

MINUTES OF MEETING
INDIGO COMMUNITY DEVELOPMENT DISTRICT

The continued meeting of September 23, 2008, of the landscape review committee of the Indigo Community Development District was reconvened Thursday, October 16, 2008 at 10:05 a.m. at the offices of MSKP Volusia Partners, LLC, 105 Grande Champion Boulevard, Daytona Beach, Florida.

Present were:

Randy Smith
Robert E. Welsh
Jamie Fowler (by telephone)

FIRST ORDER OF BUSINESS

Roll Call

Ms. Fowler called the meeting to order at 10:05 a.m.

SECOND ORDER OF BUSINESS

Review and Ranking of Landscape & Maintenance Proposals

Mr. Smith stated I would like each of us to announce our totals for each contractor and we will see where we end up with that and if we come to a resolution between the two of us with the contractor then we have a recommendation.

Ms. Fowler stated we have to rank them.

Mr. Welsh stated my rankings are almost the same as Randy's. In some places they are not but I will give you my recommendations and points. I have Austin at 85, Pro Scape at 87, Rountree at 90, Servello at 85 and Valley Crest at 85.

Mr. Smith asked what are your rankings?

Mr. Welsh stated I would have Rountree first, Pro Scape second, Valley Crest third, Austin fourth and Servello fifth.

Ms. Fowler asked can we go through your scores on the individual categories?

Mr. Welsh stated I have Austin for personnel 20, experience 25, understanding scope 9, financial capacity 15, price 10 and price 4.

Ms. Fowler asked do you want to discuss any reasons you have?

Mr. Welsh stated I thought price-wise he was a little out of arc, financial ability with price and there are some things in there that I didn't feel were needed. The other thing I didn't like was that he was off site and he would have people that for instance some groups would only do trees another group would do bushes and another group would do the grounds and if an emergency happened and those particular people were at another site they wouldn't be able to pull in the tree people for a week. Those kinds of things I took into consideration because they were off site and I thought that would lead to some problems.

Mr. Welsh stated Pro Scape I did personnel 17, experience 25, understanding of scope 7, financial capacity 15, price 20 and price 3.

First of all let me go over prices because I thought that was kind of odd. I just took the top reading on my sheet which would be Rountree overall and I compared that to Pro Scape. Pro Scape was \$133,236 less than Rountree and when I went back over what had to be done there is no possible way there was that kind of a margin that overall would figure into the final cost because the fertilizer alone and I gave them each \$10 for work crews and when you added that up it almost came to that price of the overall cost and it just didn't match. I don't know how he was going to make up the other costs. It just didn't work out.

Ms. Fowler stated I want you to remember the market we are in we might see lower bids than we normally see from people who just need work.

Mr. Welsh stated the other thing I'm looking at and this is what is difficult to work out with this budget because of the economic conditions gas and oil are dropping today and today I saw on the news that it may drop to \$55 a barrel which means their costs are going to drop and the budget we have in front of us may be less than that before we start a new contract.

Ms. Fowler stated this is a lump sum bid so this is what they are going to get. This is what they will get paid regardless of how much their materials cost or how much gas costs. It may make them have a higher margin of profit but that is what is going to happen.

Mr. Welsh stated some of these are going to have a higher margin of profit if the economic conditions keep where they are.

Ms. Fowler stated that is really neither here nor there.

Mr. Welsh stated I know that. I just thought they were totally out of sync with this price. I didn't like them at all because of that. There is no way they could come in with that kind of figure and give us the service that is required in this contract.

Ms. Fowler stated they have to.

Mr. Welsh asked how would you know that? I can't go out and take a look at the fertilizer they are using. They may put it in the contract that such and such is the fertilizer they are using and then they might get a cheaper fertilizer because it comes in such bulk. How would you be able to put the safety measures in there to check?

Ms. Fowler stated if we found out they are using inappropriate fertilizer, I am not an advocate for anyone I just want to make sure that you consider all the appropriate items. Where did you note that in your scoring? Where did you take that into consideration?

Mr. Welsh responded I took that under understanding of scope.

Ms. Fowler asked how many points were possible in understanding scope?

Mr. Welsh responded 10 and I gave them 7.

Ms. Fowler asked what other things about their proposal or was that the main thing that made you grade them on that or were there other things that you felt did not add up?

Mr. Welsh stated that and the personnel I didn't think they had enough experienced personnel to handle something as big as this like the other proposals.

Rountree I gave them 25 on personnel, 23 on experience, 10 on understanding scope, 15 on financial capacity, 12 for price and 5 for price and they had a total of 90.

For Servello I gave 20 for personnel, 22 for experience, 8 for understanding scope, 15 for financial capacity, 15 for price and 4 for price for a total of 84.

Valley Crest 15 for personnel, 25 for experience, 10 for understanding scope because they have been out in this area before.

Ms. Fowler asked what I want to know if their package showed they understood the scope?

Mr. Welsh responded yes they did. Financial capacity 15, price 17 and price 5 and I gave them an 87.

Ms. Fowler asked can you tell me why you gave them 15 points on personnel?

Mr. Welsh stated I looked at their experience they had some good places where they have been before and I checked on some of the people where they have been and they are satisfied with them.

Ms. Fowler stated I'm talking about personnel. You gave them a 15 out of 25.

Mr. Welsh stated yes, location because they are off site.

Ms. Fowler asked are they located further from the job than anyone else?

Mr. Welsh responded yes.

Mr. Smith stated I believe they are out of Orlando.

Mr. Welsh stated if we had an emergency it is going to require them to come a long way and if they are onsite somewhere else it may be a week or two before they get here.

Ms. Fowler asked so you have done that on personnel because they don't have local personnel.

Mr. Welsh responded that is correct they are at least an hour or hour and 20 minutes away.

Ms. Fowler stated and that is based on information provided in their package.

Mr. Welsh responded that is correct.

Mr. Smith stated let's start with Austin. Under personnel I gave Austin 20. My personnel for the most part was again probably the major component of the personnel is location and response time and crew availability. For Austin I gave them 20 out of the 25. For experience I gave them 25. Understanding of scope out of 10 I gave Austin 10. Financial capacity 15 out of 15, price I used your formula Jamie and they received 10 points out of 25. For price B I gave them 4 points and that is out of 5. That gave them a total of 84 points.

Pro Scape personnel 19 points out of 25, experience 25 points out of 25, understanding scope 7 out of 10, financial capacity 15 out of 15 and price A 20 points out of 25 and price B 3 points out of 5. That gave them a total of 89 points.

Rountree personnel 24 points out of 25, experience 23 points out of 25, understanding of scope 10 out of 10, financial capacity 15 out of 15, price A 14 out of 25 and price B 5 out of 5. That gave them a total of 91 points.

Servello 20 points out of 25 points for personnel, experience 23 points out of 25, understanding of scope 9 out of 10, financial capacity 15 out of 15, price A 16 out of 25 and price B 4 out of a possible 5. That gave them a total of 87 points.

Valley Crest under personnel 16 out of 25, experience 25 out of 25, understanding of scope 8 out of 10, financial capacity 15 out of 15, price A 18 out of 25 and price B 5 out of 5. That gave them a total of 87.

I probably approached this slightly different than Bob. Under personnel the location was the primary factor in response time, availability of crews. As I stated in the last meeting with Rountree being onsite he has dedicated crew members to this site.

Ms. Fowler asked was that reflected in the package as well?

Mr. Smith responded yes. Austin and Servello I gave them both 20 points out of 25, their location is about half an hour away. Pro Scape and Valley Crest are both out of Orlando. Pro Scape at 19 Valley Crest at 16 basically I brought Pro Scape up a few points because they do have other properties in the area so they will have slightly higher availability of crews but not as much as a closer company would.

Experience 3 out of the 5 respondents I gave 25 points to. Rountree and Servello I gave both 23 primarily just the size of Austin, Pro Scape and Valley Crest they do have a lot of good experience on their side. They were worthy of a couple more points in that category.

Understanding of scope I think Austin and Rountree both have a slight advantage with understanding of scope because of their prior experience here on this site.

Ms. Fowler asked was that reflected in their packages?

Mr. Smith responded I feel as if the score of the understanding the scope on each of the respondents was based on package contents taking into consideration all of the criteria and price as well. Austin and Rountree received 10 from me, Servello with 9, Valley Crest with 8 and Pro Scape with 7. Under financial capacity I gave all respondents 15 out of a possible 15 I think they all demonstrated financial capacity to perform the job.

Price A we used your calculation for the percentages of their bid price and price B the reasonableness of their unit prices I gave Rountree and Valley Crest both 5 points, Austin and Servello 4 points and Pro Scape 3.

That leaves my rankings with Rountree as no. 1, Pro Scape no. 2, Servello no. 3, Valley crest no. 4 and Austin 5.

Ms. Fowler stated I recommend to the committee and the board to consider Servello's proposal to be non responsive because they did not provide three years prices which was required in the bid package.

Mr. Smith stated I understand.

Ms. Fowler stated so we are considering the rankings that we want to recommend to the board I suggest that you rank Servello but suggest that they be considered non responsive.

Mr. Smith stated I agree.

Ms. Fowler stated the top three are the same for both of you it is just a matter of the bottom two of Austin versus Servello.

Mr. Smith stated I didn't write down what Bob's were.

Ms. Fowler you had Rountree first, Pro Scape second, Servello third, Valley Crest fourth and Austin fifth. He had Rountree first, Pro Scape second, Valley Crest third, Austin fourth, and Servello fifth. I think it is the bottom three that we need to make a recommendation or do you want to recommend four of them as a committee or do you want to discuss the three is that how you are going to rank them? We could do that or your scores and do it that way. Both of you have some that were ties.

Mr. Smith stated then we just take Servello out or should we rank them?

Ms. Fowler stated I think you can go ahead and rank them in case the board decides not to accept the recommendation to reject their proposal.

Mr. Smith stated okay. Jamie what do you think we need to present to the board, that we agree on the rankings or that we agree on their total scores?

Ms. Fowler responded I think we can agree on the ranking. When you do a committee score we can average what both of you have done for the final score.

Mr. Smith stated we both agree with no. 1 and we both agree with no. 2. I have Servello at no. 3 and Bob has Valley Crest. I have Valley Crest at no. 4 and Bob has Servello at 4. Basically our three and four is what we have swapped. I have Servello and Valley Crest at the same score at 87 so I guess you could say we agree.

What score do you have for Austin?

Mr. Welsh responded for Austin I have 83.

Mr. Smith asked and for Pro Scape?

Mr. Welsh responded for Pro Scape I have 87.

Mr. Smith asked and for Rountree?

Mr. Welsh responded for Rountree I have 90.

Mr. Smith asked and for Servello?

Mr. Welsh responded I have 84.

Mr. Smith asked and for Valley Crest?

Mr. Welsh responded 87.

Mr. Smith stated I don't think we can agree on rankings I think we are going to have to agree on the total score that will simplify it otherwise it is kind of arbitrary. For me to move somebody up or somebody down it needs to be based upon the score.

Ms. Fowler stated we could take an average of what you two have scored each one. For example Rountree one of you had 91 and one has 90 so that is 90.5, Pro Scape was 87 and 89 that is 88 as an average, Valley Crest was 87 and one 85 so 86 is average, Austin is one at 84 and one at 83 so that is 83.5, Servello one is 84 one is 87 so that is 85.5 and you can rank them that way.

Mr. Smith stated that is probably the simpler way to do it.

Mr. Welsh stated I agree. Then it would be Rountree, Pro Scape, Valley Crest, Servello, Austin.

Mr. Smith stated this will leave us with Austin with 83.5, Pro Scape at 88, Rountree at 90.5, Servello at 85.5 and Valley Crest at 87. That is going to put Rountree no. 1, Pro Scape no. 2, Valley Crest no. 3, Servello no. 4 and 5 would be Austin.

Ms. Fowler asked are you both comfortable with those rankings?

Mr. Welsh responded yes.

Mr. Smith stated I am very comfortable with that ranking.

Ms. Fowler stated you also believe that Servello proposal is non responsive due to that it did not include three years pricing.

Mr. Smith stated that is correct I agree with that.

Mr. Welsh stated yes.

Ms. Fowler stated if that is the committee's conclusion then I would ask for a motion to rank the proposers.

On MOTION by Mr. Smith seconded by Mr. Welsh with all in favor Rountree was ranked no. 1 with 90.5 points, Pro Scape no. 2 at 88 points, Valley Crest no. 3 with 87 points, Servello no. 4 at 85.5 points and Austin no. 5 with 83.5 points and said ranking to be recommended to the board of supervisors as well as finding the Servello bid to be non responsive due to the lack of annual price.

On MOTION by Mr. Welsh seconded by Mr. Smith with all in favor the meeting adjourned at 10:38 a.m.