

CONTRACT BETWEEN NASSAU COUNTY, A POLITICAL SUBDIVISION OF THE STATE OF FLORIDA AND THE NORTHEAST FLORIDA REGIONAL PLANNING COUNCIL FOR PROVIDING DATA AND ANALYSIS FOR NASSAU COUNTY FOR THE IMPLEMENTATION OF A REGIONAL PARK FEE SYSTEM.

The following agreement between Nassau County and the Northeast Florida Regional Planning Council (NEFRPC) authorizes the NEFRPC staff to prepare recommendations for the County to consider in adopting fees for regional parks. The development of a regional parks fee will be based upon the following general methodology: the compilation and review of current regional park land and facilities inventories; the assessment of future regional needs and existing deficiencies based upon LOS standards for regional parks and facilities; and the allocation of proportional regional park land acquisition and facility costs for new development.

I. Scope of Services

A. Determine Existing Inventory and Costs

1. Review the existing Nassau County Recreation and Open Space Element from the County's Comprehensive Plan, and solicit input from appropriate County Staff, to determine the existing inventory of regional park acres and the number and type of recreational facilities at these regional parks.
2. Determine the costs of existing facilities, including land costs, as appropriate and available, and facility costs. Use the costs to formulate a unit cost for regional parks land and facilities.

B. Determine Level of Service Standards for Regional Parks

1. Determine the LOS standards for regional parks using the LOS standards from the County's Comprehensive Plan. Research and discuss with appropriate Nassau County staff whether adjustments of the LOS are necessary in order for Nassau County to achieve its objectives for the provision of regional parks.

C. Determine Existing Deficiencies

1. The COUNTY will be responsible to provide the NEFRPC, through its update of its Capital Improvements budget, data which will be used by the NEFRPC, in consultation with the COUNTY, in determining what deficiencies exist in the provision of regional parks that are required to meet the LOS standard and which are not attributable to new development.

D. Determine Credit

1. Determine any other available revenues in the County that are earmarked for regional parks, both land acquisition and facilities.

E. Determine Costs and Regional Park Fee

1. Using the costs of regional parks, including land costs, improvement costs, and facility costs, as determined above and the unit standard for which regional parks are provided, determine costs per dwelling unit.
2. Determine a payment schedule and adequate credit program to allow for land donations. Recommend a process and methodology for the timing of the exaction of the regional park fees.
3. Determine a method by which any developer shall be credited for the donation of land in lieu of the applicable regional parks fee. Determine criteria for determining acceptable and adequate land donations.
4. Apply any applicable credits as calculated above in determining the appropriate fee for regional parks.

II. Schedule of Deliverables

All work to meet the required tasks listed in the scope of services shall be completed on or before August 15, 2002. The deliverables will include a final report on the recommendation for a regional parks fee, a proposed fee schedule, and all background data and analysis.

III. Meetings

The NEFRPC staff will attend up to three public meetings to present the findings of the study and report on the recommendations for any new regional parks fee. If the COUNTY so chooses to appoint an ad hoc committee to participate in the development of this fee, the NEFRPC will participate in up to three meetings with the Committee. The membership of any Committee will be at the sole discretion of the COUNTY.

IV. Amendments to Scope of Services

Nassau County and NEFRPC may further amend the scope of work through mutual agreement via a written amendment detailing any modifications to the scope of services.

V. Records

NEFRPC shall maintain all books, documents, papers, accounting records and other evidence pertaining to costs incurred in the work and shall make such materials available at all reasonable times during the period of the Contract for three (3) years

from the date of final payment under the contract for inspection and/or audit by the County.

VI. Project Costs and Method of Payment

The project costs for completion of the above Scope of Services shall be \$7,500. The County shall be invoiced for the full amount upon completion of the study and submittal of the study to County staff for review. Payment is due upon NEFRPC billing.

VII. Controlling Law

This agreement is to be governed by the laws of the State of Florida.

VIII. Disputes

Any dispute arising under this contract, which is not disposed of by agreement, shall be decided by a mediator, who shall reduce his/her decision to writing and furnish a copy to both parties. Claims disputes, or other matters in question between the parties to this Agreement arising out of or relating to this Agreement or breach thereof shall be submitted to mediation in accordance with mediation rules as established by the Florida Supreme Court. Mediators shall be chosen from the Supreme Court approved list of mediators in the Fourth Judicial Circuit and the Cost of mediation shall be borne by the Consultant/Contractor. The decision of the mediator shall be final and conclusive unless determined by a court of competent jurisdiction to be fraudulent, capricious, arbitrary, or so grossly erroneous as to necessarily imply bad faith or not supported by substantial evidence. Contractor shall not stop work during the pendency of mediation.

VIII. Successors and Assigns

- A. NEFRPC binds itself and its partners, successors, executors, administrators, assigns, and legal representatives of such other party, in respect to all covenants and obligations of this Contract.

- B. Nothing herein shall be construed to give any rights or benefits hereunder to anyone other than NEFRPC and Nassau County.

Nassau County, Board of County Commissioners

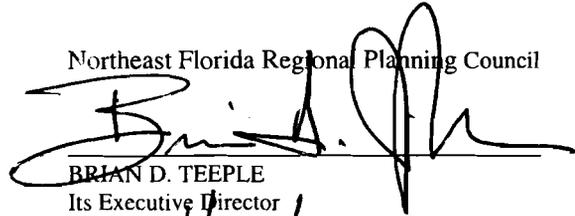


NICK D. DEONAS
Its Chairman

April 10, 2002

Date

Northeast Florida Regional Planning Council



BRIAN D. TEEPLE
Its Executive Director

4/15/02

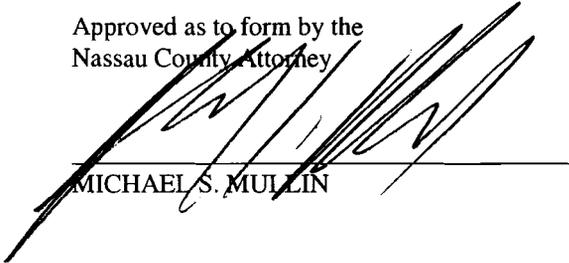
Date

Attest:



J.M. "CHIP" OXLEY, JR.
Its: Ex-Officio Clerk

Approved as to form by the
Nassau County Attorney



MICHAEL S. MULLIN

Elchman@NEFRPC.org

CONTRACT SIGN OFF

PROJECT NAME Regional Park Fee System PROJECT # _____

VENDOR N.E. Florida Regional Planning Council

ADDRESS 6850 Belfort Oaks Place
Jacksonville, FL 32216

CONTRACT AMOUNT \$7,500.00 DATE REC'D 4-2-02

FUNDING SOURCE: 04247515-531024

DATE TO PUBLIC WORKS DIRECTOR 4-2-02 REC'D PWD _____

DATE TO P.W. CONTRACT MGR 4-2-02 REC'D PWCM 4-3-02

DATE TO COUNTY COORDINATOR 4-2-02 REC'D CO COORD 4-2-02

DATE TO COUNTY ATTORNEY 4-2-02 REC'D CO. ATTY 4-2-02

DATE TO CLERK _____ 4-2-02 REC'D CLERK _____

CONTRACT APPROVAL

PUBLIC WORKS DIRECTOR [Signature] DATE 4.4.02

CONTRACT MANAGER [Signature] DATE 4/5/02

COUNTY COORDINATOR [Signature] DATE 4-3-02

COUNTY ATTORNEY [Signature] DATE 4-4-02

CLERK [Signature] DATE 4.3.02

APPROVAL BY BOARD OF COUNTY COMMISSIONERS

DATE SENT TO COORDINATOR FOR AGENDA PACKET _____

BOARD MEETING APPROVAL DATE _____

COPY DISTRIBUTION:
 TO FINANCE DATE _____
 TO VENDOR _____
 TO OTHER APPROPRIATE PARTIES _____

PAYMENT & PERFORMANCE BONDS OBTAINED _____

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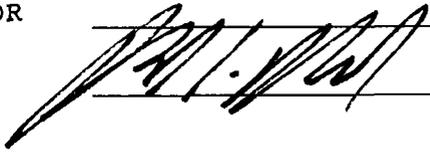
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CLERK  DATE 4.3.02

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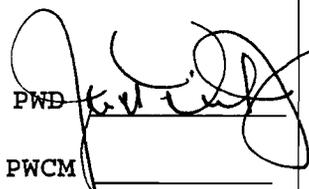
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REC'D CLERK _____

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PUBLIC WORKS DIRECTOR 

DATE 4.4.02

CONTRACT MANAGER _____

DATE _____

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DATE _____

COUNTY ATTORNEY _____

DATE _____

CLERK _____

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APR 02 2002



**Northeast
Florida
Regional
Planning
Council**

Bringing Communities Together

Baker • Clay • Duval • Flagler • Nassau • Putnam • St. Johns

April 15, 2002

Ms. Joyce Bradley
Clerk's Office
101 Nassau Place
Fernandina Beach, FL 32097

Dear Ms. Bradley:

Attached are two copies of the contract for NEFRPC to provide data and analysis for a recommendation for the implementation of a regional park fee system signed by Brian Teeple, Executive Director of the Council. Please obtain the necessary County signatures and forward a certified copy back to the Council for our records. Thanks for your assistance in this matter. If you have any questions, please call me.

Sincerely,

Edward Lehman
Director of Growth Management