



HYPOLUXO/HAVERHILL COMMUNITY DEVELOPMENT DISTRICT

PALM BEACH COUNTY REGULAR BOARD MEETING & PUBLIC HEARING MAY 14, 2024 9:00 A.M.

Special District Services, Inc.
The Oaks Center
2501A Burns Road
Palm Beach Gardens, FL 33410

www.hypoluxohaverhillcdd.org

561.630.4922 Telephone
877.SDS.4922 Toll Free
561.630.4923 Facsimile

AGENDA
HYPOLUXO/HAVERHILL
COMMUNITY DEVELOPMENT DISTRICT
Special District Services, Inc. Conference Room
2501A Burns Road,
Palm Beach Gardens, FL 33410
REGULAR BOARD MEETING & PUBLIC HEARING
May 14, 2024
9:00 a.m.

- A. Call to Order
- B. Proof of Publication.....Page 1
- C. Establish Quorum
- D. Additions or Deletions to Agenda
- E. Comments from the Public for Items Not on the Agenda
- F. Approval of Minutes
 - 1. March 12, 2024 Regular Board Meeting.....Page 2
- G. Public Hearing
 - 1. Proof of Publication.....Page 5
 - 2. Receive Public Comments on Fiscal Year 2024/2025 Final Budget
 - 3. Consider Resolution No. 2024-02 – Adopting a Fiscal Year 2024/2025 Final Budget.....Page 6
- H. Old Business
 - 1. Update on Tree Trimming Policy
- I. New Business
 - 1. Consider Resolution No. 2024-03 – Adopting a Fiscal Year 2024/2025 Meeting Schedule....Page 13
 - 2. Consider Appointment of Audit Committee & Approval of Evaluation Criteria.....Page 15
- J. Administrative Matters
- K. Board Members Comments
- L. Adjourn

LOCALiQ

The Gainesville Sun | The Ledger
Daily Commercial | Ocala StarBanner
News Chief | Herald-Tribune
News Herald | The Palm Beach Post
Northwest Florida Daily News

PO Box 631244 Cincinnati, OH 45263-1244

PROOF OF PUBLICATION

Hypoluxo Haverhill Comm Dev
Hypoluxo Haverhill Comm Dev
2501 BURNS RD
STE A

PALM BEACH GARDENS FL 334105207

STATE OF WISCONSIN, COUNTY OF BROWN

Before the undersigned authority personally appeared, who on oath says that he or she is the Legal Coordinator of the Palm Beach Post, published in Palm Beach County, Florida; that the attached copy of advertisement, being a Public Notices, was published on the publicly accessible website of Palm Beach County, Florida, or in a newspaper by print in the issues of, on:

09/29/2023

Affiant further says that the website or newspaper complies with all legal requirements for publication in chapter 50, Florida Statutes.

Subscribed and sworn to before me, by the legal clerk, who is personally known to me, on 09/29/2023

Legal Clerk

Notary, State of WI, County of Brown

My commission expires

Publication Cost: \$237.93

Order No: 9318458

Customer No: 730597

PO #:

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1

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HYPOLUXO/HAVERHILL COMMUNITY DEVELOPMENT DISTRICT

FISCAL YEAR 2023/2024

REGULAR MEETING SCHEDULE
NOTICE IS HEREBY GIVEN that the Board of Supervisors of the Hypoluxo/Haverhill Community Development District will hold Regular Meetings in the Conference Room of Special District Services, Inc. located at 2501A Burns Road, Palm Beach Gardens, Florida 33410 at 9:00 a.m. on the following dates:

October 10, 2023

November 7, 2023

December 12, 2023

January 9, 2024

February 13, 2024

March 12, 2024

April 9, 2024

May 14, 2024

June 11, 2024

July 9, 2024

August 13, 2024

September 10, 2024

The purpose of the meetings is to conduct any business coming before the Board. Meetings are open to the public and will be conducted in accordance with the provisions of Florida law. Copies of the Agendas for any of the meetings may be obtained from the District's website or by contacting the District Manager at (561) 630-4922 and/or toll free at 1-877-737-4922 prior to the date of the particular meeting.

From time to time one or more Supervisors may participate by telephone; therefore a speaker telephone will be present at the meeting location so that Supervisors may be fully informed of the discussions taking place. Meetings may be continued as found necessary to a time and place specified on the record.

If any person decides to appeal any decision made with respect to any matter considered at these meetings, such person will need a record of the proceedings and such person may need to insure that a verbatim record of the proceedings is made of his or her own expense and which record includes the testimony and evidence on which the appeal is based.

In accordance with the provisions of the Americans with Disabilities Act, any person requiring special accommodations or an interpreter to participate at any of these meetings should contact the District Manager at (561) 630-4922 and/or toll-free at 1-877-737-4922 at least seven (7) days prior to the date of the particular meeting.

Meetings may be cancelled from time to time without advertised notice.

HYPOLUXO/HAVERHILL
COMMUNITY DEVELOPMENT
DISTRICT

www.hypoluxohaverhillcdd.org
9/29/2023 #9318458

NICOLE JACOBS
Notary Public
State of Wisconsin

HYPOLUXO/HAVERHILL COMMUNITY DEVELOPMENT DISTRICT
REGULAR BOARD MEETING
MARCH 12, 2024

A. CALL TO ORDER

District Manager Michael McElligott called the March 12, 2024, Regular Board Meeting of the Hypoluxo/Haverhill Community Development District to order at 9:15 a.m. at the Conference Room at Special District Services, Inc, located at 2501 A Burns Road, Palm Beach Gardens, Florida, 33410.

B. PROOF OF PUBLICATION

Mr. McElligott presented proof of publication that notice of the Regular Board Meeting had been published in *The Palm Beach Post* on September 29, 2023, as legally required.

C. ESTABLISH A QUORUM

Mr. McElligott determined that the attendance of the following Supervisors constituted a quorum, and it was in order to proceed with the meeting: Chair Tom Messler, Vice Chair Bernard Gatlin, and Supervisors Brett Osinski and Nick Watson, Jr.

Staff in attendance were District Manager Michael McElligott of Special District Services, Inc., and District Counsel Scott Cochran of Billing, Cochran, Lyles, Mauro & Ramsey, P.A.

D. ADDITIONS OR DELETIONS TO THE AGENDA

There were no additions or deletions to the agenda.

E. COMMENTS FROM THE PUBLIC FOR ITEMS NOT ON THE AGENDA

There were no comments from the public for items not on the agenda.

F. APPROVAL OF MINUTES

1. November 7, 2023, Regular Board Meeting & Public Hearing

Mr. McElligott presented the minutes of the November 7, 2023, Regular Board & Public Hearing Meeting and asked if there were any changes and/or corrections. There were no corrections noted. A **motion** was then made by Mr. Osinski, seconded by Mr. Messler and **unanimously passed** to approve the minutes of the November 7, 2024, Regular Board & Public Hearing Meeting, as presented.

G. OLD BUSINESS

1. Update on Tree Policy

Mr. McElligott informed the Board that he spoke with the District Engineer, Mr. Roth, and he is working on a policy with the landscape architect, and we will bring that to the Board hopefully by the next meeting.

HYPOLUXO/HAVERHILL COMMUNITY DEVELOPMENT DISTRICT
REGULAR BOARD MEETING
MARCH 12, 2024

H. NEW BUSINESS

1. Consider Resolution No. 2024-01 – Adopting a Fiscal Year 2024/2025 Proposed Budget

Mr. McElligott presented Resolution No. 2024-01, entitled:

RESOLUTION NO. 2024-01

**A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE
HYPOLUXO/HAVERHILL COMMUNITY DEVELOPMENT DISTRICT
APPROVING A PROPOSED BUDGET FOR FISCAL YEAR 2024/2025;
AND PROVIDING AN EFFECTIVE DATE.**

Mr. McElligott presented the budget and answered some questions from the Board. After some discussion, a **motion** was made by Mr. Osinski, seconded by Mr. Messler, and **passed unanimously** to adopt Resolution No. 2024-01 as presented, and set the Public Hearing for the Final Budget for May 14, 2024 at 9:00 am.

1. Discussion Regarding Required Ethics Training

Mr. McElligott and Mr. Cochran explained that due to legislation change, CDD Board members are now required to complete 4 hours of ethics training starting this year. Mr. McElligott explained that Mr. Cochran's office provided SDS, Inc with 2 free videos that would qualify. The links to those videos are now on the SDS, Inc website for the Board Members to view at their leisure this year. They will then need to check the box on the Form 1 next year saying they completed the 4 hours this year.

I. ADMINISTRATIVE MATTERS

Mr. McElligott explained to the Board that there is a new, online version of the Form 1 that will be through the State, not the County Supervisor of Elections. The Board Members should receive emails about it from the State in the coming months.

J. BOARD MEMBER COMMENTS

There were no comments from the Board Members.

K. ADJOURNMENT

There being no further business to come before the Board, a **motion** was made by Mr. Osinski, seconded by Mr. Gatlin, and **unanimously passed** to adjourn the Regular Board Meeting at 9:26 a.m.

HYPOLUXO/HAVERHILL COMMUNITY DEVELOPMENT DISTRICT
REGULAR BOARD MEETING
MARCH 12, 2024

Secretary/Assistant Secretary

Chair/Vice-Chair

Notice of Public Hearing and
Regular Board Meeting of the
Hypoluxo Haverhill Community Development District

The Board of Supervisors of the Hypoluxo Haverhill Community Development District (District) will hold a public hearing on May 14, 2024, at 9:00 a.m. in the Conference Room of The Oaks Center located at 2501A Burns Road, Palm Beach Gardens, Florida 33410 for the purpose of hearing comments and objections on the adoption of the budget of the District for Fiscal Year 2024/2025. A regular board meeting of the District will also be held at that time where the Board may consider agenda items and any other business that may properly come before it.

A copy of the agenda and budget may be obtained from the Districts website www.hypoluxohaverhillcdd.org) or at the offices of the District Manager, Special District Services, located at 2501A Burns Road, Palm Beach Gardens, Florida 33410 during normal business hours.

The public hearing and meeting are open to the public and will be conducted in accordance with the provisions of Florida law for community development districts. The public hearing and meeting may be continued to a date, time, and place to be specified on the record at the meeting. There may be occasions when staff or Supervisors may participate by speaker telephone.

Any person requiring special accommodations at this meeting because of a disability or physical impairment should contact the District Office at (561) 630-4922 at least forty-eight (48) hours prior to the meeting. If you are hearing or speech impaired, please contact the Florida Relay Service at 1-800-955-8770, for aid in contacting the District Office.

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

Meetings may be cancelled from time to time without advertised notice.

District Manager

Hypoluxo Haverhill Community Development District www.hypoluxohaverhillcdd.org

April 26, May 3, 2024 10102858

RESOLUTION NO. 2024-02

A RESOLUTION OF THE HYPOLUXO/HAVERHILL COMMUNITY DEVELOPMENT DISTRICT ADOPTING A FISCAL YEAR 2024/2025 BUDGET.

WHEREAS, the Hypoluxo/Haverhill Community Development District (“District”) has prepared a Proposed Budget and Final Special Assessment Roll for Fiscal Year 2024/2025 and has held a duly advertised Public Hearing to receive public comments on the Proposed Budget and Final Special Assessment Roll; and,

WHEREAS, following the Public Hearing and the adoption of the Proposed Budget and Final Assessment Roll, the District is now authorized to levy non ad-valorem assessments upon the properties within the District.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE HYPOLUXO/HAVERHILL COMMUNITY DEVELOPMENT DISTRICT THAT:

Section 1. The Final Budget and Final Special Assessment Roll for Fiscal Year 2024/2025 attached hereto as Exhibit “A” is approved and adopted, and the assessments set forth therein shall be levied.

Section 2. The Secretary of the District is authorized to execute any and all necessary transmittals, certifications or other acknowledgements or writings, as necessary, to comply with the intent of this Resolution.

PASSED, ADOPTED and EFFECTIVE this 14th day of May, 2024.

ATTEST:

**HYPOLUXO/HAVERHILL
COMMUNITY DEVELOPMENT DISTRICT**

By: _____
Secretary/Assistant Secretary

By: _____
Chairperson/Vice Chairperson

Hypoluxo/Haverhill Community Development District

**Final Budget For
Fiscal Year 2024/2025
October 1, 2024 - September 30, 2025**

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- IV ASSESSMENT COMPARISON**

FINAL BUDGET
HYPOLUXO/HAVERHILL COMMUNITY DEVELOPMENT DISTRICT
FISCAL YEAR 2024/2025
OCTOBER 1, 2024 - SEPTEMBER 30, 2025

	FISCAL YEAR 2024/2025 BUDGET
REVENUES	
O & M Assessments	82,598
Debt Assessments	99,827
Other Revenues	0
Interest Income	480
TOTAL REVENUES	\$ 182,905
EXPENDITURES	
Supervisor Fees	5,000
Payroll Taxes (Employer)	400
Engineering	2,500
Management	28,572
Secretarial	4,200
Legal	8,000
Assessment Roll	5,000
Audit Fees	3,800
Insurance	7,200
Legal Advertisements	1,000
Miscellaneous	650
Postage	225
Office Supplies	350
Dues & Subscriptions	175
Trustee Fee	3,200
Website Management	2,000
Lake Maintenance	10,000
TOTAL EXPENDITURES	\$ 82,272
REVENUES LESS EXPENDITURES	\$ 100,633
Bond Payments	(93,837)
BALANCE	\$ 6,796
County Appraiser & Tax Collector Fee	(3,649)
Discounts For Early Payments	(7,297)
EXCESS/ (SHORTFALL)	\$ (4,150)
Carryover From Prior Year	4,150
NET EXCESS/ (SHORTFALL)	\$ -

Note: Estimated Fund Balance As Of 9-30-24 is \$40,000.

DETAILED FINAL BUDGET
HYPOLUXO/HAVERHILL COMMUNITY DEVELOPMENT DISTRICT
FISCAL YEAR 2024/2025
OCTOBER 1, 2024 - SEPTEMBER 30, 2025

	FISCAL YEAR 2022/2023	FISCAL YEAR 2023/2024	FISCAL YEAR 2024/2025	
REVENUES	ACTUAL	BUDGET	BUDGET	COMMENTS
O & M Assessments	82,762	82,610	82,598	Expenditures Less Interest & Carryover/.94
Debt Assessments	99,862	99,827	99,827	Bond Payments/.94
Other Revenues	0	0	0	
Interest Income	1,660	240	480	Projected At \$40 Per Month
TOTAL REVENUES	\$ 184,284	\$ 182,677	\$ 182,905	
EXPENDITURES				
Supervisor Fees	2,400	5,000	5,000	No Change From 2023/2024 Budget
Payroll Taxes (Employer)	184	400	400	Projected At 8% Of Supervisor Fees
Engineering	2,375	2,500	2,500	No Change From 2023/2024 Budget
Management	26,940	27,744	28,572	CPI Adjustment (Capped At 3%)
Secretarial	4,200	4,200	4,200	No Change From 2023/2024 Budget
Legal	7,588	8,000	8,000	No Change From 2023/2024 Budget
Assessment Roll	5,000	5,000	5,000	As Per Contract
Audit Fees	3,600	3,700	3,800	\$100 Increase From 2023/2024 Budget
Insurance	6,134	6,600	7,200	Fiscal Year 2023/2024 Expenditure Was \$6,594
Legal Advertisements	660	1,000	1,000	No Change From 2023/2024 Budget
Miscellaneous	208	700	650	\$50 Decrease From 2023/2024 Budget
Postage	84	225	225	No Change From 2023/2024 Budget
Office Supplies	265	350	350	No Change From 2023/2024 Budget
Dues & Subscriptions	175	175	175	No Change From 2023/2024 Budget
Trustee Fee	3,180	3,300	3,200	\$100 Decrease From 2023/2024 Budget
Website Management	2,000	2,000	2,000	No Change From 2023/2024 Budget
Lake Maintenance	6,321	10,000	10,000	No Change From 2023/2024 Budget
TOTAL EXPENDITURES	\$ 71,314	\$ 80,894	\$ 82,272	
REVENUES LESS EXPENDITURES	\$ 112,970	\$ 101,783	\$ 100,633	
Bond Payments	(95,097)	(93,837)	(93,837)	2025 Principal & Interest Payments
BALANCE	\$ 17,873	\$ 7,946	\$ 6,796	
County Appraiser & Tax Collector Fee	(1,401)	(3,649)	(3,649)	Two Percent Of Total Assessment Roll
Discounts For Early Payments	(6,963)	(7,297)	(7,297)	Four Percent Of Total Assessment Roll
EXCESS/ (SHORTFALL)	\$ 9,509	\$ (3,000)	\$ (4,150)	
Carryover From Prior Year	0	3,000	4,150	Carryover Balance From Prior Years
NET EXCESS/ (SHORTFALL)	\$ 9,509	\$ -	\$ -	

Note: Estimated Fund Balance As Of 9-30-24 is \$40,000.

DETAILED FINAL DEBT SERVICE FUND BUDGET

HYPOLUXO/HAVERHILL COMMUNITY DEVELOPMENT DISTRICT

FISCAL YEAR 2024/2025

OCTOBER 1, 2024 - SEPTEMBER 30, 2025

	FISCAL YEAR 2022/2023	FISCAL YEAR 2023/2024	FISCAL YEAR 2024/2025	
REVENUES	ACTUAL	BUDGET	BUDGET	COMMENTS
Interest Income	2,418	100	400	Projected Interest For 2024/2025
NAV Tax Collection	95,097	93,837	93,837	Yearly Maximum Debt Assessment
Total Revenues	\$ 97,515	\$ 93,937	\$ 94,237	
EXPENDITURES				
Principal Payments	70,000	70,000	75,000	Principal Payment Due In 2025
Interest Payments	20,034	17,388	15,561	Interest Payments Due In 2025
Bond Redemption	0	6,549	3,676	Estimated Excess Debt Collections
Total Expenditures	\$ 90,034	\$ 93,937	\$ 94,237	
Excess/Shortfall	\$ 7,481	\$ -	\$ -	

Series 2017 Bond Refunding Information

Original Par Amount =	\$1,195,000	Annual Principal Payments Due =	May 1st
Interest Rate =	2.52% - 6.75%	Annual Interest Payments Due =	May 1st & November 1st
Issue Date =	January 2017		
Maturity Date =	May 2033		
Par Amount As Of 1/1/24 =	\$725,000		

Hypoluxo/Haverhill Community Development District Assessment Comparison

	Fiscal Year 2020/2021 <u>Assessment*</u>	Fiscal Year 2021/2022 <u>Assessment*</u>	Fiscal Year 2022/2023 <u>Assessment*</u>	Fiscal Year 2023/2024 <u>Assessment*</u>	Fiscal Year 2024/2025 <u>Projected Assessment*</u>
O & M	\$ 251.91	\$ 301.64	\$ 301.57	\$ 301.50	\$ 301.46
<u>Debt</u>	<u>\$ 364.33</u>	<u>\$ 364.33</u>	<u>\$ 364.33</u>	<u>\$ 364.33</u>	<u>\$ 364.33</u>
Total	\$ 616.24	\$ 665.97	\$ 665.90	\$ 665.83	\$ 665.79

* Assessments Include the Following :

4% Discount for Early Payments

1% County Tax Collector Fee

1% County Property Appraiser Fee

Community Information:

Total Units 274

RESOLUTION NO. 2024-03

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE HYPOLUXO/HAVERHILL COMMUNITY DEVELOPMENT DISTRICT, ESTABLISHING A REGULAR MEETING SCHEDULE FOR FISCAL YEAR 2024/2025 AND SETTING THE TIME AND LOCATION OF SAID DISTRICT MEETINGS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, it is necessary for the Hypoluxo/Haverhill Community Development District ("District") to establish a regular meeting schedule for fiscal year 2024/2025; and

WHEREAS, the Board of Supervisors of the District has set a regular meeting schedule, location and time for District meetings for fiscal year 2024/2025 which is attached hereto and made a part hereof as Exhibit "A".

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE HYPOLUXO/HAVERHILL COMMUNITY DEVELOPMENT DISTRICT, PALM BEACH COUNTY, FLORIDA, AS FOLLOWS:

Section 1. The above recitals are hereby adopted.

Section 2. The regular meeting schedule, time and location for meetings for fiscal year 2024/2025 which is attached hereto as Exhibit "A" is hereby adopted and authorized to be published.

PASSED, ADOPTED and EFFECTIVE this 14th day of May, 2024

ATTEST:

**HYPOLUXO/HAVERHILL
COMMUNITY DEVELOPMENT DISTRICT**

By: _____
Secretary/Assistant Secretary

By: _____
Chairperson/Vice Chairperson

**HYPOLUXO/HAVERHILL COMMUNITY DEVELOPMENT DISTRICT
FISCAL YEAR 2024/2025 REGULAR MEETING SCHEDULE**

NOTICE IS HEREBY GIVEN that the Board of Supervisors of the Hypoluxo/Haverhill Community Development District will hold Regular Meetings in the Conference Room of Special District Services, Inc. located at 2501A Burns Road, Palm Beach Gardens, Florida 33410 at 9:00 a.m. on the following dates:

**October 8, 2024
November 12, 2024
December 10, 2024
January 14, 2025
February 11, 2025
March 11, 2025
April 8, 2025
May 13, 2025
June 10, 2025
July 8, 2025
August 12, 2025
September 9, 2025**

The purpose of the meetings is to conduct any business coming before the Board. Meetings are open to the public and will be conducted in accordance with the provisions of Florida law. Copies of the Agendas for any of the meetings may be obtained from the District's website or by contacting the District Manager at (561) 630-4922 and/or toll free at 1-877-737-4922 prior to the date of the particular meeting.

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HYPOLUXO/HAVERHILL COMMUNITY DEVELOPMENT DISTRICT

www.hypoluxohaverhillcdd.org

PUBLISH: THE PALM BEACH POST

**HYPOLUXO HAVERHILL COMMUNITY DEVELOPMENT DISTRICT
AUDITOR SELECTION
EVALUATION CRITERIA**

1. *Ability of Personnel (10 Points).*

(E.g., geographic locations of the firm's headquarters or permanent office in relation to the project; capabilities and experience of key personnel; evaluation of existing work load; proposed staffing levels, etc.)

2. *Proposer's Experience (10 Points).*

(E.g. past record and experience of the Proposer in similar projects; volume of work previously performed by the firm; past performance for other Community Development Districts in other contracts; character, integrity, reputation of Proposer, etc.)

3. *Understanding of Scope of Work (10 Points).*

Extent to which the proposal demonstrates an understanding of the District's needs for the services requested.

4. *Ability to Furnish the Required Services (10 Points).*

Present ability to manage this project and the extent to which the proposal demonstrates the adequacy of Proposer's financial resources and stability as a business entity necessary to complete the services required (E.g. the existence of any natural disaster plan for business operations).

5. *Price (10 Points).*

Points will be awarded based upon the price bid for the rendering of the services and reasonableness of the price to the services.

**HYPOLUXO HAVERHILL COMMUNITY DEVELOPMENT DISTRICT
REQUEST FOR PROPOSALS**

**District Auditing Services for Fiscal Years 2023/2024, 2024/2025 and 2025/2026
With Two Year Option (2026/2027 and 2027/2028)
Palm Beach County, Florida**

**HYPOLUXO HAVERHILL COMMUNITY DEVELOPMENT DISTRICT
AUDITOR SELECTION INSTRUCTIONS TO PROPOSERS**

SECTION 1. DUE DATE. Sealed proposals must be received no later than August 20, 2024 at 4:00 p.m., at the offices of District Manager, located at 2501A Burns Road, Palm Beach Gardens, Florida 33410.

SECTION 2. FAMILIARITY WITH THE LAW. By submitting a proposal, the Proposer is affirming its familiarity and understanding with all federal, state, and local laws, ordinances, rules and regulations that in any manner affect the work. Ignorance on the part of the Proposer will in no way relieve it from responsibility to perform the work covered by the proposal in compliance with all such laws, ordinances and regulations.

SECTION 3. QUALIFICATIONS OF PROPOSER. The contract, if awarded, will only be awarded to a responsible Proposer who is qualified by experience and licensing to do the work specified herein. The Proposer shall submit with its proposal satisfactory evidence of experience in similar work and show that it is fully prepared to complete the work to the satisfaction of the District.

SECTION 4. REJECTION OF PROPOSAL. Proposers shall be disqualified and their proposals rejected if the District has reason to believe that collusion may exist among the Proposers, the Proposer has defaulted on any previous contract or is in arrears on any previous or existing contract, or for failure to demonstrate proper licensure and business organization.

SECTION 5. SUBMISSION OF PROPOSAL. Submit one (1) copy of the Proposal Documents and one digital copy, and other requested attachments at the time and place indicated herein, which shall be enclosed in an opaque sealed envelope, marked with the title “Auditing Services – Hypoluxo Haverhill Community Development District” on the face of it.

SECTION 6. MODIFICATION AND WITHDRAWAL. Proposals may be modified or withdrawn by an appropriate document duly executed and delivered to the place where proposals are to be submitted at any time prior to the time and date the proposals are due. After proposals are opened by the District, no proposal may be withdrawn for a period of ninety (90) days.

SECTION 7. PROPOSAL DOCUMENTS. The proposal documents shall consist of the notice announcing the request for proposals, these instructions, the Evaluation Criteria Sheet and a proposal with all required documentation pursuant to Section 12 of these instructions (the “Proposal Documents”).

SECTION 8. PROPOSAL. In making its proposal, each Proposer represents that it has read and understands the Proposal Documents and that the proposal is made in accordance therewith.

SECTION 9. BASIS OF AWARD/RIGHT TO REJECT. The District reserves the right to reject any and all proposals, make modifications to the work, and waive any informalities or irregularities in proposals as it is deemed in the best interests of the District.

SECTION 10. CONTRACT AWARD. Within fourteen (14) days of receipt of the Notice of Award from the District, the Proposer shall enter into and execute a Contract (engagement letter) with the District.

SECTION 11. LIMITATION OF LIABILITY. Nothing herein shall be construed as or constitute a waiver of District’s limited waiver of liability contained in section 768.28, Florida Statutes, or any other statute or law.

SECTION 12. MISCELLANEOUS. All proposals shall include the following information in addition to any other requirements of the proposal documents.

- A. List position or title of all personnel to perform work on the District audit. Include resumes or each person listed; list years of experience in present position for each party listed and years of related experience.
- B. Describe proposed staffing levels, including resumes with applicable certifications.
- C. Three references from projects of similar size and scope. The Proposer should include information relating to the work it conducted for each reference as well as a name, address and phone number of a contact person.

SECTION 13. PROTESTS. Any protest regarding the Proposal Documents, must be filed in writing, at the offices of the District Manager, within seventy-two (72) hours after receipt of the Request for Proposals and Evaluation Criteria or other contract documents. The formal protest setting forth with particularity the facts and law upon which the protest is based shall be filed within seven (7) calendar days after the initial notice of protest was filed. Failure to timely file a notice of protest or failure to timely file a formal written protest shall constitute a waiver of any right to object or protest with respect to the aforesaid Request for Proposals, Evaluation Criteria, or other contract documents.

SECTION 14. EVALUATION OF PROPOSALS. The criteria to be used in the evaluation are presented in the Evaluation Criteria Sheet, contained within the Proposal Documents.

SECTION 15. REJECTION OF ALL PROPOSALS. The District reserves the right to reject any and all bids, with or without cause, and to waive technical errors and informalities, as determined to be in the best interests of the District.