appropriate staff based on client needs and assessed risk.

## STAGE 2: RISK ASSESSMENT & AUDIT STRATEGY

- Interview client personnel and others to understand client-specific objectives and risks.
- Assess following aspects of the organization for their impact on the audit plan:
  - environmental and other external risks,
  - management's fraud and IT risk assessment models,
  - entity level controls including:
    - control environment
    - risk assessment,
    - information and communication,
    - and monitoring controls.
  - IT General Computer (ITGC) controls, such as
    - IT Environment
    - Developing and Delivering IT, and
    - Operating and Monitoring IT.
- Determine materiality.
- Develop and document our understanding of and/or reliance on:
  - linkage of financial statements to:
    - significant transactions,
    - processes,
    - IT systems, and
    - related controls,
  - existence of/reliance on SOC entities and their reports,
  - internal audit, and
  - specialists (e.g. valuation, pension costs, etc.).
- If elected, test controls including ITGC, through a mix of:
  - inquiry,
  - observation
  - examination, and
  - re-performance.
- Perform preliminary analytical procedures.
- Finalize risk assessments and develop a final audit strategy.

## STAGE 3: AUDIT EXECUTION

- Where possible to test as efficiently as possible:
  - develop detailed analytical procedures to use as substantive tests (benefit = reducing tests of details):  
Examples include:
    - ratio analysis,
    - regression analysis,
    - trend analysis,
    - predictive tests, or
    - reasonableness test,
  - utilize Computer-Assisted Audit Techniques (CAATs) (benefit = automation of testing for more coverage and less disruption to the client), and
  - perform targeted testing (also known as "coverage" testing) to test large portions of account balances (benefit = more coverage with smaller selections).
- Perform tests of details, including sampling.
- Perform general audit procedures such as tests related to:
  - commitments and contingencies,
  - legal letters,
  - management representations,
  - reviews of Board minutes,
  - related party transactions,
  - debt covenants, and
  - going concern.
- Perform other tests for compliance such as Yellow Book or Single Audit tests.

## STAGE 4: REPORT & MONITOR

- Continually monitor throughout the audit - providing feedback as agreed during scoping.
- Conclude the audit (i.e. issue opinions and reports).
- Develop and present:
  - reports,
  - required communications,
  - management letter comments, and
  - other audit-related deliverables.
- Perform debriefings to identify opportunities for improvement with our:
  - engagement team, and/or
  - client's team.

## APPENDIX A - RFP DOCUMENTS



### ORANGE BEND COMMUNITY DEVELOPMENT DISTRICT REQUEST FOR PROPOSALS FOR ANNUAL AUDIT SERVICES

The Orange Bend Community Development District hereby requests proposals for annual financial auditing services. The proposal must provide for the auditing of the District's financial records for the fiscal year ending September 30, 2025, with an option for additional annual renewals, subject to mutual agreement by both parties. The District is a local unit of special-purpose government created under Chapter 190, *Florida Statutes*, for the purpose of financing, constructing, and maintaining public infrastructure. The District is located in the City of Leesburg, Lake County, Florida. The final contract will require that, among other things, the audit for the fiscal year ending September 30, 2025, be completed no later than June 30, 2026.

The auditing entity submitting a proposal must be duly licensed under Chapter 473, *Florida Statutes*, and be qualified to conduct audits in accordance with "Government Auditing Standards," as adopted by the Florida Board of Accountancy. Audits shall be conducted in accordance with Florida Law and particularly Section 218.39, *Florida Statutes*, and the rules of the Florida Auditor General.

Proposal packages, which include evaluation criteria and instructions to proposers, are available from the District Manager at the address and telephone number listed below.

Proposers must provide one (1) electronic and one (1) unbound copy of their proposal to the offices of the District Manager, located at 2300 Glades Road, Suite 410W, Boca Raton, Florida 33431, ph: (877) 276-0889 ("District Manager"), in an envelope marked on the outside "Auditing Services, Orange Bend Community Development District." Proposals must be received by 12:00 p.m. on March 5, 2025, at the office of the District Manager. Please direct all questions regarding this Notice to the District Manager.

District Manager



# APPENDIX A - RFP DOCUMENTS



## ORANGE BEND COMMUNITY DEVELOPMENT DISTRICT

### REQUEST FOR PROPOSALS

#### District Auditing Services for Fiscal Year 2025

City of Leesburg, Lake County, Florida

#### INSTRUCTIONS TO PROPOSERS

**SECTION 1. DUE DATE.** Sealed proposals must be received no later than March 5, 2025 at 12:00 p.m., at the offices of District Manager, located at Wrathell, Hunt and Associates, LLC, 2300 Glades Road, Suite 410W, Boca Raton, Florida 33431. Proposals will be publicly opened at that time.

**SECTION 2. FAMILIARITY WITH THE LAW.** By submitting a proposal, the Proposer is assumed to be familiar 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. SUBMISSION OF ONLY ONE 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 one (1) electronic and one (1) unbound copy of the Proposal Documents, 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 – Orange Bend Community Development District" on the face of it. **Please include pricing for each additional bond issuance.**

**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. No proposal may be withdrawn after opening for a period of ninety (90) days.



# APPENDIX A - RFP DOCUMENTS



**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 ("**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 the 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 the position or title of all personnel to perform work on the District audit. Include resumes for 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.
- D. The lump sum cost of the provision of the services under the proposal, plus the lump sum cost of four (4) annual renewals.

**SECTION 13. PROTESTS.** In accordance with the District's Rules of Procedure, any protest regarding the Proposal Documents, must be filed in writing, at the offices of the District Manager, within seventy-two (72) calendar hours (excluding Saturday, Sunday, and state holidays) after the receipt of the Proposal Documents. The formal protest setting forth with particularity the facts and law upon which the protest is based shall be

## APPENDIX A - RFP DOCUMENTS



filed within seven (7) calendar days (including Saturday, Sunday, and state holidays) 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 Proposal Documents.

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

# APPENDIX A - RFP DOCUMENTS



## ORANGE BEND COMMUNITY DEVELOPMENT DISTRICT AUDITOR SELECTION EVALUATION CRITERIA

**1. *Ability of Personnel.* (20 Points)**

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

**2. *Proposer's Experience.* (20 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 or current Community Development District(s) in other contracts; character, integrity, reputation of Proposer, etc.)

**3. *Understanding of Scope of Work.* (20 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.* (20 Points)**

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.

**5. *Price.* (20 Points)\*\*\***

Points will be awarded based upon the lowest total proposal for rendering the services and the reasonableness of the proposal.

***Total* (100 Points)**

\*\*\*Alternatively, the Board may choose to evaluate firms without considering price, in which case the remaining categories would be assigned 25 points each.

**ORANGE BEND**  
**COMMUNITY DEVELOPMENT DISTRICT**

**12CIII**

# **Orange Bend Community Development District**

|                 |
|-----------------|
| <b>Proposer</b> |
|-----------------|

**DiBartolomeo, McBee, Hartley & Barnes, P.A.**  
**Certified Public Accountants**

**2222 Colonial Road, Suite 200  
Fort Pierce, Florida 34950  
(772) 461-8833**

**591 SE Port St. Lucie Boulevard  
Port Saint Lucie, Florida 34984  
(772) 878-1952**

**Contact:**

**Jim Hartley, CPA  
Principal**

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Orange Bend  
Community Development District  
Audit Selection Committee

Dear Committee Members:

We are pleased to have this opportunity to present the qualifications of DiBartolomeo, McBee, Hartley & Barnes, P.A. (DMHB) to serve as Orange Bend Community Development District's independent auditors. The audit is a significant engagement demanding various professional resources, governmental knowledge and expertise, and, most importantly, experience serving Florida local governments. DMHB understands the services required and is committed to performing these services within the required time frame. We have the staff available to complete this engagement in a timely fashion. We audit several entities across the State making it feasible to schedule and provide services at the required locations.

***Proven Track Record***—Our clients know our people and the quality of our work. We have always been responsive, met deadlines, and been willing to go the extra mile with the objective of providing significant value to mitigate the cost of the audit. This proven track record of successfully working together to serve governmental clients will enhance the quality of services we provide.

***Experience***—DMHB has a history of providing quality professional services to an impressive list of public sector clients in Florida. We currently serve a large number of public sector entities in Florida, including cities, villages, special districts, as well as a large number of community development districts. Our firm has performed in excess of 100 community development district audits. In addition, our senior management team members have between 25 and 35 years experience in serving Florida governments. DMHB is a recognized leader in providing services to governmental and non-profit agencies within the State of Florida. Through our experience in performing audits, we have been able to increase our audit efficiency and therefore reduce cost. We have continually passed this cost saving on to our clients and will continue to do so in the future. As a result of our experience and expertise, we have developed an effective and efficient audit approach designed to meet or exceed the performance specifications in accordance with audit standards generally accepted in the United States of America, the standards applicable to financial audits contained in Government Auditing Standards, issued by the Comptroller General of the United States with minimal disruption to your operations. Our firm has frequent technical updates to keep our personnel informed and up to date on all changes that are occurring within the industry.

***Timeliness*** – In order to meet the Districts needs, we will perform interim internal control testing by January 31<sup>st</sup> from unaudited preliminary general ledgers provided. The remaining testing will be completed no later than May 1<sup>st</sup>. We will also review all minutes and subsequent needs related to the review of the minutes by January 31<sup>st</sup>. Follow up review will be completed as necessary.

***Communication and Knowledge Sharing***— Another driving force behind our service approach is frequent, candid and open communication with management with no surprises. During the course of the audit, we will communicate with management on a regular basis to provide you with a status report on the audit and to discuss any issues that arise, potential management letter comments, or potential audit differences.

In the accompanying proposal, you will find additional information upon which you can evaluate DMHB's qualifications. Our full team is in place and waiting to serve you. Please contact us at 2222 Colonial Road, Suite 200 Fort Pierce, FL 34950. Our phone number is (772) 461-8833. We look forward to further discussion on how our team can work together with you.

Very truly yours,

A handwritten signature in black ink that reads "DiBartolomeo, McBee, Hartley & Barnes". The script is cursive and fluid, with the names connected together.

DiBartolomeo, McBee, Hartley & Barnes, P.A.



## PROFESSIONAL QUALIFICATIONS

DiBartolomeo, McBee, Hartley & Barnes, P.A. is a local public accounting firm with offices in the cities of Fort Pierce and Port St. Lucie. The firm was formed in 1982.

### ➤ *Professional Staff Resources*

Our services will be delivered through personnel in both our Port St. Lucie and Ft. Pierce offices, located at 591 S.E. Port St. Lucie Blvd., Port St. Lucie, FL 34984 and 2222 Colonial Road, Suite 200, Fort Pierce, Florida 34950, respectively. DMHB has a total of 19 professional staff including 9 with extensive experience serving governmental entities.

| <b>Professional Staff<br/>Classification</b> | <b>Number of<br/>Professionals</b> |
|----------------------------------------------|------------------------------------|
| Partner                                      | 4                                  |
| Managers                                     | 2                                  |
| Senior                                       | 2                                  |
| Staff                                        | 11                                 |
|                                              | 19                                 |

DiBartolomeo, McBee, Hartley & Barnes provides a variety of accounting, auditing, tax litigation support, estate planning, and consulting services. Some of the governmental, non-profit accounting, auditing and advisory services currently provided to clients include:

- Annual financial and compliance audits including Single Audits of State and Federal financial assistance programs under the OMB A-133 audit criteria
- Issuance of Comfort Letters, consent letters, and parity certificates in conjunction with the issuance of tax-exempt debt obligations, including compiling financial data and interim period financial statement reviews
- Assisting in compiling historical financial data for first-time and subsequent submissions for the GFOA Certificate of Achievement for Excellence in Financial Reporting

## PROFESSIONAL QUALIFICATIONS (CONTINUED)

### ➤ *Professional Staff Resources (Continued)*

- Audits of franchise fees received from outside franchisees
- Preparation of annual reports to the State Department of Banking and Finance
- Audits of Internal Controls – Governmental Special Project
- Assistance with Implementation of current GASB pronouncements

### ➤ *Current and Near Future Workload*

In order to better serve and provide timely and informative financial data, we have comprised an experienced audit team. Our present and future workloads will permit the proposed audit team to perform these audits within the time schedule required and meet all deadlines.

### ➤ *Identification of Audit Team*

The team is composed of people who are experienced, professional, and creative. They fully understand your business and will provide you with reliable opinions. In addition, they will make a point to maintain ongoing dialogue with each other and management about the status of our services.

The auditing firm you select is only as good as the people who serve you. We are extremely proud of the outstanding team we have assembled for your engagement. Our team brings many years of relevant experience coupled with the technical skill, knowledge, authority, dedication, and most of all, the commitment you need to meet your government reporting obligations and the challenges that will result from the changing accounting standards.

A flow chart of the audit team and brief resumes detailing individual team members' experience in each of the relevant areas follow.

**Jim Hartley, CPA** – Engagement Partner (resume attached)  
Will assist in the field as main contact

**Jay McBee, CPA** – Technical Reviewer (resume attached)

**Christine Kenny, CPA** – Senior (resume attached)

## **Jim Hartley**

*Partner – DiBartolomeo, McBee, Hartley & Barnes*

### **Experience and Training**

Jim has over 35 years of public accounting experience and would serve as the engagement partner. His experience and training include:

- 35 years of non-profit and governmental experience.
- Specializing in serving entities ranging from Government to Associations and Special District audits.
- Has performed audits and advisory services for a variety of public sector entities.
- Has extensive experience performing audits of federal grant recipients in accordance with the Single Audit Act and the related Office of Management and Budget (OMB) guidelines.
- Experienced in maintaining the GFOA Certificate of Achievement.
- 120 hours of CPE credits over the past 3 years.

### **Recent Engagements**

Has provided audit services on governmental entities including towns, villages, cities, counties, special districts and community development districts. Jim has assisted with financial statement preparation, system implementation, and a variety of services to a wide range of non-profit and governmental entities. Jim currently provides internal audit and consulting services to governmental entities and non-profit agencies to assist in implementing and maintaining “best practice” accounting policies and procedures. Jim provides auditing services to the Fort Pierce Utilities Authority, St. Lucie County Fire District, City of Port St. Lucie, Tradition CDD #1 – 10, Southern Groves CDD #1-6, Multiple CDD audits, Town of St. Lucie Village, Town of Sewall’s Point, Town of Jupiter Island along with several other entities, including Condo and Homeowner Associations.

### **Education and Registrations**

- Bachelor of Science in Accounting – Sterling College.
- Certified Public Accountant

### **Professional Affiliations**

- Member of the American Institute of Certified Public Accountants
- Member of the Florida Institute of Certified Public Accountants
- Member of the Florida Government Finance Officers Association

### **Volunteer Service**

- Treasurer & Executive Board - St. Lucie County Chamber of Commerce
- Budget Advisory Board - St. Lucie County School District
- Past Treasurer - Exchange Club for Prevention of Child Abuse & Exchange Foundation Board
- Board of Directors – State Division of Juvenile Justice

## **Jay L. McBee**

*Partner – DiBartolomeo, McBee, Hartley & Barnes*

### **Experience and Training**

Jay has over 45 years of public accounting experience and would serve as the technical reviewer on the audit. His experience and training include:

- 45 years of government experience.
- Specializing in serving local government entities.
- Has performed audits and advisory services for a variety of public sector entities including counties, cities, special districts, and school districts.
- Has experience performing audits of federal grant recipients in accordance with the Single Audit Act and the related Office of Management and Budget (OMB) guidelines, including Circular A-133 and the Rules of the Auditor General.
- Has extensive experience in performing pension audits.
- Experienced in developing and maintaining the GFOA Certificate of Achievement.
- 120 Hours of relevant government CPE credits over the past 3 years.
- Experience in municipal bond and other governmental-financing options and offerings.

### **Recent Engagements**

Has provided auditing services on local governmental entities including towns, villages, cities, counties, special district and community development districts. Jay has assisted with financial preparation, system implementation, and a variety of government services to a wide range of governmental entities. Jay currently provides auditing services to the City of Port St. Lucie, City of Okeechobee Pension Trust Funds, St. Lucie County Fire District Pension funds, along with several other non-profit and governmental entities.

### **Education and Registrations**

- Bachelor of Science in Accounting and Quantitative Business Management – West Virginia University.
- Certified Public Accountant

### **Professional Affiliations**

- Member of the American Institute of Certified Public Accountants
- Member of the Florida Institute of Certified Public Accountants
- Member of the Florida Government Finance Officers Association

### **Volunteer Service**

- Member of the St. Lucie County Citizens Budget Committee
- Finance committee for the First United Methodist Church
- Treasurer of Boys & Girls Club of St. Lucie County

## **Christine M. Kenny, CPA**

### ***Senior Staff – DiBartolomeo, McBee, Hartley & Barnes***

#### **Experience and training**

Christine has over 18 years of public accounting experience and would serve as a senior staff for the Constitutional Officers. Her experience and training include:

- 18 years of manager and audit experience.
- Has performed audits and advisory services for a variety of public sector entities including counties, cities, towns and special districts.
- Has experience performing audits of federal grant recipients in accordance with the Single Audit Act and the related Office of Management and Budget (OMB) guidelines, including Circular A-133 and the Rules of the Auditor General.
- 100 hours of relevant government CPE credits over the past 3 years.

#### **Recent Engagements**

Has provided audit services on governmental entities including towns, villages, cities and special districts. Christine has assisted with financial statement preparation, system implementation, and a variety of services to a wide range of non-profit and governmental entities. Christine currently provides services to multiple agencies to assist in implementing and maintaining “best practice” accounting policies and procedures.

Engagements include St. Lucie County Fire District, City of Fort Pierce, Town of Sewall’s Point, and Town of St. Lucie Village.

#### **Education and Registrations**

- Bachelor of Science in Accounting – Florida State University
- Professional Affiliations
- Active Member of the Florida Institute of Certified Public Accountants
- Active Member of the American Institute of Certified Public Accountants
- Member of the Florida Government Finance Officers Association

## PROFESSIONAL QUALIFICATIONS (CONTINUED)

### ➤ ***Governmental Audit Experience***

DiBartolomeo, McBee, Hartley & Barnes, P.A., through its principals and members, has provided continuous in-depth professional accounting, auditing, and consulting services to local government units, nonprofit organizations, and commercial clients. Our professionals have developed considerable expertise in performing governmental audits and single audits and in preparing governmental financial statements in conformance with continually evolving GASB pronouncements, statements, and interpretations. All of the public sector entities we serve annually are required to be in accordance with GASB pronouncements and government auditing standards. We currently perform several Federal and State single audits in compliance with OMB Circular A-133 and under the Florida Single Audit Act. Our professionals are also experienced in assisting their clients with preparing Comprehensive Annual Financial Reports (GFOA).

All work performed by our firm is closely supervised by experienced certified public accountants. Only our most seasoned CPA's perform consulting services. Some of the professional accounting, auditing, and management consulting services currently provided to our local governmental clients include:

- Annual financial and compliance audits including Single Audits of State and Federal financial assistance programs under OMB A-133 audit criteria and the Florida Single Audit Act
- Assisting in compiling historical financial data for first-time and supplemental submissions for GFOA Certificate of Achievement of Excellence in Financial Reporting
- Audits of franchise fees received from outside franchisees
- Assistance with Implementation of GASB-34
- Internal audit functions
- Fixed assets review and updating cost/depreciation allocations and methods

## ADDITIONAL DATA

### ➤ *Procedures for Ensuring Quality Control & Confidentiality*

Quality control in any CPA firm can never be taken for granted. It requires a continuing commitment to professional excellence. DiBartolomeo, McBee, Hartley & Barnes is formally dedicated to that commitment.

In an effort to continue to maintain the standards of working excellence required by our firm, DiBartolomeo, McBee, Hartley & Barnes, P.A. joined the Quality Review Program of the American Institute of Certified Public Accountants. To be a participating member firm, a firm must obtain an independent compliance review of its quality control policies and procedures to ascertain the firm's compliance with existing auditing standards on the applicable engagements. The scope of peer review is comprehensive in that it specifically reviews the following quality control policies and procedures of the participating firm:

- Professional, economic, and administrative independence
- Assignment of professional personnel to engagements
- Consultation on technical matters
- Supervision of engagement personnel
- Hiring and employment of personnel
- Professional development
- Advancement
- Acceptance and continuance of clients
- Inspection and review system

### ➤ *Independence*

Independence is a hallmark of our profession. We encourage our staff to use professional judgment in situations where our independence could be impaired or the perception of a conflict of interest might exist. In the governmental sector, public perception is as important as professional standards. Therefore, independent auditors must exercise utmost care in the performance of their duties.

Our firm has provided continuous certified public accounting services in the government sector for 31 years, and we are independent of the Community Development Districts as defined by the following rules, regulations, and standards:

## ADDITIONAL DATA (CONTINUED)

### ➤ *Independence (Continued)*

- Au Section 220 – Statements on Auditing Standards issued by the American Institute of Certified Public Accountants
- ET Sections 101 and 102 – Code of Professional Conduct of the American Institute of Certified Public Accountants
- Chapter 21A-21, Florida Administrative Code
- Section 473.315, Florida Statutes
- Government Auditing Standards, issued by the Comptroller General of the United States

### ➤ *Computer Auditing Capabilities*

DiBartolomeo, McBee, Hartley & Barnes' strong computer capabilities as demonstrated by our progressive approach to computer auditing and extensive use of microcomputers. Jay McBee is the MIS partner for DMHB. Jay has extensive experience in auditing and evaluating various computer systems and would provide these services in this engagement.

We view the computer operation as an integral part of its accounting systems. We would evaluate the computer control environment to:

- Understand the computer control environment's effect on internal controls
- Conclude on whether aspects of the environment require special audit attention
- Make preliminary determination of comments for inclusion in our management letter

*This evaluation includes:*

- System hardware and software
- Organization and administration
- Access



## Contracts of Similar Nature within References

| Client                                                                                                    | Years          | Annual Audit In Accordance With GAAS | Engagement Partner | Incl. Utility Audit/ Consulting | GFOA Cert. | GASB 34 Implementation & Assistance | Total Hours    |
|-----------------------------------------------------------------------------------------------------------|----------------|--------------------------------------|--------------------|---------------------------------|------------|-------------------------------------|----------------|
| St. Lucie County Fire District<br>Karen Russell, Clerk-Treasurer<br>(772)462-2300                         | 1984 - Current | √                                    | <b>Jim Hartley</b> |                                 |            | √                                   | <b>250-300</b> |
| City of Fort Pierce<br>Johnna Morris, Finance Director<br>(772)-460-2200                                  | 2005-current   | √                                    | <b>Mark Barnes</b> |                                 | √          | √                                   | <b>800</b>     |
| Fort Pierce Utilities Authority<br>Nina Hurtubise, Finance Director<br>(772)-466-1600                     | 2005-current   | √                                    | <b>Jim Hartley</b> | √                               | √          | √                                   | <b>600</b>     |
| Town of St. Lucie Village<br>Diane Robertson, Town Clerk<br>(772) 595-0663                                | 1999 – current | √                                    | <b>Jim Hartley</b> |                                 |            | √                                   | <b>100</b>     |
| City of Okeechobee Pension Trust Funds<br>Marita Rice, Supervisor of Finance<br>(863)763-9460             | 1998 – current | √                                    | <b>Jay McBee</b>   |                                 |            |                                     | <b>60</b>      |
| St. Lucie County Fire District 175 Pension Trust Fund<br>Chris Bushman , Captain<br>(772) 462-2300        | 1990 – current | √                                    | <b>Jay McBee</b>   |                                 |            |                                     | <b>60</b>      |
| Tradition Community Development District 1-10<br>Alan Mishlove, District Finance Manager<br>(407)382-3256 | 2002 - current | √                                    | <b>Jim Hartley</b> |                                 |            | √                                   | <b>350</b>     |
| Legends Bay Community Development District<br>Patricia Comings-Thibault<br>(321)263-0132                  | 2013-current   | √                                    | <b>Jim Hartley</b> |                                 |            |                                     | <b>50</b>      |
| Union Park Community Development District<br>Patricia Comings-Thibault<br>(321)263-0132                   | 2013-current   | √                                    | <b>Jim Hartley</b> |                                 |            |                                     | <b>50</b>      |
| Deer Island Community Development District<br>Patricia Comings-Thibault<br>(321)263-0132                  | 2013-current   | √                                    | <b>Jim Hartley</b> |                                 |            |                                     | <b>50</b>      |
| Park Creek Community Development District<br>Patricia Comings-Thibault<br>(321)263-0132                   | 2013-current   | √                                    | <b>Jim Hartley</b> |                                 |            |                                     | <b>50</b>      |
| Waterleaf Community Development District<br>Patricia Comings-Thibault<br>(321)263-0132                    | 2013-current   | √                                    | <b>Jim Hartley</b> |                                 |            |                                     | <b>50</b>      |

## TECHNICAL APPROACH

**a. *An Express Agreement to Meet or Exceed the Performance Specifications.***

1. The audit will be conducted in compliance with the following requirements:
  - a. Rules of the Auditor General for form and content of governmental audits
  - b. Regulations of the State Department of Banking and Finance
  - c. Audits of State and Local Governmental Units-American Institute of Certified Public Accountants.
2. The audit report shall contain the opinion of the auditor in reference to all financial statements, and an opinion reflecting compliance with applicable legal provisions.
3. We will also provide the required copies of the audit report, the management letter, any related reports on internal control weaknesses and one copy of the adjusting journal entries and financial work papers.
4. The auditor shall, at no additional charge, make all related work papers available to any Federal or State agency upon request in accordance with Federal and State Laws and Regulations.
5. We will work in cooperation with the District, its underwriters and bond council in regard to any bond issues that may occur during the term of the contract.
6. The financial statements shall be prepared in conformity with Governmental Accounting Standards Board Statement Number 34, 63 and 65.

We will commit to issuing the audit for each Fiscal year by June 1<sup>st</sup> of the following year. In order to ensure this we will perform interim internal control testing as required by January 31<sup>st</sup> from unaudited preliminary general ledgers provided. The remaining testing will be completed no later than May 1<sup>st</sup>. We will also review all minutes and subsequent needs related to the review of the minutes by January 30<sup>th</sup>. Follow up review will be completed as necessary.

***b. A Tentative Schedule for Performing the Key phases of the Audit***

| <b>Audit Phase and Tasks</b>                                                                                                             | <b>Oct.</b> | <b>Nov.</b> | <b>Dec.</b> | <b>Jan.</b> | <b>Feb.</b> | <b>Mar.</b> | <b>Apr.</b> |
|------------------------------------------------------------------------------------------------------------------------------------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|
| <b><i>I. Planning Phase:</i></b>                                                                                                         |             |             |             |             |             |             |             |
| Meetings and discussions with Orange Bend Community Development District personnel regarding operating, accounting and reporting matters |             |             |             |             |             |             |             |
| Discuss management expectations, strategies and objectives                                                                               |             |             |             |             |             |             |             |
| Review operations                                                                                                                        |             |             |             |             |             |             |             |
| Develop engagement plan                                                                                                                  |             |             |             |             |             |             |             |
| Study and evaluate internal controls                                                                                                     |             |             |             |             |             |             |             |
| Conduct preliminary analytical review                                                                                                    |             |             |             |             |             |             |             |
| <b><i>II. Detailed Audit Phase:</i></b>                                                                                                  |             |             |             |             |             |             |             |
| Conduct final risk assessment                                                                                                            |             |             |             |             |             |             |             |
| Finalize audit approach plan                                                                                                             |             |             |             |             |             |             |             |
| Perform substantive tests of account balances                                                                                            |             |             |             |             |             |             |             |
| Perform single audit procedures (if applicable)                                                                                          |             |             |             |             |             |             |             |
| Perform statutory compliance testing                                                                                                     |             |             |             |             |             |             |             |
| <b><i>III. Closing Phase:</i></b>                                                                                                        |             |             |             |             |             |             |             |
| Review subsequent events, contingencies and commitments                                                                                  |             |             |             |             |             |             |             |
| Complete audit work and obtain management representations                                                                                |             |             |             |             |             |             |             |
| Review proposed audit adjustments with client                                                                                            |             |             |             |             |             |             |             |
| <b><i>IV. Reporting Phase:</i></b>                                                                                                       |             |             |             |             |             |             |             |
| Review or assist in preparation of financial statement for Orange Bend Community Development District                                    |             |             |             |             |             |             |             |
| Prepare management letter and other special reports                                                                                      |             |             |             |             |             |             |             |
| Exit conference with Orange Bend Community Development District officials and management                                                 |             |             |             |             |             |             |             |
| Delivery of final reports                                                                                                                |             |             |             |             |             |             |             |

**b. SPECIFIC AUDIT APPROACH**

**Our partners are not strangers who show up for an entrance conference and an exit conference.** We have developed an audit plan that allows the partners to directly supervise our staff in the field. By assigning two partners to the audit, we will have a partner on-site for a significant portion of the fieldwork. This also gives the District an additional contact individual for questions or problems that may arise during the audit.

The scope of our services will include a financial, as well as, a compliance audit of the District's financial statements. Our audit will be conducted in accordance with auditing standards generally accepted in the United States and the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States. Additionally, our audit will be conducted in accordance with the provisions of Chapter 10.550, Rules of the Auditor General, which govern the conduct of local government entity audits performed in the State of Florida.

Our audit approach places emphasis on the accounting information system and how the data is recorded, rather than solely on the verification of numbers on a financial statement. This approach enables us to:

- Maximize our understanding of the District's operating environment
- Minimize time required conducting the audit since we start with broad considerations and narrow to specific audit objectives in critical areas

Our audit approach consists of four phases encompassing our audit process:

- Planning Phase
- Detailed Audit Phase
- Closing Phase
- Reporting

**Planning Phase**

**Meetings and Expectations:**

Our first step in this phase will be to set up a planning meeting with the financial and operating management of Orange Bend Community Development District. Our goal here is to eliminate "surprises." By meeting with responsible officials early on we can discuss significant accounting policies, closing procedures and timetables, planned timing of our audit procedures and expectations of our work. This will also be the starting point for our discussions with management related to *SAS No. 99-Consideration of Fraud in a Financial Statement Audit*. Inquiries will be made regarding managements knowledge of fraud and on management's views regarding the risk of fraud.

## **Review Operations and Develop Engagement Plan**

It is critical that we understand the District's operating environment. To do this we will obtain and review such items as, organizational charts, recent financial statements, budget information, major contracts and lease agreements. We will also gather other information necessary to increase our understanding of the District's operations, organization, and internal control.

## **Study and Evaluate Internal Control**

As part of general planning, we will obtain an understanding and assessment of the District's control environment. This assessment involves a review of management's operating style, written internal control procedures, and the District's accounting system. The assessment is necessary to determine if we can rely on control procedures and thus reduce the extent of substantive testing.

We then test compliance with established control procedures by ascertaining that the significant strengths within the system are functioning as described to us. Generally, transactions are selected and reviewed in sufficient detail to permit us to formulate conclusions regarding compliance with control procedures and the extent of operation compliance with pertinent laws and regulations. This involves gaining an understanding of the District's procedures, laws and regulations, and testing systems for compliance by examining contracts, invoices, bid procedures, and other documents. After testing controls, we then evaluate the results of those tests and decide whether we can rely on controls and thus reduce other audit procedures.

## **Conduct Preliminary Analytical Review**

Also during the planning stage, we undertake analytical procedures that aid us in focusing our energies in the right direction. We call these analytical reviews.

A properly designed analytical review can be a very effective audit procedure in audits of governmental units. Analytical reviews consist of more than just a comparison of current-year actual results to prior-year actual results. Very effective analytical review techniques include trend analysis covering a number of years and comparisons of information not maintained totally within the financial accounting system, such as per capita information, prevailing market interest rates, housing statistics, etc.

Some examples of effective analytical reviews performed together and/or individually include:

- Comparison of current-year actual results with current-year budget for the current and past years with investigation of significant differences and/or trends
- Trend analysis of the percentage of current-year revenues to current-year rates for the current and previous years with investigation of significant changes in the collection percentage
- Trend analysis of the percentage of expenditures by function for the current and previous years with investigation of significant changes in percentages by department
- Monthly analysis of receipts compared to prior years to detect trends that may have audit implications

Conclusions reached enable us to determine the nature, timing and extent of other substantive procedures.

## Detailed Audit Phase

### **Conduct Final Risk Assessment and Prepare Audit Programs**

Risk assessment requires evaluating the likelihood of errors occurring that could have a material affect on the financial statements being audited. The conclusions we reach are based on many evaluations of internal control, systems, accounts, and transactions that occur throughout the audit. After evaluating the results of our tests of control and our final risk assessment we can develop detailed audit programs.

### **Perform Substantive Tests of Account Balances**

These tests are designed to provide reasonable assurance as to the validity of the information produced by the accounting system. Substantive tests involve such things as examining invoices supporting payments, confirmation of balances with independent parties, analytical review procedures, and physical inspection of assets. All significant accounts will be subjected to substantive procedures. Substantive tests provide direct evidence of the completeness, accuracy, and validity of data.

### **Perform Single Audit Procedures (if applicable)**

During the planning phase of the audit we will request and review schedules of expenditures of federal awards and state financial assistance. These schedules will be the basis for our determination of the specific programs we will test.

In documenting our understanding of the internal control system for the financial statement audit, we will identify control activities that impact major federal and state programs as well. This will allow us to test certain controls for the financial audit and the single audit concurrently. We will then perform additional tests of controls for each federal and state program selected for testing. We will then evaluate the results of the test of controls to determine the nature, timing and extent of substantive testing necessary to determine compliance with major program requirements.

## **Perform Statutory Compliance Testing**

We have developed audit programs for Orange Bend Community Development District designed to test Florida Statutes as required by the Auditor General. These programs include test procedures such as general inquiries, confirmation from third parties, and examination of specific documents.

### **Closing Phase**

During the closing phase we perform detail work paper reviews, request legal letters, review subsequent events and proposed audit adjustments. Communication with the client is critical in this phase to ensure that the information necessary to prepare financial statements in conformity with accounting principles generally accepted in the United States has been obtained.

### **Reporting Phase**

#### **Financial Statement Preparation**

As a local firm, we spend a considerable amount of time on financial statement preparation and support. With this in mind, we can assist in certain portions of the preparation of financial statements or simply review a draft of financials prepared by your staff. We let you determine our level of involvement.

#### **Management Letters**

***We want to help you solve problems before they become major.***

Our management letters go beyond citing possible deficiencies in the District's internal control structures. They identify opportunities for increasing revenues, decreasing costs, improving management information, protecting assets and improving operational efficiency.

The diversity of experience of our personnel and their independent and objective viewpoints make the comments, observations, and conclusions presented in our management letters a valuable source of information. We have provided positive solution-oriented objective recommendations to our governmental clients regarding investments, accounting accuracy, data processing, revenue bonds, payroll, utility billing, purchasing, budgeting, risk management, and internal auditing.

This review ensures the integrity of the factual data in the management letter but does not influence or impair our independence.

#### **Exit Conferences and Delivery of Reports**

We anticipate meeting with appropriate District personnel in February and issuing the final required reports by the May meeting of each year.

# **PROPOSED AUDIT FEE**

DiBartolomeo, McBee, Hartley & Barnes P.A. will perform the annual audit of Orange Bend Community Development District as follows:

|                |                     |
|----------------|---------------------|
| September 2025 | \$ 2,650            |
| September 2026 | \$ 2,800 (optional) |
| September 2027 | \$ 2,950 (optional) |
| September 2028 | \$ 3,100 (optional) |
| September 2029 | \$ 3,250 (optional) |

In years of new debt issuance fees may be adjusted as mutually agreed upon.



**ORANGE BEND**  
**COMMUNITY DEVELOPMENT DISTRICT**

**12CIV**



**Grau & Associates**  
CERTIFIED PUBLIC ACCOUNTANTS

# Proposal to Provide Financial Auditing Services:

## **ORANGE BEND**

**Community Development District**

Proposal Due: March 5, 2025  
12:00PM

**Submitted to:**

Orange Bend  
Community Development District  
c/o District Manager  
2300 Glades Road, Suite 410W  
Boca Raton, Florida 33431

**Submitted by:**

Antonio J. Grau, Partner  
Grau & Associates  
1001 W. Yamato Road, Suite 301  
Boca Raton, Florida 33431

**Tel** (561) 994-9299  
(800) 229-4728

**Fax** (561) 994-5823

[tgrau@graucpa.com](mailto:tgrau@graucpa.com)

[www.graucpa.com](http://www.graucpa.com)



**Grau & Associates**  
CERTIFIED PUBLIC ACCOUNTANTS

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# Grau & Associates

CERTIFIED PUBLIC ACCOUNTANTS

March 5, 2025

Orange Bend Community Development District  
c/o District Manager  
2300 Glades Road, Suite 410W  
Boca Raton, Florida 33431

Re: Request for Proposal for Professional Auditing Services for the fiscal year ended September 30, 2025, with an option for four additional annual renewals.

Grau & Associates (Grau) welcomes the opportunity to respond to the Orange Bend Community Development District's (the "District") Request for Proposal (RFP), and we look forward to working with you on your audit. We are an energetic and robust team of knowledgeable professionals and are a recognized leader of providing services to Community Development Districts. As one of Florida's few firms to primarily focus on government, we are especially equipped to provide you an effective and efficient audit.

Government audits are at the core of our practice: **95% of our work is performing audits for local governments and of that 98% are for special districts.** With our significant experience, we are able to increase efficiency, to provide immediate and continued savings, and to minimize disturbances to your operations.

## Why Grau & Associates:

### Knowledgeable Audit Team

Grau is proud that the personnel we assign to your audit are some of the most seasoned auditors in the field. Our staff performs governmental engagements year-round. When not working on your audit, your team is refining their audit approach for next year's audit. Our engagement partners have decades of experience and take a hands-on approach to our assignments, which all ensures a smoother process for you.

### Servicing your Individual Needs

Our clients enjoy personalized service designed to satisfy their unique needs and requirements. Throughout the process of our audit, you will find that we welcome working with you to resolve any issues as swiftly and easily as possible. In addition, due to Grau's very low turnover rate for our industry, you also won't have to worry about retraining your auditors from year to year.

### Developing Relationships

We strive to foster mutually beneficial relationships with our clients. We stay in touch year-round, updating, collaborating and assisting you in implementing new legislation, rules and standards that affect your organization. We are also available as a sounding board and assist with technical questions.

### Maintaining an Impeccable Reputation

We have never been involved in any litigation, proceeding or received any disciplinary action. Additionally, we have never been charged with, or convicted of, a public entity crime of any sort. We are financially stable and have never been involved in any bankruptcy proceedings.

### **Complying With Standards**

Our audit will follow the Auditing Standards of the AICPA, Generally Accepted Government Auditing Standards, issued by the Comptroller General of the United States, and the Rules of the Auditor General of the State of Florida, and any other applicable federal, state and local regulations. We will deliver our reports in accordance with your requirements.

This proposal is a firm and irrevocable offer for 90 days. We certify this proposal is made without previous understanding, agreement or connection either with any previous firms or corporations offering a proposal for the same items. We also certify our proposal is in all respects fair, without outside control, collusion, fraud, or otherwise illegal action, and was prepared in good faith. Only the person(s), company or parties interested in the project as principals are named in the proposal. Grau has no existing or potential conflicts and anticipates no conflicts during the engagement. Our Federal I.D. number is 20-2067322.

We would be happy to answer any questions or to provide any additional information. We are genuinely excited about the prospect of serving you and establishing a long-term relationship. Please do not hesitate to call or email either of our Partners, Antonio J. Grau, CPA ([tgrau@graucpa.com](mailto:tgrau@graucpa.com)) or David Caplivski, CPA ([dcaplivski@graucpa.com](mailto:dcaplivski@graucpa.com)) at 561.994.9299. We thank you for considering our firm's qualifications and experience.

Very truly yours,  
Grau & Associates



---

Antonio J. Grau

# Firm Qualifications



**Grau & Associates**  
CERTIFIED PUBLIC ACCOUNTANTS

# Grau's Focus and Experience

## Our Team

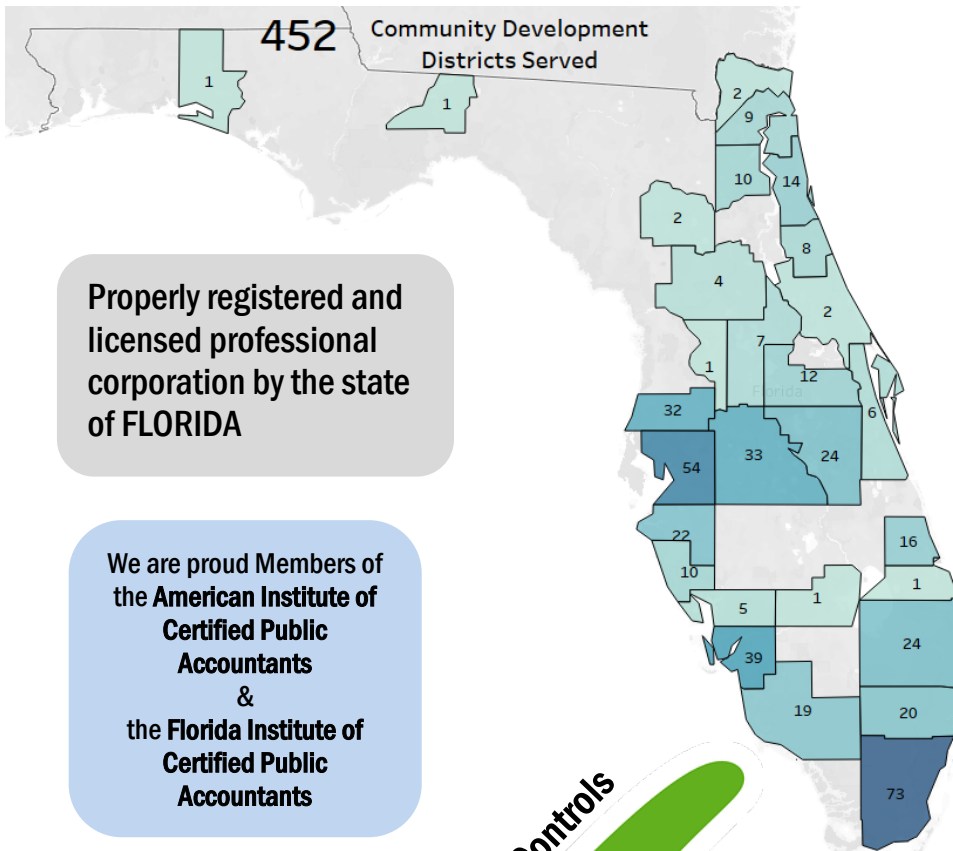


**3** Partners  
**11** Professional Staff  
**2** Administrative Professionals



**2005**

Year founded



Properly registered and licensed professional corporation by the state of FLORIDA

We are proud Members of the **American Institute of Certified Public Accountants** & the **Florida Institute of Certified Public Accountants**

## Services Provided



## Quality Controls

- ⇒ External quality review program: consistently receives a pass
- ⇒ Internal: ongoing monitoring to maintain quality



AICPA | FICPA | GFOA | FASD | FGFOA

See next page for report and certificate

**March 17, 2023**

**Antonio Grau**  
**Grau & Associates**  
**951 Yamato Rd Ste 280**  
**Boca Raton, FL 33431-1809**

**Dear Antonio Grau:**

It is my pleasure to notify you that on March 16, 2023, the Florida Peer Review Committee accepted the report on the most recent System Review of your firm. The due date for your next review is December 31, 2025. This is the date by which all review documents should be completed and submitted to the administering entity.

As you know, the report had a peer review rating of pass. The Committee asked me to convey its congratulations to the firm.

Thank you for your cooperation.

Sincerely,

*FICPA Peer Review Committee*

**Peer Review Team**  
**FICPA Peer Review Committee**

**850.224.2727, x5957**

**cc: Daniel Hevia, Racquel McIntosh**

**Firm Number: 900004390114**

**Review Number: 594791**

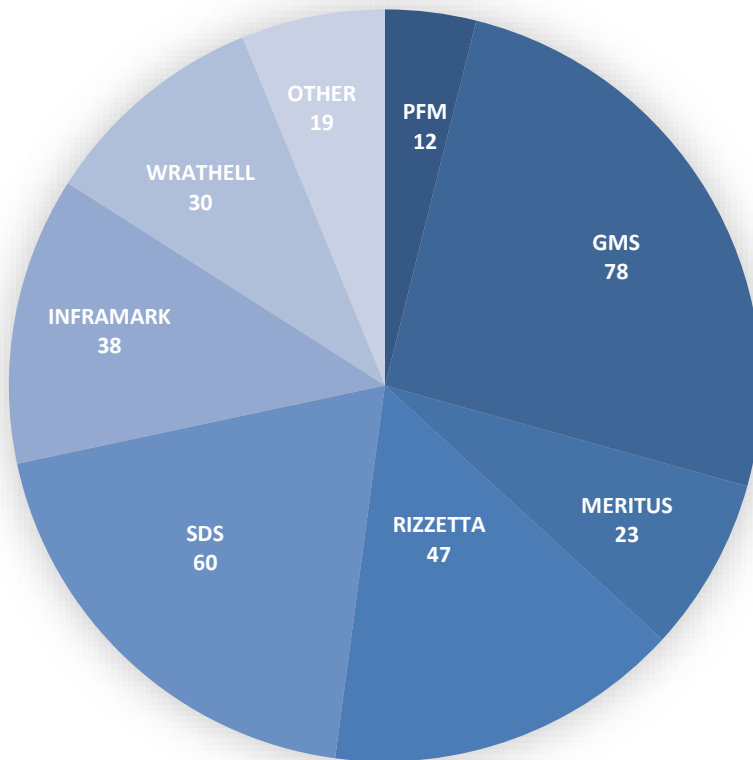


## **Firm & Staff Experience**



**Grau & Associates**  
CERTIFIED PUBLIC ACCOUNTANTS

## GRAU AND ASSOCIATES COMMUNITY DEVELOPMENT DISTRICT EXPERIENCE BY MANAGEMENT COMPANY



### Profile Briefs:

#### **Antonio J GRAU, CPA (Partner)**

Years Performing Audits: 35+  
CPE (last 2 years): Government Accounting, Auditing: 40 hours; Accounting, Auditing and Other: 53 hours  
Professional Memberships: AICPA, FICPA, FGFOA, GFOA

#### **David Caplivski, CPA (Partner)**

Years Performing Audits: 13+  
CPE (last 2 years): Government Accounting, Auditing: 24 hours; Accounting, Auditing and Other: 64 hours  
Professional Memberships: AICPA, FICPA, FGFOA, FASD

"Here at Grau & Associates, staying up to date with the current technological landscape is one of our top priorities. Not only does it provide a more positive experience for our clients, but it also allows us to perform a more effective and efficient audit. With the every changing technology available and utilized by our clients, we are constantly innovating our audit process."

- Tony Grau

"Quality audits and exceptional client service are at the heart of every decision we make. Our clients trust us to deliver a quality audit, adhering to high standards and assisting them with improvements for their organization."

-David Caplivski

## **YOUR ENGAGEMENT TEAM**

Grau's client-specific engagement team is meticulously organized in order to meet the unique needs of each client. Constant communication within our solution team allows for continuity of staff and audit team. The Certified Information Technology Professional (CITP) Partner will bring a unique blend of IT expertise and understanding of accounting principles to the financial statement audit of the District.



The assigned personnel will work closely with the partner and the District to ensure that the financial statements and all other reports are prepared in accordance with professional standards and firm policy. Responsibilities will include planning the audit; communicating with the client and the partners the progress of the audit; and determining that financial statements and all reports issued by the firm are accurate, complete and are prepared in accordance with professional standards and firm policy.

The Engagement Partner will participate extensively during the various stages of the engagement and has direct responsibility for engagement policy, direction, supervision, quality control, security, confidentiality of information of the engagement and communication with client personnel. The engagement partner will also be involved directing the development of the overall audit approach and plan; performing an overriding review of work papers and ascertain client satisfaction.



## Antonio 'Tony' J. Grau, CPA

### Partner

Contact: [tgrau@graucpa.com](mailto:tgrau@graucpa.com) | (561) 939-6672

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#### Experience

For over 30 years, Tony has been providing audit, accounting and consulting services to the firm's governmental, non-profit, employee benefit, overhead and arbitrage clients. He provides guidance to clients regarding complex accounting issues, internal controls and operations.

As a member of the Government Finance Officers Association Special Review Committee, Tony participated in the review process for awarding the GFOA Certificate of Achievement in Financial Reporting. Tony was also the review team leader for the Quality Review of the Office of Management Audits of School Board of Miami-Dade County. Tony received the AICPA advanced level certificate for governmental single audits.

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#### Education

University of South Florida (1983)  
Bachelor of Arts  
Business Administration

#### Clients Served (partial list)

(>300) Various Special Districts, including:

|                                                      |                                                  |
|------------------------------------------------------|--------------------------------------------------|
| Bayside Improvement Community Development District   | St. Lucie West Services District                 |
| Dunes Community Development District                 | Ave Maria Stewardship Community District         |
| Fishhawk Community Development District (I, II, IV)  | Rivers Edge II Community Development District    |
| Grand Bay at Doral Community Development District    | Bartram Park Community Development District      |
| Heritage Harbor North Community Development District | Bay Laurel Center Community Development District |
| Boca Raton Airport Authority                         |                                                  |
| Greater Naples Fire Rescue District                  |                                                  |
| Key Largo Wastewater Treatment District              |                                                  |
| Lake Worth Drainage District                         |                                                  |
| South Indian River Water Control                     |                                                  |

#### Professional Associations/Memberships

|                                                    |                                                 |
|----------------------------------------------------|-------------------------------------------------|
| American Institute of Certified Public Accountants | Florida Government Finance Officers Association |
| Florida Institute of Certified Public Accountants  | Government Finance Officers Association Member  |
| City of Boca Raton Financial Advisory Board Member |                                                 |

#### Professional Education (over the last two years)

| <u>Course</u>                      | <u>Hours</u>                                  |
|------------------------------------|-----------------------------------------------|
| Government Accounting and Auditing | 40                                            |
| Accounting, Auditing and Other     | <u>53</u>                                     |
| Total Hours                        | <u>93</u> (includes of 4 hours of Ethics CPE) |



**David Caplivski, CPA/CITP, Partner**  
**Contact : [dcaplivski@graucpa.com](mailto:dcaplivski@graucpa.com) / 561-939-6676**

***Experience***

|                   |                |              |
|-------------------|----------------|--------------|
| Grau & Associates | Partner        | 2021-Present |
| Grau & Associates | Manager        | 2014-2020    |
| Grau & Associates | Senior Auditor | 2013-2014    |
| Grau & Associates | Staff Auditor  | 2010-2013    |

***Education***

Florida Atlantic University (2009)  
 Master of Accounting  
 Nova Southeastern University (2002)  
 Bachelor of Science  
 Environmental Studies

***Certifications and Certificates***

Certified Public Accountant (2011)  
 AICPA Certified Information Technology Professional (2018)  
 AICPA Accreditation COSO Internal Control Certificate (2022)

***Clients Served (partial list)***

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| (>300) Various Special Districts<br>Aid to Victims of Domestic Abuse<br>Boca Raton Airport Authority<br>Broward Education Foundation<br>CareerSource Brevard<br>CareerSource Central Florida 403 (b) Plan<br>City of Lauderdale GERS<br>City of Parkland Police Pension Fund<br>City of Magnolia Island GERS<br>Coquina Water Control District<br>Central County Water Control District<br>City of Miami (program specific audits)<br>City of West Park<br>Coquina Water Control District<br>East Central Regional Wastewater Treatment Fac.<br>East Naples Fire Control & Rescue District | Hispanic Human Resource Council<br>Loxahatchee Groves Water Control District<br>Old Plantation Water Control District<br>Pinetree Water Control District<br>San Carlos Park Fire & Rescue Retirement Plan<br>South Indian River Water Control District<br>South Trail Fire Protection & Rescue District<br>Town of Haverhill<br>Town of Hypoluxo<br>Town of Hillsboro Beach<br>Town of Lantana<br>Town of Lauderdale By-The-Sea Volunteer Fire Pension<br>Town of Pembroke Park<br>Village of Wellington<br>Village of Golf |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

***Professional Education*** (over the last two years)

| <b><u>Course</u></b>               | <b><u>Hours</u></b>                        |
|------------------------------------|--------------------------------------------|
| Government Accounting and Auditing | 24                                         |
| Accounting, Auditing and Other     | 64                                         |
| Total Hours                        | <u>88</u> (includes 4 hours of Ethics CPE) |

***Professional Associations***

*Member, American Institute of Certified Public Accountants*  
*Member, Florida Institute of Certified Public Accountants*  
*Member, Florida Government Finance Officers Association*  
*Member, Florida Association of Special Districts*

# References



**Grau & Associates**  
CERTIFIED PUBLIC ACCOUNTANTS

We have included three references of government engagements that require compliance with laws and regulations, follow fund accounting, and have financing requirements, which we believe are similar to the District.

### Dunes Community Development District

|                           |                                                                                                                  |
|---------------------------|------------------------------------------------------------------------------------------------------------------|
| <b>Scope of Work</b>      | Financial audit                                                                                                  |
| <b>Engagement Partner</b> | Antonio J. Grau                                                                                                  |
| <b>Dates</b>              | Annually since 1998                                                                                              |
| <b>Client Contact</b>     | Darrin Mossing, Finance Director<br>475 W. Town Place, Suite 114<br>St. Augustine, Florida 32092<br>904-940-5850 |

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### Two Creeks Community Development District

|                           |                                                                                                       |
|---------------------------|-------------------------------------------------------------------------------------------------------|
| <b>Scope of Work</b>      | Financial audit                                                                                       |
| <b>Engagement Partner</b> | Antonio J. Grau                                                                                       |
| <b>Dates</b>              | Annually since 2007                                                                                   |
| <b>Client Contact</b>     | William Rizzetta, President<br>3434 Colwell Avenue, Suite 200<br>Tampa, Florida 33614<br>813-933-5571 |

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### Journey's End Community Development District

|                           |                                                                                                         |
|---------------------------|---------------------------------------------------------------------------------------------------------|
| <b>Scope of Work</b>      | Financial audit                                                                                         |
| <b>Engagement Partner</b> | Antonio J. Grau                                                                                         |
| <b>Dates</b>              | Annually since 2004                                                                                     |
| <b>Client Contact</b>     | Todd Wodraska, Vice President<br>2501 A Burns Road<br>Palm Beach Gardens, Florida 33410<br>561-630-4922 |

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# **Specific Audit Approach**



**Grau & Associates**  
CERTIFIED PUBLIC ACCOUNTANTS



# **AUDIT APPROACH**

## **Grau's Understanding of Work Product / Scope of Services:**

We recognize the District is an important entity and we are confident our firm is eminently qualified to meet the challenges of this engagement and deliver quality audit services. ***You would be a valued client of our firm and we pledge to commit all firm resources to provide the level and quality of services (as described below) which not only meet the requirements set forth in the RFP but will exceed those expectations.*** Grau & Associates fully understands the scope of professional services and work products requested. Our audit will follow the Auditing Standards of the AICPA, *Generally Accepted Government Auditing Standards*, issued by the Comptroller General of the United States, and the Rules of the Auditor General of the State of Florida and any other applicable Federal, State or Local regulations. **We will deliver our reports in accordance with your requirements.**

## **Proposed segmentation of the engagement**

Our approach to the audit engagement is a risk-based approach which integrates the best of traditional auditing techniques and a total systems concept to enable the team to conduct a more efficient and effective audit. The audit will be conducted in three phases, which are as follows:



## **Phase I - Preliminary Planning**

A thorough understanding of your organization, service objectives and operating environment is essential for the development of an audit plan and for an efficient, cost-effective audit. During this phase, we will meet with appropriate personnel to obtain and document our understanding of your operations and service objectives and, at the same time, give you the opportunity to express your expectations with respect to the services that we will provide. Our work effort will be coordinated so that there will be minimal disruption to your staff.

### **During this phase we will perform the following activities:**

- » Review the regulatory, statutory and compliance requirements. This will include a review of applicable federal and state statutes, resolutions, bond documents, contracts, and other agreements;
- » Read minutes of meetings;
- » Review major sources of information such as budgets, organization charts, procedures, manuals, financial systems, and management information systems;
- » Obtain an understanding of fraud detection and prevention systems;
- » Obtain and document an understanding of internal control, including knowledge about the design of relevant policies, procedures, and records, and whether they have been placed in operation;
- » Assess risk and determine what controls we are to rely upon and what tests we are going to perform and perform test of controls;
- » Develop audit programs to incorporate the consideration of financial statement assertions, specific audit objectives, and appropriate audit procedures to achieve the specified objectives;
- » Discuss and resolve any accounting, auditing and reporting matters which have been identified.

## **Phase II – Execution of Audit Plan**

The audit team will complete a major portion of transaction testing and audit requirements during this phase. The procedures performed during this period will enable us to identify any matter that may impact the completion of our work or require the attention of management. Tasks to be performed in Phase II include, but are not limited to the following:

- » Apply analytical procedures to further assist in the determination of the nature, timing, and extent of auditing procedures used to obtain evidential matter for specific account balances or classes of transactions;
- » Perform tests of account balances and transactions through sampling, vouching, confirmation and other analytical procedures; and
- » Perform tests of compliance.

## **Phase III - Completion and Delivery**

In this phase of the audit, we will complete the tasks related to year-end balances and financial reporting. All reports will be reviewed with management before issuance, and the partners will be available to meet and discuss our report and address any questions. Tasks to be performed in Phase III include, but are not limited to the following:

- » Perform final analytical procedures;
- » Review information and make inquiries for subsequent events; and
- » Meeting with Management to discuss preparation of draft financial statements and any potential findings or recommendations.

You should expect more from your accounting firm than a signature in your annual financial report. Our concept of truly responsive professional service emphasizes taking an active interest in the issues of concern to our clients and serving as an effective resource in dealing with those issues. In following this approach, we not only audit financial information with hindsight but also consider the foresight you apply in managing operations.

Application of this approach in developing our management letter is particularly important given the increasing financial pressures and public scrutiny facing today's public officials. We will prepare the management letter at the completion of our final procedures.

In preparing this management letter, we will initially review any draft comments or recommendations with management. In addition, we will take necessary steps to ensure that matters are communicated to those charged with governance.

In addition to communicating any recommendations, we will also communicate the following, if any:

- » Significant audit adjustments;
- » Significant deficiencies or material weaknesses;
- » Disagreements with management; and
- » Difficulties encountered in performing the audit.

Our findings will contain a statement of condition describing the situation and the area that needs strengthening, what should be corrected and why. Our suggestions will withstand the basic tests of corrective action:

Is the recommendation cost effective?

Is the recommendation the simplest to effectuate in order to correct a problem?

Is the recommendation at the heart of the problem and not just correcting a symptomatic matter?

Is the corrective action taking into account why the deficiency occurred?

To assure full agreement with facts and circumstances, we will fully discuss each item with Management prior to the final exit conference. This policy means there will be no “surprises” in the management letter and fosters a professional, cooperative atmosphere.

### **Communications**

We emphasize a continuous, year-round dialogue between the District and our management team. We regularly communicate through personal telephone calls and electronic mail throughout the audit and on a regular basis.

Our clients have the ability to transmit information to us on our secure client portal with the ability to assign different staff with separate log on and viewing capability. This further facilitates efficiency as all assigned users receive electronic mail notification as soon as new information has been posted into the portal.

# **Cost of Services**



**Grau & Associates**  
CERTIFIED PUBLIC ACCOUNTANTS

Our proposed all-inclusive fees for the financial audit for the fiscal years ended September 30, 2025-2029 are as follows:

| <b>Year Ended September 30,</b> | <b>Fee</b>             |
|---------------------------------|------------------------|
| 2025                            | \$2,800                |
| 2026                            | \$2,900                |
| 2027                            | \$3,000                |
| 2028                            | \$3,100                |
| 2029                            | <u>\$3,200</u>         |
| <b>TOTAL (2025-2029)</b>        | <b><u>\$15,000</u></b> |

The above fees are based on the assumption that the District maintains its current level of operations. Should conditions change or Bonds are issued the fees would be adjusted accordingly upon approval from all parties concerned. If Bonds are issued the fee would increase by \$1,500. The fee for subsequent annual renewals would be agreed upon separately.

# **Supplemental Information**



**Grau & Associates**  
CERTIFIED PUBLIC ACCOUNTANTS

## **PARTIAL LIST OF CLIENTS**

| <b>SPECIAL DISTRICTS</b>                                       | <b>Governmental<br/>Audit</b> | <b>Single<br/>Audit</b> | <b>Utility<br/>Audit</b> | <b>Current Client</b> | <b>Year End</b> |
|----------------------------------------------------------------|-------------------------------|-------------------------|--------------------------|-----------------------|-----------------|
| Boca Raton Airport Authority                                   | ✓                             | ✓                       |                          | ✓                     | 9/30            |
| Captain's Key Dependent District                               | ✓                             |                         |                          | ✓                     | 9/30            |
| Central Broward Water Control District                         | ✓                             |                         |                          | ✓                     | 9/30            |
| Collier Mosquito Control District                              | ✓                             |                         |                          | ✓                     | 9/30            |
| Coquina Water Control District                                 | ✓                             |                         |                          | ✓                     | 9/30            |
| East Central Regional Wastewater Treatment Facility            | ✓                             |                         | ✓                        |                       | 9/30            |
| Florida Green Finance Authority                                | ✓                             |                         |                          |                       | 9/30            |
| Greater Boca Raton Beach and Park District                     | ✓                             |                         |                          | ✓                     | 9/30            |
| Greater Naples Fire Control and Rescue District                | ✓                             | ✓                       |                          | ✓                     | 9/30            |
| Green Corridor P.A.C.E. District                               | ✓                             |                         |                          | ✓                     | 9/30            |
| Hobe-St. Lucie Conservancy District                            | ✓                             |                         |                          | ✓                     | 9/30            |
| Indian River Farms Water Control District                      | ✓                             |                         |                          | ✓                     | 9/30            |
| Indian River Mosquito Control District                         | ✓                             |                         |                          |                       | 9/30            |
| Indian Trail Improvement District                              | ✓                             |                         |                          | ✓                     | 9/30            |
| Key Largo Wastewater Treatment District                        | ✓                             | ✓                       | ✓                        | ✓                     | 9/30            |
| Lake Asbury Municipal Service Benefit District                 | ✓                             |                         |                          | ✓                     | 9/30            |
| Lake Padgett Estates Independent District                      | ✓                             |                         |                          | ✓                     | 9/30            |
| Lake Worth Drainage District                                   | ✓                             |                         |                          | ✓                     | 9/30            |
| Lealman Special Fire Control District                          | ✓                             |                         |                          | ✓                     | 9/30            |
| Loxahatchee Groves Water Control District                      | ✓                             |                         |                          |                       | 9/30            |
| Old Plantation Water Control District                          | ✓                             |                         |                          | ✓                     | 9/30            |
| Pal Mar Water Control District                                 | ✓                             |                         |                          | ✓                     | 9/30            |
| Pinellas Park Water Management District                        | ✓                             |                         |                          | ✓                     | 9/30            |
| Pine Tree Water Control District (Broward)                     | ✓                             |                         |                          | ✓                     | 9/30            |
| Pinetree Water Control District (Wellington)                   | ✓                             |                         |                          |                       | 9/30            |
| Port of The Islands Community Improvement District             | ✓                             |                         | ✓                        | ✓                     | 9/30            |
| Ranger Drainage District                                       | ✓                             | ✓                       |                          | ✓                     | 9/30            |
| Renaissance Improvement District                               | ✓                             |                         |                          | ✓                     | 9/30            |
| San Carlos Park Fire Protection and Rescue Service District    | ✓                             |                         |                          | ✓                     | 9/30            |
| Sanibel Fire and Rescue District                               | ✓                             |                         |                          |                       | 9/30            |
| South Central Regional Wastewater Treatment and Disposal Board | ✓                             |                         |                          |                       | 9/30            |
| South Indian River Water Control District                      | ✓                             | ✓                       |                          | ✓                     | 9/30            |
| South Trail Fire Protection & Rescue District                  | ✓                             |                         |                          | ✓                     | 9/30            |
| Spring Lake Improvement District                               | ✓                             |                         |                          | ✓                     | 9/30            |
| St. Lucie West Services District                               | ✓                             |                         | ✓                        | ✓                     | 9/30            |
| Sunrise Lakes Phase IV Recreation District                     | ✓                             |                         |                          | ✓                     | 9/30            |
| Sunshine Water Control District                                | ✓                             |                         |                          | ✓                     | 9/30            |
| Sunny Hills Units 12-15 Dependent District                     | ✓                             |                         |                          | ✓                     | 9/30            |
| West Villages Improvement District                             | ✓                             |                         |                          | ✓                     | 9/30            |
| Various Community Development Districts (452)                  | ✓                             |                         |                          | ✓                     | 9/30            |
| <b>TOTAL</b>                                                   | <b>491</b>                    | <b>5</b>                | <b>4</b>                 | <b>484</b>            |                 |

## **ADDITIONAL SERVICES**

### **CONSULTING / MANAGEMENT ADVISORY SERVICES**

Grau & Associates also provide a broad range of other management consulting services. Our expertise has been consistently utilized by Governmental and Non-Profit entities throughout Florida. Examples of engagements performed are as follows:

- Accounting systems
- Development of budgets
- Organizational structures
- Financing alternatives
- IT Auditing
- Fixed asset records
- Cost reimbursement
- Indirect cost allocation
- Grant administration and compliance

### **ARBITRAGE**

The federal government has imposed complex rules to restrict the use of tax-exempt financing. Their principal purpose is to eliminate any significant arbitrage incentives in a tax-exempt issue. We have determined the applicability of these requirements and performed the rebate calculations for more than 150 bond issues, including both fixed and variable rate bonds.

**73**

Current  
Arbitrage  
Calculations

**We look forward to providing **Orange Bend Community Development District** with our resources and experience to accomplish not only those minimum requirements set forth in your Request for Proposal, but to exceed those expectations!**

**For even more information on Grau & Associates  
please visit us on [www.graucpa.com](http://www.graucpa.com).**



**ORANGE BEND**  
**COMMUNITY DEVELOPMENT DISTRICT**

**12D**

**ORANGE BEND COMMUNITY DEVELOPMENT DISTRICT**  
**AUDITOR EVALUATION MATRIX**

| <b>RFP FOR ANNUAL AUDIT SERVICES</b>             | <b>ABILITY OF<br/>PERSONNEL</b> | <b>PROPOSER'S<br/>EXPERIENCE</b> | <b>UNDERSTANDING OF<br/>SCOPE OF WORK</b> | <b>ABILITY TO FURNISH<br/>REQUIRED SERVICES</b> | <b>PRICE</b>     | <b>TOTAL<br/>POINTS</b> |
|--------------------------------------------------|---------------------------------|----------------------------------|-------------------------------------------|-------------------------------------------------|------------------|-------------------------|
| <b>PROPOSER</b>                                  | <b>20 POINTS</b>                | <b>20 POINTS</b>                 | <b>20 POINTS</b>                          | <b>20 POINTS</b>                                | <b>20 POINTS</b> | <b>100 POINTS</b>       |
|                                                  |                                 |                                  |                                           |                                                 |                  |                         |
| <b>Berger, Toombs, Elam, Gaines &amp; Frank</b>  |                                 |                                  |                                           |                                                 |                  |                         |
|                                                  |                                 |                                  |                                           |                                                 |                  |                         |
| <b>Carr, Riggs &amp; Ingram, L.L.C.</b>          |                                 |                                  |                                           |                                                 |                  |                         |
|                                                  |                                 |                                  |                                           |                                                 |                  |                         |
| <b>DiBartolomeo, McBee, Hartley &amp; Barnes</b> |                                 |                                  |                                           |                                                 |                  |                         |
|                                                  |                                 |                                  |                                           |                                                 |                  |                         |
| <b>Grau &amp; Associates</b>                     |                                 |                                  |                                           |                                                 |                  |                         |
|                                                  |                                 |                                  |                                           |                                                 |                  |                         |
| NOTES:                                           |                                 |                                  |                                           |                                                 |                  |                         |

Completed by: \_\_\_\_\_

Board Member's Signature

Date: \_\_\_\_\_

\_\_\_\_\_  
Printed Name of Board Member

**ORANGE BEND**  
**COMMUNITY DEVELOPMENT DISTRICT**

**15A**

# The Villages<sup>®</sup> DAILY SUN

Published Daily  
Lady Lake, Florida  
State of Florida  
County Of Lake

Before the undersigned authority personally appeared

**ALLAN LOVELL**

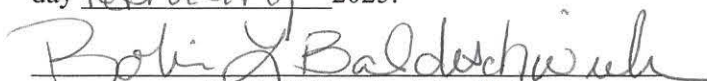
who on oath says that he is Legal Ad Coordinator of the DAILY SUN, a daily newspaper published at Lady Lake in Lake County, Florida with circulation in Lake, Sumter and Marion Counties; that the attached copy of advertisement, being a **Legal Ad #1238149** in the matter of **NOTICE OF REQUEST** was published in said newspaper in the issue(s) of **February 25, 2025**

Affiant further says that the said Daily Sun is a newspaper published at Lady Lake in said Lake County, Florida, and that the said newspaper has heretofore been continuously published in said Lake County, Florida each week and has been entered as second class mail matter at the post office in Lady Lake, in said Lake County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisements; and affiant further says that he has neither paid nor promised any person, firm, or Corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

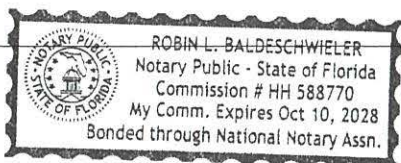


(Signature Of Affiant)

Sworn to and subscribed before me this 25  
day February 2025.

  
Robin Baldeschwieler, Notary

Personally Known \_\_\_\_\_ or  
Production Identification \_\_\_\_\_  
Type of Identification Produced \_\_\_\_\_



**REQUEST FOR  
QUALIFICATIONS FOR  
ENGINEERING SERVICES  
FOR THE ORANGE BEND  
COMMUNITY DEVELOPMENT  
DISTRICT  
RFQ for Engineering Services**

The Orange Bend Community Development District ("District"), located in the City of Leesburg, Lake County, Florida, announces that professional engineering services will be required on a continuing basis for the District's stormwater systems, and other public improvements authorized by Chapter 190, Florida Statutes. The engineering firm selected will act in the general capacity of District Engineer and will provide District engineering services, as required.

Any firm or individual ("Applicant") desiring to provide professional services to the District must: 1) hold applicable federal, state and local licenses; 2) be authorized to do business in Florida in accordance with Florida law; and 3) furnish a statement ("Qualification Statement") of its qualifications and past experience on U.S. General Service Administration's

"Architect-Engineer Qualifications, Standard Form No. 330," with pertinent supporting data. Among other things, Applicants must submit information relating to: a) the ability and adequacy of the Applicant's professional personnel; b) whether the Applicant is a certified minority business enterprise; c) the Applicant's willingness to meet time and budget requirements; d) the Applicant's past experience and performance, including but not limited to past experience as a District Engineer for any community development districts and past experience in the City of Leesburg, Lake County, Florida; e) the geographic location of the Applicant's headquarters and offices; f) the current and projected workloads of the Applicant; and g) the volume of work previously awarded to the Applicant by the District. Further, each Applicant must identify the specific individual affiliated with the Applicant who would be handling District meetings, construction services, and other engineering tasks.

The District will review all Applicants and will comply with Florida law, including the Consultant's Competitive Negotiations Act, Chapter 287, Florida Statutes ("CCNA"). All Applicants interested must submit one (1) electronic and

Standard Form No. 330 and the Qualification Statement by 12:00 p.m., on February 12, 2025 by email to gillyardd@whhassociates.com ("District Manager's Office").

The Board shall select and rank the Applicants using the requirements set forth in the CCNA and the evaluation criteria on file with the District Manager, and the highest ranked Applicant will be requested to enter into contract negotiations. If an agreement cannot be reached between the District and the highest ranked Applicant, negotiations will cease and begin with the next highest ranked Applicant, and if these negotiations are unsuccessful, will continue to the third highest ranked Applicant.

The District reserves the right to reject any and all Qualification Statements. Additionally, there is no express or implied obligation for the District to reimburse Applicants for any expenses associated with the preparation and submittal of the Qualification Statements in response to this request.

Any protest regarding the terms of this Notice, or the evaluation criteria on file with the District

Manager, must be filed in writing, within seventy-two (72) hours (excluding weekends) after the publication of this Notice. 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 aforesaid Notice or evaluation criteria provisions. Any person who files a notice of protest shall provide to the District, simultaneous with the filing of the notice, a protest bond with a responsible surety to be approved by the District and in the amount of Twenty Thousand Dollars (\$20,000.00).

**#01238149 February 25, 2025**



**ORANGE BEND**  
**COMMUNITY DEVELOPMENT DISTRICT**

**15B**

**REQUEST FOR QUALIFICATIONS FOR ENGINEERING SERVICES  
FOR THE ORANGE BEND COMMUNITY DEVELOPMENT DISTRICT**

*RFQ for Engineering Services*

The Orange Bend Community Development District ("**District**"), located in the City of Leesburg, Lake County, Florida, announces that professional engineering services will be required on a continuing basis for the District's stormwater systems, and other public improvements authorized by Chapter 190, *Florida Statutes*. The engineering firm selected will act in the general capacity of District Engineer and will provide District engineering services, as required.

Any firm or individual ("**Applicant**") desiring to provide professional services to the District must: 1) hold applicable federal, state and local licenses; 2) be authorized to do business in Florida in accordance with Florida law; and 3) furnish a statement ("**Qualification Statement**") of its qualifications and past experience on U.S. General Service Administration's "Architect-Engineer Qualifications, Standard Form No. 330," with pertinent supporting data. Among other things, Applicants must submit information relating to: a) the ability and adequacy of the Applicant's professional personnel; b) whether the Applicant is a certified minority business enterprise; c) the Applicant's willingness to meet time and budget requirements; d) the Applicant's past experience and performance, including but not limited to past experience as a District Engineer for any community development districts and past experience in the City of Leesburg, Lake County, Florida; e) the geographic location of the Applicant's headquarters and offices; f) the current and projected workloads of the Applicant; and g) the volume of work previously awarded to the Applicant by the District. Further, each Applicant must identify the specific individual affiliated with the Applicant who would be handling District meetings, construction services, and other engineering tasks.

The District will review all Applicants and will comply with Florida law, including the Consultant's Competitive Negotiations Act, Chapter 287, *Florida Statutes* ("**CCNA**"). All Applicants interested must submit one (1) electronic and one (1) unbound copy of Standard Form No. 330 and the Qualification Statement by 12:00 p.m., on February 12, 2025 by email to gillyardd@whhassociates.com ("**District Manager's Office**").

The Board shall select and rank the Applicants using the requirements set forth in the CCNA and the evaluation criteria on file with the District Manager, and the highest ranked Applicant will be requested to enter into contract negotiations. If an agreement cannot be reached between the District and the highest ranked Applicant, negotiations will cease and begin with the next highest ranked Applicant, and if these negotiations are unsuccessful, will continue to the third highest ranked Applicant.

The District reserves the right to reject any and all Qualification Statements. Additionally, there is no express or implied obligation for the District to reimburse

Applicants for any expenses associated with the preparation and submittal of the Qualification Statements in response to this request.

Any protest regarding the terms of this Notice, or the evaluation criteria on file with the District Manager, must be filed in writing, within seventy-two (72) hours (excluding weekends) after the publication of this Notice. 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 aforesaid Notice or evaluation criteria provisions. Any person who files a notice of protest shall provide to the District, simultaneous with the filing of the notice, a protest bond with a responsible surety to be approved by the District and in the amount of Twenty Thousand Dollars (\$20,000.00).

## **ORANGE BEND COMMUNITY DEVELOPMENT DISTRICT**

### **DISTRICT ENGINEER PROPOSALS**

#### **COMPETITIVE SELECTION CRITERIA**

**1) Ability and Adequacy of Professional Personnel (Weight: 25 Points)**

Consider the capabilities and experience of key personnel within the firm including certification, training, and education; affiliations and memberships with professional organizations; etc.

**2) Consultant's Past Performance (Weight: 25 Points)**

Past performance for other Community Development Districts in other contracts; amount of experience on similar projects; character, integrity, reputation, of respondent; etc.

**3) Geographic Location (Weight: 20 Points)**

Consider the geographic location of the firm's headquarters, offices and personnel in relation to the project.

**4) Willingness to Meet Time and Budget Requirements (Weight: 15 Points)**

Consider the consultant's ability and desire to meet time and budget requirements including rates, staffing levels and past performance on previous projects; etc.

**5) Certified Minority Business Enterprise (Weight: 5 Points)**

Consider whether the firm is a Certified Minority Business Enterprise. Award either all eligible points or none.

**6) Recent, Current and Projected Workloads (Weight: 5 Points)**

Consider the recent, current and projected workloads of the firm.

**7) Volume of Work Previously Awarded to Consultant by District (Weight: 5 Points)**

Consider the desire to diversify the firms that receive work from the District; etc.



**ORANGE BEND**  
**COMMUNITY DEVELOPMENT DISTRICT**

**15C**



a Pape-Dawson company

# Orange Bend Community Development District

## Request for Qualifications for Engineering Services

**Prepared For**  
**District Manager's Office**  
**Lake County, Florida**

**Date**  
March 12, 2025

**POULOS & BENNETT**  
a Pape-Dawson company

March 12, 2025

District Manager Office  
Orange Bend Community Development District, Florida

RE: Request for Qualifications for Engineering Services Community Development District

Thank you for the opportunity to present our qualifications to provide engineering services for the Orange Bend Community Development District (Orange Bend CDD). Poulos & Bennett will bring incomparable attention to detail regarding the CDD's water distribution system, sanitary sewer facilities, reuse water system, stormwater system, electrical service systems, conservation mitigation, on-site public roadway improvements, and other public improvements with a highly dedicated team of experienced professionals who will meet all your civil engineering, and related needs. In addition, we pride ourselves on the quality and extent of our client customer service and are committed to continuing that reputation in support of the Orange Bend CDD.

To best serve the Orange Bend CDD for engineering services, Poulos & Bennett has teamed up with Geo - Technology Associates, Inc. (geotechnical consultant), Traffic & Mobility Consultants (traffic consultant), Bio-Tech Consulting (environmental consultant) and surveying will be completed by Johnston's Surveying, LLC (land surveyor). Poulos & Bennett has successfully worked with each of these firms, and we are confident they will provide a highly experienced and efficient team for the services required by the Orange Bend CDD. Poulos & Bennett, along with our dedicated team members, have a history of close collaboration. Our strategic location near Lake County enables us to deliver prompt and efficient services to the CDD.

The Poulos & Bennett team is the best fit for carrying out this project expeditiously and efficiently based on our significant experience with Community Development Districts. Our Orlando office location, our thorough understanding of South Florida Water Management District (SFWMD) criteria and permitting, as well as our long-standing relationships with SFWMD and Lake County staff to provide a uniquely positioned team of professionals to facilitate the requirements of the Orange Bend CDD. Our team boasts experience and relationships with Lake County staff. We take pride in our reputation as consummate professionals, excelling civil engineers, surveyors, and planners. We are dedicated advocates for our clients, ensuring their needs are met with the highest level of expertise and commitment.

We appreciate the opportunity to provide our qualifications to the Orange Bend CDD for engineering services and are excited about the possibility of providing high-quality and cost-effective engineering services to meet your needs. Our engineering experience, coupled with the talent and experience of the overall team, will exceed the needs of the Orange Bend CDD. Please do not hesitate to contact us should you need any additional information.

Sincerely,



Lance Bennett  
Principal-In-Charge



# ARCHITECT-ENGINEER QUALIFICATIONS

## PART I - CONTRACT-SPECIFIC QUALIFICATIONS

### A. CONTRACT INFORMATION

1. TITLE AND LOCATION (City and State)

Orange Bend Community Development District

2. PUBLIC NOTICE DATE

N/A

3. SOLICITATION OR PROJECT NUMBER

N/A

### B. ARCHITECT-ENGINEER POINT OF CONTACT

4. NAME AND TITLE

R. Lance Bennett, P.E., Principal-in-Charge

5. NAME OF FIRM

Poulos & Bennett, LLC

6. TELEPHONE NUMBER

407-487-2594

7. FAX NUMBER

407-289-5280

8. E-MAIL ADDRESS

lbennett@poulosandbennett.com

### C. PROPOSED TEAM

(Complete this section for the prime contractor and all key subcontractors.)

|    | (Check) |     |         |                | 9. FIRM NAME                                                                        | 10. ADDRESS                                            | 11. ROLE IN THIS CONTRACT              |
|----|---------|-----|---------|----------------|-------------------------------------------------------------------------------------|--------------------------------------------------------|----------------------------------------|
|    | PRIME   | J-V | PARTNER | SUBCON-TRACTOR |                                                                                     |                                                        |                                        |
| a. | ✓       |     |         |                | Poulos & Bennett, LLC<br><input checked="" type="checkbox"/> CHECK IF BRANCH OFFICE | 2602 E. Livingston Street<br>Orlando., FL 32803        | Civil Engineer                         |
| b. |         |     | ✓       |                | Johnston's Surveying, LLC<br><input type="checkbox"/> CHECK IF BRANCH OFFICE        | 900 Cross Prairie Parkway<br>Kissimmee, FL 34744       | Land Surveyor                          |
| c. |         |     | ✓       |                | Bio-Tech Consulting Inc.<br><input type="checkbox"/> CHECK IF BRANCH OFFICE         | 3025 E South St.<br>Orlando, FL 32803                  | Environmental Consultant               |
| e. |         |     | ✓       |                | Geo-Technology Associates, Inc.<br><input type="checkbox"/> CHECK IF BRANCH OFFICE  | 4617 Parkbreeze Court<br>Orlando, FL 32808             | Geotechnical Engineering               |
| f. |         |     | ✓       |                | Traffic Mobility Consultants<br><input type="checkbox"/> CHECK IF BRANCH OFFICE     | 3101 Maguire Boulevard, Suite 265<br>Orlando, FL 32803 | Traffic and Transportation Consultants |
| g. |         |     |         |                | <input type="checkbox"/> CHECK IF BRANCH OFFICE                                     |                                                        |                                        |
| h. |         |     |         |                | <input type="checkbox"/> CHECK IF BRANCH OFFICE                                     |                                                        |                                        |

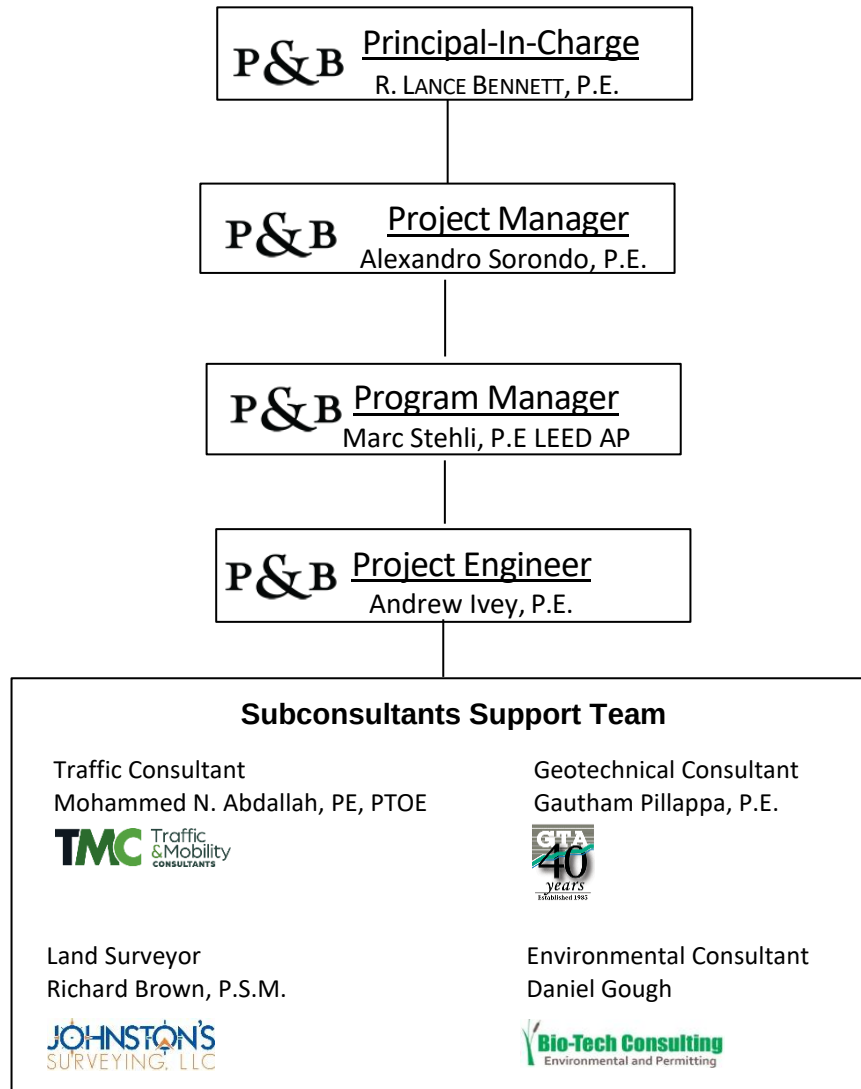
### D. ORGANIZATIONAL CHART OF PROPOSED TEAM

☒ (Attached)

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**D. ORGANIZATIONAL CHART OF PROPOSED TEAM**

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**E. RESUMES OF KEY PERSONNEL PROPOSED FOR THIS CONTRACT***(Complete one Section E for each key person.)*

|                                                                                                                                                                                                                                     |                                                         |                                                                                                                                                                                                 |  |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|
| 12. NAME<br><b>R. Lance Bennett, P.E.</b>                                                                                                                                                                                           | 13. ROLE IN THIS CONTRACT<br><b>Principal-in-Charge</b> | 14. YEARS EXPERIENCE<br>a. TOTAL <b>32</b> b. WITH CURRENT FIRM <b>13</b>                                                                                                                       |  |
| 15. FIRM NAME AND LOCATION <i>(City and State)</i><br><b>Poulos &amp; Bennett, LLC (Orlando, Florida)</b>                                                                                                                           |                                                         |                                                                                                                                                                                                 |  |
| 16. EDUCATION <i>(Degree and Specialization)</i><br><b>BS Environmental Engineering, University of Central Florida</b><br><br><b>MS Civil Engineering, University of Central Florida</b>                                            |                                                         | 17. CURRENT PROFESSIONAL REGISTRATION <i>(State and Discipline)</i><br><b>Florida Registered Professional Engineer No.50698</b><br><b>FDEP Erosion &amp; Sediment Control Inspector No.2359</b> |  |
| 18. OTHER PROFESSIONAL QUALIFICATIONS <i>(Publications, Organizations, Training, Awards, etc.)</i><br><b>Member of the American Society of Civil Engineers (ASCE)</b><br><b>Adjunct Professor for University of Central Florida</b> |                                                         |                                                                                                                                                                                                 |  |

**19. RELEVANT PROJECTS**

| (1) TITLE AND LOCATION <i>(City and State)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | (2) YEAR COMPLETED                           |                                                   |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------|---------------------------------------------------|
| <b>Four Seasons at Orlando/Windward Community Development District (Osceola County, Florida)</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | PROFESSIONAL SERVICES<br><b>2017</b>         | CONSTRUCTION <i>(If applicable)</i><br><b>N/A</b> |
| <b>a.</b> (3) BRIEF DESCRIPTION <i>(Brief scope, size, cost, etc.)</i> AND SPECIFIC ROLE <input checked="" type="checkbox"/> Check if project performed with current firm<br>Lance serves as the Principal-in-Charge of the Four Seasons at Orlando includes the preparation of construction plans and permitting services for a 22-acre Tract C project; 31-acre Tract D project; 7.5-acre Spine Road project consisting of 3,450LF; and 32-acre Amenity Center. This totals an estimated construction cost of over \$10,000,000.                                                                                                                                                                                                                  |                                              |                                                   |
| (1) TITLE AND LOCATION <i>(City and State)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | (2) YEAR COMPLETED                           |                                                   |
| <b>Storey Park Community Development District (Polk County, Florida)</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | PROFESSIONAL SERVICES<br><b>2013-2015</b>    | CONSTRUCTION <i>(If applicable)</i><br><b>N/A</b> |
| <b>b.</b> (3) BRIEF DESCRIPTION <i>(Brief scope, size, cost, etc.)</i> AND SPECIFIC ROLE <input checked="" type="checkbox"/> Check if project performed with current firm<br>Lance served as Principal-in-Charge of the 861-acre Community Development District project. Poulos & Bennett prepared the CDD engineers report, exhibits, and cost estimates in support of the CDD roadway, utility, and stormwater infrastructure design. Estimated CDD construction cost of \$35,000,000.                                                                                                                                                                                                                                                            |                                              |                                                   |
| (1) TITLE AND LOCATION <i>(City and State)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | (2) YEAR COMPLETED                           |                                                   |
| <b>Tohoqua Community Development District (Orlando, Florida)</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | PROFESSIONAL SERVICES<br><b>2018-Current</b> | CONSTRUCTION <i>(If applicable)</i><br><b>N/A</b> |
| <b>c.</b> (3) BRIEF DESCRIPTION <i>(Brief scope, size, cost, etc.)</i> AND SPECIFIC ROLE <input checked="" type="checkbox"/> Check if project performed with current firm<br>Lance serves as Principal-in-Charge for this 784-acre mixed use development that consists of 3,220 residential units, 200 hotel rooms, and 443,720 square feet of commercial space. Professional engineering services relating to drainage and surface water management system, waterline and accessories, sewer system, landscape/irrigation lines, roadways, and amenity facilities are provided on a continuing basis for the district's capital improvements. Estimated construction cost of \$72,000,000.                                                         |                                              |                                                   |
| (1) TITLE AND LOCATION <i>(City and State)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | (2) YEAR COMPLETED                           |                                                   |
| <b>Tapestry Community Development District (Kissimmee, Florida)</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | PROFESSIONAL SERVICES<br><b>2013-2017</b>    | CONSTRUCTION <i>(If applicable)</i><br><b>N/A</b> |
| <b>d.</b> (3) BRIEF DESCRIPTION <i>(Brief scope, size, cost, etc.)</i> AND SPECIFIC ROLE <input checked="" type="checkbox"/> Check if project performed with current firm<br>Lance served as Principal-in-Charge. Tapestry Parcel 8 - 243-acres, 1037 unit residential single and multi-family-project. Providing civil engineering design, permitting, and construction management for roadway, utility and stormwater infrastructure design with an estimated construction cost of \$19,500,000.                                                                                                                                                                                                                                                  |                                              |                                                   |
| (1) TITLE AND LOCATION <i>(City and State)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | (2) YEAR COMPLETED                           |                                                   |
| <b>Harmony West Community Development District (Osceola County, Florida)</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | PROFESSIONAL SERVICES<br><b>2018-Current</b> | CONSTRUCTION <i>(If applicable)</i><br><b>N/A</b> |
| <b>e.</b> (3) BRIEF DESCRIPTION <i>(Brief scope, size, cost, etc.)</i> AND SPECIFIC ROLE <input checked="" type="checkbox"/> Check if project performed with current firm<br>Lance serves as Principal-in-Charge for this 287-acre tract that consists of 631 single family homes and three supporting recreational amenity centers. Professional engineering services are provided on a continuing basis for planning, preparing reports and plans, providing contract administration services and construction oversight, and providing designs and specifications for roadways, buffer walls, water facilities, sewer facilities, reclaimed water facilities, and stormwater management facilities. Estimated construction cost of \$31,750,000. |                                              |                                                   |

**E. RESUMES OF KEY PERSONNEL PROPOSED FOR THIS CONTRACT***(Complete one Section E for each key person.)*

|                                                                                                                                                                                                               |                           |                                                                                                                          |                           |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|--------------------------------------------------------------------------------------------------------------------------|---------------------------|
| 12. NAME                                                                                                                                                                                                      | 13. ROLE IN THIS CONTRACT | 14. YEARS EXPERIENCE                                                                                                     |                           |
| Alexandro Sorondo, P.E.                                                                                                                                                                                       | Program Manager           | a. TOTAL<br>29                                                                                                           | b. WITH CURRENT FIRM<br>2 |
| 15. FIRM NAME AND LOCATION <i>(City and State)</i><br>Poulos & Bennett, LLC <i>(Orlando, Florida)</i>                                                                                                         |                           |                                                                                                                          |                           |
| 16. EDUCATION <i>(Degree and Specialization)</i><br>BS Environmental Engineering, University of Central Florida<br><br>Master Business Administration, University of Central Florida                          |                           | 17. CURRENT PROFESSIONAL REGISTRATION <i>(State and Discipline)</i><br>Florida Registered Professional Engineer No.62954 |                           |
| 18. OTHER PROFESSIONAL QUALIFICATIONS <i>(Publications, Organizations, Training, Awards, etc.)</i><br>Member of the American Society of Civil Engineers (ASCE)<br>Member of Florida Engineering Society (FES) |                           |                                                                                                                          |                           |

**19. RELEVANT PROJECTS**

|    | (1) TITLE AND LOCATION <i>(City and State)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                               | (2) YEAR COMPLETED                    |                                                |
|----|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------|------------------------------------------------|
| a. | Lakeside at Satilla Community Development District<br><i>(Osceola County, Florida)</i>                                                                                                                                                                                                                                                                                                                                                                                                       | PROFESSIONAL SERVICES<br>2023-Current | CONSTRUCTION <i>(If applicable)</i><br>Ongoing |
|    | (3) BRIEF DESCRIPTION <i>(Brief scope, size, cost, etc.)</i> AND SPECIFIC ROLE <input checked="" type="checkbox"/> Check if project performed with current firm                                                                                                                                                                                                                                                                                                                              |                                       |                                                |
|    | Alex serves as the District Engineer for this 102-acre subdivision consisting of 402 single family units and associated roadways, drainage systems, utilities, park, and a lift station. This project was permitted through Osceola County, Tohopekaliga Water Authority, and the SFWMD. Poulos & Bennett provided a peer review of the plans developed by a separate engineering firm. Estimated Construction Cost of \$27,300,000.                                                         |                                       |                                                |
| b. | Cedar Crossings Community Development District <i>(Polk County, Florida)</i>                                                                                                                                                                                                                                                                                                                                                                                                                 | PROFESSIONAL SERVICES<br>2023-Current | CONSTRUCTION <i>(If applicable)</i><br>Ongoing |
|    | (3) BRIEF DESCRIPTION <i>(Brief scope, size, cost, etc.)</i> AND SPECIFIC ROLE <input checked="" type="checkbox"/> Check if project performed with current firm                                                                                                                                                                                                                                                                                                                              |                                       |                                                |
|    | Alex serves as the District Engineer for this 79-acre subdivision consisting of 300 single family units and associated roadways, drainage systems, utilities, park, and a lift station. This project was permitted through Polk County, Haines City, and the SWFWMD. Poulos & Bennett provided a peer review of the plans developed by a separate engineering firm and Construction Management Services during the construction of the project. Estimated Construction Cost of \$17,600,000. |                                       |                                                |
| c. | Paradiso Grande – Phase 3 <i>(Orlando, Florida)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                          | PROFESSIONAL SERVICES<br>2023-Current | CONSTRUCTION <i>(If applicable)</i><br>Ongoing |
|    | (3) BRIEF DESCRIPTION <i>(Brief scope, size, cost, etc.)</i> AND SPECIFIC ROLE <input checked="" type="checkbox"/> Check if project performed with current firm                                                                                                                                                                                                                                                                                                                              |                                       |                                                |
|    | Alex serves as the Principal Development Services lead for construction administration and construction management. The project consists of 30 acres consisting of 89 detached vacation home rentals and associated roadways, drainage systems and utilities. Estimated construction cost of \$17,500,000.                                                                                                                                                                                   |                                       |                                                |
| d. | Cypress Bluff <i>(Groveland, Florida)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                    | PROFESSIONAL SERVICES<br>2023-Current | CONSTRUCTION <i>(If applicable)</i><br>Ongoing |
|    | (3) BRIEF DESCRIPTION <i>(Brief scope, size, cost, etc.)</i> AND SPECIFIC ROLE <input checked="" type="checkbox"/> Check if project performed with current firm                                                                                                                                                                                                                                                                                                                              |                                       |                                                |
|    | Alex serves as the District Engineer and Principal Development Services lead for construction administration and construction management for this 156 -acre subdivision consisting of 386 detached single-family units and associated roadways, drainage systems and utilities. This project was permitted through the City of Groveland, Lake County and the SJRWMD. Estimated construction cost of \$24,600,000.                                                                           |                                       |                                                |
| e. | Kelly Park Community Development District <i>(Orange County, Florida)</i>                                                                                                                                                                                                                                                                                                                                                                                                                    | PROFESSIONAL SERVICES<br>2021-Current | CONSTRUCTION <i>(If applicable)</i><br>Ongoing |
|    | (3) BRIEF DESCRIPTION <i>(Brief scope, size, cost, etc.)</i> AND SPECIFIC ROLE <input checked="" type="checkbox"/> Check if project performed with current firm                                                                                                                                                                                                                                                                                                                              |                                       |                                                |
|    | Alex acted as the Principal Development Services lead for construction administration and construction management. The project consists of 214 acres consisting of 765 single-family residential lots and associated roadways, drainage systems and utilities. Estimated construction cost of \$15,700,000.                                                                                                                                                                                  |                                       |                                                |

**E. RESUMES OF KEY PERSONNEL PROPOSED FOR THIS CONTRACT***(Complete one Section E for each key person.)*

|                                                                                                                                                                                                              |                                                     |                                                                                                                                 |  |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------|--|
| 12. NAME<br><b>Marc, PE LEED AP</b>                                                                                                                                                                          | 13. ROLE IN THIS CONTRACT<br><b>Project Manager</b> | 14. YEARS EXPERIENCE<br>a. TOTAL <b>25</b> b. WITH CURRENT FIRM <b>10</b>                                                       |  |
| 15. FIRM NAME AND LOCATION <i>(City and State)</i><br><b>Poulos &amp; Bennett, LLC - Orlando, FL</b>                                                                                                         |                                                     |                                                                                                                                 |  |
| 16. EDUCATION <i>(Degree and Specialization)</i><br><b>BS Civil Engineering, University of Central Florida</b><br><br><b>Executive Master Business Administration, University of Central Florida</b>         |                                                     | 17. CURRENT PROFESSIONAL REGISTRATION <i>(State and Discipline)</i><br><b>Florida Registered Professional Engineer No.52781</b> |  |
| 18. OTHER PROFESSIONAL QUALIFICATIONS <i>(Publications, Organizations, Training, Awards, etc.)</i><br><b>LEED Accredited Professional</b><br><b>Member of the American Society of Civil Engineers (ASCE)</b> |                                                     |                                                                                                                                 |  |

**19. RELEVANT PROJECTS**

| (1) TITLE AND LOCATION <i>(City and State)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | (2) YEAR COMPLETED                           |                                                   |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------|---------------------------------------------------|
| <b>Harmony West Community Development District</b><br><i>(Osceola County, Florida)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | PROFESSIONAL SERVICES<br><b>2018-Current</b> | CONSTRUCTION <i>(If applicable)</i><br><b>N/A</b> |
| (3) BRIEF DESCRIPTION <i>(Brief scope, size, cost, etc.)</i> AND SPECIFIC ROLE <input checked="" type="checkbox"/> Check if project performed with current firm                                                                                                                                                                                                                                                                                                                                                                                                      |                                              |                                                   |
| a. Marc serves as District Engineer for this 287-acre tract that consists of 631 single family homes and three supporting recreational amenity centers. Professional engineering services are provided on a continuing basis for planning, preparing reports and plans, providing contract administration services and construction oversight, and providing designs and specifications for roadways, buffer walls, water facilities sewer facilities, reclaimed water facilities, and stormwater management facilities. Estimated construction cost of \$31,750,000 |                                              |                                                   |
| (1) TITLE AND LOCATION <i>(City and State)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | (2) YEAR COMPLETED                           |                                                   |
| <b>Windermere Isles</b> <i>(Orange, Florida)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | PROFESSIONAL SERVICES<br><b>2015-2017</b>    | CONSTRUCTION <i>(If applicable)</i><br><b>N/A</b> |
| (3) BRIEF DESCRIPTION <i>(Brief scope, size, cost, etc.)</i> AND SPECIFIC ROLE <input checked="" type="checkbox"/> Check if project performed with current firm                                                                                                                                                                                                                                                                                                                                                                                                      |                                              |                                                   |
| b. Marc acted as Project Manager providing civil engineering design, permitting, and construction administration services for the development of a 117-unit single family residential development. Project includes on-site stormwater management's facilities, hydraulic modeling of extensive off-site wetlands, and design of a triple 6'x3' box culvert wetland crossing.                                                                                                                                                                                        |                                              |                                                   |
| (1) TITLE AND LOCATION <i>(City and State)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | (2) YEAR COMPLETED                           |                                                   |
| <b>Legado Subdivision</b> <i>(Orlando, Florida)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | PROFESSIONAL SERVICES<br><b>2014</b>         | CONSTRUCTION <i>(If applicable)</i><br><b>N/A</b> |
| (3) BRIEF DESCRIPTION <i>(Brief scope, size, cost, etc.)</i> AND SPECIFIC ROLE <input checked="" type="checkbox"/> Check if project performed with current firm                                                                                                                                                                                                                                                                                                                                                                                                      |                                              |                                                   |
| c. Marc acted as Project Manager providing civil engineering design, permitting, and construction administration services for the development of a 160-unit single family residential development. Project include approximately 5-acres of on-site wetland impacts and the hydraulic modeling of an extensive off-site watershed and design of an approximate 300-foot-long elevated wetland crossing with retaining walls and box culverts.                                                                                                                        |                                              |                                                   |
| (1) TITLE AND LOCATION <i>(City and State)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | (2) YEAR COMPLETED                           |                                                   |
| <b>Orangewood N-2 PD, Parcel 11</b> <i>(Orange County, Florida)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | PROFESSIONAL SERVICES<br><b>2013-2015</b>    | CONSTRUCTION <i>(If applicable)</i><br><b>N/A</b> |
| (3) BRIEF DESCRIPTION <i>(Brief scope, size, cost, etc.)</i> AND SPECIFIC ROLE <input checked="" type="checkbox"/> Check if project performed with current firm                                                                                                                                                                                                                                                                                                                                                                                                      |                                              |                                                   |
| d. Marc acted as Project Manager for the redevelopment of the Grande Pines Golf Course. Mr. Stehli oversaw the preparation and processing of a Preliminary Subdivision Plan for a 423 single family residential subdivision. Project include the design and modeling of the master stormwater management system which included eighteen interconnected stormwater management ponds servicing the approximate 200-acre development.                                                                                                                                   |                                              |                                                   |
| (1) TITLE AND LOCATION <i>(City and State)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | (2) YEAR COMPLETED                           |                                                   |
| <b>Hickory Nuts Estates</b> <i>(Orange County, Florida)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | PROFESSIONAL SERVICES<br><b>2014-Current</b> | CONSTRUCTION <i>(If applicable)</i><br><b>N/A</b> |
| (3) BRIEF DESCRIPTION <i>(Brief scope, size, cost, etc.)</i> AND SPECIFIC ROLE <input checked="" type="checkbox"/> Check if project performed with current firm                                                                                                                                                                                                                                                                                                                                                                                                      |                                              |                                                   |
| e. Marc acted as Project Manager for this 40 units single family subdivision. Project included the preparation and processing of a Planned Development Land Use Plan, Preliminary Subdivision Plan and Final Engineering Plans. Design included modeling of on-site and off-site wetlands impacts, on-site master infrastructure, approximately 2800 linear feet of offsite water mains, reclaim mains and force main extensions, and the design and realignment of approximately 0.5 miles of Old YMCA Road.                                                        |                                              |                                                   |



**E. RESUMES OF KEY PERSONNEL PROPOSED FOR THIS CONTRACT***(Complete one Section E for each key person.)*

| 12. NAME          | 13. ROLE IN THIS CONTRACT | 14. YEARS EXPERIENCE |                      |
|-------------------|---------------------------|----------------------|----------------------|
|                   |                           | a. TOTAL             | b. WITH CURRENT FIRM |
| Andrew Ivey, P.E. | Project Engineer          | 11                   | 10                   |

15. FIRM NAME AND LOCATION *(City and State)***Poulos & Bennett, LLC (Orlando, Florida)**16. EDUCATION *(Degree and Specialization)***BS Environmental Engineering, University of Central Florida**17. CURRENT PROFESSIONAL REGISTRATION *(State and Discipline)***Florida Registered Professional Engineer No. 0086607**18. OTHER PROFESSIONAL QUALIFICATIONS *(Publications, Organizations, Training, Awards, etc.)***Governor DeSantis Environmental Transition Committee; Former Chairman of the Board, St. Johns River Water Management District (five terms); Former Board Member, Orange County EPC; Former Steering Committee Member, Central Florida Water Initiative; Board of Directors, Back to Nature****19. RELEVANT PROJECTS**

|    | (1) TITLE AND LOCATION <i>(City and State)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | (2) YEAR COMPLETED    |                                     |
|----|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------|-------------------------------------|
|    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | PROFESSIONAL SERVICES | CONSTRUCTION <i>(If applicable)</i> |
| a. | Harmony West Community Development District <i>(Osceola County, Florida)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                            | 2018-Current          | N/A                                 |
|    | (3) BRIEF DESCRIPTION <i>(Brief scope, size, cost, etc.)</i> AND SPECIFIC ROLE <input checked="" type="checkbox"/> Check if project performed with current firm                                                                                                                                                                                                                                                                                                                                                         |                       |                                     |
|    | Andrew serves as a Senior Engineer for this 287-acre tract that consists of 631 single family homes and three supporting recreational amenity centers. Professional engineering services are provided on a continuing basis for planning, preparing reports and plans, providing contract administration services and construction oversight, and providing designs and specifications for roadways, buffer walls, water facilities, sewer facilities, reclaimed water facilities, and stormwater management facilities |                       |                                     |
| b. | Hills of Minneola Community Development District, Senior Engineer <i>(Minneola, Florida)</i>                                                                                                                                                                                                                                                                                                                                                                                                                            | 2018-Current          | N/A                                 |
|    | (3) BRIEF DESCRIPTION <i>(Brief scope, size, cost, etc.)</i> AND SPECIFIC ROLE <input checked="" type="checkbox"/> Check if project performed with current firm                                                                                                                                                                                                                                                                                                                                                         |                       |                                     |
|    | Andrew serves as a Senior Engineer for this 1,754-unit single family home development. Professional engineering services are provided for planning, preparing reports and plans, providing contract admin services and construction management oversight, and providing designs and specifications for roadways, buffer walls, water facilities, sewer facilities, reclaimed water facilities, and stormwater management facilities.                                                                                    |                       |                                     |
| c. | Hills of Minneola Engineer of Record <i>(Osceola Florida)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                           | 2018-Current          | N/A                                 |
|    | (3) BRIEF DESCRIPTION <i>(Brief scope, size, cost, etc.)</i> AND SPECIFIC ROLE <input checked="" type="checkbox"/> Check if project performed with current firm                                                                                                                                                                                                                                                                                                                                                         |                       |                                     |
|    | Andrew served as the Engineer of Record. The project involved multiple residential phases, multiple utilities, exteriors, mass grading phases, and two roadway extensions.                                                                                                                                                                                                                                                                                                                                              |                       |                                     |
| d. | Radio Road <i>(Leesburg, Florida)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | 2018-Current          | N/A                                 |
|    | (3) BRIEF DESCRIPTION <i>(Brief scope, size, cost, etc.)</i> AND SPECIFIC ROLE <input checked="" type="checkbox"/> Check if project performed with current firm                                                                                                                                                                                                                                                                                                                                                         |                       |                                     |
|    | Andrew served as the Engineer of Record. The project involved designing and permitting a 2-phase, 224-unit single family residential development.                                                                                                                                                                                                                                                                                                                                                                       |                       |                                     |
| e. | Ridgewood Lakes Townhomes <i>(Polk County, Florida)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | 2018-2019             | N/A                                 |
|    | (3) BRIEF DESCRIPTION <i>(Brief scope, size, cost, etc.)</i> AND SPECIFIC ROLE <input checked="" type="checkbox"/> Check if project performed with current firm                                                                                                                                                                                                                                                                                                                                                         |                       |                                     |
|    | Andrew served as the Engineer of Record. This project involved designing and permitting a 113-unit townhome development.                                                                                                                                                                                                                                                                                                                                                                                                |                       |                                     |

## E. RESUMES OF KEY PERSONNEL PROPOSED FOR THIS CONTRACT

(Complete one Section E for each key person.)

|                                                                                                                             |                           |                                                                                                                                                                             |                            |
|-----------------------------------------------------------------------------------------------------------------------------|---------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------|
| 12. NAME                                                                                                                    | 13. ROLE IN THIS CONTRACT | 14. YEARS EXPERIENCE                                                                                                                                                        |                            |
| Mohammed N. Abdallah, PE, PTOE                                                                                              | Transportation Engineer   | a. TOTAL<br>30                                                                                                                                                              | b. WITH CURRENT FIRM<br>12 |
| 15. FIRM NAME AND LOCATION (City and State)<br>Traffic & Mobility Consultants LLC, Orlando, Florida                         |                           |                                                                                                                                                                             |                            |
| 16. EDUCATION (Degree and Specialization)<br>Master of Science, Civil Engineering<br>Bachelor of Science, Civil Engineering |                           | 17. CURRENT PROFESSIONAL REGISTRATION (State and Discipline)<br>Registered Professional Engineer, Florida PE #56169<br>Professional Traffic Operations Engineer, PTOE #2415 |                            |

### 18. OTHER PROFESSIONAL QUALIFICATIONS (Publications, Organizations, Training, Awards, etc.)

Training: FDOT Access Management Series; Highway Capacity Analysis Workshop (McTrans); ITS Evaluation Tool Modeling Workshop (FDOT)

Certifications: Advanced Maintenance of Traffic, Florida Department of Transportation (FDOT) AMOT #87822

### 19. RELEVANT PROJECTS

| (1) TITLE AND LOCATION (City and State)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | (2) YEAR COMPLETED            |                              |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------|------------------------------|
| Williamsburg Area Transportation Study<br>(Orlando Area, Unincorporated Orange County, Florida)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | PROFESSIONAL SERVICES<br>2023 | CONSTRUCTION (If applicable) |
| (3) BRIEF DESCRIPTION (Brief scope, size, cost, etc.) AND SPECIFIC ROLE<br>a. Responsible for overall quality assurance/quality control for the transportation study prepared to identify specific traffic issues and determine feasible solutions for the Williamsburg Area. The study identified crash locations and speeding, cut through traffic patterns and volumes, operational deficiencies, and prioritized short-term, mid-term, and long-term improvements with associated construction costs for implementation in the 5-year work plan. Cost of contract: \$267,000 |                               |                              |
| <input checked="" type="checkbox"/> Check if project performed with current firm                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                               |                              |
| The Reserve at Hammock Oaks<br>(Town of Lady Lake, Florida)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | PROFESSIONAL SERVICES<br>2023 | CONSTRUCTION (If applicable) |
| (3) BRIEF DESCRIPTION (Brief scope, size, cost, etc.) AND SPECIFIC ROLE<br>b. Managed the traffic related elements in support of the large mixed-residential use development. The scope of work included a study to support the comprehensive plan amendment, a traffic impact analysis to assess the existing and projected conditions of the roadway network, and an analysis to evaluate access scenarios and determine the project's proportionate share cost to mitigate impacts on the roadway network. Cost of contract: \$69,000                                         |                               |                              |
| <input checked="" type="checkbox"/> Check if project performed with current firm                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                               |                              |
| Beaumont Community Development District<br>(City of Wildwood, Florida)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | PROFESSIONAL SERVICES<br>2022 | CONSTRUCTION (If applicable) |
| (3) BRIEF DESCRIPTION (Brief scope, size, cost, etc.) AND SPECIFIC ROLE<br>c. Managed the traffic related elements in support of the mixed-use development comprised of residential, hotel, assisted living, and 0.5 million square feet of commercial use. Oversaw all aspects of transportation and traffic engineering and was responsible for public engagement with stakeholders and governing bodies. The scope of work included traffic impact, lane closure and signal warrant analyses, and signalization design plans. Cost of contract: \$81,000                      |                               |                              |
| <input checked="" type="checkbox"/> Check if project performed with current firm                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                               |                              |
| Gardens of Millenia Community Development District<br>(City of Orlando, Florida)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | PROFESSIONAL SERVICES<br>2022 | CONSTRUCTION (If applicable) |
| (3) BRIEF DESCRIPTION (Brief scope, size, cost, etc.) AND SPECIFIC ROLE<br>d. Managed the traffic related elements for the proposed high-density mixed-use urban development consisting of 1,200 condominiums, retail, office, entertainment, and civic space. Prepared evaluations of internal and external transportation and mobility needs including alternative traffic controls and pedestrian facilities. Prepared transportation plans for the CDD-controlled properties and assisted in determining configuration and improvement costs. Cost of contract: \$50,000     |                               |                              |
| <input checked="" type="checkbox"/> Check if project performed with current firm                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                               |                              |
| Storey Lake Community Development District<br>(Osceola County, Florida)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | PROFESSIONAL SERVICES<br>2021 | CONSTRUCTION (If applicable) |
| (3) BRIEF DESCRIPTION (Brief scope, size, cost, etc.) AND SPECIFIC ROLE<br>e. Managed the traffic related elements in support of the residential Storey Lake development consisting of 2,000+ units. Oversaw all aspects of transportation and traffic engineering and was responsible for public engagement with stakeholders and governing bodies. Scope of work included an alternative mobility analysis, traffic projections, signal warrant analyses, maintenance of traffic (MOT) design plans, and signalization design plans. Cost of contract: \$145,000               |                               |                              |
| <input checked="" type="checkbox"/> Check if project performed with current firm                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                               |                              |

**E. RESUMES OF KEY PERSONNEL PROPOSED FOR THIS CONTRACT***(Complete one Section E for each key person.)*

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                                             |                                                                                                                                   |                                   |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------|-----------------------------------|
| 12. NAME<br><b>Gautham Pillappa, P.E.</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | 13. ROLE IN THIS CONTRACT<br><b>Geotechnical Consultant</b> | 14. YEARS EXPERIENCE                                                                                                              |                                   |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                                             | a. TOTAL<br><b>19</b>                                                                                                             | b. WITH CURRENT FIRM<br><b>3+</b> |
| 15. FIRM NAME AND LOCATION <i>(City and State)</i><br><b>Geo-Technology Associates, Inc. Orlando, FL</b>                                                                                                                                                                                                                                                                                                                                                                                                                            |                                                             |                                                                                                                                   |                                   |
| 16. EDUCATION <i>(Degree and Specialization)</i><br><b>Master of Science (Geotechnical)</b>                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                                             | 17. CURRENT PROFESSIONAL REGISTRATION <i>(State and Discipline)</i><br><b>TX PE – 108878<br/>FL PE – 82816<br/>GA PE - 049086</b> |                                   |
| 18. OTHER PROFESSIONAL QUALIFICATIONS <i>(Publications, Organizations, Training, Awards, etc.)</i><br><b>Award - Dean Fellowship – UT Arlington</b><br><b>Publication - Puppala, A.J., G.S.Pillappa, L.R.Hoyos, D.Vasudev and D.Devulapalli. Comprehensive Field Studies to Address the Performance of Stabilized Expansive Clays. In Transportation Research Record: Journal of the Transportation Research Board, No. 1989, Vol. 2, Transportation Research Board of the National Academies, Washington, D.C., 2007 pp. 3-12.</b> |                                                             |                                                                                                                                   |                                   |

**19. RELEVANT PROJECTS**

|    | (1) TITLE AND LOCATION <i>(City and State)</i>                                                                                                                                                                                                                                                                                                   | (2) YEAR COMPLETED    |                                     |
|----|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------|-------------------------------------|
|    |                                                                                                                                                                                                                                                                                                                                                  | PROFESSIONAL SERVICES | CONSTRUCTION <i>(If applicable)</i> |
| a. | Kelly Park Community Development District <i>(Orange County, Florida)</i>                                                                                                                                                                                                                                                                        | 2022                  | N/A                                 |
|    | (3) BRIEF DESCRIPTION <i>(Brief scope, size, cost, etc.)</i> AND SPECIFIC ROLE <input checked="" type="checkbox"/> Check if project performed with current firm                                                                                                                                                                                  |                       |                                     |
|    | This project included the design for various single and multifamily buildings within the Kelly Park subdivision. Gautham was the Project Manager overseeing the geotechnical exploration for the project (including drilling, clearing, coordination, foundation design and reporting). Project cost was in the order of \$40,000.               |                       |                                     |
| b. | Storey Park Community Development District <i>(Orlando Florida)</i>                                                                                                                                                                                                                                                                              | 2016/2017             | N/A                                 |
|    | (3) BRIEF DESCRIPTION <i>(Brief scope, size, cost, etc.)</i> AND SPECIFIC ROLE <input type="checkbox"/> Check if project performed with current firm                                                                                                                                                                                             |                       |                                     |
|    | This project included the design for single family subdivisions within Tract G and Parcel L . Gautham was the Project Manager overseeing the geotechnical exploration for the project (including drilling, clearing, coordination, foundation design and reporting). Project cost was in the order of \$25,000.                                  |                       |                                     |
| c. | Tapestry Community Development District <i>(Orlando Florida)</i>                                                                                                                                                                                                                                                                                 | 2021                  | N/A                                 |
|    | (3) BRIEF DESCRIPTION <i>(Brief scope, size, cost, etc.)</i> AND SPECIFIC ROLE <input type="checkbox"/> Check if project performed with current firm                                                                                                                                                                                             |                       |                                     |
|    | This project included the design for single family subdivisions within Parcel 2, Parcel 8. Gautham was the Project Manager overseeing the geotechnical exploration for the project (including drilling, clearing, coordination, foundation design and reporting). Project cost was in the order of \$25,000.                                     |                       |                                     |
| d. | Grande Pines, Orlando <i>(Orange County, Florida)</i>                                                                                                                                                                                                                                                                                            | 2021                  | N/A                                 |
|    | (3) BRIEF DESCRIPTION <i>(Brief scope, size, cost, etc.)</i> AND SPECIFIC ROLE <input type="checkbox"/> Check if project performed with current firm                                                                                                                                                                                             |                       |                                     |
|    | This project included the master design for stormwater. Gautham was the Project Manager overseeing the geotechnical exploration for the entire project (including drilling, clearing, coordination, foundation design and reporting). Project cost was in the order of \$35,000.                                                                 |                       |                                     |
| e. | Hills of Minneola Community Development District <i>(Lake County, Florida)</i>                                                                                                                                                                                                                                                                   | 2020/2021             | N/A                                 |
|    | (3) BRIEF DESCRIPTION <i>(Brief scope, size, cost, etc.)</i> AND SPECIFIC ROLE <input type="checkbox"/> Check if project performed with current firm                                                                                                                                                                                             |                       |                                     |
|    | This project included the master design for stormwater and dividing the raw land into parcels for sale. Gautham was the Project Manager overseeing the geotechnical exploration for the initial portion of the project (including drilling, clearing, coordination, foundation design and reporting). Project cost was in the order of \$50,000. |                       |                                     |

**E. RESUMES OF KEY PERSONNEL PROPOSED FOR THIS CONTRACT***(Complete one Section E for each key person.)*

|                                                                                                                                                                                         |                                            |                                                                                                                                            |  |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------|--|
| 12. NAME<br>Richard D. Brown, P.S.M.                                                                                                                                                    | 13. ROLE IN THIS CONTRACT<br>Land Surveyor | 14. YEARS EXPERIENCE<br>a. TOTAL<br>37      b. WITH CURRENT FIRM<br>11                                                                     |  |
| 15. FIRM NAME AND LOCATION <i>(City and State)</i><br>Johnston's Surveying, LLC                                                                                                         |                                            |                                                                                                                                            |  |
| 16. EDUCATION <i>(Degree and Specialization)</i><br>Indian River Community College                                                                                                      |                                            | 17. CURRENT PROFESSIONAL REGISTRATION <i>(State and Discipline)</i><br>Florida Professional Surveyor and Mapper #5700<br>(Registered 1997) |  |
| 18. OTHER PROFESSIONAL QUALIFICATIONS <i>(Publications, Organizations, Training, Awards, etc.)</i><br>Florida Surveying and Mapping Society<br>American Congress on Surveying & Mapping |                                            |                                                                                                                                            |  |

**19. RELEVANT PROJECTS**

| (1) TITLE AND LOCATION <i>(City and State)</i>                                                                                                                                                                                                                                                                                                                                                                                                                 | (2) YEAR COMPLETED            |                                            |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------|--------------------------------------------|
| Orange Bend Ranch <i>(Leesburg, Florida)</i>                                                                                                                                                                                                                                                                                                                                                                                                                   | PROFESSIONAL SERVICES<br>2024 | CONSTRUCTION <i>(If applicable)</i><br>N/A |
| <b>a.</b> (3) BRIEF DESCRIPTION <i>(Brief scope, size, cost, etc.)</i> AND SPECIFIC ROLE <input checked="" type="checkbox"/> Check if project performed with current firm<br>Performed boundary and ALTA surveys, created various sketch and legal description for CDD boundary and road right of ways, drafted a plat for submittal to City of Leesburg.                                                                                                      |                               |                                            |
| (1) TITLE AND LOCATION <i>(City and State)</i>                                                                                                                                                                                                                                                                                                                                                                                                                 | (2) YEAR COMPLETED            |                                            |
| The Villages at Harmony <i>(St. Cloud, Florida)</i>                                                                                                                                                                                                                                                                                                                                                                                                            | PROFESSIONAL SERVICES<br>2019 | CONSTRUCTION <i>(If applicable)</i><br>N/A |
| <b>b.</b> (3) BRIEF DESCRIPTION <i>(Brief scope, size, cost, etc.)</i> AND SPECIFIC ROLE <input checked="" type="checkbox"/> Check if project performed with current firm<br>Performed boundary and ALTA surveys, created various sketch and legal descriptions for areas within the parcel limits, received approval on multiple plats through Osceola County.                                                                                                |                               |                                            |
| (1) TITLE AND LOCATION <i>(City and State)</i>                                                                                                                                                                                                                                                                                                                                                                                                                 | (2) YEAR COMPLETED            |                                            |
| Tohoqua <i>(Kissimmee, Florida)</i>                                                                                                                                                                                                                                                                                                                                                                                                                            | PROFESSIONAL SERVICES<br>2021 | CONSTRUCTION <i>(If applicable)</i><br>N/A |
| <b>c.</b> (3) BRIEF DESCRIPTION <i>(Brief scope, size, cost, etc.)</i> AND SPECIFIC ROLE <input checked="" type="checkbox"/> Check if project performed with current firm<br>Performed boundary and ALTA surveys, created sketch and legal descriptions, performed platting and staking per numerous approved plats.                                                                                                                                           |                               |                                            |
| (1) TITLE AND LOCATION <i>(City and State)</i>                                                                                                                                                                                                                                                                                                                                                                                                                 | (2) YEAR COMPLETED            |                                            |
| Kissimmee City Hall <i>(Kissimmee, Florida)</i>                                                                                                                                                                                                                                                                                                                                                                                                                | PROFESSIONAL SERVICES<br>2021 | CONSTRUCTION <i>(If applicable)</i><br>N/A |
| <b>d.</b> (3) BRIEF DESCRIPTION <i>(Brief scope, size, cost, etc.)</i> AND SPECIFIC ROLE <input checked="" type="checkbox"/> Check if project performed with current firm<br>Performed a partial topographic survey for the design of the City Hall's building addition. Located adjacent right of way lines, parking, time capsules, drainage, and all improvements. Survey included portions of Church Street and Dakin Avenue.                              |                               |                                            |
| (1) TITLE AND LOCATION <i>(City and State)</i>                                                                                                                                                                                                                                                                                                                                                                                                                 | (2) YEAR COMPLETED            |                                            |
| Mann Street Widening <i>(Kissimmee, Florida)</i>                                                                                                                                                                                                                                                                                                                                                                                                               | PROFESSIONAL SERVICES<br>2022 | CONSTRUCTION <i>(If applicable)</i><br>N/A |
| <b>e.</b> (3) BRIEF DESCRIPTION <i>(Brief scope, size, cost, etc.)</i> AND SPECIFIC ROLE <input checked="" type="checkbox"/> Check if project performed with current firm<br>Performed design level route survey of Mann Street and portions of Martin Luther King Blvd.<br>Performed topographic survey of the right of way. Located right of way lines, property lines, and all improvements within the mapping corridor for design of the widening project. |                               |                                            |

**E. RESUMES OF KEY PERSONNEL PROPOSED FOR THIS CONTRACT***(Complete one Section E for each key person.)*

|                                                                                                                                                                                                                                                                         |                                                              |                                                                                                                                                                                                                                                             |  |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|
| 12. NAME<br><b>Daniel Gough</b>                                                                                                                                                                                                                                         | 13. ROLE IN THIS CONTRACT<br><b>Environmental Consultant</b> | 14. YEARS EXPERIENCE<br>a. TOTAL <b>20</b> b. WITH CURRENT FIRM <b>18</b>                                                                                                                                                                                   |  |
| 15. FIRM NAME AND LOCATION <i>(City and State)</i><br><b>Environmental Consultant</b>                                                                                                                                                                                   |                                                              |                                                                                                                                                                                                                                                             |  |
| 16. EDUCATION <i>(Degree and Specialization)</i><br><b>Bachelor of Environmental Science, Biological Sciences (Minor in Planning) - 2001</b>                                                                                                                            |                                                              | 17. CURRENT PROFESSIONAL REGISTRATION <i>(State and Discipline)</i><br><b>Pesticide/Herbicide Certification #CM18674</b><br><b>Inspector's Course and Certification – Inspector #6220</b><br><b>Clean Lakes Initiative Certified Training – #051105-062</b> |  |
| 18. OTHER PROFESSIONAL QUALIFICATIONS <i>(Publications, Organizations, Training, Awards, etc.)</i><br><b>Areas of specialization include Wetland Delineations, Dredge/Fill and Environmental Resource Permitting, Water Quality Monitoring and Mitigation services.</b> |                                                              |                                                                                                                                                                                                                                                             |  |

**19. RELEVANT PROJECTS**

|                                                                                                                                                                                                                                                                                                                                                        |                                                                                                                |  |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------|--|
| (1) TITLE AND LOCATION <i>(City and State)</i><br><b>The Sanctuary – (Seminole County, Florida)</b>                                                                                                                                                                                                                                                    | (2) YEAR COMPLETED<br>PROFESSIONAL SERVICES <b>Ongoing</b> CONSTRUCTION <i>(If applicable)</i> <b>N/A</b>      |  |
| a. (3) BRIEF DESCRIPTION <i>(Brief scope, size, cost, etc.)</i> AND SPECIFIC ROLE <input checked="" type="checkbox"/> Check if project performed with current firm<br><b>Provided environmental assistance to engineers and KB Homes, including environmental site assessments, habitat characterization, reports, and documentation.</b>              |                                                                                                                |  |
| (1) TITLE AND LOCATION <i>(City and State)</i><br><b>Sereona – (Orange County, Florida)</b>                                                                                                                                                                                                                                                            | (2) YEAR COMPLETED<br>PROFESSIONAL SERVICES <b>Ongoing</b> CONSTRUCTION <i>(If applicable)</i> <b>N/A</b>      |  |
| b. (3) BRIEF DESCRIPTION <i>(Brief scope, size, cost, etc.)</i> AND SPECIFIC ROLE <input type="checkbox"/> Check if project performed with current firm<br><b>Provided environmental assistance to engineers and DR Horton including habitat and water quality reporting and documentation, endangered species assessment, and wetland mitigation.</b> |                                                                                                                |  |
| (1) TITLE AND LOCATION <i>(City and State)</i><br><b>Storey Grove– (Orange County, Florida)</b>                                                                                                                                                                                                                                                        | (2) YEAR COMPLETED<br>PROFESSIONAL SERVICES <b>2012-2022</b> CONSTRUCTION <i>(If applicable)</i> <b>N/A</b>    |  |
| c. (3) BRIEF DESCRIPTION <i>(Brief scope, size, cost, etc.)</i> AND SPECIFIC ROLE <input checked="" type="checkbox"/> Check if project performed with current firm<br><b>Provided environmental assistance to engineers and Lennar Homes, including conservation area determination, and conservation area impact.</b>                                 |                                                                                                                |  |
| (1) TITLE AND LOCATION <i>(City and State)</i><br><b>Kelly Park Community Development District, (Orange County, Florida)</b>                                                                                                                                                                                                                           | (2) YEAR COMPLETED<br>PROFESSIONAL SERVICES <b>2021-Current</b> CONSTRUCTION <i>(If applicable)</i> <b>N/A</b> |  |
| d. (3) BRIEF DESCRIPTION <i>(Brief scope, size, cost, etc.)</i> AND SPECIFIC ROLE <input type="checkbox"/> Check if project performed with current firm<br><b>Provided environmental assistance to engineers and client, including conservation areas and threatened and endangered species</b>                                                        |                                                                                                                |  |
| (1) TITLE AND LOCATION <i>(City and State)</i>                                                                                                                                                                                                                                                                                                         | (2) YEAR COMPLETED<br>PROFESSIONAL SERVICES      CONSTRUCTION <i>(If applicable)</i>                           |  |
| e. (3) BRIEF DESCRIPTION <i>(Brief scope, size, cost, etc.)</i> AND SPECIFIC ROLE <input type="checkbox"/> Check if project performed with current firm                                                                                                                                                                                                |                                                                                                                |  |

| <b>F. EXAMPLE PROJECTS WHICH BEST ILLUSTRATE PROPOSED TEAM'S QUALIFICATIONS FOR THIS CONTRACT</b><br><i>(Present as many projects as requested by the agency, or 10 projects, if not specified. Complete one Section F for each project.)</i> |                                                                                                                                                                                                                                                                                                                                                                                  | 20. EXAMPLE PROJECT KEY NUMBER<br><br><div style="font-size: 1.5em; margin-top: 10px;">1</div> |                    |  |                                       |                                                |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------|--------------------|--|---------------------------------------|------------------------------------------------|
| 21. TITLE AND LOCATION <i>(City and State)</i><br><br>Harmony West Community Development District, Osceola County, FL                                                                                                                         | <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th colspan="2" style="text-align: center; padding: 2px;">22. YEAR COMPLETED</th> </tr> <tr> <td style="text-align: center; padding: 5px;">PROFESSIONAL SERVICES<br/>2018-Current</td> <td style="text-align: center; padding: 5px;">CONSTRUCTION <i>(If applicable)</i><br/>Ongoing</td> </tr> </table> |                                                                                                | 22. YEAR COMPLETED |  | PROFESSIONAL SERVICES<br>2018-Current | CONSTRUCTION <i>(If applicable)</i><br>Ongoing |
| 22. YEAR COMPLETED                                                                                                                                                                                                                            |                                                                                                                                                                                                                                                                                                                                                                                  |                                                                                                |                    |  |                                       |                                                |
| PROFESSIONAL SERVICES<br>2018-Current                                                                                                                                                                                                         | CONSTRUCTION <i>(If applicable)</i><br>Ongoing                                                                                                                                                                                                                                                                                                                                   |                                                                                                |                    |  |                                       |                                                |
| 23. PROJECT OWNER'S INFORMATION                                                                                                                                                                                                               |                                                                                                                                                                                                                                                                                                                                                                                  |                                                                                                |                    |  |                                       |                                                |
| a. PROJECT OWNER<br>Sunterra Communities                                                                                                                                                                                                      | b. POINT OF CONTACT NAME<br>Denver Marlow                                                                                                                                                                                                                                                                                                                                        | c. POINT OF CONTACT TELEPHONE NUMBER<br>407-542-4909                                           |                    |  |                                       |                                                |
| 24. BRIEF DESCRIPTION OF PROJECT AND RELEVANCE TO THIS CONTRACT <i>(Include scope, size, and cost)</i>                                                                                                                                        |                                                                                                                                                                                                                                                                                                                                                                                  |                                                                                                |                    |  |                                       |                                                |

Poulos & Bennett provides professional services for the Harmony West Community Development District, a residential subdivision of 287-acre tract development that consists of 631 single family homes and three supporting recreational amenity centers. Professional engineering services are required on a continuing basis for planning reports and plans, providing contract administration services and construction oversight, and providing design and specifications for roadway, buffer walls, water facilities, sewer facilities, reclaimed water facilities, stormwater management facilities.

This project required coordination with the South Florida Water Management District, City of Minneola, and Osceola County.

This project has an estimated construction cost over \$31,750,000.

| 25. FIRMS FROM SECTION C INVOLVED WITH THIS PROJECT |                                                  |                                                                                                     |                                                    |
|-----------------------------------------------------|--------------------------------------------------|-----------------------------------------------------------------------------------------------------|----------------------------------------------------|
| a.                                                  | (1) FIRM NAME<br>Poulos & Bennett, LLC           | (2) FIRM LOCATION <i>(City and State)</i><br>2602 E. Livingston Street<br>Orlando, FL 32803         | (3) ROLE<br>Civil Engineer                         |
| b.                                                  | (1) FIRM NAME<br>Bio-Tech Consulting, Inc.       | (2) FIRM LOCATION <i>(City and State)</i><br>3025 E South Street<br>Orlando, FL 32803               | (3) ROLE<br>Environmental Consultant               |
| c.                                                  | (1) FIRM NAME<br>Geo-Technology Associates, Inc. | (2) FIRM LOCATION <i>(City and State)</i><br>4617 Parkbreeze Court<br>Orlando, FL 32808             | (3) ROLE<br>Geotechnical Engineering               |
| d.                                                  | (1) FIRM NAME<br>Traffic Mobility Consultants    | (2) FIRM LOCATION <i>(City and State)</i><br>3101 Maguire Boulevard, Suite 265<br>Orlando, FL 32803 | (3) ROLE<br>Traffic and Transportation Consultants |
| e.                                                  | (1) FIRM NAME<br>Johnston's Surveying, LLC       | (2) FIRM LOCATION <i>(City and State)</i><br>900 Cross Prairie Parkway<br>Kissimmee, FL 34744       | (3) ROLE<br>Land Surveyor                          |
| f.                                                  | (1) FIRM NAME                                    | (2) FIRM LOCATION <i>(City and State)</i>                                                           | (3) ROLE                                           |

|                                                                                                                                                                                                                                              |  |                                                                                                        |
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| <b>F.EXAMPLE PROJECTS WHICH BEST ILLUSTRATE PROPOSED TEAM'S QUALIFICATIONS FOR THIS CONTRACT</b><br><i>(Present as many projects as requested by the agency, or 10 projects, if not specified. Complete one Section F for each project.)</i> |  | 20. EXAMPLE PROJECT KEY NUMBER<br><br>2                                                                |
| 21. TITLE AND LOCATION <i>(City and State)</i><br>Tohoqua Community Development District, Osceola County FL                                                                                                                                  |  | 22. YEAR COMPLETED<br>PROFESSIONAL SERVICES: 2018-Current<br>CONSTRUCTION <i>(If applicable)</i> : N/A |

|                                                    |                                               |                                                      |
|----------------------------------------------------|-----------------------------------------------|------------------------------------------------------|
| 23. PROJECT OWNER'S INFORMATION                    |                                               |                                                      |
| a. PROJECT OWNER<br>Tohoqua Development Group, LLC | b. POINT OF CONTACT NAME<br>Robert L. Secrist | c. POINT OF CONTACT TELEPHONE NUMBER<br>407-509-4292 |

24. BRIEF DESCRIPTION OF PROJECT AND RELEVANCE TO THIS CONTRACT *(Include scope, size, and cost)*

The Tohoqua Community Development District is a 784-acre mixed use development that consists Traffic Mobility Consultants of 3,220 residential units, 200 hotel rooms, and 443,720 square fee of commercial space. Poulos & Bennett serves as the CDD Engineer for the Tohoqua CDD. Professional engineering services are provided on a continuing basis for the District's capital improvements. The engineering services are related to drainage and surface water management system, waterline and accessories, sewer system, landscape/irrigation lines, roadways, and amenity facilities.

This project was permitted through Osceola County, South Florida Water Management District, FEMA and FDOT.

This project has estimated construction costs of \$72,000,000.

|                                                     |                                               |                                                                                                     |                                                    |
|-----------------------------------------------------|-----------------------------------------------|-----------------------------------------------------------------------------------------------------|----------------------------------------------------|
| 25. FIRMS FROM SECTION C INVOLVED WITH THIS PROJECT |                                               |                                                                                                     |                                                    |
| a.                                                  | (1) FIRM NAME<br>Poulos and Bennett, LLC      | (2) FIRM LOCATION <i>(City and State)</i><br>2602 E. Livingston Street<br>Orlando, FL 32803         | (3) ROLE<br>Civil Engineer                         |
| b.                                                  | (1) FIRM NAME<br>Traffic Mobility Consultants | (2) FIRM LOCATION <i>(City and State)</i><br>3101 Maguire Boulevard, Suite 265<br>Orlando, FL 32803 | (3) ROLE<br>Traffic and Transportation Consultants |
| c.                                                  | (1) FIRM NAME<br>Bio-Tech Consulting, Inc.    | (2) FIRM LOCATION <i>(City and State)</i><br>3025 E South Street<br>Orlando, FL 32803               | (3) ROLE<br>Environmental Consultant               |
| d.                                                  | (1) FIRM NAME<br>Johnston's Surveying, LLC    | (2) FIRM LOCATION <i>(City and State)</i><br>900 Cross Prairie Parkway<br>Kissimmee, FL 34744       | (3) ROLE<br>Land Surveyor                          |
| e.                                                  | (1) FIRM NAME                                 | (2) FIRM LOCATION <i>(City and State)</i>                                                           | (3) ROLE                                           |
| f.                                                  | (1) FIRM NAME                                 | (2) FIRM LOCATION <i>(City and State)</i>                                                           | (3) ROLE                                           |

|                                                                                                                                                                                                                                              |                                                   |                                                                                                                                                                                 |                                              |                                                   |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------|---------------------------------------------------|
| <b>F.EXAMPLE PROJECTS WHICH BEST ILLUSTRATE PROPOSED TEAM'S QUALIFICATIONS FOR THIS CONTRACT</b><br><i>(Present as many projects as requested by the agency, or 10 projects, if not specified. Complete one Section F for each project.)</i> |                                                   | 20. EXAMPLE PROJECT KEY NUMBER<br><br><b>3</b>                                                                                                                                  |                                              |                                                   |
| 21. TITLE AND LOCATION <i>(City and State)</i><br><b>Windward Community Development District, Osceola County, FL</b>                                                                                                                         |                                                   | 22. YEAR COMPLETED<br><table border="1"> <tr> <td>PROFESSIONAL SERVICES<br/><b>2017-Current</b></td> <td>CONSTRUCTION <i>(If applicable)</i><br/><b>N/A</b></td> </tr> </table> | PROFESSIONAL SERVICES<br><b>2017-Current</b> | CONSTRUCTION <i>(If applicable)</i><br><b>N/A</b> |
| PROFESSIONAL SERVICES<br><b>2017-Current</b>                                                                                                                                                                                                 | CONSTRUCTION <i>(If applicable)</i><br><b>N/A</b> |                                                                                                                                                                                 |                                              |                                                   |

|                                                                                                        |                                              |                                                             |
|--------------------------------------------------------------------------------------------------------|----------------------------------------------|-------------------------------------------------------------|
| 23. PROJECT OWNER'S INFORMATION                                                                        |                                              |                                                             |
| a. PROJECT OWNER<br><b>K Hovnanian at Mystic Dunes, LLC</b>                                            | b. POINT OF CONTACT NAME<br><b>Ed Kassik</b> | c. POINT OF CONTACT TELEPHONE NUMBER<br><b>407-452-7871</b> |
| 24. BRIEF DESCRIPTION OF PROJECT AND RELEVANCE TO THIS CONTRACT <i>(Include scope, size, and cost)</i> |                                              |                                                             |

Poulos & Bennett serves as the Community Development District engineer for The Four Seasons at Orlando, a 127-acre residential subdivision that consists of 469 residential units. Professional engineering services are required on a continuing basis for planning, preparing reports and plans, providing contract administration services and constructions oversight, and providing designs and specifications for roadways, buffer walls, water facilities, sewer facilities, reclaimed water facilities, and stormwater management facilities.

This project has an estimated construction cost of \$22,700,000.

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| 25. FIRMS FROM SECTION C INVOLVED WITH THIS PROJECT |                                                   |                                                                                                     |                                             |
| a.                                                  | (1) FIRM NAME<br><b>Poulos &amp; Bennett, LLC</b> | (2) FIRM LOCATION <i>(City and State)</i><br><b>2602 E. Livingston Street<br/>Orlando, FL 32803</b> | (3) ROLE<br><b>Civil Engineer</b>           |
| b.                                                  | (1) FIRM NAME<br><b>Bio-Tech Consulting, Inc.</b> | (2) FIRM LOCATION <i>(City and State)</i><br><b>3025 E South Street<br/>Orlando, FL 32803</b>       | (3) ROLE<br><b>Environmental Consultant</b> |
| c.                                                  | (1) FIRM NAME                                     | (2) FIRM LOCATION <i>(City and State)</i>                                                           | (3) ROLE                                    |
| d.                                                  | (1) FIRM NAME                                     | (2) FIRM LOCATION <i>(City and State)</i>                                                           | (3) ROLE                                    |
| e.                                                  | (1) FIRM NAME                                     | (2) FIRM LOCATION <i>(City and State)</i>                                                           | (3) ROLE                                    |



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|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------|--------------------------------------------------------------------------------------------------------|
| <b>F. EXAMPLE PROJECTS WHICH BEST ILLUSTRATE PROPOSED TEAM'S QUALIFICATIONS FOR THIS CONTRACT</b><br><i>(Present as many projects as requested by the agency, or 10 projects, if not specified. Complete one Section F for each project.)</i> |                                            | 20. EXAMPLE PROJECT KEY NUMBER<br><br>4                                                                |
| 21. TITLE AND LOCATION <i>(City and State)</i><br>Storey Park Community Development District, Orlando, FL                                                                                                                                     |                                            | 22. YEAR COMPLETED<br>PROFESSIONAL SERVICES: 2013-Current<br>CONSTRUCTION <i>(If applicable)</i> : N/A |
| 23. PROJECT OWNER'S INFORMATION                                                                                                                                                                                                               |                                            |                                                                                                        |
| a. PROJECT OWNER<br>Lennar Homes                                                                                                                                                                                                              | b. POINT OF CONTACT NAME<br>Brock Nicholas | c. POINT OF CONTACT TELEPHONE NUMBER<br>407-287-2547                                                   |
| 24. BRIEF DESCRIPTION OF PROJECT AND RELEVANCE TO THIS CONTRACT <i>(Include scope, size, and cost)</i>                                                                                                                                        |                                            |                                                                                                        |

The Storey Park Community Development District is a 1261 acre mixed-use residential and commercial development. Poulos & Bennett serves as the CDD engineer for the Storey Park CDD. Professional engineering services are required on a continuing basis for planning, preparing reports and plans, providing contract administration services and construction oversight, and providing designs and specifications for roadways, buffer walls, water facilities, sewer facilities, reclaimed water facilities, and stormwater management facilities.

Estimated CDD construction cost of \$35,000,000.

| 25. FIRMS FROM SECTION C INVOLVED WITH THIS PROJECT |                                                  |                                                                                                     |                                                    |
|-----------------------------------------------------|--------------------------------------------------|-----------------------------------------------------------------------------------------------------|----------------------------------------------------|
| a.                                                  | (1) FIRM NAME<br>Poulos and Bennett, LLC         | (2) FIRM LOCATION <i>(City and State)</i><br>2602 E. Livingston Street<br>Orlando, FL 32083         | (3) ROLE<br>Civil Engineer                         |
| b.                                                  | (1) FIRM NAME<br>Geo-Technology Associates, Inc. | (2) FIRM LOCATION <i>(City and State)</i><br>4617 Parkbreeze Court<br>Orlando, FL 32808             | (3) ROLE<br>Geotechnical Engineering               |
| c.                                                  | (1) FIRM NAME<br>Traffic Mobility Consultants    | (2) FIRM LOCATION <i>(City and State)</i><br>3101 Maguire Boulevard, Suite 265<br>Orlando, FL 32803 | (3) ROLE<br>Traffic and Transportation Consultants |
| d.                                                  | (1) FIRM NAME                                    | (2) FIRM LOCATION <i>(City and State)</i>                                                           | (3) ROLE                                           |
| e.                                                  | (1) FIRM NAME                                    | (2) FIRM LOCATION <i>(City and State)</i>                                                           | (3) ROLE                                           |
| f.                                                  | (1) FIRM NAME                                    | (2) FIRM LOCATION <i>(City and State)</i>                                                           | (3) ROLE                                           |

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|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------|--------------------------------------------------------------------------------------------------------|
| <b>F. EXAMPLE PROJECTS WHICH BEST ILLUSTRATE PROPOSED TEAM'S QUALIFICATIONS FOR THIS CONTRACT</b><br><i>(Present as many projects as requested by the agency, or 10 projects, if not specified. Complete one Section F for each project.)</i> |                                         | 20. EXAMPLE PROJECT KEY NUMBER<br><br>5                                                                |
| 21. TITLE AND LOCATION <i>(City and State)</i><br>Tapestry Community Development District, Kissimmee, FL                                                                                                                                      |                                         | 22. YEAR COMPLETED<br>PROFESSIONAL SERVICES<br>2013-2017<br>CONSTRUCTION <i>(If applicable)</i><br>N/A |
| 23. PROJECT OWNER'S INFORMATION                                                                                                                                                                                                               |                                         |                                                                                                        |
| a. PROJECT OWNER<br>Mattamy Homes                                                                                                                                                                                                             | b. POINT OF CONTACT NAME<br>David Hulme | c. POINT OF CONTACT TELEPHONE NUMBER<br>407-215-6282                                                   |
| 24. BRIEF DESCRIPTION OF PROJECT AND RELEVANCE TO THIS CONTRACT <i>(Include scope, size, and cost)</i>                                                                                                                                        |                                         |                                                                                                        |

The Tapestry Community Development District is a 243-acre residential development. This project consists of 1037 units of single and multi-family homes. Poulos & Bennett served as the interim CDD engineer for the Tapestry CDD. Professional engineering services are required on a continuing basis for civil engineering design, permitting, and construction management for roadway, utility and stormwater infrastructure design.

This project has estimated construction cost of \$19,500,000.

| 25. FIRMS FROM SECTION C INVOLVED WITH THIS PROJECT |                                                 |                                                                                                     |                                                    |
|-----------------------------------------------------|-------------------------------------------------|-----------------------------------------------------------------------------------------------------|----------------------------------------------------|
| a.                                                  | (1) FIRM NAME<br>Poulos and Bennett, LLC        | (2) FIRM LOCATION <i>(City and State)</i><br>2602 E. Livingston Street<br>Orlando, FL 32803         | (3) ROLE<br>Civil Engineer                         |
| b.                                                  | (1) FIRM NAME<br>Geo-Technology Associates, Inc | (2) FIRM LOCATION <i>(City and State)</i><br>4617 Parkbreeze Court<br>Orlando, FL 32808             | (3) ROLE<br>Geotechnical Engineering               |
| c.                                                  | (1) FIRM NAME<br>Traffic Mobility Consultants   | (2) FIRM LOCATION <i>(City and State)</i><br>3101 Maguire Boulevard, Suite 265<br>Orlando, FL 32803 | (3) ROLE<br>Traffic and Transportation Consultants |
| d.                                                  | (1) FIRM NAME                                   | (2) FIRM LOCATION <i>(City and State)</i>                                                           | (3) ROLE                                           |
| e.                                                  | (1) FIRM NAME                                   | (2) FIRM LOCATION <i>(City and State)</i>                                                           | (3) ROLE                                           |
| f.                                                  | (1) FIRM NAME                                   | (2) FIRM LOCATION <i>(City and State)</i>                                                           | (3) ROLE                                           |

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|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------|---------------------------------------------------------------------------------------------------|
| <b>F. EXAMPLE PROJECTS WHICH BEST ILLUSTRATE PROPOSED TEAM'S QUALIFICATIONS FOR THIS CONTRACT</b><br><i>(Present as many projects as requested by the agency, or 10 projects, if not specified. Complete one Section F for each project.)</i> |                                         | 20. EXAMPLE PROJECT KEY NUMBER<br><br>6                                                           |
| 21. TITLE AND LOCATION <i>(City and State)</i><br>Sunbridge Stewardship District Engineers, Osceola County, FL                                                                                                                                |                                         | 22. YEAR COMPLETED<br>PROFESSIONAL SERVICES<br>2018<br>CONSTRUCTION <i>(If applicable)</i><br>N/A |
| 23. PROJECT OWNER'S INFORMATION                                                                                                                                                                                                               |                                         |                                                                                                   |
| a. PROJECT OWNER<br>Tavistock Development                                                                                                                                                                                                     | b. POINT OF CONTACT NAME<br>Clint Beaty | c. POINT OF CONTACT TELEPHONE NUMBER<br>407-909-9917                                              |
| 24. BRIEF DESCRIPTION OF PROJECT AND RELEVANCE TO THIS CONTRACT <i>(Include scope, size, and cost)</i>                                                                                                                                        |                                         |                                                                                                   |

The Sunbridge Stewardship District is a 19,140-acre mixed use residential and commercial development located in Osceola County, Florida. Poulos & Bennett serves as stewardship district engineer for the Sunbridge Stewardship District. Professional engineering services are required on a continuing basis for planning, preparing reports and plans, providing designs and specifications for roadways, buffer walls, water facilities, sewer facilities, reclaimed water facilities, and stormwater management facilities, meeting attendance, review and execution of documents under the SSD's Trust Indentures and monitors SSD projects.

Poulos & Bennett also provides general services related to the construction of SSD projects including contract administration services and construction oversight, such as site visits and full-time construction management of SSD projects.

This project had an estimated professional services cost of \$200,000.

| 25. FIRMS FROM SECTION C INVOLVED WITH THIS PROJECT |                                        |                                                                                             |                            |
|-----------------------------------------------------|----------------------------------------|---------------------------------------------------------------------------------------------|----------------------------|
| a.                                                  | (1) FIRM NAME<br>Poulos & Bennett, LLC | (2) FIRM LOCATION <i>(City and State)</i><br>2602 E. Livingston Street<br>Orlando, FL 32803 | (3) ROLE<br>Civil Engineer |
| b.                                                  | (1) FIRM NAME                          | (2) FIRM LOCATION <i>(City and State)</i>                                                   | (3) ROLE                   |
| c.                                                  | (1) FIRM NAME                          | (2) FIRM LOCATION <i>(City and State)</i>                                                   | (3) ROLE                   |
| d.                                                  | (1) FIRM NAME                          | (2) FIRM LOCATION <i>(City and State)</i>                                                   | (3) ROLE                   |
| e.                                                  | (1) FIRM NAME                          | (2) FIRM LOCATION <i>(City and State)</i>                                                   | (3) ROLE                   |
| f.                                                  | (1) FIRM NAME                          | (2) FIRM LOCATION <i>(City and State)</i>                                                   | (3) ROLE                   |

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| <b>F. EXAMPLE PROJECTS WHICH BEST ILLUSTRATE PROPOSED TEAM'S QUALIFICATIONS FOR THIS CONTRACT</b><br><i>(Present as many projects as requested by the agency, or 10 projects, if not specified. Complete one Section F for each project.)</i> |                                         | 20. EXAMPLE PROJECT KEY NUMBER<br><br>7                                                           |
| 21. TITLE AND LOCATION <i>(City and State)</i><br>Sunbridge Northeast District, Osceola County, FL                                                                                                                                            |                                         | 22. YEAR COMPLETED<br>PROFESSIONAL SERVICES<br>2017<br>CONSTRUCTION <i>(If applicable)</i><br>N/A |
| 23. PROJECT OWNER'S INFORMATION                                                                                                                                                                                                               |                                         |                                                                                                   |
| a. PROJECT OWNER<br>Tavistock Development                                                                                                                                                                                                     | b. POINT OF CONTACT NAME<br>Clint Beaty | c. POINT OF CONTACT TELEPHONE NUMBER<br>407-909-9917                                              |
| 24. BRIEF DESCRIPTION OF PROJECT AND RELEVANCE TO THIS CONTRACT <i>(Include scope, size, and cost)</i>                                                                                                                                        |                                         |                                                                                                   |

Sunbridge Northwest District is a 19,140-acre mixed use residential and commercial development located in Osceola County, Florida. Poulos & Bennett was retained to provide engineering design services to develop a Master Drainage Plan, a Master Utility Plan, perform design related studies, provide surveying services, and permitting related to utility transmission lines and Roadways. Upon permit issuance, Poulos & Bennett provided construction administration and construction management.

This project was permitted through Osceola County, Toho Water Authority, South Florida Water Management District, Army Corps of Engineers, City of St. Cloud, and Florida Department of Environmental Protection.

This project has an estimated construction cost of \$26,000,000.

| 25. FIRMS FROM SECTION C INVOLVED WITH THIS PROJECT |                                        |                                                                                             |                            |
|-----------------------------------------------------|----------------------------------------|---------------------------------------------------------------------------------------------|----------------------------|
| a.                                                  | (1) FIRM NAME<br>Poulos & Bennett, LLC | (2) FIRM LOCATION <i>(City and State)</i><br>2602 E. Livingston Street<br>Orlando, FL 32803 | (3) ROLE<br>Civil Engineer |
| b.                                                  | (1) FIRM NAME                          | (2) FIRM LOCATION <i>(City and State)</i>                                                   | (3) ROLE                   |
| c.                                                  | (1) FIRM NAME                          | (2) FIRM LOCATION <i>(City and State)</i>                                                   | (3) ROLE                   |
| d.                                                  | (1) FIRM NAME                          | (2) FIRM LOCATION <i>(City and State)</i>                                                   | (3) ROLE                   |
| e.                                                  | (1) FIRM NAME                          | (2) FIRM LOCATION <i>(City and State)</i>                                                   | (3) ROLE                   |
| f.                                                  | (1) FIRM NAME                          | (2) FIRM LOCATION <i>(City and State)</i>                                                   | (3) ROLE                   |

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| <b>F. EXAMPLE PROJECTS WHICH BEST ILLUSTRATE PROPOSED TEAM'S QUALIFICATIONS FOR THIS CONTRACT</b><br><i>(Present as many projects as requested by the agency, or 10 projects, if not specified. Complete one Section F for each project.)</i> |                                                   | <b>20. EXAMPLE PROJECT KEY NUMBER</b><br><br>8                                                                                                                                 |                       |                              |      |     |
| <b>21. TITLE AND LOCATION (City and State)</b><br>Four Seasons at Orlando, Osceola County, FL                                                                                                                                                 |                                                   | <b>22. YEAR COMPLETED</b><br><table border="1"> <tr> <td>PROFESSIONAL SERVICES</td> <td>CONSTRUCTION (If applicable)</td> </tr> <tr> <td>2017</td> <td>N/A</td> </tr> </table> | PROFESSIONAL SERVICES | CONSTRUCTION (If applicable) | 2017 | N/A |
| PROFESSIONAL SERVICES                                                                                                                                                                                                                         | CONSTRUCTION (If applicable)                      |                                                                                                                                                                                |                       |                              |      |     |
| 2017                                                                                                                                                                                                                                          | N/A                                               |                                                                                                                                                                                |                       |                              |      |     |
| <b>23. PROJECT OWNER'S INFORMATION</b>                                                                                                                                                                                                        |                                                   |                                                                                                                                                                                |                       |                              |      |     |
| <b>a. PROJECT OWNER</b><br>K Hovnanian at Mystic Dunes, LLC                                                                                                                                                                                   | <b>b. POINT OF CONTACT NAME</b><br>Charles Dennis | <b>c. POINT OF CONTACT TELEPHONE NUMBER</b><br>321-263-2686                                                                                                                    |                       |                              |      |     |
| <b>24. BRIEF DESCRIPTION OF PROJECT AND RELEVANCE TO THIS CONTRACT</b> <i>(Include scope, size, and cost)</i>                                                                                                                                 |                                                   |                                                                                                                                                                                |                       |                              |      |     |

Poulos & Bennett provided professional services for the Four Seasons at Orlando, a 127-acre residential development that consists of 469 residential units. Poulos & Bennett prepared construction plans and provided permitting services for the 22-acre Four Seasons of Orlando - Tract C project, which consists of 105 detached single family residential units and associated infrastructure; 31-acre Four Seasons of Orlando - Tract D project, which consists of 136 detached single family residential units and associated infrastructure; the 32-acre Four Seasons of Orlando - Amenity Center project, which consists of a 6.5-acre amenity/recreation tract, 1,200 linear feet of divided boulevard, and nine (9) detached single family residential units; and the 7.5-acre Four Seasons of Orlando - Spine Road project, which consists of 3,450 linear feet of divided boulevard and offsite roadway improvements.

Professional engineering services are required on a continuing basis for planning, preparing reports and plans, providing contract administration services and construction oversight, and providing designs and specifications for roadways, buffer walls, water facilities, sewer facilities, reclaimed water facilities, and stormwater management facilities.

These projects required coordination with both Toho Water Authority and Osceola County

This project had an estimated construction cost over \$10,000,000.

| 25. FIRMS FROM SECTION C INVOLVED WITH THIS PROJECT |                                               |                                                                                              |                                                    |
|-----------------------------------------------------|-----------------------------------------------|----------------------------------------------------------------------------------------------|----------------------------------------------------|
| <b>a.</b>                                           | (1) FIRM NAME<br>Poulos & Bennett, LLC        | (2) FIRM LOCATION (City and State)<br>2602 E. Livingston Street<br>Orlando, FL 32803         | (3) ROLE<br>Civil Engineer                         |
| <b>b.</b>                                           | (1) FIRM NAME<br>Bio-Tech Consulting, Inc.    | (2) FIRM LOCATION (City and State)<br>3025 E South St.<br>Orlando, FL 32803                  | (3) ROLE<br>Environmental Consultant               |
| <b>c.</b>                                           | (1) FIRM NAME<br>Traffic Mobility Consultants | (2) FIRM LOCATION (City and State)<br>3101 Maguire Boulevard, Suite 265<br>Orlando, FL 32803 | (3) ROLE<br>Traffic and Transportation Consultants |
| <b>d.</b>                                           | (1) FIRM NAME                                 | (2) FIRM LOCATION (City and State)                                                           | (3) ROLE                                           |
| <b>e.</b>                                           | (1) FIRM NAME                                 | (2) FIRM LOCATION (City and State)                                                           | (3) ROLE                                           |
| <b>f.</b>                                           | (1) FIRM NAME                                 | (2) FIRM LOCATION (City and State)                                                           | (3) ROLE                                           |

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|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------|--------------------------------------------------------------------------------------------------------|
| <b>F. EXAMPLE PROJECTS WHICH BEST ILLUSTRATE PROPOSED TEAM'S QUALIFICATIONS FOR THIS CONTRACT</b><br><i>(Present as many projects as requested by the agency, or 10 projects, if not specified. Complete one Section F for each project.)</i> |                                          | 20. EXAMPLE PROJECT KEY NUMBER<br><br>9                                                                |
| 21. TITLE AND LOCATION <i>(City and State)</i><br>Kelly Park Community Development District, Orlando, FL                                                                                                                                      |                                          | 22. YEAR COMPLETED<br>PROFESSIONAL SERVICES: 2022-Current<br>CONSTRUCTION <i>(If applicable)</i> : N/A |
| 23. PROJECT OWNER'S INFORMATION                                                                                                                                                                                                               |                                          |                                                                                                        |
| a. PROJECT OWNER<br>Galvin-Harris Land Services, LLC                                                                                                                                                                                          | b. POINT OF CONTACT NAME<br>Seth Bennett | c. POINT OF CONTACT TELEPHONE NUMBER<br>321-360-6647                                                   |
| 24. BRIEF DESCRIPTION OF PROJECT AND RELEVANCE TO THIS CONTRACT <i>(Include scope, size, and cost)</i>                                                                                                                                        |                                          |                                                                                                        |

Poulos & Bennett provided professional services for the Kelly Park Community Development District, a residential subdivision within the approximate 200-acre development. Services for the project included the design and modeling of the master stormwater management system as well as master utility design, and preparation of construction plans for the development.

This project required coordination with St. John's River Water Management District, City of Apopka, and Orange County, and had an estimated construction cost over \$17,000,000.

| 25. FIRMS FROM SECTION C INVOLVED WITH THIS PROJECT |                                                  |                                                                                                     |                                      |
|-----------------------------------------------------|--------------------------------------------------|-----------------------------------------------------------------------------------------------------|--------------------------------------|
| a.                                                  | (1) FIRM NAME<br>Poulos & Bennett, LLC           | (2) FIRM LOCATION <i>(City and State)</i><br>2602 E. Livingston Street<br>Orlando, FL 32803         | (3) ROLE<br>Civil Engineer           |
| b.                                                  | (1) FIRM NAME<br>Traffic Mobility Consultants    | (2) FIRM LOCATION <i>(City and State)</i><br>3101 Maguire Boulevard, Suite 265<br>Orlando, FL 32803 | (3) ROLE<br>Traffic Consulting       |
| c.                                                  | (1) FIRM NAME<br>Bio-Tech Consulting, Inc        | (2) FIRM LOCATION <i>(City and State)</i><br>3025 E South Street<br>Orlando, FL 32803               | (3) ROLE<br>Environmental Consultant |
| d.                                                  | (1) FIRM NAME<br>Geo-Technology Associates, Inc. | (2) FIRM LOCATION <i>(City and State)</i><br>4617 Parkbreeze Court<br>Orlando, FL 32808             | (3) ROLE<br>Geotechnical Engineering |
| e.                                                  | (1) FIRM NAME                                    | (2) FIRM LOCATION <i>(City and State)</i>                                                           | (3) ROLE                             |
| f.                                                  | (1) FIRM NAME                                    | (2) FIRM LOCATION <i>(City and State)</i>                                                           | (3) ROLE                             |

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|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------|---------------------------------------------------------------------------------------------------------------|
| <b>F. EXAMPLE PROJECTS WHICH BEST ILLUSTRATE PROPOSED TEAM'S QUALIFICATIONS FOR THIS CONTRACT</b><br><i>(Present as many projects as requested by the agency, or 10 projects, if not specified. Complete one Section F for each project.)</i> |                                                | <b>20. EXAMPLE PROJECT KEY NUMBER</b><br><br>10                                                               |
| <b>21. TITLE AND LOCATION (City and State)</b><br>Hills of Minneola Community Development District, Lake County, FL                                                                                                                           |                                                | <b>22. YEAR COMPLETED</b><br>PROFESSIONAL SERVICES<br>2020-Current<br>CONSTRUCTION (If applicable)<br>Ongoing |
| <b>23. PROJECT OWNER'S INFORMATION</b>                                                                                                                                                                                                        |                                                |                                                                                                               |
| <b>a. PROJECT OWNER</b><br>Sunterra                                                                                                                                                                                                           | <b>b. POINT OF CONTACT NAME</b><br>Dan Edwards | <b>c. POINT OF CONTACT TELEPHONE NUMBER</b><br>813-484-7665                                                   |
| <b>24. BRIEF DESCRIPTION OF PROJECT AND RELEVANCE TO THIS CONTRACT</b> <i>(Include scope, size, and cost)</i>                                                                                                                                 |                                                |                                                                                                               |

Poulos & Bennett provided professional services for Hills of Minneola CDD. Poulos & Bennett prepared construction plans and provided permitting services for over 2,000 residential lots in multiple phases.

Poulos & Bennett also prepared the Master Drainage Plan which included pre and post development conditions, offsite drainage basins/contributing flows, floodplain compensating storage calculations, nutrient loading calculations, and design of multiple conspan bridge structures.

Additionally, Poulos & Bennett prepared the Master Utility Plan which included potable water, reclaimed water, and wastewater system designs to serve the future mixed-use development. The wastewater system included design of 4 pump stations (duplex configurations), the associated manifold force main systems, and also provided for 3 different phased conditions.

These projects required coordination with St. Johns River Water Management District, City of Minneola, and Lake County Utilities.

| 25. FIRMS FROM SECTION C INVOLVED WITH THIS PROJECT |                                                  |                                                                                              |                                                    |
|-----------------------------------------------------|--------------------------------------------------|----------------------------------------------------------------------------------------------|----------------------------------------------------|
| <b>a.</b>                                           | (1) FIRM NAME<br>Poulos & Bennett, LLC           | (2) FIRM LOCATION (City and State)<br>2602 E. Livingston Street<br>Orlando, FL 32803         | (3) ROLE<br>Civil Engineer                         |
| <b>b.</b>                                           | (1) FIRM NAME<br>Geo-Technology Associates, Inc. | (2) FIRM LOCATION (City and State)<br>4617 Parkbreeze Court<br>Orlando, FL 32808             | (3) ROLE<br>Geotechnical Engineering               |
| <b>c.</b>                                           | (1) FIRM NAME<br>Traffic Mobility Consultants    | (2) FIRM LOCATION (City and State)<br>3101 Maguire Boulevard, Suite 265<br>Orlando, FL 32803 | (3) ROLE<br>Traffic and Transportation Consultants |
| <b>d.</b>                                           | (1) FIRM NAME<br>Bio-Tech Consulting, Inc.       | (2) FIRM LOCATION (City and State)<br>3025 E South Street<br>Orlando, FL 32803               | (3) ROLE<br>Environmental Consultant               |
| <b>e.</b>                                           | (1) FIRM NAME                                    | (2) FIRM LOCATION (City and State)                                                           | (3) ROLE                                           |
| <b>f.</b>                                           | (1) FIRM NAME                                    | (2) FIRM LOCATION (City and State)                                                           | (3) ROLE                                           |

[illegible]

## 29. EXAMPLE PROJECTS KEY

| NUMBER | TITLE OF EXAMPLE PROJECT <i>(From Section F)</i> | NUMBER | TITLE OF EXAMPLE PROJECT <i>(From Section F)</i>     |
|--------|--------------------------------------------------|--------|------------------------------------------------------|
| 1      | Harmony West Community Development District      | 6      | Sunbridge Stewardship Community Development District |
| 2      | Tohoqua Community Development District           | 7      | Sunbridge Northeast District                         |
| 3      | Winward Community Development District           | 8      | Four Seasons at Orlando                              |
| 4      | Storey Park Community Development District       | 9      | Kelly Park Community Development District            |
| 5      | Tapestry Community Development District          | 10     | Hills of Minneola Community Development District     |



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## H. ADDITIONAL INFORMATION

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30. PROVIDE ANY ADDITIONAL INFORMATION REQUESTED BY THE AGENCY. ATTACH ADDITIONAL SHEETS AS NEEDED.

### ABILITY AND ADEQUACY OF PROFESSIONAL PERSONNEL



The Poulos & Bennett team has the experience and workload capacity to begin immediately carrying out the Engineering Services necessary for the continued success of the Orange Bend CDD. Our highly responsive staff of 74 team members—including 30 engineers, six planners, nine CAD designers, nine development services personnel, four permit coordinators, and eight support staff—is ready to serve the CDD. The size and proximity of our firm allows us to function as an extension of the Orange Bend CDD staff, working in seamless collaboration and remaining readily available as needed.

Furthermore, Poulos & Bennett was founded on three main pillars: exceptional **service** to our clients and stakeholders, **quality** control of deliverables, and high-level **technical expertise**. Our personnel take pride in serving our clients through the execution of these principles and are committed to the highest standard of client service by building long-term relationships, taking a proactive approach and assuming ownership of projects.

### CONSULTANT'S PAST PERFORMANCE

Poulos & Bennett has long served—and continues to serve—as CDD engineers for multiple projects in Central Florida. Our team has extensive, proven expertise in all facets of water distribution systems, sanitary sewer facilities, reuse water systems, stormwater systems, electrical service systems, mitigation conservation, on-site public roadway improvements, and other public infrastructure within the Orange Bend CDD. We also understand the importance of representing and addressing the concerns of various stakeholders, particularly Orange Bend CDD staff, and we have built a strong reputation for our proactive approach and responsiveness. Poulos & Bennett team members have served clients in Lake County since 1989. Our extensive experience and strong relationships with local staff have earned us a reputation as consummate professionals in our interactions, skilled civil engineers and planners in our practice, and committed advocates for our clients.

### GEOGRAPHIC LOCATION

Poulos & Bennett is located at 2602 East Livingston Street, Orlando, Florida 32803, and our office is at 7563 Phillips Hwy, Suite 303, Jacksonville, Florida 32256.

### WILLINGNESS TO MEET TIME AND BUDGET REQUIREMENTS

Key factors in the successful execution of a complex project include a thorough understanding of the regulatory process, the development of a strategic, comprehensive project schedule, and the effective management of tasks to meet that schedule. Poulos & Bennett take a schedule-driven approach to projects, developing detailed project schedules that outline the regulatory process, key milestones, and critical path necessary to achieve the desired outcome. These schedules serve as a comprehensive road map, actively guiding the design, development, and permitting of engineering services for Orange Bend CDD. This approach ensures a structured and efficient project management system from inception to completion. A well-managed project schedule facilitates a more effective and efficient design and permitting process. Poulos & Bennett takes pride in developing, implementing, and managing complex comprehensive project schedules for the direct benefit of our clients. Our extensive experience in the private sector has instilled a strong sensitivity to costs and budgets, reinforcing the need for clear, structured schedules that we rigorously follow. To enhance our firm's services, we have established a Development Services group, one of whose primary functions is to provide cost estimates for our clients. These estimates are continuously refined, from early planning stage assessments during due diligence to final bid and award stages during project implementation. By bringing our recognized expertise

in project management to Orange Bend CDD, we ensure the seamless coordination of timelines, work deliverables, key stakeholder communications, and project budgets.

#### CERTIFIED MINORITY BUSINESS ENTERPRISE

Poulos & Bennett, LLC is not a certified Minority Business.

#### RECENT, CURRENT AND PROJECTED WORKLOADS

The Poulos & Bennett team has both the experience and the workload capacity to immediately begin providing the engineering services essential to the success of the Orange Bend CDD. Our highly experienced local staff is prepared to take ownership of Orange Bend CDD's projects and has a vested long-term interest in the success of this new district. See below a current project matrix for our designated Orange Bend CDD Principal-In-Charge and Project Manager.

| Project Lead                                         | RECENT, CURRENT, AND PROJECTED WORKLOADS                                |
|------------------------------------------------------|-------------------------------------------------------------------------|
| <b>R. Lance Bennett, P.E.</b><br>Principal-In-Charge | Cypress Bluff CDD, Kelly Park CDD, Orange Bend CDD                      |
| <b>Alexandro Sorondo, P.E.</b><br>Program Manager    | Cypress Bluff CDD, Liberty Station, Cedar Crossing CDD, Orange Bend CDD |
| <b>Marc Stehli, P.E., LEED AP</b><br>Project Manager | Minneola Ridge, Kelly Park CDD, Winslow, Orange Bend CDD                |

#### VOLUME OF WORK PREVIOUSLY AWARDED TO CONSULTANT BY DISTRICT

Poulos & Bennett, LLC currently serves as the civil engineer for several districts and has completed projects in Lake County.

#### TEAMMATES

 Traffic & Mobility Consultants (TMC) will analyze traffic patterns and design roadway networks to ensure safe and efficient traffic flow within the district. TMC will conduct traffic studies by collecting data on vehicle volumes which will help determine the proposed improvements or changes to existing roadway networks. Their services will ensure that the district developments will comply with all applicable transportation regulations and standards. By addressing existing and future transportation needs within the District, TMC will help design a roadway network that is both functional and accessible for the public.



Geo-Technology Associates, Inc. (GTA) will oversee all environmental permitting, ensuring full compliance with regulations while streamlining the approval process. Their expertise will safeguard sensitive ecosystems and mitigate potential environmental impacts throughout the project's construction and operational phases.



For the Orange Bend CDD, Johnston's Surveying, LLC, will conduct detailed design surveys and route corridor surveys for utilities, providing precise and comprehensive data that will ensure accuracy throughout the project.



Bio-Tech Consulting will provide comprehensive environmental consulting services, including wetland delineations, protected species assessments, and permitting support. Our team will ensure compliance with federal, state, and local environmental regulations, working closely with regulatory agencies to facilitate permitting and approvals. By conducting thorough environmental assessments and mitigation planning, we help minimize project delays while ensuring responsible land development that aligns with environmental conservation goals.

#### I. AUTHORIZED REPRESENTATIVE

*The foregoing is a statement of facts.*

31. SIGNATURE



32. DATE

March 12, 2025

33. NAME AND TITLE

Lance Bennett, P.E., Principal-in-Charge

**ARCHITECT-ENGINEER QUALIFICATIONS**

1. SOLICITATION NUMBER (If any)

**PART II - GENERAL QUALIFICATIONS**

(If a firm has branch offices, complete for each specific branch office seeking work.)

|                                                                                        |  |                                                           |                                                                |                                                         |
|----------------------------------------------------------------------------------------|--|-----------------------------------------------------------|----------------------------------------------------------------|---------------------------------------------------------|
| 2a. FIRM (or Branch Office) NAME<br><b>Poulos &amp; Bennett, LLC</b>                   |  |                                                           | 3. YEAR ESTABLISHED<br><b>2011</b>                             | 4. UNIQUE ENTITY IDENTIFIER<br><b>XFE1JKEAC4E5</b>      |
| 2b. STREET<br><b>2602 E Livingston Street</b>                                          |  |                                                           | 5. OWNERSHIP                                                   |                                                         |
| 2c. CITY<br><b>Orlando</b>                                                             |  |                                                           | a. TYPE<br><b>Limited Liability Corporation</b>                |                                                         |
| 2d. STATE<br><b>Florida</b>                                                            |  |                                                           | b. SMALL BUSINESS STATUS<br><b>N/A</b>                         |                                                         |
| 2e. ZIP CODE<br><b>32803</b>                                                           |  |                                                           | 7. NAME OF FIRM (If Block 2a is a Branch Office)<br><b>N/A</b> |                                                         |
| 6a. POINT OF CONTACT NAME AND TITLE<br><b>Lance Bennet, P.E. – Principal-In-Charge</b> |  |                                                           |                                                                |                                                         |
| 6b. TELEPHONE NUMBER<br><b>407-487-2594</b>                                            |  | 6c. EMAIL ADDRESS<br><b>lbennett@poulosandbennett.com</b> |                                                                |                                                         |
| 8a. FORMER FIRM NAME(S) (If any)<br><b>PoulosBrown, LLC</b>                            |  |                                                           | 8b. YEAR ESTABLISHED<br><b>2009</b>                            | 8c. UNIQUE ENTITY IDENTIFIER<br><b>944868202 (DUNS)</b> |

| 9. EMPLOYEES BY DISCIPLINE |                                          |                        |            | 10. PROFILE OF FIRM'S EXPERIENCE AND ANNUAL AVERAGE REVENUE FOR LAST 5 YEARS |                                                    |                                     |
|----------------------------|------------------------------------------|------------------------|------------|------------------------------------------------------------------------------|----------------------------------------------------|-------------------------------------|
| a. Function Code           | b. Discipline                            | c. Number of Employees |            | a. Profile Code                                                              | b. Experience                                      | c. Revenue Index Number (see below) |
|                            |                                          | (1) FIRM               | (2) BRANCH |                                                                              |                                                    |                                     |
| 02                         | Administration                           | 17                     |            | C05                                                                          | Childcare/Development Facilities                   | 1                                   |
| 08                         | CADD Technician                          | 9                      |            | C06                                                                          | Churches; Chapels                                  | 1                                   |
| 12                         | Civil Engineer                           | 30                     |            | C10                                                                          | Commercial Building; Shopping Centers              | 3                                   |
| 16                         | Construction Manager                     | 9                      |            | C15                                                                          | Construction Management                            | 5                                   |
| 47                         | Planner: Urban/Regional                  | 1                      |            | E02                                                                          | Educational Facilities; Classrooms                 | 1                                   |
| 29                         | Geographic Information System Specialist | 1                      |            | E12                                                                          | Environmental Remediation                          | 1                                   |
| 38                         | Land Survey                              | 7                      |            | G04                                                                          | Geographic Information; Development Analysis       | 1                                   |
|                            |                                          |                        |            | H07                                                                          | Highways; Streets; Parking Lots                    | 4                                   |
|                            |                                          |                        |            | H09                                                                          | Hospital & Medical Facilities                      | 2                                   |
|                            |                                          |                        |            | H10                                                                          | Hotels; Motels                                     | 2                                   |
|                            |                                          |                        |            | H11                                                                          | Housing (Residential, Multi, Apartments)           | 7                                   |
|                            |                                          |                        |            | P05                                                                          | Planning (Community, Regional, Area Wide, & State) | 2                                   |
|                            |                                          |                        |            | P12                                                                          | Power Generation, Transmission                     | 3                                   |
|                            |                                          |                        |            | R04                                                                          | Recreation Facilities (Park, Etc.)                 | 1                                   |
|                            |                                          |                        |            | S04                                                                          | Sewage Collection, Treatment, and Disposal         | 1                                   |
|                            |                                          |                        |            | S10                                                                          | Surveying; Platting; Mapping; Flood Plain Studies  | 1                                   |
|                            |                                          |                        |            | S13                                                                          | Stormwater Handling and Facilities                 | 1                                   |
|                            |                                          |                        |            | W03                                                                          | Water Supply; Treatment and Distribution           | 1                                   |
|                            |                                          |                        |            | Z01                                                                          | Zoning; Land Studies                               | 1                                   |
|                            | Other Employees                          | 0                      |            |                                                                              |                                                    |                                     |
|                            | Total                                    | 74                     |            |                                                                              |                                                    |                                     |

| 11. ANNUAL AVERAGE PROFESSIONAL SERVICES REVENUES OF FIRM FOR LAST 3 YEARS<br>(Insert revenue index number shown at right) |     | PROFESSIONAL SERVICES REVENUE INDEX NUMBER |                                           |
|----------------------------------------------------------------------------------------------------------------------------|-----|--------------------------------------------|-------------------------------------------|
| a. Federal Work                                                                                                            | N/A | 1. Less than \$100,000                     | 6. \$2 million to less than \$5 million   |
| b. Non-Federal Work                                                                                                        | 8   | 2. \$100,000 to less than \$250,000        | 7. \$5 million to less than \$10 million  |
| c. Total Work                                                                                                              | 8   | 3. \$250,000 to less than \$500,000        | 8. \$10 million to less than \$25 million |
|                                                                                                                            |     | 4. \$500,000 to less than \$1 million      | 9. \$25 million to less than \$50 million |
|                                                                                                                            |     | 5. \$1 million to less than \$2 million    | 10. \$50 million or greater               |

**12. AUTHORIZED REPRESENTATIVE**

The foregoing is a statement of facts.

|                                                                                                     |                                  |
|-----------------------------------------------------------------------------------------------------|----------------------------------|
| a. SIGNATURE<br> | b. DATE<br><b>March 12, 2025</b> |
| c. NAME AND TITLE<br><b>Lance Bennett, P.E. – Principal-In-Charge</b>                               |                                  |

|                                 |
|---------------------------------|
| 1. SOLICITATION NUMBER (If any) |
|---------------------------------|

*(If a firm has branch offices, complete for each specific branch office seeking work.)*

| 8a. FORMER FIRM NAME(S) (If any) | 8b. YEAR ESTABLISHED | 8c. UNIQUE ENTITY IDENTIFIER |
|----------------------------------|----------------------|------------------------------|
|----------------------------------|----------------------|------------------------------|

|       |    |  |  |  |  |
|-------|----|--|--|--|--|
| Total | 30 |  |  |  |  |
|-------|----|--|--|--|--|

|               |   |
|---------------|---|
| c. Total Work | 7 |
|---------------|---|

*The foregoing is a statement of facts.*

Carol Russ, CFO

## 1. SOLICITATION NUMBER (If any)

*(If a firm has branch offices, complete for each specific branch office seeking work.)*

| 8a. FORMER FIRM NAME(S) (If any) | 8b. YEAR ESTABLISHED | 8c. UNIQUE ENTITY IDENTIFIER |
|----------------------------------|----------------------|------------------------------|
|                                  |                      |                              |

## 10. PROFILE OF FIRM'S EXPERIENCE AND ANNUAL AVERAGE REVENUE FOR LAST 5 YEARS

|                                                                                                                                          |     |                                                   |                                           |
|------------------------------------------------------------------------------------------------------------------------------------------|-----|---------------------------------------------------|-------------------------------------------|
| <b>11. ANNUAL AVERAGE PROFESSIONAL SERVICES REVENUES OF FIRM FOR LAST 3 YEARS</b><br><i>(Insert revenue index number shown at right)</i> |     | <b>PROFESSIONAL SERVICES REVENUE INDEX NUMBER</b> |                                           |
| a. Federal Work                                                                                                                          | N/A | 1. Less than \$100,000                            | 6. \$2 million to less than \$5 million   |
| b. Non-Federal Work                                                                                                                      | 10  | 2. \$100,000 to less than \$250,000               | 7. \$5 million to less than \$10 million  |
| c. Total Work                                                                                                                            | 10  | 3. \$250,000 to less than \$500,000               | 8. \$10 million to less than \$25 million |
|                                                                                                                                          |     | 4. \$500,000 to less than \$1 million             | 9. \$25 million to less than \$50 million |
|                                                                                                                                          |     | 5. \$1 million to less than \$2 million           | 10. \$50 million or greater               |

*The foregoing is a statement of facts.*

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# ARCHITECT-ENGINEER QUALIFICATIONS

1. SOLICITATION NUMBER (If any)

## PART II - GENERAL QUALIFICATIONS

(If a firm has branch offices, complete for each specific branch office seeking work.)

|                                                               |  |                                                   |                                                  |                             |
|---------------------------------------------------------------|--|---------------------------------------------------|--------------------------------------------------|-----------------------------|
| 2a. FIRM (OR BRANCH OFFICE) NAME<br>Bio-Tech Consulting       |  |                                                   | 3. YEAR ESTABLISHED<br>2003                      | 4. DUNS NUMBER<br>098851533 |
| 2b. STREET<br>3025 East South Street                          |  |                                                   | 5. OWNERSHIP                                     |                             |
| 2c. CITY<br>Orlando                                           |  |                                                   | a. TYPE<br>LLC                                   |                             |
| 2d. STATE<br>FL                                               |  | 2e. ZIP CODE<br>32803                             | b. SMALL BUSINESS STATUS                         |                             |
| 6a. POINT OF CONTACT NAME AND TITLE<br>John Miklos, President |  |                                                   | 7. NAME OF FIRM (If block 2a is a branch office) |                             |
| 6b. TELEPHONE NUMBER<br>(407) 894-5969                        |  | 6c. E-MAIL ADDRESS<br>john@bio-techconsulting.com |                                                  |                             |
| 8a. FORMER FIRM NAME(S) (If any)                              |  |                                                   | 8b. YR. ESTABLISHED                              | 8c. DUNS NUMBER             |

| 9. EMPLOYEES BY DISCIPLINE |                         |                     |            | 10. PROFILE OF FIRM'S EXPERIENCE AND ANNUAL AVERAGE REVENUE FOR LAST 5 YEARS |                                                                                 |                                     |
|----------------------------|-------------------------|---------------------|------------|------------------------------------------------------------------------------|---------------------------------------------------------------------------------|-------------------------------------|
| a. Function Code           | b. Discipline           | c. No. of Employees |            | a. Profile Code                                                              | b. Experience                                                                   | c. Revenue Index Number (see below) |
|                            |                         | (1) FIRM            | (2) BRANCH |                                                                              |                                                                                 |                                     |
| 02                         | Administrative          | 5                   |            | C14                                                                          | Conservation and Resource Management                                            | 6                                   |
| 07                         | Biologist               | 19                  |            | E01                                                                          | Ecological & Archeological Investigations                                       | 5                                   |
| 08                         | CADD Technician         | 1                   |            | E10                                                                          | Environmental and Resource Mapping                                              | 3                                   |
| 24                         | Environmental Scientist | 16                  |            | E11                                                                          | Environmental Planning                                                          | 7                                   |
| 29                         | GIS Specialist          | 2                   |            | G04                                                                          | Geographic Information Systems Services: development, analysis, data collection | 3                                   |
| 48                         | Project Manager         | 21                  |            |                                                                              |                                                                                 |                                     |
|                            |                         |                     |            |                                                                              |                                                                                 |                                     |
|                            |                         |                     |            |                                                                              |                                                                                 |                                     |
|                            | Other Employees         | 8                   |            |                                                                              |                                                                                 |                                     |
| <b>Total</b>               |                         | 72                  |            |                                                                              |                                                                                 |                                     |

| 11. ANNUAL AVERAGE PROFESSIONAL SERVICES REVENUES OF FIRM FOR LAST 3 YEARS<br>(Insert revenue index number shown at right) |   | PROFESSIONAL SERVICES REVENUE INDEX NUMBER |                                           |
|----------------------------------------------------------------------------------------------------------------------------|---|--------------------------------------------|-------------------------------------------|
| a. Federal Work                                                                                                            | 2 | 1. Less Than \$100,000                     | 6. \$2 million to less than \$5 million   |
| b. Non-Federal Work                                                                                                        | 9 | 2. \$100,000 to less than \$250,000        | 7. \$5 million to less than \$10 million  |
| c. Total Work                                                                                                              | 9 | 3. \$250,000 to less than \$500,000        | 8. \$10 million to less than \$25 million |
|                                                                                                                            |   | 4. \$500,000 to less than \$1 million      | 9. \$25 million to less than \$50 million |
|                                                                                                                            |   | 5. \$1 million to less than \$2 million    | 10. \$50 million or greater               |

## 12. AUTHORIZED REPRESENTATIVE

The foregoing is a statement of facts.

|                                                                                                     |                     |
|-----------------------------------------------------------------------------------------------------|---------------------|
| a. SIGNATURE<br> | b. DATE<br>1/1/2025 |
| c. NAME AND TITLE<br>John Miklos, President                                                         |                     |

**ORANGE BEND**  
**COMMUNITY DEVELOPMENT DISTRICT**

**15D**



**Orange Bend Community Development District**  
**Request for Qualifications – District Engineering Services**

**Competitive Selection Criteria**

|   | Ability and Adequacy of Professional Personnel | Consultant’s Past Performance | Geographic Location | Willingness to Meet Time and Budget Requirements | Certified Minority Business Enterprise | Recent, Current and Projected Workloads | Volume of Work Previously Awarded to Consultant by District | TOTAL SCORE |
|---|------------------------------------------------|-------------------------------|---------------------|--------------------------------------------------|----------------------------------------|-----------------------------------------|-------------------------------------------------------------|-------------|
|   | <i>weight factor</i>                           | 25                            | 25                  | 20                                               | 15                                     | 5                                       | 5                                                           | 100         |
|   | NAME OF RESPONDENT                             |                               |                     |                                                  |                                        |                                         |                                                             |             |
| 1 | Poulos & Bennett, LLC                          |                               |                     |                                                  |                                        |                                         |                                                             |             |
|   |                                                |                               |                     |                                                  |                                        |                                         |                                                             |             |

\_\_\_\_\_  
Board Member’s Signature

\_\_\_\_\_  
Date

**ORANGE BEND**  
**COMMUNITY DEVELOPMENT DISTRICT**

**16**

**RESOLUTION 2025-22**

**A RESOLUTION BY THE BOARD OF SUPERVISORS OF THE ORANGE BEND  
COMMUNITY DEVELOPMENT DISTRICT DESIGNATING THE LOCATION OF THE  
LOCAL DISTRICT RECORDS OFFICE AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the Orange Bend Community Development District (“District”) is a local unit of special-purpose government created and existing pursuant to Chapter 190, *Florida Statutes*, being situated within the City of Leesburg, Florida; and

**WHEREAS**, the District is statutorily required to designate a local district records office location for the purposes of affording citizens the ability to access the District’s records, promoting the disclosure of matters undertaken by the District, and ensuring that the public is informed of the activities of the District in accordance with Chapter 119 and Section 190.006(7), *Florida Statutes*.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE  
ORANGE BEND COMMUNITY DEVELOPMENT DISTRICT:**

**SECTION 1.** The District’s local records office shall be located at:

**LOCATION:** \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**SECTION 2.** This Resolution shall take effect immediately upon adoption.

**PASSED AND ADOPTED** this 20th day of March, 2025.

ATTEST:

**ORANGE BEND COMMUNITY DEVELOPMENT  
DISTRICT**

\_\_\_\_\_  
Secretary/Assistant Secretary

\_\_\_\_\_  
Chair/Vice Chair, Board of Supervisors

**ORANGE BEND**  
**COMMUNITY DEVELOPMENT DISTRICT**

**UNAUDITED**  
**FINANCIAL**  
**STATEMENTS**

**ORANGE BEND  
COMMUNITY DEVELOPMENT DISTRICT  
FINANCIAL STATEMENTS  
UNAUDITED  
JANUARY 31, 2025**

**ORANGE BEND  
COMMUNITY DEVELOPMENT DISTRICT  
BALANCE SHEET  
GOVERNMENTAL FUNDS  
JANUARY 31, 2025**

|                                                                       | General<br>Fund  | Total<br>Governmental<br>Funds |
|-----------------------------------------------------------------------|------------------|--------------------------------|
| <b>ASSETS</b>                                                         |                  |                                |
| Due from Landowner                                                    | \$ 13,500        | \$ 13,500                      |
| Total assets                                                          | <u>13,500</u>    | <u>13,500</u>                  |
| <b>LIABILITIES AND FUND BALANCES</b>                                  |                  |                                |
| Liabilities:                                                          |                  |                                |
| Landowner advance                                                     | \$ 6,000         | \$ 6,000                       |
| Landowner advance- Leg Adv.                                           | 7,500            | 7,500                          |
| Total liabilities                                                     | <u>13,500</u>    | <u>13,500</u>                  |
| Fund balances:                                                        |                  |                                |
| Total fund balances                                                   | <u>-</u>         | <u>-</u>                       |
| Total liabilities, deferred inflows of resources<br>and fund balances | <u>\$ 13,500</u> | <u>\$ 13,500</u>               |

**ORANGE BEND  
COMMUNITY DEVELOPMENT DISTRICT  
STATEMENT OF REVENUES, EXPENDITURES,  
AND CHANGES IN FUND BALANCES  
GENERAL FUND  
FOR THE PERIOD ENDED JANUARY 31, 2025**

|                                                              | Current<br>Month | Year to<br>Date | Budget    | % of<br>Budget |
|--------------------------------------------------------------|------------------|-----------------|-----------|----------------|
| <b>REVENUES</b>                                              |                  |                 |           |                |
| Landowner contribution                                       | \$ -             | \$ -            | \$ 68,765 | 0%             |
| Total revenues                                               | -                | -               | 68,765    | 0%             |
| <b>EXPENDITURES</b>                                          |                  |                 |           |                |
| <b>Professional &amp; administrative</b>                     |                  |                 |           |                |
| Management/accounting/recording                              | -                | -               | 24,000    | 0%             |
| Legal                                                        | -                | -               | 25,000    | 0%             |
| Engineering                                                  | -                | -               | 2,000     | 0%             |
| Telephone                                                    | -                | -               | 200       | 0%             |
| Postage                                                      | -                | -               | 500       | 0%             |
| Printing & binding                                           | -                | -               | 500       | 0%             |
| Legal advertising                                            | -                | -               | 7,500     | 0%             |
| Annual special district fee                                  | -                | -               | 175       | 0%             |
| Insurance                                                    | -                | -               | 5,500     | 0%             |
| Contingencies/bank charges                                   | -                | -               | 1,500     | 0%             |
| Website hosting & maintenance                                | -                | -               | 1,680     | 0%             |
| Website ADA compliance                                       | -                | -               | 210       | 0%             |
| Total expenditures                                           | -                | -               | 68,765    | 0%             |
| Excess/(deficiency) of revenues<br>over/(under) expenditures | -                | -               | -         |                |
| Fund balances - beginning                                    | -                | -               | -         |                |
| Fund balances - ending                                       | \$ -             | \$ -            | \$ -      |                |

\*These items will be realized when bonds are issued

**ORANGE BEND**  
**COMMUNITY DEVELOPMENT DISTRICT**

**MINUTES**

**A**



**DRAFT**

**MINUTES OF MEETING  
ORANGE BEND  
COMMUNITY DEVELOPMENT DISTRICT**

A Landowners' Meeting of the Orange Bend Community Development District was held on December 9, 2024 at 11:00 a.m., at the City of Minneola City Hall, 800 N US Hwy 27, Minneola, Florida 34715.

**Present:**

Daniel Rom District Manager/Proxy Holder

**FIRST ORDER OF BUSINESS**

**Call to Order/Roll Call**

Mr. Rom called the meeting to order at 11:00 a.m.

**SECOND ORDER OF BUSINESS**

**Affidavit/Proof of Publication**

The affidavit of publication was included for informational purposes.

**THIRD ORDER OF BUSINESS**

**Election of Chair to Conduct Landowners' Meeting**

Mr. Rom served as Chair to conduct the Landowners' meeting.

**FOURTH ORDER OF BUSINESS**

**Election of Supervisors [All Seats]**

**A. Nominations**

Mr. Rom nominated the following:

|        |                  |
|--------|------------------|
| Seat 1 | Chris Tyree      |
| Seat 2 | Shelley Kaercher |
| Seat 3 | Robyn Bronson    |
| Seat 4 | Roger Van Aucker |
| Seat 5 | Justin Starr     |

No other nominations were made.

**B. Casting of Ballots**

- Determine Number of Voting Units Represented**

Mr. Rom stated that he is the designated Proxy Holder for the Landowner Forestar (USA) Real Estate Group Inc., who owns 243.87 acres, equating to 244 voting units. Mr. Rom is eligible to cast up to 244 votes per Seat.

A total of 244 voting units were represented.

- Determine Number of Voting Units Assigned by Proxy**

All 244 voting units were assigned by proxy to Mr. Rom.

Mr. Rom cast the following votes:

|        |                  |           |
|--------|------------------|-----------|
| Seat 1 | Chris Tyree      | 244 votes |
| Seat 2 | Shelley Kaercher | 244 votes |
| Seat 3 | Robyn Bronson    | 240 votes |
| Seat 4 | Roger Van Aucker | 240 votes |
| Seat 5 | Justin Starr     | 240 votes |

**C. Ballot Tabulation and Results**

The ballot tabulation, results and term lengths were as follows:

|        |                  |           |             |
|--------|------------------|-----------|-------------|
| Seat 1 | Chris Tyree      | 244 votes | 4-year Term |
| Seat 2 | Shelley Kaercher | 244 votes | 4-year Term |
| Seat 3 | Robyn Bronson    | 240 votes | 2-year Term |
| Seat 4 | Roger Van Aucker | 240 votes | 2-year Term |
| Seat 5 | Justin Starr     | 240 votes | 2-year Term |

**FIFTH ORDER OF BUSINESS**

**Landowners' Questions/Comments**

There were no Landowners' questions or comments.

**SIXTH ORDER OF BUSINESS**

**Adjournment**

The meeting adjourned at 11:02 a.m.

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Secretary/Assistant Secretary

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Chair/Vice Chair

**ORANGE BEND**  
**COMMUNITY DEVELOPMENT DISTRICT**

**MINUTES**  
**B**

**DRAFT**  
**MINUTES OF MEETING**  
**ORANGE BEND**  
**COMMUNITY DEVELOPMENT DISTRICT**

An Organizational Meeting of the Orange Bend Community Development District was held on December 9, 2024, immediately following the adjournment of the Landowners' Meeting, scheduled to commence at 11:00 a.m., at the City of Minneola City Hall, 800 N US Hwy 27, Minneola, Florida 34715.

**Present:**

|                  |                     |
|------------------|---------------------|
| Shelley Kaercher | Chair               |
| Robyn Bronson    | Assistant Secretary |
| Justin Starr     | Assistant Secretary |

**Also present:**

|                                |                  |
|--------------------------------|------------------|
| Daniel Rom                     | District Manager |
| Jere Earlywine (via telephone) | District Counsel |
| Cynthia Wilhem (via telephone) | Bond Counsel     |

**FIRST ORDER OF BUSINESS**

**Call to Order/Roll Call**

Mr. Rom called the meeting to order at 11:14 a.m. He stated that the Landowners' Election was held just prior to this meeting. Supervisors-Elect Ms. Shelley Kaercher, Ms. Robyn Bronson and Mr. Justin Starr, who were just elected at the Landowners' Meeting, were present. Supervisors-Elect Mr. Chris Tyree and Mr. Roger Van Aucker were not present.

**SECOND ORDER OF BUSINESS**

**Public Comments**

No members of the public spoke.

**PART 1: GENERAL DISTRICT ITEMS**

**GENERAL DISTRICT ITEMS**

**THIRD ORDER OF BUSINESS**

**Administration of Oath of Office to Elected Board of Supervisors (the following will be provided in a separate package)**

Mr. Rom, a Notary of the State of Florida and duly authorized, administered the Oath of Office to Ms. Kaercher, Ms. Bronson and Mr. Starr. Mr. Rom provided and he and Mr. Earlywine explained the following items:

- 41 A. Updates and Reminders: Ethics Training for Special District Supervisors and Form 1
- 42 B. Membership, Obligations and Responsibilities
- 43 C. Guide to the Sunshine Amendment and Code of Ethics for Public Officers and
- 44 Employees
- 45 D. Form 8B: Memorandum of Voting Conflict for County, Municipal and other Local
- 46 Public Officers

48 **FOURTH ORDER OF BUSINESS**

Consideration of Resolution 2025-01,  
Ratifying the Actions of the District  
Manager and District Staff in Noticing the  
Landowners' Meeting; Providing a  
Severability Clause; and Providing an  
Effective Date

55 Mr. Rom presented Resolution 2025-01.

57 **On MOTION by Ms. Kaercher and seconded by Ms. Bronson, with all in favor,**  
58 **Resolution 2025-01, Ratifying the Actions of the District Manager and District**  
59 **Staff in Noticing the Landowners' Meeting; Providing a Severability Clause; and**  
60 **Providing an Effective Date, was adopted.**

63 **FIFTH ORDER OF BUSINESS**

Consideration of Resolution 2025-02,  
Canvassing and Certifying the Results of  
the Landowners' Election of Supervisors  
Held Pursuant to Section 190.006(2),  
Florida Statutes, and Providing for an  
Effective Date

70 Mr. Rom presented Resolution 2025-02. He recapped the Landowners' Election results,  
71 which will be inserted into Sections 1 and 2 of the Resolution, as follows:

|    |        |                  |           |             |
|----|--------|------------------|-----------|-------------|
| 72 | Seat 1 | Chris Tyree      | 244 votes | 4-year Term |
| 73 | Seat 2 | Shelley Kaercher | 244 votes | 4-year Term |
| 74 | Seat 3 | Robyn Bronson    | 240 votes | 2-year Term |
| 75 | Seat 4 | Roger Van Aucker | 240 votes | 2-year Term |
| 76 | Seat 5 | Justin Starr     | 240 votes | 2-year Term |

On MOTION by Ms. Kaercher and seconded by Ms. Bronson, with all in favor, Resolution 2025-02, Canvassing and Certifying the Results of the Landowners' Election of Supervisors Held Pursuant to Section 190.006(2), Florida Statutes, and Providing for an Effective Date, was adopted.

**SIXTH ORDER OF BUSINESS****Consideration of Resolution 2025-03,  
Electing Certain Officers of the District, and  
Providing for an Effective Date**

Mr. Rom presented Resolution 2025-03. Ms. Kaercher nominated the following slate:

|                     |                  |
|---------------------|------------------|
| Chair               | Shelley Kaercher |
| Vice Chair          | Chris Tyree      |
| Secretary           | Craig Wrathell   |
| Assistant Secretary | Robyn Bronson    |
| Assistant Secretary | Justin Starr     |
| Assistant Secretary | Roger Van Auker  |
| Assistant Secretary | Daniel Rom       |
| Assistant Secretary | Kristen Thomas   |
| Treasurer           | Craig Wrathell   |
| Assistant Treasurer | Jeffrey Pinder   |

No other nominations were made.

On MOTION by Ms. Kaercher and seconded by Ms. Bronson, with all in favor, Resolution 2025-03, Electing Certain Officers of the District, as nominated, and Providing for an Effective Date, was adopted.

**PART 2: CONSENT AGENDA (ORGANIZATIONAL ITEMS, BANKING ITEMS & BUDGETARY ITEMS)****ORGANIZATIONAL ITEMS****SEVENTH ORDER OF BUSINESS****Consideration of the Following Consent  
Agenda Organizational Items:**

The following Consent Agenda Items were presented:

- A. Resolution 2025-04, Appointing and Fixing the Compensation of the District Manager and Methodology Consultant; Providing an Effective Date**

- Agreement for District Management Services: Wrathell, Hunt and Associates, LLC

B. Resolution 2025-05, Appointing District Counsel for the District, and Authorizing Compensation; and Providing for an Effective Date

- Fee Agreement: Kutak Rock LLP

C. Resolution 2025-06, Designating a Registered Agent and Registered Office of the District, and Providing for an Effective Date

D. Resolution 2025-07, Appointing an Interim District Engineer for the Orange Bend Community Development District, Authorizing Its Compensation and Providing for an Effective Date

- Interim Engineering Services Agreement: Poulos & Bennett

E. Authorization of Request for Qualifications (RFQ) for Engineering Services

F. Board Member Compensation: 190.006 (8), F.S.

The Board Members declined compensation.

G. Resolution 2025-08, Designating the Primary Administrative Office and Principal Headquarters of the District and Providing an Effective Date

H. Resolution 2025-09, Setting Forth the Policy of the District Board of Supervisors with Regard to the Support and Legal Defense of the Board of Supervisors and District Officers, and Providing for an Effective Date

- Authorization to Obtain General Liability and Public Officers' Insurance

I. Resolution 2025-10, Providing for the Public's Opportunity to Be Heard; Designating Public Comment Periods; Designating a Procedure to Identify Individuals Seeking to Be Heard; Addressing Public Decorum; Addressing Exceptions; and Providing for Severability and an Effective Date

J. Resolution 2025-11, Providing for the Appointment of a Records Management Liaison Officer; Providing the Duties of the Records Management Liaison Officer; Adopting a Records Retention Policy; and Providing for Severability and Effective Date

K. Resolution 2025-12, Granting the Chair and Vice Chair the Authority to Execute Real and Personal Property Conveyance and Dedication Documents, Plats and Other Documents Related to the Development of the District's Improvements; Approving the Scope and Terms of Such Authorization; Providing a Severability Clause; and Providing an Effective Date



- 146 L. Resolution 2025-13, Ratifying, Confirming and Approving the Recording of the Notice  
147 of Establishment for the District; and Providing for an Effective Date
- 148 M. Authorization of Request for Proposals (RFP) for Annual Audit Services  
149 • Designation of Board of Supervisors as Audit Committee
- 150 N. Strange Zone, Inc. Quotation #M24-1042 for District Website Design, Maintenance and  
151 Domain Web-Site Design Agreement
- 152 O. ADA Site Compliance Proposal for Website Compliance Shield, Accessibility Policy and  
153 One (1) Annual Technological Audit
- 154 P. Resolution 2025-14, Approving the Florida Statewide Mutual Aid Agreement;  
155 Providing for Severability; and Providing for an Effective Date
- 156 Q. Goals and Objectives Reporting [HB7013 - Special Districts Performance Measures and  
157 Standards Reporting]

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159 **BANKING ITEMS**

160 **EIGHTH ORDER OF BUSINESS**

Consideration of the following Consent  
Agenda Banking Items:

161

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163 The following Consent Agenda Items were presented:

- 164 A. Resolution 2025-15, Directing the District Manager to Establish a Local Bank Account  
165 and Appoint Signors on the Account; and Providing an Effective Date
- 166 B. Resolution 2025-16, Authorizing the District Manager or Treasurer to Execute the  
167 Public Depositor Report; Authorizing the Execution of Any Other Financial Reports as  
168 Required by Law; Providing for an Effective Date

169

170 **BUDGETARY ITEMS**

171 **NINTH ORDER OF BUSINESS**

Consideration of the following Consent  
Agenda Budgetary Items:

172

173

174 The following Consent Agenda Items were presented:

- 175 A. Fiscal Year 2024/2025 Budget Funding Agreement
- 176 B. Resolution 2025-17, Adopting the Alternative Investment Guidelines for Investing  
177 Public Funds in Excess of Amounts Needed to Meet Current Operating Expenses, in  
178 Accordance with Section 218.415(17), Florida Statutes

- 179 C. Resolution 2025-18, Authorizing the Disbursement of Funds for Payment of Certain  
180 Continuing Expenses Without Prior Approval of the Board of Supervisors; Authorizing  
181 the Disbursement of Funds for Payment of Certain Non-Continuing Expenses Without  
182 Prior Approval of the Board of Supervisors; Providing for a Monetary Threshold; and  
183 Providing for an Effective Date
- 184 D. Resolution 2025-19, Adopting a Policy for Reimbursement of District Travel Expenses;  
185 and Providing for Severability and an Effective Date
- 186 E. Resolution 2025-20, Adopting Prompt Payment Policies and Procedures Pursuant to  
187 Chapter 218, Florida Statutes; Providing a Severability Clause; and Providing an  
188 Effective Date
- 189 F. Resolution 2025-21, Adopting an Internal Controls Policy Consistent with Section  
190 218.33, Florida Statutes; Providing an Effective Date  
191

192 On MOTION by Ms. Kaercher and seconded by Ms. Bronson, with all in favor,  
193 the Consent Agenda Items listed in the Seventh, Eighth and Ninth Orders of  
194 Business, were adopted, approved, ratified or accepted.

195  
196  
197 **PART 3: NON-CONSENT AGENDA (ORGANIZATIONAL ITEMS, BANKING ITEMS & BUDGETARY**  
198 **ITEMS)**

199 **ORGANIZATIONAL ITEMS**

200 **TENTH ORDER OF BUSINESS**

Consideration of the Following Non-  
Consent Agenda Organizational Items:

- 201  
202  
203 A. Resolution 2025-22, Designating the Location of the Local District Records Office and  
204 Providing an Effective Date

205 This item was deferred.

- 206 B. Resolution 2025-23, to Designate Date, Time and Place of Public Hearing and  
207 Authorization to Publish Notice of Such Hearing for the Purpose of Adopting Rules of  
208 Procedure; and Providing an Effective Date

209 I. Rules of Procedure

210 II. Notices of Rule Development and Rulemaking

211 Mr. Rom presented Resolution 2025-23, the Rules of Procedure and Notices.  
212

On MOTION by Ms. Kaercher and seconded by Ms. Bronson, with all in favor, Resolution 2025-23, to Designate March 20, 2025 at 9:00 a.m., at the City of Minneola City Hall, 800 N US Hwy 27, Minneola, Florida 34715, as the Date, Time and Place of Public Hearing and Authorization to Publish Notice of Such Hearing for the Purpose of Adopting Rules of Procedure; and Providing an Effective Date, was adopted.

**C. Resolution 2025-24, Designating Dates, Times and Locations for Regular Meetings of the Board of Supervisors of the District for Fiscal Year 2024/2025 and Providing for an Effective Date**

Mr. Rom presented Resolution 2025-24.

The following will be inserted into the Fiscal Year 2025 Meeting Schedule:

MEETING DATES: March 20, 2025; April 17, 2025; May 15, 2025; June 19, 2025; July 17, 2025; August 21, 2025 and September 18, 2025.

March 20, 2025 Meeting: Insert "Public Hearing &" before "Regular Meeting"

TIME: 9:00 AM

LOCATION: City of Minneola City Hall, 800 N US Hwy 27, Minneola, Florida 34715.

On MOTION by Ms. Kaercher and seconded by Ms. Bronson, with all in favor, Resolution 2025-24, Designating Dates, Times and Locations for Regular Meetings of the Board of Supervisors of the District for Fiscal Year 2024/2025, as amended, and Providing for an Effective Date, was adopted.

**BANKING ITEMS**

**ELEVENTH ORDER OF BUSINESS**

Consideration of the Following Non-Consent Agenda Banking Item:

**A. Resolution 2025-25, Designating a Public Depository for Funds of the District and Providing an Effective Date**

On MOTION by Ms. Kaercher and seconded by Ms. Bronson, with all in favor, Resolution 2025-25, Designating Truist Bank as a Public Depository for Funds of the District and Providing an Effective Date, was adopted.

**BUDGETARY ITEMS**

**TWELFTH ORDER OF BUSINESS**

Consideration of the following Non-Consent Agenda Budgetary Items:

**A. Resolution 2025-26, Approving a Proposed Budget for Fiscal Year 2024/2025 and Setting a Public Hearing Thereon Pursuant to Florida Law; Addressing Severability; and Providing for an Effective Date**

Mr. Rom presented Resolution 2025-26. He reviewed the proposed Fiscal Year 2025 budget, which will be Landowner-funded, with expenses funded as they are incurred. He noted line items that might be adjusted, if necessary, before adopting the Fiscal Year 2025 budget.

**On MOTION by Ms. Bronson and seconded by Ms. Kaercher, with all in favor, Resolution 2025-26, Approving a Proposed Budget for Fiscal Year 2024/2025, as amended, if necessary, and Setting a Public Hearing Thereon Pursuant to Florida Law on March 20, 2025 at 9:00 a.m., at the City of Minneola City Hall, 800 N US Hwy 27, Minneola, Florida 34715; Addressing Severability; and Providing for an Effective Date, was adopted.**

Funding requests will be sent to Ms. Kaercher.

**B. Resolution 2025-27, Authorizing an Individual Designated by the Board of Supervisors to Act as the District's Purchasing Agent for the Purpose of Procuring, Accepting, and Maintaining Any and All Construction Materials Necessary for the Construction, Installation, Maintenance or Completion of the District's Infrastructure Improvements as Provided in the District's Adopted Improvement Plan; Providing for the Approval of a Work Authorization; Providing for Procedural Requirements for the Purchase of Materials; Approving the Form of a Purchase Requisition Request; Approving the Form of a Purchase Order; Approving the Form of a Certificate of Entitlement; Authorizing the Purchase of Insurance; Providing a Severability Clause; and Providing an Effective Date**

Mr. Rom presented Resolution 2025-27.

**On MOTION by Ms. Kaercher and seconded by Ms. Bronson, with all in favor, Resolution 2025-27, Authorizing an Individual Designated by the Board of Supervisors to Act as the District's Purchasing Agent for the Purpose of Procuring, Accepting, and Maintaining Any and All Construction Materials Necessary for the Construction, Installation, Maintenance or Completion of the District's Infrastructure Improvements as Provided in the District's Adopted Improvement Plan; Providing for the Approval of a Work Authorization; Providing for Procedural Requirements for the Purchase of Materials;**

Approving the Form of a Purchase Requisition Request; Approving the Form of a Purchase Order; Approving the Form of a Certificate of Entitlement; Authorizing the Purchase of Insurance; Providing a Severability Clause; and Providing an Effective Date, was adopted.

**PART 4: BOND FINANCING & PROJECT RELATED MATTERS**

**FINANCING RELATED MATTERS**

**THIRTEENTH ORDER OF BUSINESS**

Consideration of the following Bond Financing Related Items:

Mr. Rom presented the following items:

**A. Bond Financing Team Funding Agreement**

On MOTION by Ms. Kaercher and seconded by Ms. Bronson, with all in favor, the Bond Financing Team Funding Agreement, in substantial form, was approved.

**B. Engagement of Bond Financing Professionals**

I. Underwriter/Investment Banker: FMSbonds, Inc.

II. Bond Counsel: Nabors Giblin & Nickerson, P.A.

III. Trustee, Paying Agent and Registrar: US Bank Trust Company, N.A.

On MOTION by Ms. Kaercher and seconded by Ms. Bronson, with all in favor, the FMSbonds, Inc., Agreement for Underwriter Services and Rule G-17 Disclosure Letter; the Nabors Giblin & Nickerson, P.A. Engagement Letter to serve as Bond Counsel; and the U.S. Bank Trust Company, N.A., Engagement Letter to serve as Trustee, Paying Agent and Registrar, were approved.

**C. Resolution 2025-28, Designating a Date, Time, and Location of a Public Hearing Regarding the District's Intent to Use the Uniform Method for the Levy, Collection, and Enforcement of Non-Ad Valorem Special Assessments as Authorized by Section 197.3632, Florida Statutes; Authorizing the Publication of the Notice of Such Hearing; and Providing an Effective Date**

Mr. Rom presented Resolution 2025-28. This Resolution enables placement of the assessments on the tax bill utilizing the services of the Property Appraiser and Tax Collector.

**On MOTION by Ms. Kaercher and seconded by Ms. Bronson, with all in favor, Resolution 2025-28, Designating a Date, Time, and Location of March 20, 2025 at 9:00 a.m., at the City of Minneola City Hall, 800 N US Hwy 27, Minneola, Florida 34715, for a Public Hearing Regarding the District's Intent to Use the Uniform Method for the Levy, Collection, and Enforcement of Non-Ad Valorem Special Assessments as Authorized by Section 197.3632, Florida Statutes; Authorizing the Publication of the Notice of Such Hearing; and Providing an Effective Date, was adopted.**

**D. Presentation of Master Engineer's Report**

Mr. Earlywine presented the Master Engineer's Report and noted the following:

➤ The Capital Improvement Plan (CIP) is intended to provide public infrastructure improvements for the entire development, such as roadway improvements; stormwater management system; water, wastewater and reclaim utilities; hardscape, landscape, and irrigation; streetlights/undergrounding of electric utility lines; recreational amenities and environmental conservation.

➤ The estimated CIP costs is \$39.5 million.

Mr. Earlywine stated the Master Engineer's Report contains all the findings necessary to proceed with bond issuance and assessments, including that the project is feasible, consistent with project approvals, and the costs are accurate based on current market conditions.

**On MOTION by Ms. Kaercher and seconded by Ms. Bronson, with all in favor, the Master Engineer's Report, in substantial form and for the purpose of bond validation and assessments, was approved.**

**E. Presentation of Master Special Assessment Methodology Report**

Mr. Rom presented the Master Special Assessment Methodology Report. He reviewed the pertinent information found in each section and discussed the Development Program, CIP, Financing Program, Assessment Methodology, lienability tests, special and peculiar benefits to the units and the True-up Mechanism. He noted the following:

➤ This Methodology presents the projections for financing the CIP described in the Engineer's Report and describes the method for the allocation of special benefits and the apportionment of special assessment debt.

➤ The public infrastructure improvements undertaken and funded by the District as part of the Capital Improvement Plan create special and peculiar benefits, different in kind and degree from the general and incidental benefits to the public at large.

➤ The District currently consists of approximately 243.89 +/- acres.

➤ Based upon the information provided by the Developer and the District Engineer, the current development plan envisions a total of 799 residential dwelling units, although land use types and unit numbers may change throughout the development period.

➤ The total of the public infrastructure improvements is estimated to be \$39,500,000.

➤ Even though the actual financing plan may change to include multiple series of bonds, it is likely that in order to fully fund the costs of the CIP in one financing transaction, the District would have to issue approximately \$54,365,000 in par amount of special assessment bonds.

➤ The proposed financing plan provides for the issuance of the Bonds in the approximate principal amount of \$54,365,000 to finance approximately \$39,500,000 in CIP costs.

➤ The current Development Plan envisions 799 residential dwelling units, although unit numbers and land use types may change throughout the development period.

➤ The benefit associated with the CIP is proposed to be allocated to the different unit types within the District in proportion to the density of development and intensity of use of the infrastructure as measured by a standard Equivalent Residential Unit (ERU) weighting.

Mr. Rom reviewed the Appendix Tables, which detail the Development Plan, CIP, Preliminary Sources and Uses of Funds, Benefit Allocation and the Bond Assessment Apportionment. Mr. Earlywine stated the Methodology finds that there is sufficient benefit from the project to justify the assessments and finds that the assessments are fairly and reasonably allocated across the product types.

**On MOTION by Ms. Kaercher and seconded by Ms. Bronson, with all in favor, the Master Special Assessment Methodology Report, in substantial form and for the purpose of bond validation and assessments, was approved.**

**F. Resolution 2025-29, Declaring Special Assessments; Designating the Nature and Location of the Proposed Improvements; Declaring the Total Estimated Cost of the Improvements, the Portion to Be Paid by Assessments, and the Manner and Timing in Which the Assessments are to Be Paid; Designating the Lands Upon Which the**

Assessments Shall Be Levied; Providing For An Assessment Plat and a Preliminary Assessment Roll; Addressing the Setting of Public Hearings; Providing for Publication of this Resolution; and Addressing Conflicts, Severability and an Effective Date

Mr. Earlywine presented Resolution 2025-29.

On MOTION by Ms. Kaercher and seconded by Ms. Bronson, with all in favor, Resolution 2025-29, Declaring Special Assessments; Designating the Nature and Location of the Proposed Improvements; Declaring the Total Estimated Cost of the Improvements, the Portion to Be Paid by Assessments, and the Manner and Timing in Which the Assessments are to Be Paid; Designating the Lands Upon Which the Assessments Shall Be Levied; Providing For An Assessment Plat and a Preliminary Assessment Roll; Addressing the Setting of Public Hearings on March 20, 2025 at 9:00 a.m., at the City of Minneola City Hall, 800 N US Hwy 27, Minneola, Florida 34715, if available; Providing for Publication of this Resolution; and Addressing Conflicts, Severability and an Effective Date, was adopted.

**G. Resolution 2025-30, Authorizing the Issuance of Not to Exceed \$54,365,000 Orange Bend Community Development District Capital Improvement Revenue Bonds, in One or More Series; Approving the Form of a Master Trust Indenture; Appointing a Trustee, Registrar and Paying Agent; Approving a Capital Improvement Program; Authorizing the Commencement of Validation Proceedings Relating to the Bonds; and Providing an Effective Date**

Ms. Wilhelm presented Resolution 2025-30, known as the Bond Validation Resolution, which accomplishes the following:

- Approves the form of the Master Trust Indenture.
- Appoints U.S. Bank Trust Company National Association as the Trustee, Registrar and Paying Agent.
- Approves issuance of bonds in a not-to-exceed amount of \$54,365,000 in one or more series.
- Approves the CIP.
- Authorizes District Counsel to file for bond validation.

On MOTION by Ms. Kaercher and seconded by Ms. Bronson, with all in favor, Resolution 2025-30, Authorizing the Issuance of Not to Exceed \$54,365,000



Orange Bend Community Development District Capital Improvement Revenue Bonds, in One or More Series; Approving the Form of a Master Trust Indenture; Appointing a Trustee, Registrar and Paying Agent; Approving a Capital Improvement Program; Authorizing the Commencement of Validation Proceedings Relating to the Bonds; and Providing an Effective Date, was adopted.

**PROJECT RELATED ITEMS****FOURTEENTH ORDER OF BUSINESS**

Consideration of the following Project Related Items:

- A. Temporary Construction Easement
- B. Acquisition Agreement

On MOTION by Ms. Kaercher and seconded by Ms. Bronson, with all in favor, the Temporary Construction Easement and the Acquisition Agreement, both in substantial form, were approved.

**FIFTEENTH ORDER OF BUSINESS****Staff Reports**

- A. District Counsel: Kutak Rock LLP
- B. District Engineer (Interim): Poulos & Bennett
- C. District Manager: Wrathell, Hunt and Associates, LLC

There were no District Counsel, District Engineer or District Manager reports.

The next meeting will be held on March 20, 2025 at 9:00 a.m.

**SIXTEENTH ORDER OF BUSINESS****Board Members' Comments/Requests**

There were no Board Members' comments or requests.

**SEVENTEENTH ORDER OF BUSINESS****Public Comments**

No members of the public spoke.

**EIGHTEENTH ORDER OF BUSINESS****Adjournment**

On MOTION by Ms. Kaercher and seconded by Ms. Bronson, with all in favor, the meeting adjourned at 12:01 p.m.

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Secretary/Assistant Secretary

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Chair/Vice Chair

**ORANGE BEND**  
**COMMUNITY DEVELOPMENT DISTRICT**

**STAFF**  
**REPORTS**

| ORANGE BEND COMMUNITY DEVELOPMENT DISTRICT                                      |                                  |         |
|---------------------------------------------------------------------------------|----------------------------------|---------|
|                                                                                 |                                  |         |
| BOARD OF SUPERVISORS FISCAL YEAR 2024/2025 MEETING SCHEDULE                     |                                  |         |
|                                                                                 |                                  |         |
| LOCATION                                                                        |                                  |         |
| <i>City of Minneola City Hall, 800 N US Highway 27, Minneola, Florida 34715</i> |                                  |         |
|                                                                                 |                                  |         |
| DATE                                                                            | POTENTIAL DISCUSSION/FOCUS       | TIME    |
|                                                                                 |                                  |         |
| March 20, 2025                                                                  | Public Hearing & Regular Meeting | 9:00 AM |
|                                                                                 |                                  |         |
| April 17, 2025                                                                  | Regular Meeting                  | 9:00 AM |
|                                                                                 |                                  |         |
| May 15, 2025                                                                    | Regular Meeting                  | 9:00 AM |
|                                                                                 |                                  |         |
| June 19, 2025                                                                   | Regular Meeting                  | 9:00 AM |
|                                                                                 |                                  |         |
| July 17, 2025                                                                   | Regular Meeting                  | 9:00 AM |
|                                                                                 |                                  |         |
| August 21, 2025                                                                 | Regular Meeting                  | 9:00 AM |
|                                                                                 |                                  |         |
| September 18, 2025                                                              | Regular Meeting                  | 9:00 AM |
|                                                                                 |                                  |         |