

**MYRTLE CREEK IMPROVEMENT DISTRICT
BOARD OF SUPERVISORS' MEETING MINUTES**

FIRST ORDER OF BUSINESS

The Board of Supervisors' Meeting for the Myrtle Creek Improvement District was called to order on Tuesday, March 19, 2019 at 5:01 p.m. at 6900 Tavistock Lakes Blvd, Suite 200, Orlando, FL 32827. Board Members listed below constituted a quorum.

Jeff Macre	Chair
Bob da Silva	Vice-Chair
Kam Shenai	Assistant Secretary
Donald Tubbs	Assistant Secretary
Kyle Scholl	Assistant Secretary (via phone)

Also present were:

Lynne Mullins	PFM
Jennifer Walden	PFM
Jeff Newton	Donald W. McIntosh Associates
Larry Kaufmann	Construction Supervisor
Scott Thacker	Construction Committee
Tucker Mackie	Hopping Green & Sams (via phone)

SECOND ORDER OF BUSINESS

Public Comment Period

Ms. Walden noted for the record that there were no public comments at this time.

THIRD ORDER OF BUSINESS

**Consideration of the Minutes
of the February 19, 2019 Board
of Supervisors' Meeting**

Board Members reviewed the minutes from the February 19, 2019 Board of Supervisors' Meeting.

On Motion by Mr. Shenai, second by Mr. da Silva, with all in favor, the Board of Supervisors of the Myrtle Creek Improvement District approved the Minutes of the February 19, 2019 Board of Supervisors' Meeting.

FOURTH ORDER OF BUSINESS

Consideration of RFP for District Landscaping & Common Area Maintenance

Ms. Walden stated that there are two documents and the first is the ad for the Request for Proposals and the second document is the evaluation criteria. District staff is recommending holding a mandatory pre-proposal meeting with the proposers. It will be held at the Laureate Park Lake House on April 10, 2019. There are a few changes made to the RFP, the performance bond in the past had a dollar amount and it has been changed to 25% of the first full year's proposal. The last time the District had an RFP the proposers could bid on section 1, 2, or overall but this time District staff is proposing that each bidder must bid on each section individually and overall.

Ms. Walden explained that the Construction Committee met this past Thursday to review the evaluation criteria and go over the items and some of the points have changed. For price, the lowest bidder gets the full 30 points and the remaining bidders are awarded points based on their pricing relative to the low bid.

Mr. da Silva asked if the evaluation criteria is historically consistent with what the District has done in the past, surprised that price is only worth 30% of the total points.

Mr. Kaufmann said that last time price was 40% of the total. Mr. Kaufmann stated that it has changed over the years to give the District some flexibility. Mr. Newton stated that the evaluation criteria is the Construction Committee's recommendation and the Board has the authority to change it.

Mr. Shenai asked how many responses the District should expect to receive. Ms. Walden responded that it could vary because the District Management has done this with some District and received only two responses. Last time the District did this they received a wide variety because proposers could bid on multiple sections. The District had a total of 10 different proposers from the different firms for all three Districts.

Ms. Walden recommended running the ad twice for two Sundays and it will be sent out to the current vendors that the District is using so that they have it. District staff will also receive phone calls from vendors who want to work with the District and the RFP can be sent to them as well.

Mr. Shenai asked besides BrightView is there anyone else doing work for other Districts. Ms. Walden replied that Carol King does the interchange. Mr. Kaufmann stated that for a previous RFP District staff required a bond for 100% of the contract price and the District only had one contractor that could supply it. In a subsequent RFP, it was reduced to a fixed dollar value and in this RFP it is a percentage of contract in an effort to attract more potential bidders.

Mr. da Silva stated that he thinks reducing the points awarded for pricing would discourage competitive contractors from wanting to pursue this project. Some proposers might feel they would get full points for experience and understanding scope of work and therefore price their bid higher. The point system is skewing the results into an arbitrary area of analysis and not encouraging the District to get companies to simply price it. Ms. Walden noted that experience is not just experience on the District. Mr. da Silva does not think that the other areas of the evaluation criteria are as important as price and that price should be worth 60% of the total. Ms. Walden stated that there was an issue with another District where the price was weighted higher and someone came in as a very low bid and they ended up being awarded the project and after one year the District let them go because the service was unacceptable and they were not fulfilling

their contract. The District then had to do the RFP process all over again. Mr. Macre stated that Mr. da Silva made a good point but at the end of the day the Board is allowed to pick whoever they want even if they do not score the highest. Ms. Walden clarified that the Board is obligated to choose the proposer who scores the most points. The Board can either take the Construction Committee's recommendation or the Board can score the proposers themselves.

Mr. Shenai asked how the Board will know who understands the scope of work simply by reading the proposal. Mr. da Silva stated that sometimes staff would bring in the proposer to interview them, ask them how they are going to trim the trees and they may not have the right answers. Mr. Thacker stated that part of what the bidder must submit is a written explanation of how they will staff it, how many people, the equipment they will use, what their capabilities are, and so on. Based on the deliverables required in the RFP the District should be able to tell how well they understood the scope.

Mr. da Silva proposed the evaluation criteria to be 20 points for Technical Capability, 20 points for Experience, 10 points for Understanding of Scope of Work, and 50 points for Price.

On Motion by Mr. da Silva, second by Mr. Tubbs, with all in favor, the Board of Supervisors for the Myrtle Creek Improvement District approved the evaluation criteria, as amended for the points to be awarded as follows; 20 points for Technical Capability, 20 points for Experience, 10 points for Understanding of Scope of Work, and 50 points for Price.

Ms. Walden requested approval of the RFP.

Mr. da Silva asked if there will be exhibits to show the area included. Mr. Kaufmann responded that it will be in the project book and it will include Wellspring Drive to the end.

Mr. da Silva asked if this will include getting prices for the work under construction as an alternate. Mr. Kaufmann stated that the next phase of Performance Drive will be done when the construction is completed and the one year of maintenance associated with the contract has ended. The second phase of Performance Drive will be included in the RFP scope, as will Wellspring Drive, but they are Developer funded. Mr. da Silva asked if that is broken out on the bid form. Mr. Kaufmann responded yes.

Mr. da Silva stated that he thought that Wellspring was turned over to the District. Mr. Kaufmann said it is but the bonds have not been sold so it is Developer funded until the bonds have been sold.

On Motion by Mr. Macre, second by Mr. da Silva, with all in favor, the Board of Supervisors for the Myrtle Creek Improvement District approved the Request for Proposals for District Landscaping & Common Area Maintenance, as amended.

FIFTH ORDER OF BUSINESS

Ratification of Requisition No. 524 – 525 Approved in February 2019 in an amount totaling \$384.16

Board Members reviewed the Requisition No. 524 – 525 Approved in February 2019 in an amount totaling \$384.16

Ms. Walden noted that these have been paid and approved and need to be ratified by the Board.

On Motion by Mr. Tubbs, second by Mr. da Silva, with all in favor, the Board of Supervisors of the Myrtle Creek Improvement District ratified the Requisition No. 524 – 525 Approved in February 2019 in an amount totaling \$384.16.

SIXTH ORDER OF BUSINESS

Ratification of Operation and Maintenance Expenditures Paid in February 2019 in an amount totaling \$84,076.34

Board Members reviewed the Operation and Maintenance Expenditures paid in February 2019 in an amount totaling \$84,076.34

Ms. Walden noted that these have already been approved and paid but just needs to be ratified by the Board.

Mr. Newton said that he thinks the invoice for McIntosh is not actually an O&M expense and he thinks it is being reimbursed by the Developer because he is sure it is for Performance Drive Phase 3. Mr. Kaufmann confirmed it is.

On Motion by Mr. Macre, second by Mr. Tubbs, with all in favor, the Board of Supervisors of the Myrtle Creek Improvement District ratified the Operation and Maintenance Expenditures paid in February 2019 in an amount totaling \$84,076.34.

SEVENTH ORDER OF BUSINESS

Recommended Work Authorization/Proposed Services

Mr. Kaufmann stated that there were no work authorizations for this Board.

EIGHTH ORDER OF BUSINESS

Review of District's Financial Position and Budget to Actual YTD

Ms. Walden noted that the District has expenses of \$248,000.00 vs. a budget of \$314,000.00 the District is currently under budget through the month of February. There was no action required.

Mr. Shenai asked about the reclaimed water. He noted that it is up to \$13,000.00 and the District only budgeted for \$10,000.00. He stated that something is not right. Mr. Thacker will look into that.

NINTH ORDER OF BUSINESS

Staff Reports

District Counsel – No Report

District Manager – Ms. Walden noted that the next meeting is Tuesday April 16, 2019. The Board will start looking at the budget and the Board is on schedule to approve the preliminary budget in May.

District Engineer – Mr. Newton stated that Performance Drive Phase 3 work has not started yet and that's because staff is working through a couple of issues with the City. The work on Lake Nona Boulevard has complicated maintenance of traffic necessary to complete the improvements proposed within the Lake Nona Boulevard right-of-way. The work that the Board sees going on right now is part of the Developer's mass grading of that parcel and the road work has not commenced yet.

Construction Supervisor – Mr. Kaufmann stated that Mr. Shenai had an issue about some tree trimming.

Mr. Shenai brought up issues with magnolia tree limbs that are protruding into the roadway and he is concerned a truck might hit it.

Mr. Thacker asked BrightView to make sure that the District has 14 feet of clearance of any branches that are hanging over the roadway, which is standard but it appears that some of the branches have been hit. He has asked BrightView to be more vigilant about that.

Irrigation Specialist - Not present.

TENTH ORDER OF BUSINESS

**Supervisor Requests,
Audience Comments
& Adjournment**

Mr. Macre stated that in the contract the contractor must empty the trash on Lake Nona Boulevard. Mr. Thacker stated that he will check the scope of work to see what the frequency is and if the District can increase it if need be. Mr. Kaufmann stated that it is as needed and the Board might want to clarify it.

Mr. Macre asked if the District can enforce anything on those working construction related to the work happening by the firehouse. The contractor had to cone off the trail. The Board previously discussed doing patches and fixing the trail and the challenges associated with closing the trail, so he does not think the

construction crews are abiding by any of the proper rules. Mr. Kaufmann stated that Scott Walker at the City of Orlando manages all of that and the contractor will need to do what he tells them.

Mr. Macre stated the other day there were surveyors parked on the median that were not supposed to be. How is the overall monitoring of the trucks damaging the landscape and irrigation being managed? Mr. Thacker stated that Paul Stephens, the Water Management Specialist, is closely monitoring the activities and will do what he can to hold them accountable.

Mr. Macre stated that they are doing the piping on one side of Lake Nona Boulevard and they have moved traffic over to the other side. When the piping is finished and the County repaves that side will they also repave the other side. It looks like 10 years of wear and tear from the trucks and all the work that is happening, as well as from other vendors on that one side of the road, has deteriorated the pavement. Mr. Kaufmann stated that it is an Orange County construction project that has been permitted by the City. What they do with traffic will be dictated by Scott Walker and City Engineers. Mr. Thacker stated that the repaving is a City project for the other two lanes and the pipeline is the County project. They already approved the MOT and tore up all the asphalt on the southern lanes. Mr. Macre asked District staff to collect evidence now with pictures or other documentation. Mr. Kaufmann stated that the County requires the contractors to video tape the whole section of road prior to them doing any work and they County uses that tape to come back against the Contractor to hold them responsible for damages. Mr. Macre stated that there have been numerous potholes and they have been patching things. Mr. Thacker stated that he has staff that reports the potholes to the City as well.

There was no other business to discuss. Ms. Walden requested a motion to adjourn.

On Motion by Mr. Macre second by Mr. Tubbs, with all in favor, the March 19, 2019 Meeting of the Board of Supervisors of the Myrtle Creek Improvement District was adjourned.


Secretary/Assistant Secretary


Chair/Vice Chair