



**Executive Committee Agenda
November 12, 2014, 2:00 p.m. Eastern
Florida Association of Counties
100 South Monroe Street
Tallahassee, Florida 32301
Dial-in Number: 1-888-670-3525
Participant Passcode: 998 449 5298#**

1. Call to Order and Roll Call
2. Public Comment
3. Approval of Minutes from September 8, 2014 Executive Committee Meeting
4. Recommendation on Consultant Firm for Development of State Expenditure Plan
Roman Gastesi, Chair of the Evaluation Team
Shelly Kelley, Leon County Purchasing Director
5. Restoration Council: Florida's Funded Priority List for Pot 2
Support of Gulf Consortium on Florida's Proposals
Mr. Phil Coram, P.E.
Florida Department of Environmental Protection
Administrator, Florida Coastal Office
6. Independent Auditor Selection Process
 - 6.1. Amendment to Procurement Policy for Securing Independent Auditor
 - 6.2. Recommendation on Selection of Independent Auditor
Commissioner Warren Yeager (Gulf)
Secretary/Treasurer, Gulf Consortium
Chair, Auditor Selection Committee
7. Interim Manager's Report: Overview of November 19 Board of Directors Meeting
8. Interim General Counsel Report: Overview of November 19 Board of Directors Meeting
9. New Business
10. Public Comment
11. Upcoming Meeting
November 19, 2014, 9:00 a.m., Eastern
FAC Legislative Conference
Tampa Marriott Waterside Hotel & Marina
Florida V-VI
700 South Florida Avenue
Tampa, Florida
12. Adjourn

Notice of Meeting/Workshop Hearing

OTHER AGENCIES AND ORGANIZATIONS

Gulf Consortium

The Gulf Consortium Executive Committee announces a telephone conference call to which all persons are invited.

DATE AND TIME: November 12, 2014 at 2 pm (ET)

PLACE: Dial in Number: 888-670-3525

Participant Passcode: 998 449 5298#

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Executive Committee of the Gulf Consortium will consider the Evaluation Team's report on the selection of a consultant to develop the State Expenditure Plan; will consider the Audit Selection Committee's report on the selection of an independent auditor for FY 2013/14; and will conduct other business. In accordance with section 163.01, the location of the conference call is the Florida Association of Counties, 100 S. Monroe Street, Tallahassee, FL 32301.

A copy of the agenda may be obtained by contacting: Ginger Delegal at 850-922-4300 or gdelegal@fl-counties.com; or, see www.FACRestore.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting: Ginger Delegal at 850-922-4300 or gdelegal@fl-counties.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1-800-955-8771 (TDD) or 1-800-955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact Ginger Delegal at 850-922-4300 or gdelegal@fl-counties.com; or, see www.FACRestore.com.

Gulf Consortium Executive Committee

Commissioner Grover Robinson (Escambia), Chair

Commissioner Susan Latvala (Pinellas), Vice Chair

Commissioner Warren Yeager (Gulf), Secretary/Treasurer

Commissioner Sara Comander (Walton), At Large Director

Commissioner George Neugent (Monroe), At Large Director

**Gulf Consortium Executive Committee
November 12, 2014**

**Agenda Item 3
Approval of September 8, 2014 Executive Committee Minutes**

Statement of Issue:

This agenda item proposes approval of the September 8, 2014 Executive Committee meeting minutes.

Options:

- (1) Approve the September 8, 2014 Executive Committee minutes, as presented; or
- (2) Amend and then approve the September 8, 2014 Executive Committee minutes.

Recommendation:

Motion to approve the September 8, 2014 Executive Committee meeting minutes, as presented.

Prepared by:

Ginger Delegal
Florida Association of Counties
Interim Manager
On: November 5, 2014

Attachment:

Proposed 9/8/14 Minutes

Action Taken:

Motion to: _____, Made by: _____;
Seconded by: _____.

Approved____; Approved as amended____; Defeated_____.

Gulf Consortium Executive Committee Meeting
September 8, 2014 4:00 p.m. (EDT)
Florida Association of Counties
Leon County (Tallahassee, FL)

Officers in Attendance Telephonically: Commissioner Sara Comander (Walton), Commissioner Susan Latvala (Pinellas), Commissioner George Neugent (Monroe), Commissioner Grover Robinson (Escambia), Commissioner Warren Yeager (Gulf)

Agenda Item #1 – Call to Order

Commissioner Grover Robinson called the meeting to order at 4:02 pm (ET).

Agenda Item #3 – Public Comment

There was no public comment

Agenda Item #4 – Approval of Minutes from August 7, 2014 Executive Committee Meeting

Ms. Ginger Delegal, Interim Manager, presented minutes from the August 7, 2014 Executive Committee meeting. A motion to approve the August 7, 2014 Executive Committee minutes was presented by Commissioner Sara Comander (Walton) and seconded by Commissioner Warren Yeager (Gulf).

ACTION: APPROVED

Agenda Item #5 – Approval of Submission of Comments to U.S. Treasury Interim Final Rule

Ms. Sarah Bleakley, Interim General Counsel, presented comments on the Treasury Interim Final Rule (TIFR) for the Executive Committee's consideration. Discussion ensued. A motion to adopt the correspondence to Treasury setting forth the Consortium comments on the TIFR as written was presented by Commissioner Warren Yeager (Gulf) and seconded by Commissioner Susan Latvala (Pinellas).

ACTION: APPROVED

Agenda Item #6 – Recommendation on Request for Best and Final Offer (RBAFO) for the State Expenditure Plan (SEP)

Ms. Sarah Bleakley, Interim General Counsel, briefed the Committee on the RBAFO for procuring a consultant team to assist the Consortium in developing the State Expenditure Plan. Discussion ensued. A motion to include economic development as one of the factors to be examined in the SEP development process, in the RBAFO and to recommend the Board of Directors adopt the amended RBAFO at its next meeting was presented by Commissioner Warren Yeager (Gulf) and seconded by Commissioner Sara Comander (Walton)

ACTION: APPROVED

Agenda Item #7 – Report on Restoration Council Planning Allocation Interim Final Rule

Ms. Sarah Bleakley, Interim General Counsel, updated the Committee on the Interim Final Rule published by the Restoration Council. She informed the Committee that comments on behalf of the Consortium would be submitted to the Council on September 22, 2014, and would be presented to the Board of Directors at their meeting on September 17, 2014 for approval.

Agenda Item #8 – Interim Manager’s Report

Mr. Chris Holley, Interim Manager, presented the Committee with the proposed meeting calendar for the Gulf Consortium Board of Directors during 2015. A motion to approve the calendar for 2015 was presented by Commissioner Sara Comander (Walton) and seconded by Commissioner Susan Latvala (Pinellas)

ACTION: APPROVED

Then Mr. Holley presented the proposed 2014/15 Budget including county allocation amounts for the Gulf Consortium to be approved at the September 17, 2014 meeting of the full Board of Directors. A motion to recommend approval to the Consortium Board of Directors was presented by Commissioner George Neugent (Monroe) and seconded by Commissioner Latvala (Pinellas)

ACTION: APPROVED

Finally, Mr. Holley briefed the Committee on various meetings with other Deepwater Horizon Restoration Partners including the Florida Department of Environmental Protection, Florida Wildlife Conservation Commissioner, Restoration Council and Governor’s Office.

Agenda Item #9 – New Business

None

Agenda Item #10 – Public Comment

None

Agenda Item #11 – Upcoming Meeting

The next meeting of the Consortium Board of Directors will be held on September 17, 2014, 9:30 am Central at the Sandestin Golf & Beach Resort, 9300 Emerald Coast Parkway, Miramar Beach, Florida 32550.

Agenda Item #12 – Adjournment

There being no further business, the Committee adjourned at 4:56 pm (ET).

**Gulf Consortium Executive Committee
November 12, 2014**

**Agenda Item 4
Selection of Consultant Firm for
Development of State Expenditure Plan**

Executive Summary:

This agenda item seeks direction in hiring a State Expenditure Plan consultant. The procurement process adopted by the Board has resulted in the five-member Evaluation Team's unanimous decision to recommend that the Consortium authorize contract negotiations with the four short-listed firms in the following order of preference:

- First: Environmental Science Associates
- Second: Ecology & Environment
- Third: Arcadis USA
- Fourth: MWH Americas

The Evaluation Criteria Score Sheet used by the Evaluation Team to develop raw scores for each firm is included in the Background section of this agenda memorandum. A copy of the Evaluation Team Summary Score Sheet and Ranking is also provided there.

It is appropriate for the Executive Committee to consider a motion recommending that the Board of Directors direct the Consortium Interim Manager to begin contract negotiations with the highest ranked firm, Environmental Science Associates, with a proposed contract to be presented to the Board of Directors at its January 21, 2015 meeting.

Background:

The Consortium's two-phased process is detailed in Resolution 2014-01 adopted by the Board on March 26, 2014. The first phase began with Leon County issuing an Invitation to Negotiate on behalf of the Consortium. The Consortium's Evaluation Team includes: Mr. Phil Coram, P.E. ("PC"), Administrator, Florida Coastal Office, Florida Department of Environmental Protection; Mr. Ed Gardner ("EG"), PowerSouth Energy Cooperative; Mr. Roman Gastesi ("RG"), County Administrator, Monroe County; Ms. Sheree Keeler ("SK"), Director of Governmental Affairs, Procurement and Grants & RESTORE Act Coordinator, Wakulla County; and Dr. Karl Havens ("KH"), Director, Florida Sea Grant College Programs & Professor, UF/IFAS Fisheries & Aquatic Sciences, University of Florida

The Evaluation Team evaluated and ranked the six consultants which submitted responses, recommending four of them to move forward on a short list:

- Arcadis USA
- Ecology & Environment
- Environmental Science Associates
- MWH Americas

The Executive Committee adopted the Evaluation Team's recommendation at its August 7, 2014 meeting and reported its decision to the full Board.

On August 21 and 22 the Evaluation Team interviewed each of the four short-listed consulting firms. The purpose of the interviews was to elicit more information on each team's approach to the development of the State Expenditure Plan ("SEP"), the project evaluation process, the project nomination process, the public involvement process, the firm's cost proposals, and the additional services the firm may provide to add value to the Consortium. After completion of the interviews, the Evaluation Team drafted the Request for Best and Final Offer ("RBAFO").

The Executive Committee unanimously recommended and the Board of Directors approved the RBAFO at its September 17, 2014 meeting.

Each of the four short-listed firms provided a timely response to the RBAFO. On October 30, 2014, the five-person Evaluation Team met in Tallahassee and evaluated each firm's response. Each Evaluation Team member filled out four Evaluation Criteria Score Sheets, giving each firm a raw score based on the criteria in the RBAFO. The following is the Evaluation Criteria Score Sheet:

**EVALUATION CRITERIA SCORESHEET
BEST & FINAL OFFER
ITN BC-06-17-14-33**

Respondent's Name: _____

	Maximum Raw Score Possible	Evaluator Score
A. Strategy for Plan Development	15	
B. Project Nomination Process	15	
C. Project Evaluation Process	25	
D. Public Involvement Plan	25	
E. Cost Proposal	5	
F. Implementation/Management	5	
G. Leveraging Resources	5	
H. Value Added Services	5	
Total Score	100	

Evaluator Name/Signature: _____

Thereafter, the Leon County Purchasing Director, Shelly Kelley, using the raw scores, assigned an ordinal ranking for each Evaluation Team member's raw scores, with the highest ranked firm receiving a "1" the second highest a "2" and so on. In accordance with the Consortium's procurement policy, the Evaluation Team members' ordinal scores for each firm were then averaged to produce the Evaluation Team's ranking of the firms. The following is the Summary Score Sheet and Ranking by firm of the Evaluation Team's ranking:

Summary Scoresheet and Ranking
ITN BC-06-17-14-33

	Evaluat or (PC) Score	Evaluator (PC) Rank	Evaluator (EG) Score	Evaluator (EG) Rank	Evaluator (RG) Score	Evaluator (RG) Rank	Evaluator (KH) Score	Evaluator (KH) Rank	Evaluator (SK) Score	Evaluator (SK) Rank	Average Score	Average Rank
Arcadis USA	77	4	56	4	99	1	100	1	93	3	85	2.6
Ecology & Environment	87	3	83	1	94	3	60	3	95	1.5	83.8	2.3
Environmental Science Associates	88	1.5	66	3	98	2	97	2	95	1.5	88.8	2
MWH Americas	88	1.5	68	2	90	4	56	4	88	4	78	3.1

The averaged ordinal rankings of the firms by the Evaluation Team are presented below in the Team's order of recommendation:

- First: Environmental Science Associates
- Second: Ecology & Environment
- Third: Arcadis USA
- Fourth: MWH Americas

Analysis:

The RBAFO approved by the Board of Directors established a process requiring the Evaluation Team to evaluate the four firms short-listed in the Invitation to Negotiate process.

The Evaluation Team followed the process established in the RBAFO and SEP Procurement Policy, both of which were adopted by the Board. The Board of Directors will now consider the SEP Consultant Firm recommendation as presented by the Evaluation Team.

Once the recommendations are approved by the Board, the SEP Procurement Policy requires the Consortium Interim Manager to negotiate a contract with the highest ranked firm and present the contract to the Board for approval. See, *Section 6.01 of the SEP Consultant Purchasing Policy, adopted by the Board in Resolution 2014-01*. If the Interim Manager and the highest ranked firm cannot agree to a contract, the Interim Manager will report that to the Board and begin negotiations with the second highest ranked firm. This process continues until a mutually agreeable contract is executed.

It is anticipated that the SEP Consultant Firm will provide any or all of the following services:

1. Preparation of a planning grant for submittal to the Council to obtain Spill Impact Component funds for the preparation of the SEP.
2. Preparation of a draft State Expenditure Plan for submittal to the Council. This task will require the consultant to develop a strategy for plan development, a project nomination process, a process for evaluating the nominations, a process for ensuring public involvement.
3. Implementation and management of the State Expenditure Plan.

The Chairman of the Evaluation Team, Mr. Roman Gastesi, and the Leon County Purchasing Director, Ms. Shelly Kelley, will present the Evaluation Team's recommendations to the Board at the September 17th meeting.

Options:

- 1) Approve a motion recommending that the Board of Directors adopt the Evaluation Team's recommendations and directing the Interim Manager to begin negotiations with the highest ranked firm, Environmental Science Associates, and provide the Board with a proposed contract at its January 21st meeting.
- 2) Provide other direction.

Fiscal Impact:

There is no fiscal impact associated with the contract negotiations.

Recommendation:

Approve a motion recommending that the Board of Directors adopt the Evaluation Team's recommendations and direct the Interim Manager to begin negotiations with the highest ranked firm, Environmental Science Associates, and provide the Board with a proposed contract at its January 21st meeting.

Prepared by:

Sarah M. Bleakley
Nabors, Giblin & Nickerson, P.A.
Interim General Counsel
On: November 5, 2014

Attachment:

None.

Action Taken:

Motion to: _____, Made by: _____;
Seconded by: _____.

Approved ____; Approved as amended ____; Defeated _____.

**Gulf Consortium Executive Committee
November 12, 2014**

**Agenda Item 5
Restoration Council Funding and Projects Update**

Statement of Issue:

Presentation by Florida's Department of Environmental Protection on Restoration Council Funding and Projects

Background:

The Restoration Council members have been working on their individual proposals for the full Council's consideration under Pot 2. Florida is no exception. DEP has been diligently working to develop the five proposals to be submitted on behalf of Florida. The proposals are due on November 17.

At the September 17, 2014 full Consortium meeting, the Consortium authorized the Executive Committee to support the proposals being submitted to the Restoration Council on behalf of Florida.

Mr. Phil Coram, PE, the Administrator for the Florida Coastal Office with the Department of Environmental Protection will be presenting additional information for the Consortium on Florida's proposals for the Restoration Council.

Prepared by:

Ginger Delegal
Florida Association of Counties
Interim Manager
On: November 5, 2014

Attachment:

None.

**Gulf Consortium Executive Committee
November 12, 2014**

**Agenda Item 6.1
Amendment to Procurement Policy for
Securing Independent Auditor**

Executive Summary:

This agenda memorandum seeks the Executive Committee's recommendation to the Board for approval of an amendment to the resolution establishing the Consortium's procurement process for the selection of the independent financial auditor for the 2013-14 fiscal year. The amendment reduces the number of required members of the Audit or Selection Committee charged with developing the procurement solicitation and evaluating the responses from three members to two members to avoid assigning unnecessary staff resources to the procurement process, and, at the same time, to comply with the open meeting requirements of state law. The proposed amendment is attached to this memorandum.

Background:

State law requires entities such as the Gulf Consortium to submit an annual audit to the Chief Financial Officer. Regarding hiring an auditor, section 218.319, Florida Statutes, requires a specific audit selection procedure be followed, including the establishment of an audit committee to develop evaluation factors, to provide for the public announcement of the request for proposals, and to evaluate and rank the proposals for the governing body's consideration. The statute does not limit the make-up of the committee to Consortium Directors.

The Interlocal Agreement establishing the Consortium (ILA) authorizes the Board to establish committees. *See, section 4.01(18), ILA.*

Resolution 2014-02 establishes the procurement policy for the competitive selection of an independent financial auditor to prepare the Consortium's audit for the 2013-14 fiscal year.

The procedure calls for the Chairman of the Consortium Board to appoint an Audit Committee. As provided in section 218.319, Florida Statutes, the Audit Committee is responsible for the following:

1. Establishing evaluation factors, including qualifications and cost.
2. Publicly announcing and issuing the request for proposals.
3. Evaluating the proposals provided by the qualified firms.
4. Ranking and recommending firms to the Board of Directors.

Pursuant to the resolution, Chairman Grover Robinson appointed a three person audit committee consisting of Warren Yeagar, Consortium Secretary-Treasurer; Anna Doughty, Director of Finance and Administration of the Interim Manager; and, Virginia Delegal, the General Counsel to the Interim Manager.

It became apparent soon after the adoption of Resolution 2014-02 that the three-person Auditor Selection Committee was one member too many, given the open meetings requirements mandated by statute and the requirement for Consortium staff to manage the selection process.

Analysis:

Ms. Delegal requested to resign from the Auditor Selection Committee and the Chairman agreed on September 23, 2014. The two-person Auditor Selection Committee proceeded to accomplish its tasks, resulting in its recommendation included in Agenda Item 6.2.

Resolution 2014-02 needs to be amended to provide that the Audit Committee must consist of two members or more, with the Secretary-Treasurer as one, to be consistent with the make-up of the actual Audit Committee that performed the duties required by the statute.

The amendment accomplished by this Resolution 2014-03 applies retroactively to the date of adoption of Resolution 2014-02 to be effective in reducing the membership of the Audit Committee to cure any possible defects in the Auditor Selection Committee membership.

Options:

- (1) Recommend that the Board of Directors approve Resolution 2014-03 amending the Financial Auditor Resolution 2014-02 as presented in the agenda package; or
- (2) Provide other direction.

Fiscal Impact:

The Consortium paid \$3,000 for the FY 2012/13 audit. The proposed FY 2014/15 budget includes the same amount for the FY 2013/14 independent financial audit.

Recommendation:

Recommend that the Board of Directors approve Resolution 2014-03 amending the Financial Auditor Resolution 2014-02 as presented in the agenda package.

Prepared by:

Sarah M. Bleakley
Nabors, Giblin & Nickerson, P.A.
Interim General Counsel
On: November 5, 2014

Attachment:

Proposed Resolution No. 2014-03

Action Taken:

Motion to: _____, Made by: _____;
Seconded by: _____.

Approved____; Approved as amended____; Defeated_____.



**RESOLUTION AMENDING RESOLUTION 2014-02
RELATING TO THE PROCESS FOR
SECURING INDEPENDENT AUDITOR
FOR THE 2013-14 FISCAL YEAR**

Resolution 2014-03

As adopted on November 19, 2014

**GULF CONSORTIUM
PROCESS FOR
SECURING INDEPENDENT AUDITOR**

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GULF CONSORTIUM RESOLUTION NO. 2014-03

A RESOLUTION OF THE GULF CONSORTIUM AMENDING RESOLUTION 2014-02 ESTABLISHING THE PROCESS FOR SECURING INDEPENDENT AUDITOR SERVICES; REVISING THE AUDIT COMMITTEE REQUIREMENT TO PROVIDE THAT IT CONSIST OF AT LEAST ONE MEMBER INSTEAD OF TWO IN ADDITION TO THE CONSORTIUM SECRETARY-TREASURER; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE AND FOR RETROACTIVE APPLICATION OF THE AMENDMENT.

WHEREAS, the Consortium adopted Resolution 2014-02 on September 17, 2014 providing a process for the procurement of independent financial audit services for the 2013-14 fiscal year;

WHEREAS, subsection F1 of section 5.01 of Resolution 2014-02 creates an Audit Committee to meet the requirements of section 218.319, Florida Statutes, regarding the development of the solicitation documents and the review, evaluation and ranking of the responses;

WHEREAS, Resolution 2014-02 directed the Chairman to appoint the Audit Committee, to include the Secretary-Treasurer and at least two other people;

WHEREAS, the Chairman appointed the Committee to consist of Warren Yeagar, Secretary-Treasurer; Anna Doughty, Director of Finance and Administration of the Interim Manager; and, Virginia Delegal, the General Counsel to the Interim Manager;

WHEREAS, it became apparent shortly after the adoption of Resolution 2014-02 that the three-person Audit Committee was one Consortium staff member too many, given the open meetings requirements mandated by statute, and the requirement for Consortium staff to manage the selection process;

WHEREAS, Ms. Delegal requested to resign from the Audit Committee and the Chairman agreed on September 23, 2014;

WHEREAS, Resolution 2014-02 needs to be amended to provide that the Audit Committee must consist of at least two members, one of which is the Secretary-Treasurer, to be consistent with the make-up of the two person Audit Committee that have already performed the duties required by the statute; and

CODING: Underscoring indicates new text; ~~Strikethrough~~ indicates deleted text.

WHEREAS, the amendment accomplished by this Resolution 2014-03 needs to apply retroactively to the date of adoption of Resolution 2014-02 to be effective in reducing the membership of the Audit Committee to cure any possible defects in the Audit Committee membership.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE GULF CONSORTIUM:

SECTION 1. AMENDMENT TO AUDIT COMMITTEE STRUCTURE. Subsection F1 of section 5.01 of Resolution 2014-02 is amended to read as follows:

SECTION 5. BIDS.

F. Audit Committee—Duties and Appointment.

1. The Audit Committee is hereby established consisting of the Consortium Secretary/Treasurer, and at least one ~~two~~ other members as appointed by the Consortium Chairman. The Consortium Secretary/Treasurer shall serve as the Chairman of the Audit Committee.

SECTION 2. SEVERABILITY. The provisions of this Resolution are severable and it is the intention to confer the whole or any part of the Powers herein provided for. If any of the provisions of this Resolution shall be held unconstitutional by any court of competent jurisdiction, the decision of such Court shall not affect or impair any remaining provisions of this Resolution. It is hereby declared to be the legislative intent that this Resolution would have been adopted had such unconstitutional provision not been included therein.

SECTION 3. EFFECTIVE DATE. This Resolution shall take effect immediately upon adoption and shall apply retroactively to September 17, 2014.

The foregoing Resolution was offered by _____ who moved its adoption. The motion was seconded by _____. The motion was adopted by a majority vote of the Board of Directors.

CODING: Underscoring indicates new text; ~~Strikethrough~~ indicates deleted text.

Duly passed and adopted this 19th day of November, 2014.

Grover C. Robinson IV
Chairman

Attest: Warren Yeager
Secretary-Treasurer

Approved as to form:

Sarah M. Bleakley, Esq.
Nabors, Giblin & Nickerson, P.A.
Interim General Counsel

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CODING: Underscoring indicates new text; ~~Strikethrough~~ indicates deleted text.

**AMENDED INTERLOCAL AGREEMENT BETWEEN LEON COUNTY, FLORIDA
AND
GULF CONSORTIUM REGARDING PROCUREMENT SERVICES**

THIS AMENDED INTERLOCAL AGREEMENT (“Agreement”) is made and entered into by and among the LEON COUNTY, Florida, a charter county and political subdivision of the State of Florida (the “County”); and GULF CONSORTIUM, a legal entity and public body and a unit of local government (the “Consortium”).

RECITALS

WHEREAS, the parties entered into a Interlocal Agreement on March 26, 2014, which authorized the County to provide and assist the Consortium with procurement services in order for it to properly and effectively develop the State Expenditure Plan pursuant to the RESTORE ACT;

WHEREAS, the parties to the Interlocal Agreement desire to amend certain provisions to allow for the procurement of additional services, as needed, for the Consortium.

NOW, THEREFORE, in consideration of the following mutual promises, covenants and representations set forth herein, the sufficiency of which being acknowledged, the County and the Consortium do hereby agree to amend the Interlocal Agreement as follows:

SECTION 2. PROCUREMENT SERVICES

A. The County shall provide all necessary personnel and take all required steps to perform procurement services for the Consortium, as follows: Provide advice and assistance regarding the development of a competitive procurement policy for the Consortium;

B. Provide technical and strategic support in the Consortium’s competitive solicitation of a firm in the development and submission of the State Expenditure Plan, including, but not limited to, preparing solicitation documents, advertising and disseminating solicitation documents, and advising and assisting the Consortium’s Interim Manager, the procurement evaluation team and the Consortium Board of Directors in the selection of the most qualified firm; and,

C. Provide other procurement services as needed by the Consortium, including, but not limited to, other consultants and professional services as well as goods and materials.

All other provisions of the Interlocal Agreement entered into by and between the parties on March 26, 2014 and recorded in Official Records of Leon County in Book 4650 at Page 340, not inconsistent with the provisions herein shall remain in full force and effect.

IN WITNESS WHEREOF, the Parties cause this Amended Interlocal Agreement to be executed by their duly authorized representatives this _____ day of _____, 2014.

LEON COUNTY, FLORIDA

Attest:
Bob Inzer, Clerk of the Court

By: _____
Kristin Dozier, Chairman
Board of County Commissioners

By: _____

Approved as to form:
County Attorney's Office

By: _____
Herbert W.A. Thiele, Esq.
County Attorney

THE GULF CONSORTIUM

By: _____
Chairman
Board of Directors

ATTEST:

Secretary-Treasurer
Board of Directors

APPROVED AS TO FORM:

Sarah M. Bleakley, Esq.
Nabors, Giblin & Nickerson, P.A.
Interim General Counsel

**Gulf Consortium Executive Committee
November 12, 2014**

**Agenda Item 6.2
Recommendation on Selection of Independent Auditor**

Executive Summary:

Receive the evaluation, ranking, and recommendation of the Auditor Selection Committee for the Independent Auditor; and recommend its adoption by the Gulf Consortium Board of Directors.

Background:

State law requires entities such as the Gulf Consortium to submit an annual audit to the Chief Financial Officer. Regarding hiring an auditor, section 218.319, Florida Statutes, requires a specific audit selection procedure be followed, including the establishment of an audit selection committee to develop evaluation factors, to provide for the public announcement of the request for proposals, and to evaluate and rank the proposals for the governing body's consideration.

The Consortium's audit for FY 2012/13 was conducted by Law, Redd, Crona, and Munroe, P.A. It was competitively procured by the Florida Association of Counties on behalf of the Consortium prior to the Consortium being declared a special district which triggered the statutory committee process described above. The Consortium paid \$3,000 for the FY 2012/13 audit for the services of the independent financial auditor.

At the September 17, 2014 Board meeting, the Gulf Consortium adopted an Independent Auditor Selection Policy (*see Resolution 2014-02*) and appointed the Auditor Selection Committee. The Selection Committee is responsible for the following:

1. Establishing evaluation factors, including qualifications and cost.
2. Publicly announcing and issuing the request for proposals.
3. Evaluating the proposals provided by the qualified firms.
4. Ranking and recommending firms to the Board of Directors.

The Selection Committee met via conference call on October 9, 2014 to approve the solicitation document for RFPs for independent auditor services for the Gulf Consortium. That RFP was publicly noticed and sent to eight CPA firms in the State of Florida. On November 3, 2014, the responses were due and opened. Four firms timely responded: Carr Riggs, Grant Thornton, Law Redd and Warren Averett. The Selection Committee then met via conference call on November 6, 2014 to evaluate, rank and recommend the firms for the Gulf Consortium's consideration. The budget for the 2013/14 audit remains the same, at \$3,000 for independent auditing services.

The Consortium Board of Directors makes the final selection of the firm for the FY 2013/14 audit. The negotiation of the contract will be conducted by the Consortium Interim Manager. Renewals of the contract may be approved by the Executive Committee.

The remaining anticipated time line for the FY 2013/14 audit is as follows:

Approval by the Consortium Board of Directors of the Audit Committee Report Regarding Ranking and Recommendation of Firms Responding to Solicitation Document	November 19, 2014 Board Meeting
Manager negotiates a contract with the Independent Auditor	December 2014 - January 2015
Anticipated period that the audit would be performed	January 2015 – April 2015
Anticipated date audit completion	May 2015
The Consortium consideration of the Audit Report	June 19, 2015
Audit Filing Deadline	June 30, 2015

(Note: the Consortium has 45 days after date of delivery of the audit to have the report presented to the Consortium and filed with State)

At the November 6, 2014, Auditor Selection Committee meeting, the committee members evaluated, ranked, and recommended the top three firms to move forward to the Board of Directors. In alphabetical order, the top three ranked firms are:

- Carr Riggs
- Law Redd
- Warren Averett

The raw scores and rankings, by committee member are attached

Options:

(1) Approve the Selection Committee's evaluation, ranking and recommendation and recommend its approval to the Gulf Consortium Board of Directors; or

(2) Provide other direction.

Fiscal Impact:

The Consortium paid \$3,000 for the FY 2012/13 audit. The proposed FY 2014/15 budget includes the same amount for the FY 2013/14 independent financial audit.

Recommendation:

A motion adoption Option (1) above.

Prepared by:

Virginia "Ginger" Delegal
Florida Association of Counties
Interim Manager
On: November 6, 2014

Attachment:

Scoring Spreadsheet

Action Taken:

Motion to: _____, Made by: _____;

Seconded by: _____.

Approved____; Approved as amended____; Defeated_____.

Gulf Consortium
Audit RFP Responses: FY 2013/14

		Carr Riggs (1.5)		Grant Thornton (3.0)		Law Redd (2.0)		Warren Averett (1.5)	
<i>Rank</i>		1	2	3	3	2	2	2	1
		<i>AD</i>	<i>WY</i>	<i>AD</i>	<i>WY</i>	<i>AD</i>	<i>WY</i>	<i>AD</i>	<i>WY</i>
Local Government Audit Experience	(10)	9	10	5	6	9	9	10	10
Professional Ability of Staff Assigned	(5)	5	5	5	5	5	5	5	5
Ability to Furnish Required Services	(5)	5	5	5	4	5	5	5	5
Credibility/Response of Client	(5)	5	5	2	3	5	5	5	5
Adequacy of Personnel Available on	(5)	5	5	4	3	5	5	5	5
Price/Fees	(60)	60	60	60	60	60	60	60	60
Value Added Services	(10)	9	8	2	2	8	9	7	9
Total Raw Score		98	98	83	83	97	98	97	99

**Gulf Consortium Executive Committee
November 12, 2014**

**Agenda Item 7
Interim Manager's Report**

Statement of Issue:

This agenda item provides a brief report on certain agenda items to be covered by the Interim Manager at the Gulf Consortium Board Meeting.

Background:

NACO Gulf Coast States Caucus:

The National Association of Counties' Gulf Coast States Caucus met in Biloxi, MS on October 15, 2014. The agenda was packed with relevant substance for Gulf Coast communities, including updates on RESTORE Act activities in the various states. In addition, Gulf Consortium Director, Pam Anderson was recognized to provide a brief presentation on the fisheries (and Magnuson-Stevenson Act reauthorization) issue. Florida is supplying NACo staff with background information, including the proposed resolution that was before the Gulf Consortium. Furthermore, on the issue of the Oil Pollution Act, FAC will provide NACo suggested amendments on OPA reform and to bring those statements back to the Caucus as a priority of the Caucus. Finally, each state provided updated reports on its states' activities under the RESTORE Act.

Deepwater Horizon Restoration Partners:

Since the September 17, 2014 meeting of the Board of Directors of the Gulf Consortium, several meetings have occurred that are of note.

- Florida DEP: Consortium staff met with representatives of Florida's Department of Environmental Protection and Fish and Wildlife Commission, several times to discuss the Restoration Council's draft Guidelines, the Funded Priorities List process, and topics generally impacting RESTORE Act efforts throughout Florida. Quarterly meetings are being held between Gulf Consortium and Florida DEP/FWC. Representatives of DEP are being invited to each Gulf Consortium meeting.
- Governor's Office: Monthly meetings between the Governor's Office and the Gulf Consortium staffs are being held. Representatives of the Governor's Office are being invited to each Gulf Consortium meeting.
- Restoration Council: Certain staff members for the Restoration Council are being invited to each Gulf Consortium meeting.

Director Appointment Verification:

As Florida has just concluded a general election, the composition of most Boards of County Commissioners around the state has changed. Accordingly, the Consortium staff will be transmitting to each of the 23 counties a request for written confirmation or amendment of the appointed Director and Alternate to the Gulf Consortium, so that the Consortium can maintain the records it is required to maintain under the Interlocal Agreement (namely, written notification of Director appointments). Those requests will go out at the beginning of December.

Report on Counties' Multi Year Implementation Plans (Pot 1):

Jim Muller, the Bay County RESTORE Act Coordinator will be providing an update at the full Consortium meeting on the 19th as to the status of each Gulf Coast counties' Multi Year Implementation Plan, advisory committee, contractors/consultant roles and project proposal solicitation and selection processes. After the meeting on the 19th, this information will also be posted on the Consortium's website for each of use and reference.

Fiscal Impact:

None.

Recommendation:

No action required.

Prepared by:

Chris Holley
Florida Association of Counties
Interim Manager
On: November 5, 2014

Attachment:

None.

**Gulf Consortium Executive Committee
November 12, 2014**

**Agenda Item 8
Interim General Counsel's Report
Overview of November 19 Board Meeting**

Executive Summary:

This agenda item provides a brief report on certain agenda items to be covered by the Interim General Counsel at the Gulf Consortium Board Meeting.

Background:

Officer Elections in January 2015:

This agenda item will provide information about the election process for the 2015 calendar year. The item will not require Board action; rather it will serve as a reminder about the process the Consortium has used in the past and will use for the election of the 2015 officers. The election will be held at the first meeting in 2015, scheduled for Wednesday, January 21st, in Tallahassee. The three elected offices include a Chairman, Vice-Chairman, and Secretary-Treasurer.

Proposed Amendment to Leon County/Consortium Interlocal Agreement Regarding Procurement:

This agenda item will also be for informational purposes, notifying the Board that Leon County has agreed to expand the procurement services it is willing to provide the Consortium to include goods and services beyond just the consultant firm selection for the State Expenditure Plan development. The Chairman was given the authority to sign the amended procurement interlocal agreement during the September 17, 2014 Board of Directors Meeting.

Cooperative Purchasing for State Expenditure Plan Consultant Short-Listed Firms:

This agenda item will seek Board direction for the Consortium Interim Manager to execute a cooperative purchasing contract with each of the four consultant firms that were short-listed in the procurement process for the Consortium's State Expenditure Plan development. This cooperative purchasing contract will allow counties to piggyback off the Consortium's procurement process and decision that the four short-listed firms are qualified to perform the plan preparation services that may be required under the RESTORE Act. Whether any of the Consortium's 23 member counties can use the piggybacking option will depend on its own procurement rules and processes.

Options:

No action necessary.

Prepared by:

Sarah M. Bleakley
Nabors, Giblin & Nickerson, P.A.
Interim General Counsel
On: November 6, 2014

Attachment:

None.