

**FLAGLER COUNTY BOARD OF COUNTY COMMISSIONERS**  
**CONSENT / AGENDA ITEM # 7e**

**SUBJECT:** Consideration of Award for Request for Proposal 19-044P to Tindale-Oliver for Consulting Services for Impact Fee Update Study in the Amount of \$149,910.00.

**DATE OF MEETING:** October 7, 2019

**OVERVIEW/SUMMARY:** A Request for Proposals (RFP) was advertised in the *Flagler News Tribune* as well as publicly broadcast on VendorLink. RFP 19-044P requested proposals from qualified firms with the objective of updating and implementing, as applicable, a system of impact fees for transportation, parks, libraries, fire rescue, emergency medical services, law enforcement and public buildings within Flagler County.

The County received two (2) responses as detailed on the attached tabulation sheet. The selection committee evaluated the proposals and as a result of the rankings recommends entering into agreement with the top ranked firm, Tindale-Oliver. The schedule for completion for the project will be a maximum of twelve (12) months from the date of issuance of the Notice to Proceed, expected to be within fourteen (14) days from today's meeting.

A fee of \$149,910.00 will cover time and expenses related to these services. If the County requests services outside the scope, it would be requested of Tindale-Oliver to provide a quote to staff.

**FUNDING INFORMATION:** Funds for the Impact Fee Update Study are currently budgeted as part of the adopted FY19-20 budget in account #130-1450-541.31-10.

**DEPARTMENT CONTACT:** Planning, Adam Mengel (386) 313-4065  
Purchasing, Kris Collora (386) 313-4062

**RECOMMENDATIONS:** Request the Board approve the award for Request for Proposal 19-044P to Tindale-Oliver for Consulting Services for Impact Fee Update Study in the Amount of \$149,910.00 and authorize the Chair to execute a contract as approved as to form by the County Attorney and approved by the County Administrator.

**ATTACHMENTS:**

1. Committee Ranking
2. Tindale-Oliver RFP Submission



# FLAGLER COUNTY BOARD OF COUNTY COMMISSIONERS

## Selection Committee Ranking

### Request for Proposal

### 19-044P, Consulting Services for Impact Fee Update Study

Meeting Time, Date, and Location

Thursday, September 19, 2019 at 10:00am  
1769 E. Moody Boulevard, Building 2  
Third Floor Financial Services Conference Room  
Bunnell, Florida 32110

Firms	Committee Members					Score	Rank
	Richard Gordon	Susan Graham	Joe King	Adam Mengel	Heidi Petito		
Duncan Associates	2	2	2	2	2	10	2
Tindale-Oliver	1	1	1	1	1	5	1

Short List	
1	Tindale-Oliver
2	Duncan Associates

Kris Collora, CPPB  
Purchasing Manager



Request for Proposal

# Consulting Services for Impact Fee Update Study

RFP # 19-044P

September 6, 2019



**GREAT INSIGHTS. GREATER OUTCOMES.**



**RFP # 19-044P**

Consulting Services for  
Impact Fee Update Study

**CONSULTANT NAME & ADDRESS**

Tindale Oliver  
1000 N Ashley Drive  
Suite 400  
Tampa, FL 33602

**DESIGNATED CONTACTS**

Nilgün Kamp, AICP  
Director of Public Finance  
*Role: Project Manager*  
Phone: (813) 224-8862  
Fax: (813) 226-2106  
NKamp@tindaleoliver.com

Steven A. Tindale, P.E., FAICP  
President  
*Role: Principal-in-Charge*  
Phone: (813) 224-8862  
Fax: (813) 226-2106  
STindale@tindaleoliver.com

**SUBCONSULTANT**

White & Smith, LLC (W&S)  
*Legal Services*

Flagler County Consulting Services for Impact Fee Update Study

## Cover Letter

September 6, 2019

Ms. Kris Collora, CPPB, Purchasing Agent  
Flagler County Board of County Commissioners  
Purchasing Department  
1769 East Moody Boulevard  
Building 2, Third Floor  
Bunnell, Florida 32110

Dear Ms. Collora:

Tindale-Oliver & Associates, Inc., dba Tindale Oliver, is pleased to submit this proposal as an expression of interest in the Flagler County Impact Fee Update Study. Included on our team for legal services are White & Smith, LLC. Our team of professionals has extensive experience and knowledge in preparing impact fee studies for all program areas specified in your RFP, as well as several other public infrastructure areas.

With a population of approximately 107,500, Flagler County is a growing county, with an average annual growth rate of 8% between 2000 and 2007. Unlike many other communities, this growth rate continued during the economic downturn between 2008 and 2014, although at a lesser rate. Since then, the population growth rate increased to 2% per year, reflecting the recent recovery. Approximately 80% of the county population is located in Palm Coast while 15,000 residents reside in unincorporated county.

Approximately 90% of the County's tax base consists of residential properties, which makes it difficult to moderate economic downturns. One of the goals outlined in the County's Strategic Plan is to diversify the tax base and increase the commercial and industrial tax base. Impact fee programs developed by Tindale Oliver could incorporate elements to support the local community's economic development and growth management goals. Similar to population growth trends, taxable value per capita in Flagler County increased at an average rate of 14% per year between 2000 and 2007. Beginning in 2007, the tax base per capita declined until 2013, when the tax base started to increase again. These fluctuations in property tax revenues, along with population growth, make it important for local governments to use alternative revenue sources for government services.

To address the infrastructure costs associated with new growth, the County adopted impact fees for three service/facility categories, including transportation (currently suspended), schools, and parks. At this time, the County is interested in updating transportation and parks impact fees, and developing fees for libraries, fire rescue, emergency medical services, law enforcement, and public buildings. Given this, the County requested proposals for an impact fee study. Tindale Oliver has prepared multiple impact fee studies in all of these areas, including studies for Flagler County, and has an in-depth understanding of the methodology and data that should be used.

In terms of philosophy and general approach, Tindale Oliver differentiates itself in the following three categories, and we have prepared this proposal based on these differentiators:



- > Institutional Knowledge
- > Insight
- > Outcomes

### ***Institutional Knowledge and Insight***

Throughout our history, Tindale Oliver has earned a national reputation as a leader in impact fee studies and, more importantly, in their acceptance and implementation.

We are a Florida-based firm that has successfully completed more than 300 impact fee studies throughout Florida, including the most recent transportation impact fee for Flagler County. In addition, our Principal-in-Charge was involved with the 1988 impact fee study for Flagler County while under previous employment. We are currently working with multiple communities on updating their impact fee programs, and we continuously and closely follow potential legislative changes. As such, we have a strong understanding of conditions and legal requirements specific to Florida jurisdictions. It is important to note that no impact fee study conducted by Tindale Oliver has ever been successfully challenged in any court system.

Tindale Oliver is unique in that most of our principals and senior professional staff are experienced in impact fees. **The founders and subsequent leaders of the firm come from public sector backgrounds and have operated multiple departments, with experience that translates into a practical understanding of issues that government officials face in planning, designing, financing and implementing projects.**

In addition, the Tindale Oliver Team includes engineers, economists, planners, attorneys, and GIS specialists. This substantial experience ensures the dedication of resources that will result in a project that is completed on time and supported by reliable and accurate information.

Included in our proposal are a map and a table presenting the numerous Florida jurisdictions served by Tindale Oliver for impact fee studies, as well as several references. We encourage you to contact our clients. Tindale Oliver not only has significant Florida experience, but we have been **involved in impact fees since our inception and have addressed issues related to impact fees, growth management, and economic development goals through various economic and demographic cycles.** Studies developed by Tindale Oliver not only calculate impact fee rates, but also document cost of growth that can be used during pre-negotiations with large developments, even during sporadic growth cycles. The institutional knowledge gained from our Florida experience cannot be matched by any other firm in the industry. **Tindale Oliver does not work for private development; we are completely committed to local, state, and regional government agencies.**

### ***Insight and Outcomes***

The County has requested impact fee calculations for seven service areas. Our proposal describes an exceptional insight that has produced especially effective outcomes for our clients over the past 30 years. Our approach and the related project descriptions included herein provide examples of insight provided and effective outcomes achieved through Tindale Oliver's work for several of our clients to help them reach their growth management and economic development goals. With our dedicated Public Finance Group, we are able to meet most desired time frames while still providing high-quality products.

In conclusion, we would like to emphasize the personal commitment of our team to perform a study of the highest quality within Flagler County's desired time frame. The study will **address your objectives and focus on impact fee strategies that result in accurate and equitable impact fee programs that fulfill all the legal requirements.** We look forward to the opportunity to provide our services to Flagler County.

Sincerely,



Steven A. Tindale, P.E., FAICP  
President



Nilgün Kamp, AICP  
Director of Public Finance

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W-9 Form	



# Qualifications/ Related Experience

# 01



*Photo courtesy of [www.flaglercounty.org/departments/engineering](http://www.flaglercounty.org/departments/engineering)*



# QUALIFICATIONS/RELATED EXPERIENCE

## Team Firm Overviews

### Tindale Oliver

Founded on February 13, 1989, and established as an S-Corporation in the State of Florida, Tindale Oliver has developed a reputation as a leader in providing quality, state-of-the-art finance, planning, and engineering services to its public sector clients. Tindale Oliver was created to provide innovative financing programs, comprehensive planning, and infrastructure planning services to local government entities.

The principals of Tindale Oliver have invested more than 80 years of their professional careers working for city, county, and state agencies. This experience affords them a real-life understanding of issues government officials face in comprehensive planning, infrastructure planning, and innovative infrastructure financing alternatives, and, more importantly, how to implement selected alternatives.

**Tindale Oliver does not work for private development; we are completely committed to local, state, and regional government agencies.**

Our firm's major business activities involve the following primary solution areas:

- > Public Finance & Infrastructure Planning
- > Community Planning & Design
- > Transportation Planning, Engineering & Design
- > Transit Planning



We have grown from a firm of 3 employees in 1989 to a total staff of 100+ in 2019, including full and part-time employees, with staff certifications including professional engineers, certified planners, LEED and GIS professionals, and accessibility inspectors, among others, as well as numerous planners, economists, and GIS analysts. With three major offices (Tampa and Fort Lauderdale FL, Baltimore MD) and staff in Bartow, Jacksonville, Miami, (FL) and Seattle (WA), Tindale Oliver has supported clients in 21 states, the District of Columbia, and Puerto Rico.

There are no conditions that may effect Tindale Oliver's ability to perform contractually for Flagler County. There are no planned, pending or foreseen mergers, acquisitions or changes in the executive leadership of our firm, and our current financial condition is very strong. As a multi-disciplinary planning, finance and engineering firm with a sound financial condition that has demonstrated growth over the last 30 years, Tindale Oliver is well-positioned to capitalize on the growing opportunities in the public finance market in Florida and other regions of the U.S. We will continue to concentrate on our core strengths and services to provide our clients with the best service possible.

Tindale Oliver's Public Finance & Infrastructure Planning Team specializes in impact fee studies, user fees, assessments, alternative funding studies, and infrastructure plans. We are very familiar with various methodologies used to prepare fees and know how to apply each methodology correctly to ensure that fee payers are not overcharged and fees are technically defensible.



# 1

A map illustrating our Florida public finance experience and the public agencies for which we have performed similar services is on the next page.

The following paragraphs provide a summary of the Tindale Oliver Team's unique qualifications, experience, and innovations for preparing the impact fee study for Flagler County.

### Public Finance & Infrastructure Planning Experience

**Impact Fee Methodology** – Tindale Oliver principals have published articles on impact fees that document the correct methodology and approach to developing impact fee programs. These articles discuss and compare various methodologies available, such as consumption-and improvements-based methodologies. They set the standard for impact fee studies and have been used by many agencies and other consultants across the U.S. to develop impact fee programs.

**Fire/EMS Impact Fee Methodologies** – Tindale Oliver staff are very knowledgeable about different methodologies used to calculate fire/EMS impact fees and have used fire-flow, call-based, and functional population-based approaches in our impact fee work. We have worked with incident data through impact fee and fire assessment studies and are very familiar with National Fire Incident Reporting System (NFIRS) and National Fire Protection Association (NFPA) standards and ISO requirements and ratings that tend to influence decisions on the timing and location of capital assets.

**Trip Characteristics Studies for Impact Fees** – Tindale Oliver has extensive experience in conducting trip characteristics studies for impact fees. Our trip characteristics database includes 200+ studies on 40 different land uses, including data on trip generation, trip length, and percent new trips for each land use. This information has been used in the development or update of impact fees and the creation of land use plan category trip characteristics for communities in Florida and other states. All of our principals have managed, supervised, and/or conducted trip characteristic studies.

**ITE Trip Length Subcommittee** – Steve Tindale was Chair of the ITE Trip Length Subcommittee that developed trip length data for more than 30 land uses; he participated on a panel that introduced this information at the 67th Annual ITE Meeting.

**Comparative Databases** – Tindale Oliver has compiled a cost database that includes unit costs for several infrastructure program areas, including fees that will be evaluated as part of this study. This database supplements local information, which tends to have a small sample size, and serves as quality-control mechanism to determine whether the local costs are out of the range of what other jurisdictions experience.

Similarly, our revenue credit database compares non-impact fee funding levels between jurisdictions and serves as a quality-control tool to ensure that the data used for impact fee calculations are accurate.

**Economic and Demographic Analysis** – Tindale Oliver maintains a database of demographic and economic characteristics of 67 counties, historical trends, the current rank of each county in terms of each variable, and the variation in this rank over time. Included in the database are population (current, historical, projected), growth rates (rates and absolute growth), tax base distribution, permitting levels, employment, wages, income, taxable revenue per capita, among others. This database and information enable Tindale Oliver to provide a perspective to each county about their historical, current, and future conditions to help make informed policy decisions.

**Economic Growth Impact Fee Methodology** – Tindale Oliver developed a methodology that allows impact fees to be sensitive to the growth rate of various areas within a jurisdiction. We have directly tied the rate of growth in the impact fee equation and are now using this concept in our current Florida impact fee studies. This methodology has been applied in impact fee studies completed for and adopted by the City of Albuquerque, the City of Orlando, and the Florida counties of Indian River, Pasco, Marion, and Hernando.

**Public Presentations** – Principals of Tindale Oliver have prepared and made more than 700 presentations on fees during the last 30 years. Our staff are qualified to prepare materials for impact fee adoption hearings, respond to questions from citizens and technical committees, and develop strategies that result in the successful implementation of new and updated ordinances. We also have worked very closely with fee evaluation and review committees and have been successful in building consensus among people with different opinions on a variety of fee-related topics.

**Expert Testimony** – Steve Tindale has provided expert testimony and research on impact fee-related matters in several cases. Testimony has included a discussion that a development's impact fees did not constitute "adequate provision" to mitigate all traffic impacts associated with an overpass, demonstration that a developer's traffic study was flawed and incomplete, and parking testimony in an eminent domain case concerning the use of land for a parking garage. His testimony in these cases was key to winning an across-the-board victory for government clients in each of these cases.

**National Recognition** – Nilgün Kamp serves on the Board of Directors of the Growth and Infrastructure Consortium (GIC) (formerly National Impact Fee Roundtable). She, Steve Tindale, and Team member



## Tindale Oliver

### Florida Public Finance Experience Map

#### CITIES AND TOWNS

City of Alachua  
 City of Apopka\*  
 City of Bartow\*  
 City of Casselberry  
 City of Clermont  
 City of Daytona Beach Shores  
 City of DeBary  
 City of Deland\*  
 City of Deltona\*  
 City of Eustis  
 City of Fruitland Park  
 City of Ft. Pierce  
 City of Haines City  
 City of Hallandale Beach  
 City of Hollywood  
 City of Inverness  
 City of Kissimmee\*  
 City of Lakeland\*  
 City of Lake City\*  
 City of Largo  
 City of Lauderdale Lakes  
 City of Mount Dora  
 City of North Port\*  
 City of Orlando  
 City of Oviedo\*  
 City of Palm Bay  
 City of Palm Beach Gardens  
 City of Palm Coast  
 City of Panama City  
 City of Parkland  
 City of Plant City\*  
 City of Sanibel  
 City of Sarasota\*  
 City of St. Cloud\*  
 City of St. Pete Beach\*  
 City of Tallahassee  
 City of Tampa\*  
 City of Tamarac  
 City of Tavares  
 Town of Horseshoe Beach  
 Village of Royal Palm Beach

#### COUNTIES

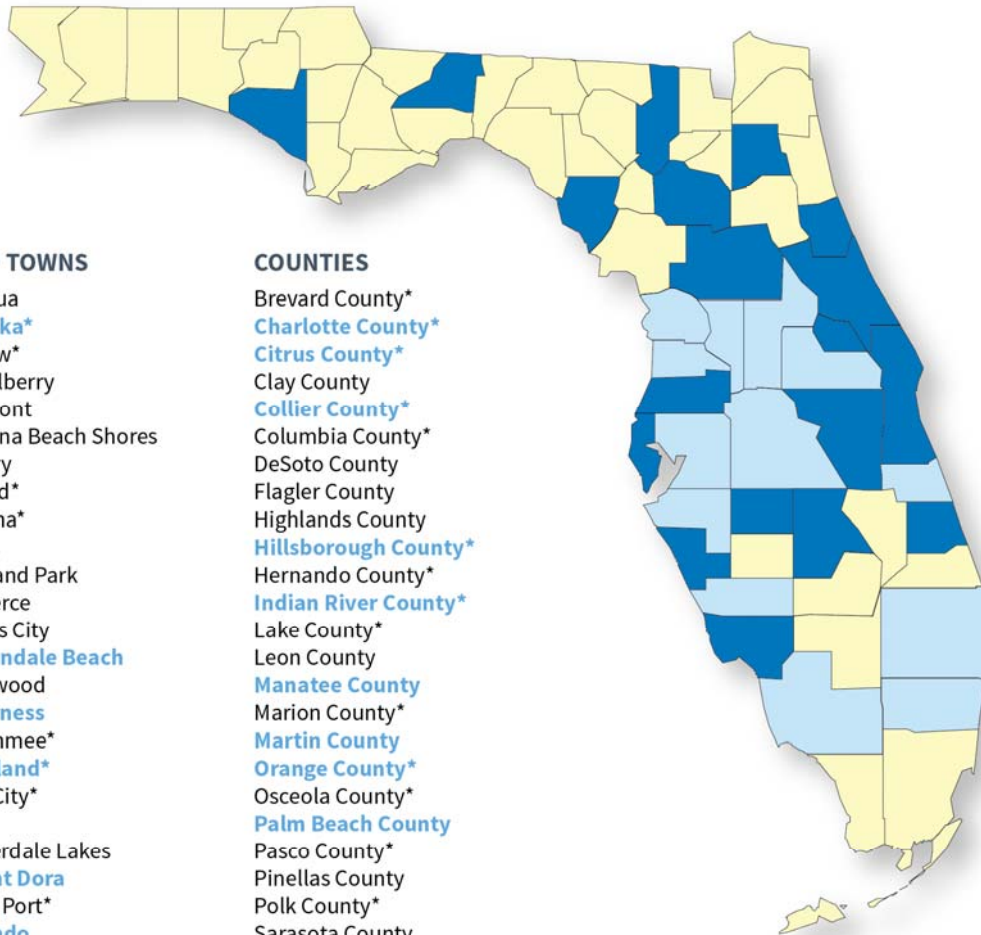
Brevard County\*  
 Charlotte County\*  
 Citrus County\*  
 Clay County  
 Collier County\*  
 Columbia County\*  
 DeSoto County  
 Flagler County  
 Highlands County  
 Hillsborough County\*  
 Hernando County\*  
 Indian River County\*  
 Lake County\*  
 Leon County  
 Manatee County  
 Marion County\*  
 Martin County  
 Orange County\*  
 Osceola County\*  
 Palm Beach County  
 Pasco County\*  
 Pinellas County  
 Polk County\*  
 Sarasota County  
 St. Lucie County  
 Sumter County\*  
 Volusia County\*

#### FIRE DISTRICTS

North Collier Fire District\*  
 Greater Collier Fire District

#### SCHOOL DISTRICTS

Broward County Schools  
 Hernando County Schools\*  
 Hillsborough County Schools\*  
 Lake County Schools\*  
 Orange County Schools\*  
 Osceola County Schools\*  
 Sarasota County Schools  
 Seminole County Schools\*  
 Volusia County Schools\*



Tyson Smith routinely make presentations and moderate sessions at annual GIC meetings.

**Infrastructure Planning/Master Plans** – Tindale Oliver has prepared Long Range Transportation Plans, Transit Development Plans, traffic impact analyses, School Master Plans, Parks Master Plans, Fire Station Master Plans, and other planning documents for local governments, and we understand the relationship between fees, master plans, and economic development and growth management goals. With this experience, we address differential needs and funding on a countywide vs. subarea basis; this combination of providing infrastructure planning and funding services is one of the unique capabilities we offer.

**Institutional Knowledge, Insight, and Outcomes** – Our knowledge and insight, as described in this section, provide our clients with informative outcomes relevant to their specific needs.

In summary, Tindale Oliver specializes in the development of impact fees and other funding methods and their successful implementation, as evidenced in our previous work for many jurisdictions in Florida and throughout the U.S., and illustrated throughout our proposal response.

## White & Smith, LLC (W&S)

Attorneys Mark White and Tyson Smith are unique in that both have advanced planning degrees in addition to their law degrees. W&S specializes in impact fee legal requirements and ordinance preparation and has extensive experience related to impact fees, including experience within Florida. The firm also provides high-quality plan implementation and urban planning strategies and tools for public and private sector clients. The firm has consistently demonstrated its ability to work with staff, the development community, citizen groups, and governing bodies to develop strategies and alternatives and achieve consensus. This involves preparing and leading committee workshops, charrettes, public meetings, and private focus groups.

## Quality Assurance/Quality Control

The Tindale Oliver Team has a reputation for completing projects on time while meeting or exceeding client expectations of quality. This is accomplished through the development of detailed tasks, time management practices, project staff meetings with assigned personnel, and regular communication with the client Project Manager.

To ensure that the study stays on schedule, the Tindale Oliver Team conducts weekly internal project meetings to communicate on the progress of projects to ensure that we continue to meet the project schedule.



In terms of communicating with Flagler County, in addition to the periodic meetings outlined under the Scope of Services, the Tindale Oliver Team will be in contact with County staff on a regular basis through phone conferences regarding any questions about the data, progress of the study, interim deliverables, and other related issues. In the past, Tindale Oliver has been consistently successful in keeping its clients informed of their study's progress.

## Conflict of Interest Statement

Tindale Oliver has no existing or potential conflicts of interest between the scope required by the County for this contract and our other business activities.

# Staffing and Project Organization

# 02



*Photo courtesy of [www.flaglercounty.org/departments/engineering](http://www.flaglercounty.org/departments/engineering)*



# STAFFING AND PROJECT ORGANIZATION

## Project Management Team

This section demonstrates the significant experience offered by Tindale Oliver's project management team proposed for this project. Individuals identified as Principal-in-Charge and Project Manager will not be altered without permission of the County.



**Nilgün Kamp, AICP, Principal/Director of Public Finance (Tindale Oliver, Tampa, FL)** will serve as the **Project Manager** for the Flagler County Impact Fee Update project. With 26 years of experience in conducting public infrastructure and finance studies, she has managed 250+ impact fee, user fee, assessment, and infrastructure planning studies. She offers significant experience with annual budgets, capital improvement programs, and project expenditures to develop or update the various fee components.

Nilgün has a master's degree in Economics from the University of South Florida and a Master of International Relations and Pacific Studies from the University of California in San Diego. She has served on the Board of Directors for the Growth and Infrastructure Consortium since 2013 and is a frequent presenter at this and other industry conferences.



**Steven A. Tindale, P.E., FAICP, Principal/President & Chief Executive Officer (Tindale Oliver, Tampa, FL)** will serve as the **Principal-in-Charge** for this project. With almost 50 years of professional experience, his primary work over the last 30 years has involved public infrastructure plans and finance studies and their implementation. He also has

written papers on fee methodologies and introduced new concepts. With his background as the Public Works Director for the City of Tampa, he has an in-depth understanding of operating budgets and capital infrastructure programs.

Steve offers expertise in public facilities planning and financing, capital budgeting, local government planning and engineering, and project implementation. His degrees include a BS in Engineering and an MBA, both from the University of South Florida.



**Tyson Smith, Esq., AICP, Subconsultant (W&S, Charleston, SC)** will provide **legal support and update the impact fee ordinance**. Tyson has a diversity of experience in local government and land use planning law, with particular focus on "facilities-based" growth management techniques, including impact fees, concurrency, adequate public facilities ordinances, and rate of growth ordinances.

Since 2003, he has worked with Tindale Oliver on several impact fee projects and will provide legal services for this project.

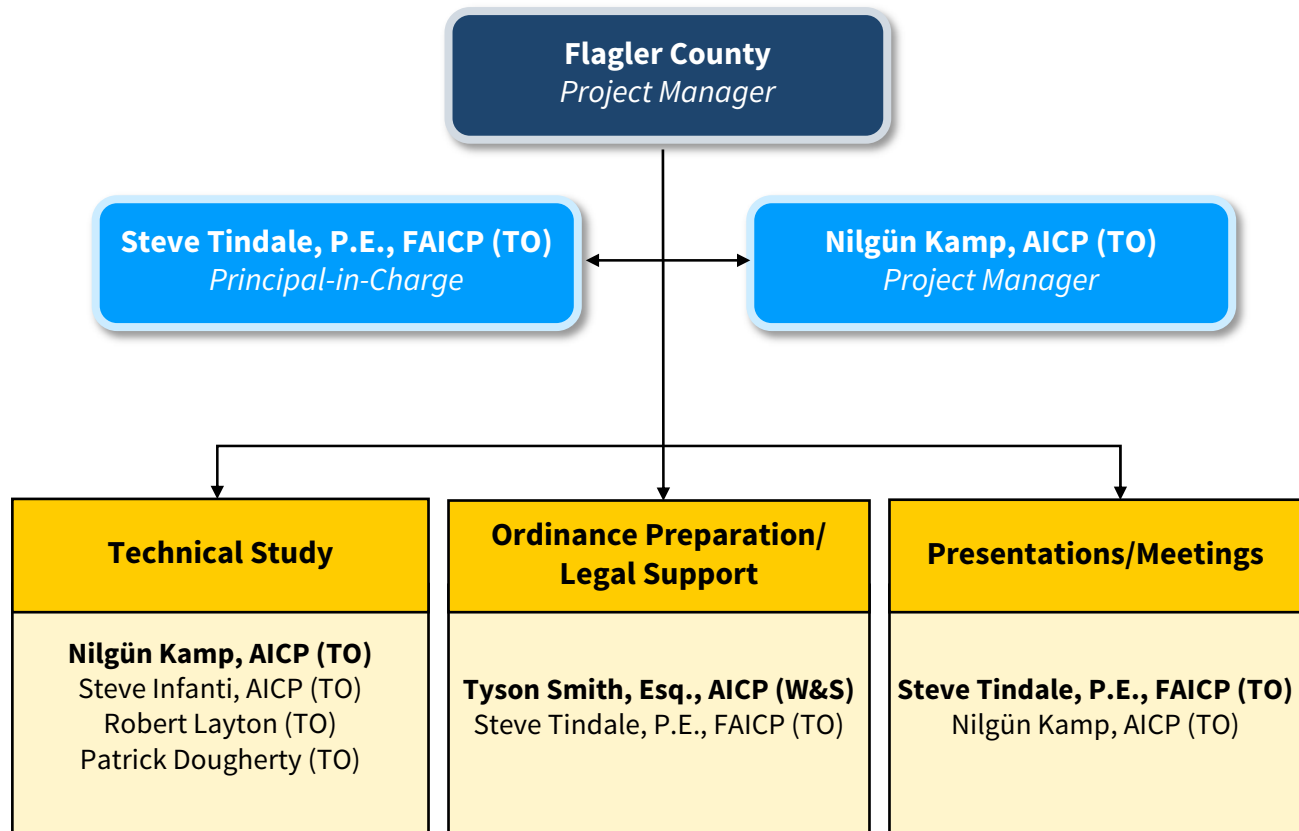
### Team Organization Chart and Resumes

The Tindale Oliver Team organization chart for this project is provided on the next page, followed by detailed resumes for all key personnel proposed for this project. These resumes provide additional information on the education, professional certifications and affiliations, experience, roles, and pertinent skill sets for all Tindale Oliver Team key staff.



# 2

## Flagler County Impact Fee Update Tindale Oliver Team Organization Chart



**TO** – Tindale Oliver

**W&S** – White & Smith, LLC

**Bold Names** indicate task leaders





### Office Location

Tampa, FL

### Education

- > MS, Business Administration/Management, University of South Florida (1976)
- > BS, Engineering, University of South Florida (1970)

### Years of Experience

50

### Years with Tindale Oliver

30

### Certifications

- > Florida P.E. #16434
- > AICP #14432

### Professional Affiliations

- > College of Fellows, American Institute of Certified Planners (AICP)
- > American Planning Association (APA)
- > American Public Works Association (APWA)
- > Institute of Transportation Engineers (ITE)
- > Urban Traffic Engineers Council (UTEC)

## Steve Tindale, P.E., FAICP

Principal/President and Chief Executive Officer

Role: Principal-in Charge

Steve's primary work activities over the last 50 years have involved public funding studies and implementation of related ordinances. He has been involved in the development of impact fees, assessments, and user fees for a variety of infrastructure types, including fire/EMS, schools, parks and recreation, law enforcement, libraries, solid waste, government buildings, and transportation. Prior to this, he was the Public Works Director for the City of Tampa. At this capacity, he worked with several departments, addressing operating and capital budgets and balancing revenues with the level of service provided. His involvement includes studies for the Cities of Oviedo, Bartow, Tampa, Lakeland, Parkland, Hallandale Beach, and Palm Beach Gardens, as well as Collier, Orange, Brevard, Broward, Palm Beach, Marion, Hernando and Charlotte counties. Steve introduced the concepts of "marginal costs" and "value added" to impact fee analysis. This was accomplished through the use of extensive database and spreadsheet analysis allowing sophisticated calculations to be made for complete systems and system improvements.

Furthermore, in 1991, Steve was awarded "Most Outstanding Paper" from the Planning Council of the Institute of Transportation Engineers for a paper entitled "Impact Fees—Issues, Concepts, and Approaches." He presented a paper entitled "Smart Growth" at the Impact Fee Symposium in Atlanta and regularly speaks at the Growth & Infrastructure Consortium (GIC, formerly known as National Impact Fee Roundtable).

### Representative Projects

#### Transportation/Mobility

- |   |   |
|---|---|
| > Citrus County (2019)  | > City of Palm Beach Gardens (2016)     |
| > Manatee County (2019)   | > Brevard County (1990, 1999, 2014)     |
| > Martin County (2019)  | > Palm Beach County (2014)              |
| > Hillsborough County (2016, 2019)                                | > Marion County (2014)                  |
| > City of Apopka (2019)   | > Pasco County (2001, 2006, 2013)       |
| > Indian River County (2013, 2019)                                | > Charlotte County (1997, 2013)         |
| > City of Lakeland (1991, 2008, 2014, 2019)                       | > Hernando County (2013)                |
| > City of Tampa (2007, 2014, 2018)                                | > City of Casselberry (2013)            |
| > Collier County (1999, 2002, 2005, 2008, 2009, 2010, 2013, 2018) | > Osceola County (2012)                 |
| > Sumter County (2008, 2014, 2018)                                | > City of Orlando (2012)                |
| > City of Mount Dora (2018)                                       | > City of North Port (2011)             |
| > City of Tamarac (2018)  | > Panama City (2008)                    |
| > City of Oviedo (2005, 2013, 2018)                               | > City of Helena, MT (2007, 2009)       |
| > City of Hallandale Beach (2018)                                 | > City of Haines City (2009)            |
| > Orange County (2013, 2017)                                      | > Leon County (2008)                    |
| > City of Bozeman, MT (2007, 2017)                                | > City of Ft. Pierce (2006)             |
| > St. Lucie County (2016)   | > Polk County (2005, 2009)              |
| > City of Sarasota (2013, 2016)                                   | > Lake County (2001, 2007)              |
| > City of St. Cloud (2003, 2006, 2016)                            | > Pinellas County (1990)                |
|   | > City of Plant City (1989, 2001, 2002) |

**Law Enforcement**

- > Citrus County (2019)
  - > Martin County (2019)
  - > Manatee County (2019)
  - > City of Lakeland (2006, 2009, 2014, 2019)
  - > City of Mount Dora (2018)
  - > City of Oviedo (2005, 2013, 2018)
  - > City of Hallandale Beach (2018)
  - > Orange County (2017)
  - > City of Palm Beach Gardens (2016)
  - > Collier County (2005, 2006, 2010, 2015)
  - > Palm Beach County (2014)
  - > Indian River County (2013)
  - > Charlotte County (2013)
  - > City of Tavares (2006)
  - > City of Casselberry (2013)
  - > City of North Port (2011)
  - > Panama City (2008)
  - > City of St. Pete Beach (2006, 2007)
  - > City of Tavares (2006)
  - > City of Plant City (1989, 2006)
- > City of Hollywood (2013)
  - > City of Palm Bay (2011)
  - > City of North Port (2011)
  - > City of Bartow (2010)
  - > Sumter County (2009)
  - > Panama City (2007-2008)
  - > City of St. Pete Beach (2006, 2007)
  - > St. Lucie County (2007)
  - > City of Tavares (2006)
  - > City of Plant City (1999, 2006)
- > Brevard County (1999, 2014)
  - > Collier County (1999, 2004, 2006, 2010, 2014)
  - > Palm Beach County (2014)
  - > Indian River County (2013)
  - > Charlotte County (2013)
  - > City of Parkland (2011)
  - > City of St. Pete Beach (2006, 2007)

**Parks and Recreation**

- > Citrus County (2019)
- > Martin County (2019)
- > Manatee County (2019)
- > Indian River County (2013, 2019)
- > City of Lakeland (2006, 2009, 2014, 2019)
- > Collier County (2009, 2013, 2018)
- > City of Mount Dora (2018)
- > City of Tamarac (2018)
- > City of Oviedo (2005, 2013, 2018)
- > City of Hallandale Beach (2018)
- > Orange County (2012, 2017)
- > Town of Wake Forest, NC (2017)
- > City of Palm Beach Gardens (2016)
- > City of Largo (2016)
- > Palm Beach County (2014)
- > Charlotte County (2013)
- > City of Casselberry (2013)
- > City of North Port (2011)
- > Panama City (2008)
- > City of St. Pete Beach (2006, 2007)
- > City of Ft. Pierce (2006)
- > City of Tavares (2006)
- > City of Deland (2004)
- > City of Plant City (1989, 2002)
- > Brevard County (1999)

**Government Buildings**

- > Citrus County (2019)
- > Martin County (2019)
- > City of Tamarac (2018)
- > City of Oviedo (2005, 2013, 2018)
- > City of Palm Beach Gardens (2016)
- > Collier County (2003, 2006, 2010, 2015)
- > Palm Beach County (2014)
- > Indian River County (2013)
- > Charlotte County (2013)
- > City of Parkland (2011)
- > City of North Port (2011)
- > City of Ft. Pierce (2006)
- > City of Deland (2004)

**Fire/EMS**

- > Citrus County (2019)
- > Manatee County (2019)
- > Martin County (2019)
- > City of Lakeland (2006, 2009, 2014, 2019)
- > City of Mount Dora (2018)
- > City of Oviedo (2005, 2013, 2018)
- > City of Hallandale Beach (2018)
- > City of Lauderdale Lakes (2018)
- > City of Bozeman, MT (2017)
- > Orange County (2013, 2017)
- > City of Palm Beach Gardens (2016)
- > Greater Naples Fire District (2015)
- > North Collier Fire District (2015)
- > Palm Beach County (2014)
- > Brevard County (2014)
- > Collier County (2005, 2010, 2014)
- > Indian River County (2013)
- > Charlotte County (2013)
- > City of Casselberry (2013)

**Public Library**

- > Citrus County (2019)
- > Martin County (2019)
- > Manatee County (2019)
- > City of Mount Dora (2018)
- > City of Lakeland (2014)



### Office Location

Tampa, FL

### Education

- > MA, Economics, University of South Florida (1995)
- > MA, International Relations & Pacific Studies, University of California San Diego (1992)
- > BA, Economics, University of California San Diego (1990)

### Years of Experience

26

### Years with Tindale Oliver

16

### Certifications

AICP #19238

### Professional Affiliations

- > American Planning Association (APA)
- > American Institute of Certified Planners (AICP)
- > Women's Transportation Seminar, President, Tampa Bay Chapter
- > Growth and Infrastructure Consortium, Board of Directors, Treasurer

## A. Nilgün Kamp, AICP

Principal/Director of Public Finance

Role: Project Manager

Nilgün has been involved in public infrastructure financing for over 26 years. She has served as the project manager for approximately 250 impact fee, assessment, and user fee development and implementation studies for transportation, fire, EMS, schools, law enforcement, correctional facilities, government buildings, solid waste, libraries, and parks and recreational facilities.

Her experience also includes demographic and travel behavior analysis, demographic and population projections for funding studies, travel behavior analysis, economic and fiscal impact studies, demand components, demand analysis, and other related assessment and impact fee support activities. She is regularly invited to make presentations at the industry conferences.

### Representative Projects

#### Transportation/Mobility

- > Citrus County (2019)
- > Manatee County (2019)
- > Martin County (2019)
- > Indian River County (2004, 2013, 2019)
- > Hillsborough County (2016, 2019)
- > City of Apopka (2019)
- > Sumter County (2008, 2014, 2018)
- > Collier County (2005, 2008, 2010, 2013, 2018)
- > City of Mount Dora (2018)
- > City of Tamarac (2018)
- > City of Oviedo (2005, 2013, 2018)
- > City of Hallandale Beach (2018)
- > Orange County (2013, 2017)
- > City of Bozeman, MT (2007, 2017)
- > St. Lucie County (2016)
- > City of Sarasota (2016)
- > City of St. Cloud (2003, 2006, 2016)
- > City of Palm Beach Gardens (2016)
- > Village of Royal Palm Beach (2016)
- > City of Tampa (2007, 2014)
- > Marion County (2014)
- > Palm Beach County (2014)
- > Brevard County (2014)
- > City of Lakeland (2008, 2014)
- > Charlotte County (2013)
- > Hernando County (2013)
- > City of Orlando (2012)
- > Osceola County (2011)
- > City of North Port (2011)
- > City of Haines City (2009)
- > Leon County (2008)
- > Panama City (2008)
- > City of Helena, MT (2007, 2009)
- > Lewis & Clark County, MT (2007, 2009)
- > Highlands County (2006)
- > City of Deltona (2006)
- > City of Ft. Pierce (2006)
- > Polk County (2005, 2009)
- > City of Palm Coast (2004)
- > City of Kissimmee (2003, 2006)
- > Pasco County (2006)
- > Lake County (2007)

#### Law Enforcement

- > Citrus County (2006, 2019)
- > Martin County (2019)
- > Manatee County (2019)
- > City of Mount Dora (2018)
- > City of Oviedo (2005, 2013, 2018)
- > City of Hallandale Beach (2018)
- > Orange County (2017)
- > City of Palm Beach Gardens (2016)
- > Collier County (2005, 2006, 2010, 2015)
- > Palm Beach County (2014)
- > City of Lakeland (2006, 2009, 2014)
- > Indian River County (2004, 2013)

- > City of Casselberry (2013)
- > City of North Port (2011)
- > Panama City (2008)
- > City of Helena, MT (2007)
- > Lewis & Clark County, MT (2007)
- > City of St. Pete Beach (2006, 2007)
- > Highlands County (2006)
- > City of Tavares (2006)
- > City of Fruitland Park (2005)
- > City of Deltona (2005)

#### **Fire/EMS**

- > Citrus County (2006, 2019)
- > Martin County (2019)
- > Manatee County (2019)
- > North Collier Fire District (2015, 2019)
- > City of Lakeland (2006, 2009, 2014, 2019)
- > City of Lake City (2008, 2009, 2014, 2019)
- > Lake County (2007, 2011, 2013, 2019)
- > Collier County (2005, 2010, 2014, 2018)
- > City of Mount Dora (2018)
- > City of Lauderdale Lakes (2018)
- > City of Hallandale Beach (2018)
- > City of Oviedo (2005, 2013, 2018)
- > Orange County (2005, 2013, 2017)
- > City of Bozeman, MT (2017)
- > City of Palm Beach Gardens (2016)
- > Greater Naples Fire District (2015)
- > Brevard County (2014)
- > Palm Beach County (2014)
- > Indian River County (2004, 2013)
- > City of Casselberry (2013)
- > City of Hollywood (2013)
- > Columbia County (2013)
- > City of North Port (2011)
- > City of Palm Bay (2011)
- > City of Helena, MT (2007, 2009)
- > Sumter County (2009)
- > Lewis & Clark County, MT (2007, 2009)

- > Volusia County (2008)
- > Panama City (2007-2008)
- > St. Lucie County (2007)
- > City of St. Pete Beach (2006, 2007)
- > City of Tavares (2006)
- > Highlands County (2006)
- > City of Plant City (2006)
- > City of Deltona (2005)

#### **Parks and Recreation**

- > Citrus County (2006, 2019)
- > Martin County (2019)
- > Manatee County (2019)
- > Indian River County (2004, 2013, 2019)
- > Collier County (2009, 2013, 2018)
- > City of Mount Dora (2018)
- > City of Tamarac (2018)
- > City of Hallandale Beach (2018)
- > City of Oviedo (2005, 2013, 2018)
- > Town of Wake Forest, NC (2017)
- > Orange County (2004, 2012, 2017)
- > Village of Royal Palm Beach (2017)
- > City of Largo (2016)
- > Palm Beach County (2014)
- > Brevard County (2014)
- > City of Casselberry (2013)
- > City of North Port (2011)
- > Volusia County (2008)
- > Panama City (2008)
- > Lake County (2007)
- > City of Helena, MT (2007, 2009)
- > Lewis & Clark County, MT (2007, 2009)
- > City of Kissimmee (2007)
- > City of St. Pete Beach (2006, 2007)
- > City of Ft. Pierce (2006)
- > City of Tavares (2006)
- > City of Apopka (2006)
- > City of DeBary (2006)
- > Highlands County (2006)
- > City of Deltona (2005)

#### **Public Libraries**

- > Citrus County (2019)
- > Martin County (2019)
- > Manatee County (2019)
- > Citrus County (2006, 2019)
- > City of Lakeland (2014, 2019)
- > City of Mount Dora (2018)
- > Brevard County (2014)
- > Palm Beach County (2014)
- > Collier County (2004, 2006, 2010, 2014)
- > Indian River County (2004, 2013)
- > City of Parkland (2011)
- > Lake County (2007)
- > Highlands County (2006)
- > City of St. Pete Beach (2006, 2007)

#### **Government Buildings**

- > Citrus County (2003, 2006, 2019)
- > Martin County (2019)
- > City of Tamarac (2018)
- > City of Oviedo (2005, 2013, 2018)
- > Village of Royal Palm Beach (2017)
- > City of Palm Beach Gardens (2016)
- > Palm Beach County (2014)
- > Collier County (2003, 2006, 2010, 2015)
- > Indian River County (2004, 2013)
- > City of Parkland (2011)
- > City of North Port (2011)
- > Highlands County (2006)
- > City of DeBary (2006)
- > City of Ft. Pierce (2006)
- > City of Deland (2004)
- > City of Deltona (2004)
- > City of Inverness (2004)





## E. Tyson Smith, Esq., AICP

### White & Smith Planning and Law Group

255 King Street  
Charleston, South Carolina 29401  
(843) 937-0201  
tsmith@planningandlaw.com  
www.planningandlaw.com



*Role: Ordinance Preparation and Legal Support*

## BACKGROUND

Tyson Smith has been working in local government law and land use planning since 1992, first, as an in-house planner and, since 2000, as a planning consultant and attorney. Mr. Smith has served over fifty jurisdictions around the country on matters related to impact fees and other public facility tools, including concurrency/APF, tax increment financing, development agreements, and exactions. Mr. Smith is the former chairman of the board for the Growth & Infrastructure Consortium. Mr. Smith also is certified mediator (SC) and holds law licenses in Florida and South Carolina.

## RECENT IMPACT FEE CLIENTS

**Florida:** Apopka, Aventura, Casselberry, Citrus County, Brevard County, Collier County, Coral Springs, Deltona, Escambia County, Flagler County, Ft. Pierce, Hernando County, Hillsborough County, Indian River County, Inverness, Kissimmee, Lakeland, Manatee County, Marion County, Orange County, Orlando, Osceola County, Oviedo, Palm Beach County, Palm Coast, Panama City, Pasco County, Sarasota, Sarasota County, St. Johns County, St. Lucie County, and Tavares.

**Nationwide:** Washoe County (Reno, NV), Nye County (NV), Missoula (MT), Bozeman (MT), Georgetown County (SC), Aiken County (SC), Anderson County (SC), Cheyenne (WY), Helena (MT), Queen Anne's County (MD), Sunbury (OH), Delaware (OH), Fairfield (OH), Garden City (GA), Cary (NC), Salt River Pima Indian Community, Avondale (AZ), Flagstaff (AZ), Queen Creek (AZ), Maricopa County (AZ), Goodyear (AZ), Yuma (AZ).

## EDUCATION BACKGROUND

- > Juris Doctor, University of Florida (2000)
- > Master of Arts (Urban and Regional Planning), University of Florida (1995)
- > Bachelor of Arts (Economics), University of North Carolina at Chapel Hill (1991)

## EXPERT WITNESS

For Monroe County, Guitierrez v. Florida Department of Community Affairs and Monroe County, DCA 07-OR-263; June 2008.

## SPEAKING ENGAGEMENTS & KEYNOTES

- > The U.S. Supreme Court Decision in Koontz: What it means for Planners, Growth and Infrastructure Consortium, Phoenix, AZ (October 2013)
- > Koontz v. St. Johns River Water Management District: A Legal Analysis, South Carolina Chapter of the American Planning Association, Greenville, SC (October 2013)

## AFFILIATIONS

- > **Member**, Growth and Infrastructure Consortium, Board of Directors
- > **Member**, Mediation and Meeting Center of Charleston
- > **Member**, American Planning Association
- > **Member**, Institute of Municipal Lawyers Association

## LICENSES AND CERTIFICATIONS

- > **Member**, American Institute of Certified Planners
- > **Member**, South Carolina Bar
- > **Member**, Florida Bar
- > **Certified**, Family Court Mediator (SC)
- > **Certified**, Civil Court Mediator (SC)



**Office Location**

Tampa, FL

**Education**

BA, Economics/Business  
Administration, University of  
Florida (2007)

**Years of Experience**

12

**Years with Tindale Oliver**

12

**Professional Affiliations**

American Planning Association  
(APA)

**Robert Layton**

Project Manager/Planner

*Role: Project Planner*

Robert joined Tindale Oliver in 2007 and has since been involved primarily in public finance studies, including impact fee and assessment studies for fire, EMS, schools, law enforcement, correctional facilities, government buildings, transportation, solid waste, libraries, and parks and recreational facilities. His background in economics enables him to work effectively with economic/demographic variables, capital improvement programs, expenditure and revenue figures, and other financial material.

He also has an extensive experience with property appraiser databases. Robert also has been involved in the preparation of administrative manuals for several jurisdictions.

**Representative Projects****Impact Fees/Mobility**

- > Sumter County (2008, 2014, 2018)
- > City of Mount Dora (2018)
- > City of Tamarac (2018)
- > City of Apopka (2018)
- > City of Oviedo (2005, 2013, 2018)
- > City of Hallandale Beach (2018)
- > Orange County (2013, 2017)
- > City of Bozeman, MT (2007, 2017)
- > St. Lucie County (2016)
- > City of Sarasota (2016)
- > City of St. Cloud (2016)
- > Hillsborough County (2016)
- > City of Palm Beach Gardens (2016)
- > Village of Royal Palm Beach (2016)
- > City of Tampa (2007, 2014)
- > Marion County (2014)
- > Palm Beach County (2014)
- > Brevard County (2014)
- > City of Lakeland (2008, 2014)
- > Charlotte County (2013)
- > Collier County (2008, 2010, 2013)
- > Hernando County (2013)
- > Indian River County (2004, 2013)
- > City of Orlando (2012)
- > Osceola County (2011)
- > City of North Port (2011)
- > City of Haines City (2009)
- > Leon County (2008)
- > Panama City (2008)

**Other Studies**

- > Orange County Fiscal Sustainability Study (2015)
- > City of Bartow Financial Services (2014)
- > Orange County Alternative Road Impact Fee Studies (2007 - 2010)



### Office Location

Tampa, FL

### Education

BA, Geography, Laurentian University (1994)

### Years of Experience

16

### Years with Tindale Oliver

5

### Certifications

- > AICP #022648
- > GIS Applications Specialist Graduate Certificate

### Professional Affiliations

- > American Planning Association, American Institute of Certified Planners
- > Florida Statewide Modeling Taskforce
- > Tampa Bay Transportation Applications Group

## Steve Infanti, AICP

Assistant Project Manager/Senior Planner

Role: *Transportation Modeling*

Steve is a certified planning professional with experience in Transportation Planning and GIS applications including travel demand modeling using Cube Voyager models and mapping, geodatabase design and geospatial analysis using ESRI ArcGIS. He has conducted numerous traffic impact studies, general traffic analysis, freight corridor screenings, crash data analysis and other similar projects.

### Representative Projects

#### *Transportation Modeling for Impact Fee Studies*

- > Collier County Impact Fee Studies (Ongoing)
- > City of Oviedo (2013, 2018)
- > City of Hallandale Beach (2018)
- > City of Bozeman, MT (2017-2018)
- > Pasco County MPO Mobility Fee Update Study (2015)
- > Pasco County Mobility Fee Update (2015)
- > Palm Beach County Impact Fee Update (2014)
- > City of Lakeland Impact Fee Update (2014)
- > City of Lakeland Fire, Law Enforcement, and Parks Impact Fee Update (2014)
- > Indian River County Impact Fee Update (2013)

#### *Travel Demand Modeling*

- > Collier County MPO 2040 Long Range Transportation Plan Amendment (2017-2018)
- > Sarasota County Evaluation of Proposed Amendment to Thoroughfare Plan (2016)
- > Pasco County Ridge Road Extension (2013)

#### *Traffic Impact Analysis*

- > Marco Island Marriott Redevelopment (2014)
- > One Palm, Mixed-use (2014)
- > Due Diligence Reports, various locations (2013, 2014)

#### *Corridor Studies and Freight Corridor Screening*

- > Broward County MPO SR 7 Multimodal Corridor Study (2016)

#### *GIS Analysis, Mapping and Development*

- > St. Lucie TPO LRTP Update (2015)
- > Hernando/Citrus MPO 2040 LRTP Update (2014)
- > Pasco County MPO 2040 LRTP Update (2014)
- > Ocala/Marion County TPO Transportation Data Update (2013)

#### *Transportation Data Analysis and Database Update*

- > Ocala/Marion County TPO vTIMAS Update (2014, 2015)
- > Hernando County MPO vTIMAS Update (2014)
- > Volusia Concurrency Data Management Tool (CDMT) Update (2013)
- > St. Lucie TPO Traffic Data Management System Update (2013)



### Office Location

Tampa, FL

### Education

- > Masters of Urban and Regional Planning, The University of South Florida (2016)
- > BS, Human Geography/GIS, The Pennsylvania State University (2014)

### Years of Experience

5

### Years with Tindale Oliver

5

### Professional Affiliations

American Planning Association (APA)

## Patrick Dougherty

Planner

Role: Planner/GIS Support

Patrick is a Planner on Tindale Oliver's Community Planning & Design Team. With a background in human geography, GIS and spatial analysis, he is experienced in visualizing and analyzing data for an array of projects. He has gained experience working in both community and transportation planning projects.

### Representative Projects

#### Public Finance Planning

- > Collier County Impact Fee Updates (Ongoing)
- > City of Sarasota Multimodal Impact Fee Discount Analysis (Ongoing)
- > City of Hallandale Beach Financial Study (2017-2018)
- > Broward County Schools Student Generation Rate/School Impact Fee (2017-2018)
- > Hillsborough County Schools Long Range Plan (2017)
- > City of Palm Beach Gardens Impact Fee Study (2015-2016)
- > Sarasota County Schools Long Range Plan (2015)
- > Naples Fire Department - Impact Fee Update (2015)
- > North Collier Fire District - Impact Fee Update (2015)

#### Community/CRA Planning

- > Collier County Bayshore CRA (Ongoing)
- > Ft. Walton Beach CRA (2017-2018)
- > Port St. Lucie Neighborhood Plans (2014-2018)
- > Ft. Lauderdale Uptown Village LUPA and Form Based Code (2016-2017)
- > Longboat Key Town Center Master Plan and Overlay (2014-2015)
- > Lakeland East Main Street Economic Development Strategic Action Plan (2014-2015)

#### Transit/Transportation Planning

- > Hernando/Citrus Long Range Transportation Plan (2014-2016)
- > Hillsborough MPO - Mobility Fee Study (2015-2016)
- > Pasco MPO Long Range Transportation Plan (2014)
- > Charlotte MPO Long Range Transportation Plan (2014)
- > FDOT- Pedestrian and Bicycle Strategic Safety Plan (2015)

#### Parks, Recreation and Trail Planning

- > Lake County Parks and Trails Master Plan (2016-2017)
- > Haines City Parks and Recreation Master Plan (2016)
- > St. Cloud Citywide Trails Master Plan (2016)
- > Casselberry Parks and Recreation Master Plan (2016)
- > Hillsborough MPO - Greenways and Trails Master Plan Update (2016)
- > Hernando/Citrus MPO—Good Neighbor Trail Extension Feasibility Study (2015-2016)

# Work Plan/ Technical Approach

# 03

Tab 3



Photo courtesy of [www.facebook.com/FlaglerCountyGovernment/photos](https://www.facebook.com/FlaglerCountyGovernment/photos)



# WORK PLAN/ TECHNICAL APPROACH

## Background/Understanding

Located on the northeast coast of Florida, between Daytona Beach and St. Augustine, Flagler County has a population of approximately 107,500 within a 570-square mile area. The County has five municipalities. Of these, the City Palm Coast houses approximately 80% of the county population, while the City of Bunnell (county seat) has the largest land mass. The population in unincorporated county is approximately 15,000 or 15% of the county population.

As shown in Figure 1 on the next page, the County experienced an average annual population growth rate of almost 9% between 2000 and 2007. Within the unincorporated county, this growth rate was 6.5% per year during the same time frame. Unlike many other communities, this growth rate continued countywide, although at a lower rate, during the economic downturn between 2008 and 2014. During the same period, the unincorporated county area experienced a decrease in population. Since then, the population growth rate has reached over 2% per year, reflecting the recent recovery.

Similar to population growth trends, taxable value per capita in Flagler County increased at an average rate of 14% per year between 2000 and 2007. Between 2007 and 2013, the tax base per capita declined. Over the past five years, the tax base started to increase again at an average annual rate of 5%. In the 2018-19 budget year, the County's adopted millage reached 8.34 mils. This budget resulted in a decline in capital expenditures and the County's Capital Improvement Plan being funded primarily with state and federal grants. Other local revenue sources used for CIP funding include the 1/2-cent discretionary sales tax, gas taxes, and the General Fund. Fluctuations in property tax revenues, shown in Figure 2 on the next page, along with population growth make it important for local governments to use alternative revenue sources for government services.

To address infrastructure cost due to new growth, Flagler County implemented impact fees in three service areas:

- > Transportation
- > Parks
- > Schools

Of these, transportation impact fees are currently suspended. At this time, the County is interested in updating transportation and parks impact fees, as well as developing impact fees for five additional service areas, including:

- > Libraries
- > Fire Rescue
- > Emergency Medical Services (EMS)
- > Law Enforcement
- > Public Buildings

The Tindale Oliver Team includes planners, engineers, economists, and attorneys and has in-depth experience in impact fee studies, alternative funding and planning studies. We understand the different methodologies available to the County and have published articles about



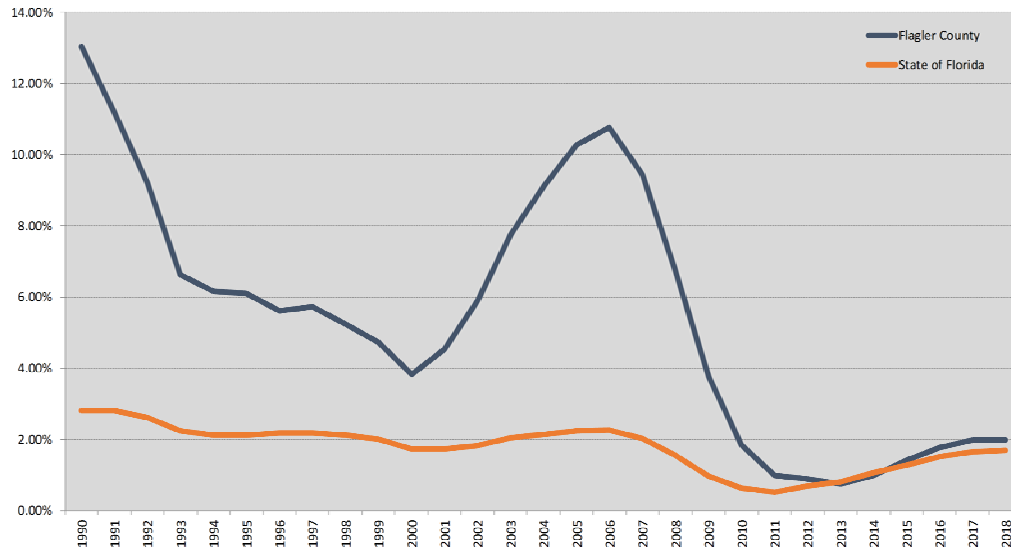


these options. In addition, Tindale Oliver staff have prepared Long Range Transportation Plans (L RTPs), Transit Development Plans (TDPs), and School, Parks, and Fire Master Plans, and we understand the relationship between impact fees, master plans, and economic development and growth management goals. Tindale Oliver also prepared the most recent update to the County's transportation impact fee study, and Steve Tindale, Principal-in-Charge for this project, was

involved with the 1988 impact fee study for Flagler County while employed with Kimley-Horn, prior to starting Tindale Oliver. As such, we are familiar with the County's impact fee structure.

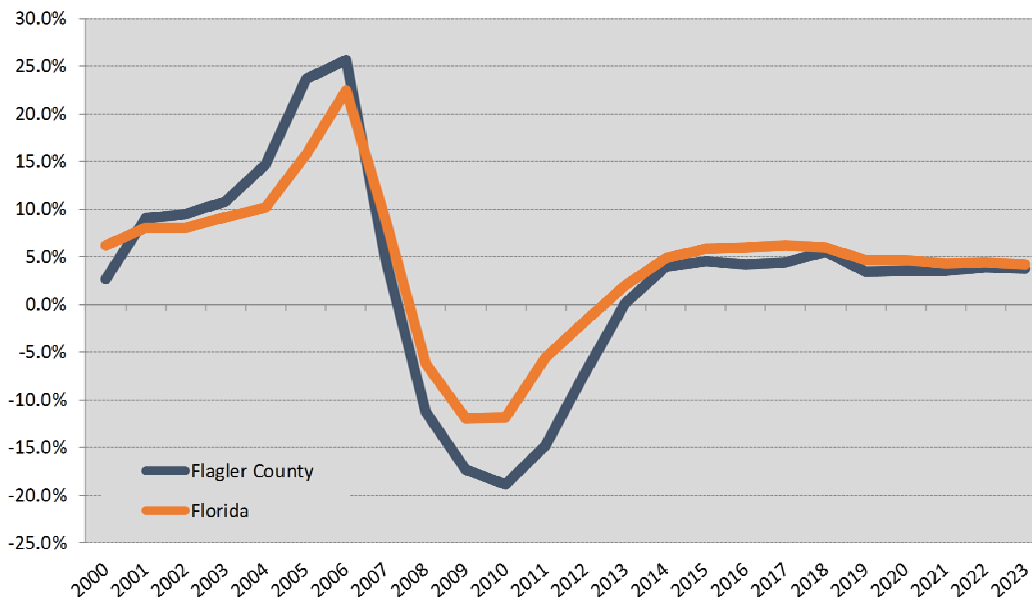
We are a Florida-based firm and, through our ongoing impact fee work for multiple Florida jurisdictions, have a strong understanding of current issues Florida jurisdictions are facing in relation to their impact fee programs. We continuously and closely track legal

**Figure 1: Annual Population Growth Rate, 2000–2018 (3-Year Running Average)**



Source: BEBR, Volume 52, Bulletin 183, April 2019

**Figure 2: Taxable Value per Capita Growth Rate**



Source: Florida Property Valuations and Tax Databook

changes and will incorporate all legal requirements in the impact fee calculations.

In addition, our impact fee studies include methodologies to assist local governments with their economic development and growth management goals. For example, one of the goals included in the Flagler County's Strategic Plan is the diversification of the tax base and an increase in the commercial and industrial tax base. At this time, approximately 90% of the County's tax base consists of residential land uses. Tindale Oliver has developed Economic Growth strategies for impact fees, which allow local governments to provide impact fee reductions to targeted land uses and/or targeted geographic areas. Given the lack of diversity in the tax base, we feel this approach could be very beneficial to the County in attracting targeted non-residential land uses.

## Project Approach

This scope of services to prepare an impact fee study is organized into four major tasks: project organization/background review/data collection, technical analysis to develop fees for the seven program areas, a technical report, and meetings/presentations. The work plan for each of the four major tasks is presented in the remainder of this section.

## Scope of Services

### TASK 1: Project Organization, Data Collection and Analysis

Upon receipt of the Notice to Proceed, Tindale Oliver, in coordination with the County, will collect specific studies, data, previous current policies and procedures, and other related information necessary to complete the study. Some data items that will be collected include:

- > Capital asset inventories for each service area.
- > Actual costs of construction and right-of-way acquisitions for roadway projects completed over the past five years, as well as ongoing projects.
- > Recent construction project costs, recent bids, and land purchases/appraisals for each service area.
- > Non-impact fee funding sources and levels used for each infrastructure included in the study.

Tindale Oliver will facilitate a kick-off meeting with key County staff to review the data needs and data items received; identify and discuss major technical, legal, and policy issues; coordinate staff/Tindale Oliver responsibilities; and refine the project schedule as necessary. Some of the technical and policy issues that will be discussed include the following:

- > Role of impact fees in funding infrastructure in Flagler County and level of flexibility needed to meet the County's goals.
- > Alternative funding available for each service area.
- > Establishment of needs in terms of future projects.
- > Any administrative or implementation related issues/concerns.

At the conclusion of the task, Tindale Oliver will prepare a memorandum summarizing the organizational framework for the project and listing additional data that needs to be provided by the County. The Project Organization Memorandum will be delivered to the County's project manager within two weeks of the organizational meeting.

### ***Deliverables: Project Organization/Kick-off Meeting and Project Organization Memorandum***

### TASK 2: Impact Fee Technical Analysis

This task addresses the development of the seven impact fee program areas, which will reflect the capital costs of providing infrastructure in each program area in Flagler County. This work effort includes the review of the inventory of existing facilities; preparation of a demand component; a review of the construction, land, right-of-way, vehicle, equipment, and other related costs; and credits.

#### Subtask 2.1 – Inventory of Existing and Planned Facilities

As noted, the County will provide an inventory of the seven infrastructure types within the county, as well as planned facilities:

- > Roadway inventory includes all non-local classified roadways in the County.
- > Fire rescue, EMS, and law enforcement facility inventories include stations and other buildings, vehicles, and equipment.
- > Public buildings inventory includes general government buildings and other support facilities.
- > Parks inventory includes park land and recreational facilities, such as baseball/softball fields, tennis courts, playgrounds, etc.
- > Library impact fee inventory will include all libraries (buildings and land) as well as library materials and equipment.

A summary of capital asset inventory for each program area will be incorporated into the technical report.

#### Subtask 2.2 – Level of Service Analysis

Tindale Oliver will document the County's current, achieved level of service (LOS) and adopted LOS

standards in the Comprehensive Plan, Capital Improvement Program, and other similar documents, as available. This will determine the appropriate LOS that can be used in the impact fee calculations. In addition, a comparison of achieved LOS and adopted LOS standards to those in other Florida counties will also be provided.

### Subtask 2.3 – Demand Component

Tindale Oliver will calculate the demand component for each impact fee program area. In the case of transportation, demand is measured in terms of vehicle miles of travel (VMT). Tindale Oliver has an extensive database that includes trip characteristics studies for more than 40 land uses. The demand component will be updated based on secondary data sources, such as the latest ITE *Trip Generation Handbook (10th Ed.)*, Tindale Oliver's trip characteristics database, and any alternative studies that may have been conducted in Flagler County. The latest ITE handbook, published in 2017, includes significant changes for a large number of land uses, and it will be important to incorporate these recent data in the County's impact fee calculations.

Parks & recreation and library impact fees typically are charged to residential land uses only, and demand is measured in terms of population per housing unit. This information will be obtained from the American Community Survey.

Tindale Oliver typically uses functional population for law enforcement, fire rescue, EMS, and public buildings impact fees. Functional population measures the benefit to each land use based on the presence of people at that land use throughout the day. In other words, land uses are charged for the availability of these services based on full-time equivalent persons present at each land use throughout the day. We have also used, and are very familiar with, an incident-based approach for fire rescue, EMS and law enforcement fees, and will discuss both approaches with the County.

Finally, as part of this task, land uses included in the County's impact fee schedules will be reviewed and discussed with the County to determine if changes are necessary.

This work effort will be documented in the technical report.

### Subtask 2.5 – Cost Component

The cost component for each impact fee program area will be calculated to reflect the current cost of adding capacity in Flagler County. Cost elements reviewed will include design and engineering inspection, construction, right-of-way, land purchase, vehicle/equipment purchase, and other related costs. Tindale Oliver will review the Capital Improvement Programs, Long Range Transportation Plan, the Capital Improvement Element

of the Comprehensive Plan, the Capital Improvement Plan and Master Plan (as available), annual budgets/reports, recent bids, recently-completed local projects (past five years), recent land/right-of-way purchases or appraisals, and other relevant documents to identify capital service facility system improvement costs that may be considered in the calculation of the cost component of the impact fee formula for the County.

**This information will be compared to and/or supplemented with Tindale Oliver's cost databases that include information from other Florida jurisdictions.**

### Subtask 2.6 – Credit Component

Tindale Oliver will review historical and projected capital improvement funding sources and expenditures for land, construction, design and engineering inspection and other related costs in Flagler County. These may include fuel tax, local option sales tax, ad valorem tax, grants, and other non-impact fee funding. Debt service for any bond proceeds used for capacity expansion projects will be reviewed and documented as appropriate. These calculations will reflect any recent and/or anticipated changes in how the capital assets are funded.

This information will be used to prepare the credit component of the impact fee formula and will be documented in the technical report.

### Subtask 2.7 – Fee Schedules and Draft Technical Report

Based on the analysis conducted in Tasks 1 and 2, Tindale Oliver will develop fee schedules and prepare a draft technical report, which will be submitted to the County for review. The technical report will include all information, estimates, projections, and data analysis, as well as any assumptions made and methodologies employed to complete these tasks. In addition, calculated fees will be compared to fees charged by other counties in the region.

**Deliverable: Staff Review Draft Impact Fee Study**

## TASK 3: Final Study/Ordinance

Following receipt of staff comments, Tindale Oliver will make appropriate changes to the study and prepare a public review draft.

White & Smith will make the recommended changes to the County's current impact fee ordinance as needed for the implementation of updated fees. These changes will incorporate recent legislative changes. Following receipt of staff comments, appropriate changes will be made to the proposed ordinance/agreement.

The final draft, including all supporting spreadsheets, will be delivered to the County in electronic format.

**Deliverables: Impact Fee Study (public review and final drafts)**

**Ordinance & Interlocal Amendments (staff review, public review and final drafts)**

#### TASK 4: Meetings and Presentations

As part of this study, the following meetings and presentations will be conducted:

- > Kick-off/organizational meeting with County staff.
- > Draft report review meeting with County staff.
- > Additional meetings with advisory committees and BOCC (up to eight meetings).

For all presentations, Tindale Oliver will prepare user-friendly, easy-to-follow materials in PowerPoint and provide drafts to County staff for review prior to the each meeting/presentation.

In addition to these formal meetings, Tindale Oliver will be in close contact with the County's Project Manager to ensure that the County is aware of the study's progress.

**Deliverables: On-site meetings (up to 10 person days)**

### Staff Communication

The Tindale Oliver Team has a reputation for completing projects on time while meeting or exceeding our clients' expectations of quality. This is accomplished through the development of detailed tasks, time management practices, project staff meetings with assigned personnel, and regular communication with each client project manager.

The daily tasks and communication for this project will be conducted by Project Manager Nilgün Kamp. As Principal-in-Charge, Steve Tindale will provide the overall direction of the study, review calculations and reports, and attend meetings and presentations. Other staff will provide support for daily tasks, and Tyson Smith (W&S) will provide legal guidance.

To ensure that the study stays on budget and schedule, we will conduct weekly internal project meetings to discuss the progress of this project to ensure that we continue to meet the project schedule and do not exceed the budget.

As noted, in addition to the project meetings outlined in Task 4 of our approach, the Tindale Oliver Team will be in contact with County staff on a regular basis through phone conferences regarding any questions about data, the progress of the study, and other related issues.

#### Flagler County Impact Fee Update Study Tindale Oliver Proposed Project Schedule

Task Description	Time Frame
Receipt of Signed Contract	October 3, 2019
Submittal of Data Needs Memo	October 7, 2019
Kick-off Meeting	Week of October 14, 2019
Receipt of All Requested Data	November 29, 2019
Technical Study	October, 2019-June, 2020
Submittal of Draft Technical Report	March 24, 2020
Staff Meeting to Review Draft Report	Week of April 6, 2020
Staff/Public Meetings	April-June, 2020
Submittal of the Final Report	Two weeks after receipt of all comments
Submittal of Draft Ordinance	May 8, 2020
Submittal of Final Ordinance	One week after receipt of all comments
Adoption Hearing	June/July, 2020

### Project Schedule

Tindale Oliver's proposed project timeline is provided in the table above. Upon receipt of the contract, this schedule will be reviewed with the County's Project Manager and, if needed, will be modified to better accommodate the County's needs. With a dedicated Public Finance Group and other staff experienced in public finance-related analyses, Tindale Oliver has the necessary resources to meet most desired time frames and still provide a high-quality product.

To confirm that the study stays on schedule, Tindale Oliver will conduct weekly internal project meetings to communicate on the progress of this project to ensure that we continue to meet the schedule agreed to by the Flagler County.



# Fee Proposal

# 04



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# FEE PROPOSAL

## Proposed Fee

The professional fees and expenses associated with the Impact Fee Update Study for Flagler County are estimated at \$149,910.

This is a lump sum budget which includes all services and necessary travel for up to 10 meetings, and the County will be invoiced monthly for the portion of the work completed.

A detailed breakdown of the budget is included on the following pages. Tindale Oliver will be happy to respond to any questions from County staff to clarify our proposed cost and/or provide additional information as necessary.



**Flagler County Impact Fee Update Study  
Tindale Oliver Proposed Project Budget**

SUB TASK #	SUBTASK DESCRIPTION	Project Director \$250.00	Project Manager \$175.00	Legal Attorney \$210.00	Senior Eng/Pln \$160.00	Planner/ Engineer \$120.00	Sr Planning/ GIS Tech \$100.00	Admin/ Clerical \$65.00	TOTAL TASK HOURS	BURDENED COST/ TASK
<b>TASK 1</b>	<b>PROJECT ORGANIZATION, DATA COLLECTION AND REVIEW</b>	<b>12.0</b>	<b>18.0</b>	<b>0.0</b>	<b>9.0</b>	<b>3.0</b>	<b>0.0</b>	<b>1.0</b>	<b>43.0</b>	<b>\$8,015</b>
1.1	Send Data Request Memorandum		2.0		1.0			1.0	4.0	\$575
1.2	Review Background Materials & Data Received	2.0	4.0		3.0	1.0			10.0	\$1,800
1.3	Project Organization Meeting	8.0	8.0		3.0				19.0	\$3,880
1.4	Project Organization Memorandum	2.0	4.0		2.0	2.0			10.0	\$1,760
<b>TASK 2</b>	<b>IMPACT FEE TECHNICAL ANALYSIS</b>	<b>38.0</b>	<b>134.0</b>	<b>0.0</b>	<b>191.0</b>	<b>189.0</b>	<b>21.0</b>	<b>7.0</b>	<b>580.0</b>	<b>\$88,745</b>
<b>2.A</b>	<b>UPDATE TRANSPORTATION IMPACT FEE</b>	<b>14.0</b>	<b>33.0</b>	<b>0.0</b>	<b>61.0</b>	<b>42.0</b>	<b>9.0</b>	<b>1.0</b>	<b>160.0</b>	<b>\$25,040</b>
2.A1	Inventory/LOS	2.0	5.0		11.0	9.0		1.0	28.0	\$4,280
2.A2	Cost Component	4.0	8.0		15.0	12.0	3.0		42.0	\$6,540
2.A3	Credit Component	2.0	8.0		14.0	12.0	2.0		38.0	\$5,780
2.A4	Demand Component	2.0	6.0		13.0	3.0			24.0	\$3,990
2.A5	Benefit District Analysis	4.0	6.0		8.0	6.0	4.0		28.0	\$4,450
<b>2.B</b>	<b>UPDATE PARKS IMPACT FEE</b>	<b>4.0</b>	<b>20.0</b>	<b>0.0</b>	<b>29.0</b>	<b>22.0</b>	<b>3.0</b>	<b>1.0</b>	<b>79.0</b>	<b>\$12,145</b>
2.B1	Inventory/LOS	1.0	6.0		9.0	6.0		1.0	23.0	\$3,525
2.B2	Cost Component	1.0	7.0		11.0	9.0	3.0		31.0	\$4,615
2.B3	Credit Component	1.0	5.0		6.0	5.0			17.0	\$2,685
2.B4	Demand Component	1.0	2.0		3.0	2.0			8.0	\$1,320
<b>2.C</b>	<b>DEVELOP PUBLIC BUILDINGS IMPACT FEE</b>	<b>4.0</b>	<b>17.0</b>	<b>0.0</b>	<b>20.0</b>	<b>26.0</b>	<b>2.0</b>	<b>1.0</b>	<b>70.0</b>	<b>\$10,560</b>
2.C1	Inventory/LOS	1.0	5.0		6.0	7.0		1.0	20.0	\$2,990
2.C2	Cost Component	1.0	6.0		6.0	7.0	2.0		22.0	\$3,300
2.C3	Credit Component	1.0	3.0		5.0	6.0			15.0	\$2,295
2.C4	Demand Component	1.0	3.0		3.0	6.0			13.0	\$1,975
<b>2.D</b>	<b>DEVELOP LAW ENFORCEMENT IMPACT FEE</b>	<b>4.0</b>	<b>15.0</b>	<b>0.0</b>	<b>24.0</b>	<b>23.0</b>	<b>3.0</b>	<b>1.0</b>	<b>70.0</b>	<b>\$10,590</b>
2.D1	Inventory/LOS	1.0	3.0		5.0	8.0	1.0	1.0	19.0	\$2,700
2.D2	Cost Component	1.0	6.0		7.0	5.0	2.0		21.0	\$3,220
2.D3	Credit Component	1.0	3.0		6.0	4.0			14.0	\$2,215
2.D4	Demand Component	1.0	3.0		6.0	6.0			16.0	\$2,455



**Flagler County Impact Fee Update Study  
Tindale Oliver Proposed Project Budget (Continued)**

SUB TASK #	SUBTASK DESCRIPTION	Project Director \$250.00	Project Manager \$175.00	Legal Attorney \$210.00	Senior Eng/Pln \$160.00	Planner/ Engineer \$120.00	Sr Planning/ GIS Tech \$100.00	Admin/ Clerical \$65.00	TOTAL TASK HOURS	BURDENED COST/ TASK
<b>2.E</b>	<b>DEVELOP FIRE RESCUE/EMS FACILITY IMPACT FEE</b>	<b>4.0</b>	<b>16.0</b>	<b>0.0</b>	<b>20.0</b>	<b>22.0</b>	<b>3.0</b>	<b>1.0</b>	<b>66.0</b>	<b>\$10,005</b>
<b>2.E1</b>	Inventory/LOS	1.0	4.0		5.0	6.0	1.0	1.0	18.0	\$2,635
<b>2.E2</b>	Cost Component	1.0	6.0		6.0	6.0	2.0		21.0	\$3,180
<b>2.E3</b>	Credit Component	1.0	4.0		6.0	4.0			15.0	\$2,390
<b>2.E4</b>	Demand Component	1.0	2.0		3.0	6.0			12.0	\$1,800
<b>2.F</b>	<b>DEVELOP LIBRARY IMPACT FEE</b>	<b>4.0</b>	<b>17.0</b>	<b>0.0</b>	<b>19.0</b>	<b>27.0</b>	<b>1.0</b>	<b>1.0</b>	<b>69.0</b>	<b>\$10,420</b>
<b>2.F1</b>	Inventory/LOS	1.0	3.0		5.0	5.0	1.0	1.0	16.0	\$2,340
<b>2.F2</b>	Cost Component	1.0	7.0		6.0	11.0			25.0	\$3,755
<b>2.F3</b>	Credit Component	1.0	5.0		6.0	8.0			20.0	\$3,045
<b>2.F4</b>	Demand Component	1.0	2.0		2.0	3.0			8.0	\$1,280
<b>2.G</b>	<b>DRAFT TECHNICAL REPORT</b>	<b>4.0</b>	<b>16.0</b>	<b>0.0</b>	<b>18.0</b>	<b>27.0</b>	<b>0.0</b>	<b>1.0</b>	<b>66.0</b>	<b>\$9,985</b>
<b>2.G1</b>	Prepare Fee Schedule	2.0	8.0		9.0	15.0		1.0	35.0	\$5,205
<b>2.G2</b>	Draft Technical Report	2.0	8.0		9.0	12.0			31.0	\$4,780
<b>TASK 3</b>	<b>FINAL TECHNICAL REPORT &amp; ORDINANCE</b>	<b>6.0</b>	<b>13.0</b>	<b>39.0</b>	<b>9.0</b>	<b>5.0</b>	<b>4.0</b>	<b>1.0</b>	<b>77.0</b>	<b>\$14,470</b>
<b>4.1</b>	Final Technical Report	2.0	7.0	11.0	9.0	5.0	4.0	1.0	39.0	\$6,540
<b>4.2</b>	Ordinance Update	4.0	6.0	28.0					38.0	\$7,930
<b>TASK 4</b>	<b>MEETINGS AND PRESENTATIONS</b>	<b>72.0</b>	<b>72.0</b>	<b>0.0</b>	<b>27.0</b>	<b>27.0</b>	<b>0.0</b>	<b>8.0</b>	<b>206.0</b>	<b>\$38,680</b>
<b>4.1</b>	Project Organization Meeting	INCLUDED AS PART OF TASK 1								
<b>4.2</b>	Draft Impact Fee Study Results Review Meeting	8.0	8.0		3.0	3.0		1.0	23.0	\$4,305
<b>4.3</b>	Additional Meetings (8)	64.0	64.0		24.0	24.0		7.0	183.0	\$34,375
<b>TOTAL PROJECT BUDGET</b>		<b>128.0</b>	<b>237.0</b>	<b>39.0</b>	<b>236.0</b>	<b>224.0</b>	<b>25.0</b>	<b>17.0</b>	<b>906</b>	<b>\$149,910</b>



# Legal Capacity

# 05



Photo courtesy of [www.flaglerlive.com](http://www.flaglerlive.com)

# LEGAL CAPACITY

## Corporate Information and Governance

Tindale-Oliver & Associates, Inc., dba Tindale Oliver, is an S-corporation incorporated on February 13, 1989 and registered with the State of Florida, Division of Corporations to do business in Florida. Copies of our State of Florida Board of Professional Engineers License and Certificate of Corporate Status are on the following page.

Our firm is governed by a 5-member Board of Directors as listed below:

- > Steven A. Tindale, P.E., FAICP, Principal/President and Chief Executive Officer/Chairman of the Board
- > William L. Ball, AICP, Principal/Vice President and Chief Operating Officer
- > Joel R. Rey, P.E., AICP, Principal/Vice President
- > A. Nilgün Kamp, AICP, Principal
- > Demian W. Miller, AICP, Principal

Tindale Oliver is privately-owned by 24 shareholders (as of July 2019).

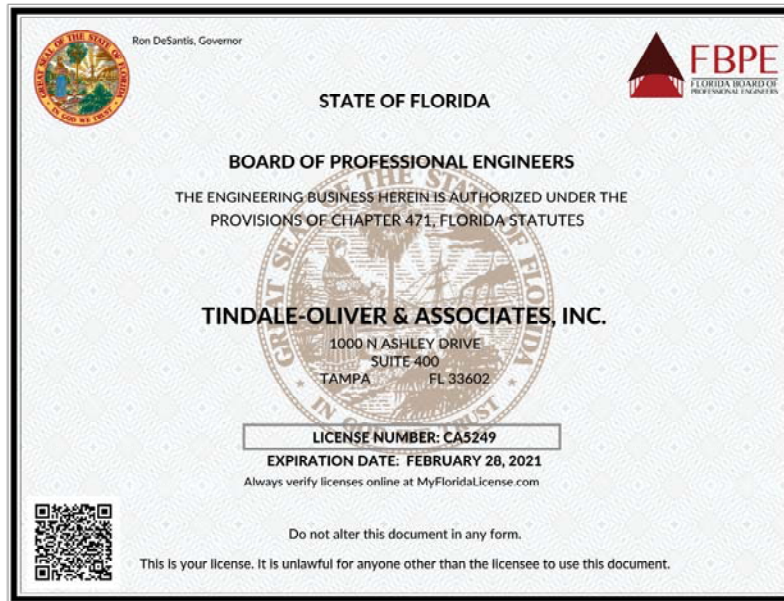
## Litigation Statement

Tindale Oliver has no past, pending, or present litigation, arbitration, or dispute relating to the services described herein, nor have there been any outstanding judgements or liens against our firm. In addition, no claims have been made against our errors and omissions insurance carrier for any service rendered, nor for any other purpose.

## Work Performed with White & Smith, LLC

Tindale Oliver has worked with White & Smith since 2003 on numerous impact fee studies in the state of Florida.





## State of Florida Department of State

I certify from the records of this office that TINDALE-OLIVER & ASSOCIATES, INC. is a corporation organized under the laws of the State of Florida, filed on January 13, 1989.

The document number of this corporation is K58299.

I further certify that said corporation has paid all fees due this office through December 31, 2019, that its most recent annual report/uniform business report was filed on January 3, 2019, and that its status is active.

I further certify that said corporation has not filed Articles of Dissolution.

*Given under my hand and the  
Great Seal of the State of Florida  
at Tallahassee, the Capital, this  
the Third day of January, 2019*



*Ken Detjen*  
Secretary of State

Tracking Number: CC5464439577

To authenticate this certificate, visit the following site, enter this number, and then follow the instructions displayed.

<https://services.sunbiz.org/Filings/CertificateOfStatus/CertificateAuthentication>



# References

# 06



*Photo courtesy of [www.facebook.com/FlaglerCountyGovernment/photos](https://www.facebook.com/FlaglerCountyGovernment/photos)*



# REFERENCES

## Related Projects & References

Below is a listing of current and former clients who can attest to our expertise. A more comprehensive list of our Florida experience is illustrated in the Impact Fee Experience Table beginning on page 6-3. Detailed related project summaries begin on page 6-4.

Successful performance on similar jobs is best demonstrated through a sampling of projects requiring similar services and client references of individuals who can attest to our performance, and we encourage you to contact any of our references.

### **Indian River County (current & former client)**

#### ***Comprehensive Impact Fee Study***

William Schutt, AICP, Chief of Long Range Planning  
Indian River County Community Development Department  
1801 27th Street, Vero Beach, FL 32960  
(772) 226-1250; bschutt@ircgov.com

### **Collier County (current & former client)**

#### ***Impact Fee Studies***

Amy Patterson, Director  
Capital Project Planning, Impact Fees, and Program Management  
2800 North Horseshoe Drive, Naples, FL 33942  
(239) 403-2369; amypatterson@colliergov.net

### **Orange County (current & former client)**

#### ***Impact Fee Studies***

Chris Testerman, Assistant County Administrator  
400 E South Street, Orlando, FL 32801  
(407) 836-5883; chris.testerman@ocfl.net

### **Brevard County (former client)**

#### ***Impact Fee Study***

Steve Swanke  
Brevard County  
2725 Judge Fran Jamieson Way, Building A, Viera, FL 32940  
(321) 633-2069; steve.swanke@brevardcounty.us

### **Palm Beach County (former client)**

#### ***Impact Fee Update Study***

Willie M. Swoope, Impact Fee Manager  
2300 N Jog Road, West Palm Beach, FL 33411-2741  
(561) 233-5025; wswoope@pbcgov.org

### **City of Lakeland (current & former client)**

#### ***Fire, Law Enforcement, Parks, and Multimodal Transportation Impact Fee Studies***



















































































































Charles Barmby, Transportation & Development Review Manager  
228 S Massachusetts Avenue, Lakeland, FL 33801  
(863) 834-6006; charles.barmby@lakelandgov.net

## Lost or Terminated Contracts

























































































































Tindale Oliver has no lost or terminated contracts within the last five (5) years.



**Tindale Oliver**  
**Florida Impact Fee Experience Table**

	Parks/Rec	Schools	Library	Transportation	Fire	EMS	Law Enforcement	Corr. Facilities	Solid Waste	Government Buildings
Brevard Co., FL *										
Broward County, FL										
Charlotte Co., FL										
Citrus Co., FL *										
City of Alachua, FL										
City of Albuquerque, NM										
City of Apopka, FL *										
City of Bartow, FL										
City of Bozeman, MT *										
City of Casselberry, FL										
City of Daytona Beach Shores, FL										
City of DeBary, FL										
City of Deland, FL *										
City of Deltona, FL *										
City of Eustis, FL										
City of Fruitland Park, FL										
City of Ft. Pierce, FL										
City of Gaines City, FL										
City of Hallandale Beach, FL										
City of Helena, MT										
City of Hollywood, FL										
City of Inverness, FL										
City of Kissimmee, FL *										
City of Lake City, FL *										
City of Lakeland, FL *										
City of Largo, FL										
City of Lauderdale Lakes, FL										
City of Mt. Dora, FL										
City of North Port, FL										
City of Orlando, FL										
City of Oviedo, FL *										
City of Palm Bay, FL										
City of Palm Beach Gardens, FL										
City of Palm Coast, FL										
City of Panama City, FL										

**Tindale Oliver**  
**Florida Impact Fee Experience Table (continued)**

	Parks/Rec	Schools	Library	Transportation	Fire	EMS	Law Enforcement	Corr. Facilities	Solid Waste	Government Buildings
City of Parkland										
City of Plant City, FL *										
City of Sarasota, FL										
City of St. Cloud, FL *										
City of St. Pete Beach, FL (Feasibility Study)										
City of Tamarac, FL										
City of Tampa, FL *										
City of Tallahassee, FL										
City of Tavares, FL										
Collier Co., FL *										
Columbia County, FL										
Dekalb Co., GA										
Flagler Co., FL *										
Hernando Co., FL *										
Highlands Co., FL										
Hillsborough County, FL *										
Indian River Co., FL *										
Lake County, FL *										
Leon County, FL										
Lewis & Clark Co., MT										
Manatee County, FL										
Marion Co., FL *										
Martin County, FL										
Orange Co., FL *										
Osceola Co., FL *										
Palm Beach Co., FL										
Pasco Co., FL *										
Pine Hills Co., FL *										
Polk Co., FL *										
Sarasota County, FL										
Seminole County, FL										
St. Lucie County, FL										
Sumter County, FL *										
Town of Wake Forest, NC										
Village of Royal Palm Beach, FL										
Volusia Co., FL *										

# Comprehensive Impact Fee Study

## Indian River County, Florida

In 1998, Tindale Oliver updated the Fair Share Roadway Impact Fee Ordinance for Indian River County (IRC). IRC retained Tindale Oliver again in 2004 to evaluate and develop studies for nine impact fee program areas, including roads, law enforcement, correctional facilities, schools, fire & EMS, libraries, public buildings, parks, and solid waste impact fee programs. In 2014, Tindale Oliver was retained to update the County's impact fee program. As part of this study, the County also adopted Tindale Oliver's Affordable Growth Strategy with a reduced fee schedule for non-residential development. In 2019, IRC retained Tindale Oliver to update its impact fee program.

### Knowledge

- > Since 2000, county has averaged annual population growth of 1.6% and is projected to grow at approximately 1.1% annually through 2040.
- > County has used both property and sales tax initiatives to fund capital needs created by growth.
- > County has history of managing growth and balancing who pays for growth and quality of service provided to its citizens.

### Insights

- > County needed to update impact fee variables per requirements of recent State legislation.
- > County very interested economic development goals of supporting job-generating land uses while still having necessary funding to provide high-quality service.
- > County coordinated school impact fee program with County School Board to ensure proper implementation and management of program.

### Outcomes

- > Updated all impact fee variables to meet new State legislation using most recent and localized data, supplemented by statewide cost databases when needed.
- > Prepared Affordable Growth calculations to address goal of providing incentives to non-residential land uses while still maintaining level of service.
- > Assisted in update of Impact Fee Ordinance and recommended wording for appropriate changes to County's Comprehensive Plan.
- > County adopted new fee schedule using Tindale Oliver's Affordable Growth Strategy.



*Tindale Oliver developed and updated the Indian River County's impact fee program in eight program areas.*

### Tindale Oliver Contact:

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Principal/Director of Public Finance  
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(813) 224-8862  
nkamp@tindaleoliver.com

### Client Contact:

William Schutt, AICP  
Chief of Long Range Planning  
Indian River County Community  
Development Department  
1801 27th Street  
Vero Beach, FL 32960  
(772) 226-1250  
bschutt@ircgov.com



## Impact Fee Studies

Collier County, Florida

Collier County has had a significant population growth for many decades, during which land values and construction costs increased rapidly. Tindale Oliver has been contracted by Collier County repeatedly since 1992 to develop or update impact fees in nine program areas and currently is updating several of the County's impact fees.

### Knowledge

- > Impact fee studies for transportation, fire rescue, EMS, schools, library, government buildings, correctional facilities, parks, and law enforcement program areas have allowed Tindale Oliver to become very knowledgeable about overall assets and demographic changes within Collier County for almost three decades.
- > Localized indexing methods developed by Tindale Oliver used for several years to reflect annual changes in costs in Collier County.
- > Administrative manual preparation and updating used to assist County staff in management of comprehensive impact fee program.
- > Since 2000, Collier County averaged annual population growth of 2.2%, is projected to grow at approximately 1.4% annually through 2040.

### Insights

- > High growth rates required additional infrastructure.
- > Significant increase in land values and construction costs normal for County during periods of high growth.
- > Concerns about high impact fees from development community needed to be continuously addressed during fee update process.
- > Collier County has one of highest income-per-person metrics and most productive tax base in Florida.

### Outcomes

- > Prepared studies that reflect accurate cost estimates and presented findings with a high level of "transparency" to successfully gain public support.
- > Introduced annual indexing in 2003 that would allow County to keep up with localized cost increases between updates.
- > County has raised and used almost \$1 billion in impact fees to build high-quality infrastructure, developing community in which growth pays for growth and creates quality community experience.



*Since 1992, Tindale Oliver has developed or updated impact fees for Collier County in nine program areas.*

#### Tindale Oliver Contact:

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#### Client Contact:

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Capital Project Planning, Impact Fees, and  
Program Management  
Collier County  
2800 North Horseshoe Drive  
Naples, FL 33942  
(239) 403-2369  
amypatterson@colliergov.net

## Impact Fee Studies

### Orange County, Florida

Orange County has historically implemented impact fees to address the infrastructure costs associated with new growth. In 2005, to address cost and land value increases, the County retained Tindale Oliver to update several fee areas, including fire rescue and schools. In addition, the County retained Tindale Oliver to develop a new parks and recreation facilities impact fee program for the County. In 2011, the County retained Tindale Oliver to update its transportation and parks impact fees. In 2016, Tindale Oliver was retained again to update the parks, fire rescue, and law enforcement impact fees, in 2017 to update the transportation impact fee, and in 2018 to again update the school impact fee. In addition, Tindale Oliver has an ongoing contract with the County to review alternative impact fee studies.

#### Knowledge

- > High growth county, ranking 2nd out of 67 Florida counties in terms of absolute growth that will be added by 2045 and 7th in terms annual population growth rate.
- > 2nd highest in terms of sales tax per capita due to high level of tourism activity.
- > High level of seasonal residents/visitors impacting service levels.

#### Insights

- > Develop demand component based on fire alarms/emergency calls received and functional population as potential options to County.
- > Recommendations on how to treat County's large inventory of undevelopable habitat land in parks and recreation impact fee analysis.
- > Develop multimodal transportation impact fee for County's Alternative Mobility Area (AMA) and roadway-based fee for rest of unincorporated county.

#### Outcomes

- > Successfully completed multiple meetings with stakeholders, elected officials, and the public.
- > Developed transportation impact fees using three different methodologies: consumption-based, improvements-based, and asset value based.
- > Introduced fee variations among rural, suburban, and urban areas for transportation impact fee.
- > Presented multiple school impact fee methodologies for School Impact Fee Advisory Committee and worked with it to determine final methodology.
- > All studies successfully adopted.



*Tindale Oliver was retained by Orange County to update several fee areas, including fire rescue, law enforcement, schools, and transportation.*



*Tindale Oliver developed a new park and recreation facilities impact fee program for the County in 2005 and updated the parks and recreation facility impact fee in 2011.*

#### Tindale Oliver Contact:

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Principal/Director of Public Finance  
1000 N Ashley Drive, Suite 400  
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(813) 224-8862  
nkamp@tindaleoliver.com

#### Client Contact:

Chris Testerman  
Assistant County Administrator  
Orange County  
400 E South Street  
Orlando, FL 32801  
(407) 836-5883  
chris.testerman@ocfl.net

## Impact Fee Study and Update

Brevard County, Florida

Brevard County has been experiencing growth continually over the past 20 years. To ensure that the cost of growth was being recovered, the County retained Tindale Oliver to update impact fees for four program areas, including parks and recreation, fire/EMS, libraries, and transportation, and to develop a correctional facilities impact fee program in 1992. Brevard County subsequently retained Tindale Oliver in 2004 to develop a school impact fee program and again in 2014 to update its impact fees.

### Knowledge

- > Development of comprehensive impact fee methodology.
- > Aging infrastructure and relatively ineffective tax base.
- > Variation in growth rates by subarea.

### Insights

- > Need to obtain necessary public and stakeholder support for implementing impact fees.
- > Review of current financing mechanisms for infrastructure needs of projected growth and development to determine feasibility of implementing impact fees in Brevard County.

### Outcomes

- > Obtained full acceptance of program buy-in by conducting several presentations to public and Board of County Commissioners to explain needs and methodology and discuss recommendations.
- > Completed and presented comparisons of proposed program for Brevard County with surrounding counties as part of discussions for adoption.
- > Acceptance of studies both by School Board and BOCC.



*Central Brevard Library and Reference Center*



*Brevard County Fire Rescue Vehicle*

### Tindale Oliver Contact:

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President/Chief Executive Officer  
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Tampa, FL 33602  
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stindale@tindaleoliver.com

### Client Contact:

Steve Swanke  
Brevard County  
2725 Judge Fran Jamieson Way  
Building A  
Viera, FL 32940  
(321) 633-2069  
steve.swanke@brevardcounty.us

## Impact Fee Update Study

Palm Beach County, Florida

With a population of 1.3 million, Palm Beach County is the third largest county in Florida. The County implemented its roadway impact fee in 1979, which was followed by adoption of impact fees for six additional program areas, including schools, libraries, fire/EMS, law enforcement, parks, and public buildings. To comply with the legal requirements and reflect the most recent data, the County retained Tindale Oliver to update these fees.

### Knowledge

- > Large population with several cities.
- > Variation in service areas by program area .
- > Interest in new approaches that reflect full cost of providing infrastructure.

### Insights

- > Large fluctuations in infrastructure costs over past several years.
- > Fluctuations in available funding.
- > Changes in demand and service areas.

### Outcomes

- > Evaluation of long-term trends in all cost-demand components.
- > Evaluation of available historical and projected funding to determine available non-impact fee funding in future.
- > Development of multiple scenarios as needed to address changing demographics, development patterns, and policies.
- > Adoption of updated Impact Fee Schedules.



### Tindale Oliver Contact:

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### Client Contact:

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West Palm Beach, FL 33411-2741  
(561) 233-5025  
wswoope@pbcgov.org



# Fire, Law Enforcement, Parks, and Multimodal Transportation Impact Fee Studies

City of Lakeland, Florida

Lakeland has been experiencing high population growth over the last several years, and more development is expected in the future. Tindale Oliver was originally retained by the City in 1991 to update its transportation impact fee. In 2006, 2008, 2009, and 2014, the City again contracted Tindale Oliver to update several impact fee programs, including parks & recreation, fire protection, and law enforcement, as well as indexing studies. The 2014 update included converting the City's Roadway Transportation Fee to a Multimodal Transportation Fee, providing the City with more flexibility in its program expenditures. Tindale Oliver was retained again in 2019 to update the City's impact fee program.

## Knowledge

- > Lakeland population 98,773 with annual growth rate of 1.8% since 2000.
- > Lakeland has one of the most progressive parks program in Florida, providing very high quality of service.
- > City won 1989 award from Florida Chapter of American Planning Association for its outstanding impact fee program; impact fees used to ensure continuation of outstanding quality of service for its citizens.

## Insights

- > Higher-than-average parks and recreation impact fee resulted from city's extensive parks inventory and high quality of service.
- > City has diverse revenue program, including revenues from ownership of its electric utility and other unique sources.
- > City has significant downtown development program and has developed exemptions of fees in this area.

## Outcomes

- > Originally provided City with various adoption scenarios, including combinations of both phasing and indexing of impact fee schedules.
- > Originally guided City in development of master plans for fire protection and law enforcement program areas.
- > Converted roadway fee to multimodal fee, which was successfully adopted.
- > Originally developed administrative manual for City's impact fee program and continue to assist City in updating its policies and procedures.



*A higher-than-average parks and recreation impact fee resulted from the City's extensive inventory.*

## Tindale Oliver Contact:

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President/Chief Executive Officer  
1000 N Ashley Drive, Suite 400  
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stindale@tindaleoliver.com

## Client Contact:

Charles Barmby  
Transportation & Development Review  
Manager  
City of Lakeland  
228 S Massachusetts Avenue  
Lakeland, FL 33801  
(863) 834-6006  
charles.barmby@lakelandgov.net

# Additional Information

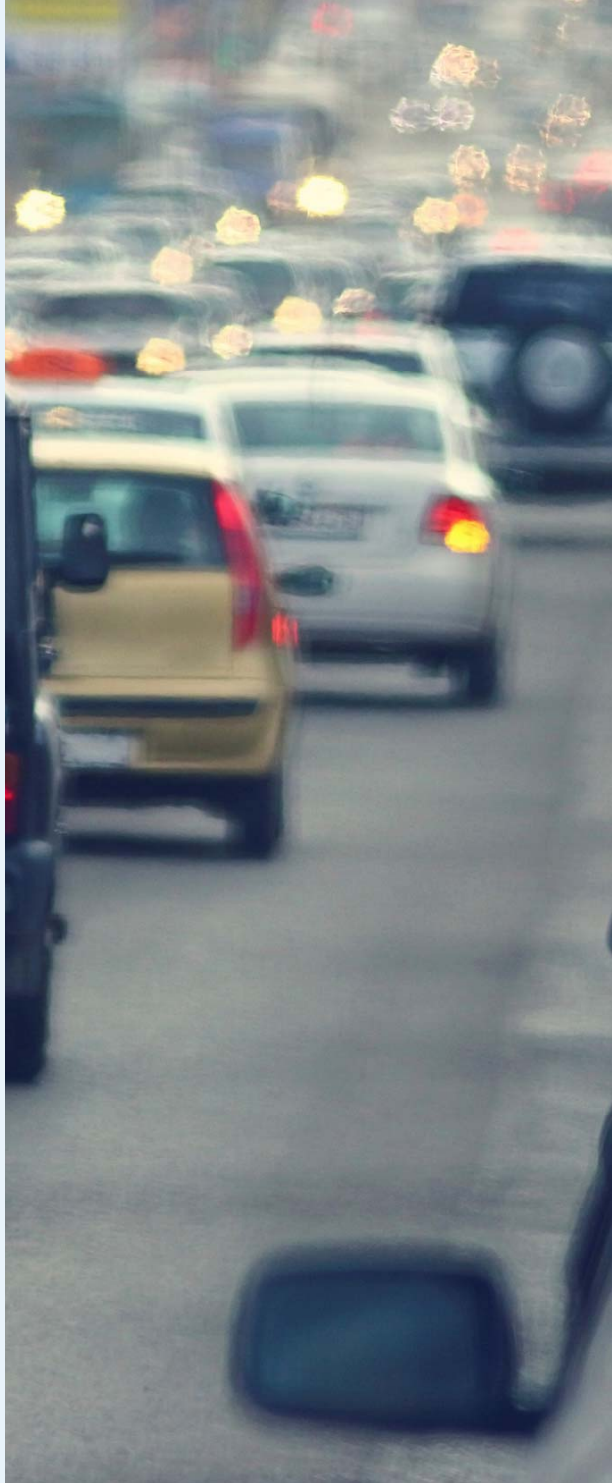
07



# ADDITIONAL INFORMATION

## Additional Information

This section includes client reference letters that further demonstrate our commitment to providing quality client service.



# 7



**MAYOR TERESA JACOBS**  
*Office of the Mayor*

*Dear Nilgün,*

*Thank you for the outstanding job you did during the School Impact Fee hearing. The entire Orange County Board of County Commissioners and I were very impressed with your knowledge of the issue, ability to address and refute the misinformation presented, and your clear technical expertise during public testimony. Your guidance and leadership were instrumental in making the decision to move forward with the adoption of the fee. Please know that your hard work and dedication to the betterment of Orange County are greatly appreciated.*

*Sincerely,*

A handwritten signature in blue ink, appearing to read "Teresa Jacobs", is written over a light blue circular background.

*Teresa Jacobs  
Orange County Mayor*





November 17, 2016

Nilgün Kamp, AICP  
Director of Public Finance & Infrastructure Planning  
Tindale Oliver  
400 North Ashley Drive, Suite 400  
Tampa, Florida 33606

Dear Nilgün;

I would like to thank you and Tindale Oliver for the excellent work your firm did for the City of Palm Beach Gardens during the update of our impact fee program. Tindale Oliver updated our existing fees in four service areas (transportation, parks, fire rescue, and law enforcement) and developed a new public buildings impact fee.

The technical report included detailed documentation of methodology and estimates for each of the impact fee variables used to calculate our fees. The level of detail and transparency gave us a comfort level that the calculated fees would stand any kind of scrutiny. The results were accepted by the development community and several of our City Council members indicated how useful the report was for them, not only for this study, but for our planning and CIP development tasks as well.

Throughout the study Tindale Oliver was extremely responsive to our needs and schedule. During the presentations you and Steve Tindale demonstrated an in-depth understanding and knowledge of issues related to impact fees and provided insightful responses that helped the program to be implemented successfully.

The study and resulting fees were approved unanimously by our Planning and Zoning Advisory Board and the City Council and the fees are now adopted at 100 percent level.

We truly enjoyed working with you and look forward to retaining the services of Tindale Oliver again in the future.

Sincerely,

Ron M. Ferris  
City Manager

**CITY OF PALM BEACH GARDENS**

10500 N. Military Trail Palm Beach Gardens, FL 33410-4698  
[www.pbgfl.com](http://www.pbgfl.com)



**INDIAN RIVER COUNTY  
COMMUNITY DEVELOPMENT DEPARTMENT**  
1801 27th Street, Vero Beach FL 32960  
772-226-1237 / 772-978-1806 fax  
[www.ircgov.com](http://www.ircgov.com)

October 27, 2014

Steve Tindale, P.E., AICP, President  
Nilgün Kamp, AICP, Associate Principal  
Tindale Oliver  
1000 North Ashley Drive, Suite 400  
Tampa, Florida 33602

Re: Reference for Tindale Oliver

Dear Steve and Nilgün;

On behalf of Indian River County, I would like to thank you again for your recent impact fee work. Indian River County retained Tindale Oliver in 2005 and in 2013/2014 for the development and update of the County's impact fee program, which includes fees in nine program areas. Regarding both studies, the County had a very positive experience.

Tindale Oliver used broad and accurate technical knowledge to prepare legally defensible studies, and also provided innovative approaches that responded to County conditions and policy direction. During the most recent update study, Tindale Oliver's Affordable Growth approach provided an essential impact fee program tool that assisted in achieving growth management and economic development objectives. Using that approach, the County was able to adjust its impact fee program in a manner that balanced level of service needs with necessary impact fee and non-impact fee revenues.

Throughout the 2013/2014 study, Tindale Oliver was easily accessible and very responsive to all County requests and time frames. The technical reports thoroughly documented all detailed impact fee data and calculations in a logical order, providing a transparent and readable study. In addition, the study included local data augmented by Tindale Oliver's statewide cost and demand databases, resulting in the use of best available data and a high level of accuracy.

Tindale Oliver was the right choice for the County's impact fee study and the County looks forward to future possibilities of working with Tindale Oliver.

Sincerely,

Stan Boling, AICP  
Community Development Director

# Required Forms

# 08



*Photo courtesy of [www.floridastateparks.org/sites/default/files/styles/gallery/public/media/image](http://www.floridastateparks.org/sites/default/files/styles/gallery/public/media/image)*



# REQUIRED FORMS

## Required Forms and Documentation

In accordance with RFP 19-044P, the following forms and documentation are included in this section:

- > Form 7.1 - Proposal Submittal Checklist
- > Form 7.2 - Proposer's Certification
- > Form 7.3 - Drug Free Workplace Certificate
- > Form 7.4 - Sworn Statement on Public Entity Crimes
- > Form 7.5 - Affidavit of Non-Collusion and of Non-Interest of Flagler County Employees
- > Form 7.6 - Vendor Information Form
- > W-9 Form





## SECTION 7 – REQUIRED FORMS

## 7.1 – PROPOSAL SUBMITTAL CHECKLIST

  X   Form 7.2 – Proposer's Certification

  X   Form 7.3 – Drug-Free Workplace Certificate

  X   Form 7.4 – Sworn Statement Pursuant to Section 287.133 (3)(a) F.S. in Public Entity Crimes (BS-2)

X Form 7.5 – Affidavit of Non-Collusion

X Form 7.6 – Vendor Information Form

X W-9 Form

N/A	Cost Proposal Forms
-----	---------------------

X Submission of one (1) original marked "ORIGINAL", six (6) identical paper copies, and one (1) electronic copy in pdf format on USB

***How did you hear about this solicitation?***

VendorLink	X	Email
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County Website Newspaper

Public Purchase X Other \_\_\_\_\_  
(please specify)

BY: Tindale-Oliver & Associates, Inc., dba Tindale Oliver

Proposer

Steven W Lindale

Authorized Signature Steven A. Tindale, P.E., FAICP  
President/Chief Executive Officer

September 4, 2019

Date \_\_\_\_\_

***This document must be completed and returned with your Submittal***

## **7.2 – PROPOSER’S CERTIFICATION**

PROPOSER’S NAME: Steven A. Tindale, P.E., FAICP, President/Chief Executive Officer

PROPOSAL NUMBER: **19-044P**

PROPOSAL TITLE: **Consulting Services for Impact Fee Update Study**

SUBMITTALS DUE: **Friday, September 6, 2019**

TIME: **3:00 P.M., Local Time**

Purchasing Department  
Flagler County Board of County Commissioners  
Government Services Building  
1769 E. Moody Boulevard  
Building 2, Third Floor  
Bunnell, Florida 32110

I have carefully examined the Request for Proposals (RFP) including Instructions to Proposers, Terms and Conditions, Special Conditions, Proposal Submittal and Requirements, Evaluation of Proposals, Scope of Work and/or Specifications, Required Forms, and any other documents accompanying or made a part of this request.

I hereby propose to furnish the goods or services specified in the RFP at the prices provided in this submission. I agree that my proposal will remain firm for a period of up to ninety (90) days in order to allow the County adequate time to the evaluate, negotiate and award the proposal. Furthermore, I agree to abide by all conditions of the proposal.

I certify that all information contained in the proposal submittal is truthful to the best of my knowledge and belief. I further certify that I am a duly authorized to submit this proposal on behalf of the company as its agent and that the company is ready, willing and able to perform if awarded a contract.

I further certify, under oath, that this proposal is made without prior understanding, Contract, connection, discussion, or collusion with any person, firm or corporation submitting a proposal for the same product or service; no officer, employee or agent of the Flagler County Board of County Commissioners or of any other Company interested in said RFP; and that the undersigned executed this Proposer’s Certification with full knowledge and understanding of the matters therein contained and was duly authorized to do so.

I further certify that having read and examined the Scope of Work and/or Specifications for the designated services and understanding all the Terms and Conditions, including the Special Conditions, for contract under which services will be performed, does hereby propose to furnish all labor, equipment, and material to provide the services set forth in the RFP.

I acknowledge receipt and incorporation of the following addenda, and the cost, if any, of such revisions has been included in the price of the proposal submission.

Addendum #	<u>1</u>	Date:	<u>8/19/19</u>	Addendum #	<u>2</u>	Date:	<u>8/27/19</u>
Addendum #	<u>          </u>	Date:	<u>          </u>	Addendum #	<u>          </u>	Date:	<u>          </u>

***This document must be completed and returned with your Submittal***

**CONTINUED: 7.2 – PROPOSER’S CERTIFICATION**

I hereby declare that the following listing states any clarifications, any and all variations from and exceptions to the requirements as described in this Request for Proposals. The undersigned further declares that the work will be performed in strict accordance with such requirements, and understands that any exceptions to the requirements of the specifications and documents may render the submission non-responsive.

**NO EXCEPTIONS ALLOWED AFTER THE REQUEST FOR PROPOSALS IS SUBMITTED:**

Please check one: ☐ I take NO exceptions. ☒ Exceptions:

Page 8 of 28 - Patent/Copyright/Trade Secret (Indemnify, Defend, Hold Harmless) - Please see attached recommended revisions.

Page 9 of 28 - Indemnification: (General Liability) - Please see attached recommended revisions.

*\*Tindale-Oliver & Associates, Inc., dba Tindale Oliver, will be willing to sign the contract as-is, but our insurance advisors recommend it would be better for both parties if the attached language in the sections referenced above was revised.*

Company Name: Tindale-Oliver & Associates, Inc., dba Tindale Oliver

Contact Person / Title: Steven A. Tindale, P.E., FAICP, President/Chief Executive Officer

Mailing Address: 1000 N. Ashley Drive, Suite 400

City: Tampa State: Florida Zip: 33602

Phone: (813) 224-8862 Fax: (813) 226-2106

E-Mail: STindale@tindaleoliver.com

Federal Identification Number: 59-2929811

Authorized Signature: *Steven A. Tindale*

STATE OF Florida

COUNTY OF Hillsborough

The foregoing instrument was acknowledged before me 4th day of September, 2019, by Steven A. Tindale, P.E., FAICP who is personally known to me or who has produced \_\_\_\_\_ as identification.

Susan M. Boda  
Notary Public

My Commission Expires: 6/22/2023

Commission # GG 305062



***This document must be completed and returned with your Submittal***



authorized in writing, the Contractor shall provide such additional requirements as may become necessary.

**NON-PERFORMANCE** – Failure to meet the expected quality of workmanship, schedule, or other criteria agreed upon, shall be considered a default.

- (a) In case of default, the County may procure the required services from other sources and hold the Consultant responsible for any excess costs occasioned thereby and may immediately cancel the contract, inclusive of any lease extension costs on the current tower sites.

**PATENT/COPYRIGHT/TRADE SECRET (INDEMNIFY, DEFEND, HOLD HARMLESS)** - The Proposer shall pay all royalties and assume all costs arising from the use of any invention, design, process materials, equipment, product or device which is the subject of patent rights or copyrights. The Proposer shall indemnify, hold harmless, and defend the Flagler County Board of Commissioners, ~~their agents and employees, and anyone directly or indirectly employed by either of them,~~ from and against <sup>reasonable</sup> ~~all~~ liabilities, damages, claims, demands, or actions at law or in equity, including court costs and attorneys' fees that may hereafter ~~at any time~~ be made or brought by anyone arising out of any infringement of patent rights or copyrights held by others or for the disclosure or improper utilization of any trade secrets by the Proposer while providing services under this agreement.

**PUBLIC RECORDS** – Pursuant to Section 119.0701(2), Florida Statutes, the Proposer shall allow public access to all documents, papers, letters, or other material subject to the provisions of Chapter 119, Florida Statutes, made or received by the Proposer in conjunction with this Agreement. Specifically, the Proposer must:

- (a) Keep and maintain public records that ordinarily and necessarily would be required by the County in order to perform the service, including but not limited to: correspondence, financial records, permits, and certifications; and
- (b) Provide the public with access to public records on the same terms and conditions that the County would provide the records and at a cost that does not exceed the cost provided in the County's Public Records Policy, or as otherwise provided by law; and
- (c) Ensure that public records that are exempt or confidential and exempt from public records disclosure requirements are not disclosed except as authorized by law; and
- (d) Meet all requirements for retaining public records and transfer, at no cost, to the County all public records in possession of the Proposer upon termination of this Agreement and destroy any duplicate public records that are exempt or confidential and exempt from public records disclosure requirements. All records stored electronically must be provided to the County in a format that is compatible with the information technology systems of the County.

In performing the requirements herein, the Proposer shall promptly provide the County with a copy of any request to inspect or to copy public records in possession of the Proposer and consult with the County to ensure the request is responded to in accordance with the law. The Proposer shall promptly provide the County with a copy of the Proposer's response to each such request. Failure to grant such public access shall constitute a material default and the County shall be entitled to terminate any Agreement and to pursue any other remedies against Proposer available in equity or at law.

**IF THE CONTRACTOR HAS QUESTIONS REGARDING THE APPLICATION OF CHAPTER 119, FLORIDA STATUTES, TO THE CONTRACTOR'S DUTY TO PROVIDE PUBLIC RECORDS RELATING TO THIS CONTRACT, CONTACT THE CUSTODIAN OF PUBLIC RECORDS AT (386) 313-4001, [JMURPHY@FLAGLERCOUNTY.ORG](mailto:JMURPHY@FLAGLERCOUNTY.ORG), FLAGLER COUNTY BOARD OF COUNTY COMMISSIONERS, ATTN: ADMINISTRATION, 1769 E. MOODY BLVD, BLDG 2, BUNNELL, FL 32110.**



**AUDITABLE RECORDS** – The awarded Proposer shall establish and maintain a reasonable accounting system, which enables ready identification of Proposer's cost of goods and use of funds. Such accounting system shall also include adequate records and documents to justify all fees for all items invoiced as well as all charges, expenses and costs incurred in providing the goods for at least five (5) years after completion of this contract. The County or its designee shall have access to such books, records, subcontract(s), financial operations, and documents of the Proposer or its sub-consultants as required to comply with this section for the purpose of inspection or audit anytime during normal business hours at the Consultant's place of business. This right to audit shall include the Proposer's subcontractors used to procure goods or services under the contract with the County. Awarded Proposer shall ensure the County has these same rights with subcontractor(s) and suppliers.

**HOLD HARMLESS / INDEMNIFY** – The Proposer agrees to indemnify and hold harmless the County, and its officers and employees, from liabilities, damages, losses, and costs, including, but not limited to, reasonable attorneys' fees, to the extent caused by the negligence, recklessness, or intentionally wrongful conduct of the Consultant and other persons employed or utilized by the Consultant in the performance of this Contract.

**INDEMNIFICATION: (GENERAL LIABILITY)** – The selected Proposer shall indemnify, hold harmless, and defend Flagler County and their respective Boards of Commissioners, ~~their agents and employees, and anyone directly or indirectly employed by either of them,~~ from and against ~~any and all~~ <sup>reasonable</sup> liabilities, losses, claims, damages, demands, expenses, or actions, either at law or in equity, including court costs and attorney's fees, that may hereafter at anytime be made or brought by anyone on account of personal injury, property damage, loss of monies, or other loss, allegedly caused or incurred, in whole or in part, as a result of ~~any~~ negligent, wrongful, or intentional act or omission, or based on any action of fraud or defalcation by the Proposer, or anyone performing any act required of Proposer in connection with performance of the agreement awarded pursuant to this RFP. These obligations shall survive acceptance of any goods and/or performance and payment therefore by Flagler County.

**DRUG-FREE WORKPLACE CERTIFICATION** – By submitting a proposal in response to this RFP you are certifying that your company is a drug-free workplace in accordance with Florida Statute 287.087.

**PUBLIC ENTITY CRIMES** – A person or affiliate who has been placed on the convicted Proposer list following a conviction for a public entity crime may not submit a proposal on a contract to provide any goods or services to a public entity, may not submit a proposal on a contract with a public entity for the construction or repair of a public building or public work, may not submit proposals on leases of real property to a public entity, may not be awarded or perform work as a contractor, supplier, subcontractor, or consultant under a contract with any public entity, and may not transact business with any public entity in excess of the threshold amount provided in Section 287.017, for **CATEGORY TWO** for a period of 36 months from the date of being placed on the convicted Proposer list.

**CONFLICT OF INTEREST / STATEMENT OF NON-COLLUSION** – The award hereunder is subject to Chapter 112, Florida Statutes. All Proposers must disclose with their proposal the name of any officer, director, or agent who is also an employee of the Flagler County Board of County Commissioners. Further, all Proposers must disclose the name of any Flagler County Board of County Commissioners employee who owns, directly or indirectly, an interest of five percent (5%) or more of the Proposer's firm or any of its branches.

The Proposer shall certify that he/she has not, either directly or indirectly, entered into any Contract, participated in any collusion, or otherwise taken any action in restraint of free competitive bidding in connection with the RFP and that the Proposer is not financially interested in, or otherwise affiliated in a business way with any other Proposer on the same land or improvements.

**EEO STATEMENT** – Flagler County is committed to assuring equal opportunity in the award of contracts and, therefore, complies with all laws prohibiting discrimination on the basis of race, color, religion, national origin, handicap, age and gender.

**GRATUITIES AND KICKBACKS** – Gratuities: It shall be unethical for any person to offer, give, or agree to give any Flagler County BCC employee or former Flagler County BOCC employee, or for any Flagler employee or former Flagler County BCC employee to solicit, demand, accept, or agree to accept from another person, a gratuity or an offer of employment in connection with any decision, approval, disapproval, recommendation, or preparation of any part of a

### 7.3 – DRUG FREE WORKPLACE

I, the undersigned, in accordance with Florida Statute 287.087, hereby certify that,  
(print or type name of firm) Tindale-Oliver & Associates, Inc., dba Tindale Oliver

- Publishes a written statement notifying that the unlawful manufacture, distribution, dispensing, possession or use of a controlled substance is prohibited in the Workplace named above, and specifying actions that will be taken against violations of such prohibition.
- Informs employees about the dangers of drug abuse in the workplace, the firm's policy of maintaining a drug free working environment, and available drug counseling, rehabilitation, and employee assistance programs, and the penalties that may be imposed upon employees for drug use violations.
- Gives each employee engaged in providing commodities or contractual services that are under bid or proposal, a copy of the statement specified above.
- Notifies the employees that as a condition of working on the commodities or contractual services that are under bid or proposal, the employee will abide by the terms of the statement and will notify the employer of any conviction of, please or guilty or nolo contendere to, any violation of Chapter 1893, or of any controlled substance law of the State of Florida or the United States, for a violation occurring in the workplace, no later than five (5) days after such conviction, and requires employees to sign copies of such written statement to acknowledge their receipt.
- Imposes a sanction on, or requires the satisfactory participation in, a drug abuse assistance or rehabilitation program, if such is available in the employee's community, by any employee who is so convicted.
- Makes a good faith effort to continue to maintain a drug free workplace through the implementation of the Drug Free Workplace program.
- "As a person authorized to sign this statement, I certify that the above named business, firm or corporation complies fully with the requirements set forth herein".

Steven A. Tindale  
(Authorized Signature)

September 4, 2019  
(Date)

Steven A. Tindale, P.E., FAICP, President/Chief Executive Officer  
(Print Name)

STATE OF Florida

COUNTY OF Hillsborough

The foregoing instrument was acknowledged before me 4th day of September, 2019, by Steven A. Tindale, P.E., FAICP, who is personally known to me or who has produced \_\_\_\_\_ as identification.

Susan M. Boda  
Notary Public

My Commission Expires: 6/22/2023



**This document must be completed and returned with your Submittal**



**7.4 – SWORN STATEMENT UNDER SECTION 287.133(3)(A), FLORIDA STATUTES, ON PUBLIC ENTITY CRIMES**

Before me, the undersigned authority, personally appeared Steven A. Tindale, P.E., FAICP, who, being by me first duly sworn, made the following statement:

1. The business address of Tindale-Oliver & Associates, Inc., dba Tindale Oliver (name of Offeror or business) is 1000 N. Ashley Drive, Suite 400, Tampa, Florida 33602.

2. My relationship to Tindale Oliver (name of Offeror or business) is President/Chief Executive Officer (relationship such as sole proprietor, partner, president, vice president).

3. I understand that a public entity crime as defined in Section 287.133 of the Florida Statutes includes a violation of any state or federal law by a person with respect to and directly related to the transaction of business with any public entity in Florida or with an agency or political subdivision of any other state or with the United States, including, but not limited to, any proposal or contract for goods or services to be provided to any public entity or such an agency or political subdivision and involving antitrust, fraud, theft, bribery, collusion, racketeering, conspiracy or material misrepresentation.

4. I understand that "convicted" or "conviction" is defined by the Florida Statutes to mean a finding of guilt or a conviction of a public entity crime, with or without an adjudication of guilt, in any federal or state trial court of record relating to charges brought by indictment or information after July 1, 1989, as a result of a jury verdict, non-jury trial, or entry of a plea of guilt or nolo contendere.

5. I understand that "affiliate" is defined by the Florida Statutes to mean (1) a predecessor or successor of a person or a corporation convicted of a public entity crime, or (2) an entity under the control of any natural person who is active in the management of the entity and who has been convicted of a public entity crime, or (3) those officers, directors, executives, partners, shareholders, employees, members, and agents who are active in the management of an affiliate, or (4) a person or corporation who knowingly entered into a joint venture with a person who has been convicted of a public entity crime in Florida during the preceding 36 months.

6. Neither the Offeror or contractor, nor any officer, director, executive, partner, shareholder, employee, member or agent who is active in the management of the Offeror or contractor, nor any affiliate of the Offeror or contractor has been convicted of a public entity crime subsequent to July 1, 1989. (Draw a line through paragraph 6 if paragraph 7 below applies.)

~~7. There has been a conviction of a public entity crime by the Offeror or contractor, or an officer, director, executive, partner, shareholder, employee, member or agent of the Offeror or contractor who is active in the management of the Offeror or contractor or an affiliate of the Offeror or contractor. A determination has been made pursuant to Section 287.133(3) by order of the Division of Administrative Hearings that it is not in the public interest for the name of the convicted person or affiliate to appear on the convicted vendor list. The name of the convicted person or affiliate is \_\_\_\_\_ . A copy of the order of the Division of Administrative Hearings is attached to this statement. (Draw a line through paragraph 7 if paragraph 6 above applies.)~~

Steven A. Tindale  
(Authorized Signature)

September 4, 2019  
(Date)

Steven A. Tindale, P.E., FAICP  
(Print Name)

STATE OF Florida

COUNTY OF Hillsborough

The foregoing instrument was acknowledged before me 4th day of September, 2019, by Steven A. Tindale, P.E., FAICP, who is personally known to me or who has produced \_\_\_\_\_ as identification.

Susan M. Boda  
Notary Public

My Commission Expires: 6/22/2023



Commission # GG 305062

**This document must be completed and returned with your Submittal**

**7.5 – AFFIDAVIT OF NON-COLLUSION AND OF NON-INTEREST OF FLAGLER COUNTY EMPLOYEES**

Steven A. Tindale, P.E., FAICP, President/Chief Executive Officer of Tindale-Oliver & Associates, Inc., dba Tindale Oliver, \* being first duly sworn, deposes and says that he (it) is the Offeror in the above proposal, that the only person or persons interested in said proposal are named therein; that no officer, employee or agent of the Flagler County Board of County Commissioners or of any other Offeror is interested in said proposal; and that affiant makes the above proposal with no past or present collusion with any other person, firm or corporation.

*Steven A. Tindale*  
(Authorized Signature)

September 4, 2019  
(Date)

Steven A. Tindale, P.E., FAICP, President/Chief Executive Officer  
(Print Name)

STATE OF Florida

COUNTY OF Hillsborough

The foregoing instrument was acknowledged before me 4th day of September, 2019, by Steven A. Tindale, P.E., FAICP, who is personally known to me or who has produced \_\_\_\_\_ as identification.

*Susan M. Boda*  
Notary Public

My Commission Expires: 6/22/2023



\*NOTICE: State name of Offeror followed by name of authorized individual (and title) that is signing as Affiant. If Offeror is an individual, state name of Offeror only.

***This document must be completed and returned with your Submittal***



## **7.6 – VENDOR INFORMATION**

*(Please attach a current W9 Form)*

### **Name of Individual or Business Name:**

Tindale-Oliver & Associates, Inc., dba Tindale Oliver

### **Parent Company Name (if different than above):**

N/A

**Taxpayer Identification Number (TIN):** 59-2929811

### **Vendor is:**

( ☒ ) Corporation

( ☐ ) Partnership

( ☐ ) Sole Proprietorship

( ☐ ) Other \_\_\_\_\_ (Explain)

### **Permanent Residence/Corporate Office Address:**

Address 1000 N. Ashley Drive, Suite 400

City Tampa State Florida Zip Code 33602

Phone (813) 224-8862 Fax (813) 226-2106

E-mail STindale@tindaleoliver.com

### **Payment Address (if different from above):**

Address Same as above

City \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_

Phone \_\_\_\_\_ Fax \_\_\_\_\_

E-mail \_\_\_\_\_

### **Purchase Order Address (if different from above):**

Address Same as above

City \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_

Phone \_\_\_\_\_ Fax \_\_\_\_\_

E-mail \_\_\_\_\_

**Current W-9 Attached?** Yes ☒

***This document must be completed and returned with your Submittal***

# Request for Taxpayer Identification Number and Certification

Give Form to the  
requester. Do not  
send to the IRS.

► Go to [www.irs.gov/FormW9](http://www.irs.gov/FormW9) for instructions and the latest information.

Print or type.  
See Specific Instructions on page 3.

1 Name (as shown on your income tax return). Name is required on this line; do not leave this line blank. <b>Tindale - Oliver &amp; Associates, Inc.</b>		
2 Business name/disregarded entity name, if different from above		
3 Check appropriate box for federal tax classification of the person whose name is entered on line 1. Check only <b>one</b> of the following seven boxes.  <input type="checkbox"/> Individual/sole proprietor or single-member LLC <input type="checkbox"/> Limited liability company. Enter the tax classification (C=C corporation, S=S corporation, P=Partnership) ► <b>Note:</b> Check the appropriate box in the line above for the tax classification of the single-member owner. Do not check LLC if the LLC is classified as a single-member LLC that is disregarded from the owner unless the owner of the LLC is another LLC that is <b>not</b> disregarded from the owner for U.S. federal tax purposes. Otherwise, a single-member LLC that is disregarded from the owner should check the appropriate box for the tax classification of its owner. <input type="checkbox"/> Other (see instructions) ►	4 Exemptions (codes apply only to certain entities, not individuals; see instructions on page 3):  Exempt payee code (if any) _____  Exemption from FATCA reporting code (if any) _____  <i>(Applies to accounts maintained outside the U.S.)</i>	
5 Address (number, street, and apt. or suite no.) See instructions. <b>1000 N. Ashley Drive, Suite 400</b>	Requester's name and address (optional)	
6 City, state, and ZIP code <b>Tampa, FL 33602</b>		
7 List account number(s) here (optional)		

## Part I Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box. The TIN provided must match the name given on line 1 to avoid backup withholding. For individuals, this is generally your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the instructions for Part I, later. For other entities, it is your employer identification number (EIN). If you do not have a number, see *How to get a TIN*, later.

**Note:** If the account is in more than one name, see the instructions for line 1. Also see *What Name and Number To Give the Requester* for guidelines on whose number to enter.

Social security number								
			-			-		
or								
Employer identification number								
5	9	-	2	9	2	9	8	1

## Part II Certification

Under penalties of perjury, I certify that:

- The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me); and
- I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding; and
- I am a U.S. citizen or other U.S. person (defined below); and
- The FATCA code(s) entered on this form (if any) indicating that I am exempt from FATCA reporting is correct.

**Certification instructions.** You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and generally, payments other than interest and dividends, you are not required to sign the certification, but you must provide your correct TIN. See the instructions for Part II, later.

Sign Here	Signature of U.S. person ► <i>Linda J. Tindale</i>	Date ► January 1, 2019
-----------	--	------------------------

## General Instructions

Section references are to the Internal Revenue Code unless otherwise noted.

**Future developments.** For the latest information about developments related to Form W-9 and its instructions, such as legislation enacted after they were published, go to [www.irs.gov/FormW9](http://www.irs.gov/FormW9).

## Purpose of Form

An individual or entity (Form W-9 requester) who is required to file an information return with the IRS must obtain your correct taxpayer identification number (TIN) which may be your social security number (SSN), individual taxpayer identification number (ITIN), adoption taxpayer identification number (ATIN), or employer identification number (EIN), to report on an information return the amount paid to you, or other amount reportable on an information return. Examples of information returns include, but are not limited to, the following.

- Form 1099-INT (interest earned or paid)

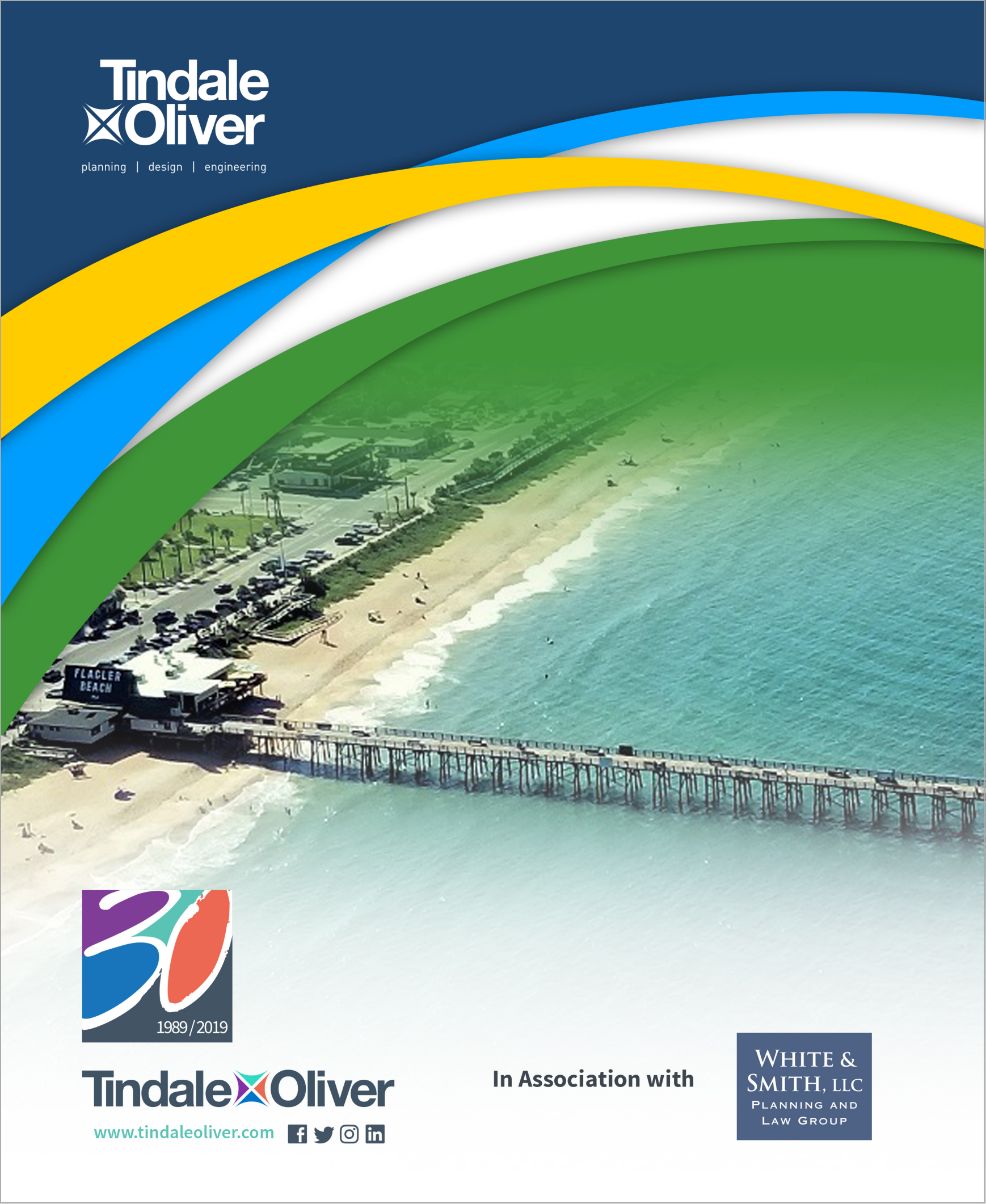
- Form 1099-DIV (dividends, including those from stocks or mutual funds)
  - Form 1099-MISC (various types of income, prizes, awards, or gross proceeds)
  - Form 1099-B (stock or mutual fund sales and certain other transactions by brokers)
  - Form 1099-S (proceeds from real estate transactions)
  - Form 1099-K (merchant card and third party network transactions)
  - Form 1098 (home mortgage interest), 1098-E (student loan interest), 1098-T (tuition)
  - Form 1099-C (canceled debt)
  - Form 1099-A (acquisition or abandonment of secured property)
- Use Form W-9 only if you are a U.S. person (including a resident alien), to provide your correct TIN.

If you do not return Form W-9 to the requester with a TIN, you might be subject to backup withholding. See What is backup withholding, later.





planning | design | engineering



**Tindale**  **Oliver**

[www.tindaleoliver.com](http://www.tindaleoliver.com)    

In Association with

**WHITE &  
SMITH, LLC**  
PLANNING AND  
LAW GROUP