

**AGREEMENT**

**CONTRACT BETWEEN NASSAU COUNTY, A POLITICAL SUBDIVISION OF THE STATE OF FLORIDA AND THE NORTHEAST FLORIDA REGIONAL PLANNING COUNCIL FOR PROVIDING NASSAU COUNTY A RECOMMENDATION ON MODIFICATIONS OF THE TRANSPORTATION, FIRE AND EMERGENCY SERVICES, ADMINISTRATIVE SPACE, AND POLICE IMPACT FEES.**

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 amending the impact fee schedules for Transportation, Fire and Emergency Services, Police, and Administrative Space. NEFRPC staff shall develop a recommendation for the County to consider that shall be based on the following task requirements outlined hereinbelow in the Scope of Services.

**I. Scope of Services**

**A. Transportation**

- 1. Review and Modify Impact Fee Parameters
  - a. Adjust LOS standards and service volumes to reflect most current FDOT standards consistent with those adopted in the Nassau County Traffic Circulation Element for all roadways on the Major Road Network. Calculate required new lane miles from this information.
  - b. Estimate construction and right-of-way costs per mile for each type of roadway improvement for which an impact fee is eligible to be expended. Formulate road costs for roadway improvements needed. Review transportation studies to determine the types and costs of improvements.
- 2. Update Trip Generation Rates
  - a. Determine if trip generation data used in calculating the impact fee should be updated using the trip generation equations and rates from the ITE Trip Generation Manual, 6<sup>th</sup> Ed.
- 3. Review and Update Roadway Finance Credits
  - a. Determine current County gas tax data and FDOT revenue allocation to

estimate latest capital improvement funding resources available to determine credit against impact fee to be attributed to developer.

b. Determine net and present value of gas tax to be paid for a bonding or financing period.

4. Cost Allocation

a. The roadway improvement costs calculated above will be allocated to the development categories according to the proportionate demand, which will be determined using the information attained as specified in previous tasks.

5. Impact Fee Determination

a. Impact fee will be determined based on the cost allocation calculations.

B. Fire and Emergency Services

1. Determine Existing Inventory and Costs

a. Solicit input from appropriate County Staff and review inventories to determine the existing inventory of fire and EMS equipment, facilities, staffing, etc. in order to determine the existing level of service. It is assumed that future service shall be provided at the existing level, unless indicated otherwise by the Board.

b. After determining the existing inventory, determine the costs of the provision of existing services by determining the costs of facilities including station bays and land costs, existing inventory, including but not limited to fire apparatus, fire gear, etc. as appropriate and available.

2. Calculate Unit Costs for Providing Fire & EMS Service

a. Existing costs of providing fire and EMS service to Nassau County residents will be used to determine the existing cost per unit of the provision of service. This will be the level of service standard for the provision of fire and EMS service, with the unit cost representing the costs of service for each household within the County. It will be assumed, unless otherwise dictated by County Commission or staff, that the existing service levels are sufficient to meet the need and that there are no existing deficiencies of service.

3. Assess Existing Funding Earmarked for Fire and EMS Services

a. Appropriate staff, including budgeting personnel, will be contacted to

determine the amount and types of existing funds that are earmarked for the provision of fire and EMS.

4. Determine Non-Impact Fee Funds Earmarked for Fire and EMS
  - a. Determine the amounts of any other available revenues in the County that are earmarked for the provision of fire and EMS services.
5. Recommend Modified and Updated Fire and EMS Impact Fee
  - a. Apply density and allocation factors to calculate the unit costs of fire and EMS services.
  - b. Determine the unit costs of existing funds that are earmarked for the provision of fire and EMS (credits).
  - c. Provide recommendation for an updated impact fee using the data collected pursuant to A through D above.
6. Provide Recommendation on Other Possible Funding Sources
  - a. Do research of other communities to determine other funding sources that could be applied toward the provision of fire and EMS services. Provide the County with a list of funding options other than impact fees, if any, which may be available for the funding of these services.

C. Police Protection

1. Calculate Existing Demand and Develop Costs
  - a. Inventory the number of vehicles by type, support equipment, stations, substations, and other capital items.
  - b. Analyze cost calculations and update as necessary for the capital facilities inventory.
2. Establish Standard for Police Protection
  - a. Review all available and applicable County records to develop a standard of calls for service to capital facilities inventory.
3. Develop Revenue Credit for Existing Funding
  - a. Analyze existing non-impact fee revenue sources to determine an accurate

reduction factor for credit for existing fees.

4. Develop Cost Allocation for Police Protection and Impact Fee
  - a. Based on information analyzed in the previous tasks, such as inventory costs and new service standards for capital facilities inventory, calculate cost allocation per unit for police protection costs. Apply revenue credit to determine impact fee.

#### D. Administrative Space

1. Inventory Existing Public Building Space and Develop Costs
  - a. Through consultation with the County, review and update inventory of public building square footage, the use of buildings, and the general location of each.
  - b. Update and calculate total value of public building space as necessary through determination of cost/square footage ratios.
2. Assess Standards for Administrative Space
  - a. Update functional population data determine equitable allocation of costs through determining the number of persons expected to utilize administrative space per land use activity.
3. Calculate Revenue Credit
  - a. General taxation credits will be calculated and allocated as appropriate to avoid double charging new development for the costs of providing additional administrative space.
4. Allocate Administrative Space Costs
  - a. Administrative building costs as determined above will be allocated to each unit of development according to its proportionate demand.

## II. Schedule of Deliverables

All work to meet the required tasks listed in the scope of services shall be completed according to the following schedule:

Recreation and Open Space - on or before **October 5, 2003**.

Police – on or before **October 30, 2003**

Administrative Space – on or before **October 30, 2003**  
Transporation – on or before **November 31, 2003**

The deliverables will include a final report on the recommendation for a modified impact 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 the updated impact fees.

**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 is provided below. The total project costs for each component of the impact fee update shall not exceed the following amounts under this agreement. 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.

Transportation	\$8,500
Fire & EMS	\$5,740
Administrative Space	\$4,240
Police Protection	\$4,240

**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.

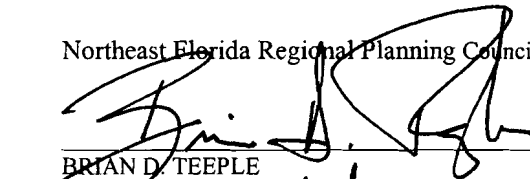
Nassau County, Board of County Commissioners

  
VICKIE SAMUS  
Its Chairman

**September 10, 2003**


Date

Northeast Florida Regional Planning Council

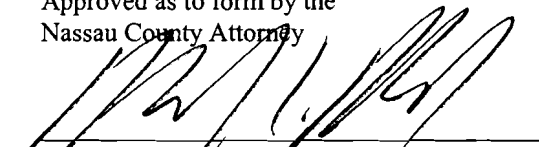
  
BRIAN D. TEEPLE  
Its Executive Director  
9/18/03

Date

Attest:

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

Approved as to form by the  
Nassau County Attorney

  
MICHAEL S. MULLIN

h/anne/agreements/rpc-impact-fees

FIRE AND EMERGENCY SERVICES

TASK	PROGRAM MANAGER		REGIONAL PLANNER		PROJECT TOTALS	
	RATE \$60		RATE \$40			
	HRS	COST	HRS	COST	HRS	COST
1 Determine Existing Inventory	5	\$300.00	30	\$1,200.00	35	\$1,500.00
2 Calculate Unit Cost	2	\$120.00	10	\$400.00	12	\$520.00
3 Assess the Present County Funding	0	\$0.00	25	\$1,000.00	25	\$1,000.00
4 Calculate the Appropriate Impact Fee	7	\$420.00	0	\$0.00	7	\$420.00
5 Recommendation on Other Possible Funding Sources	5	\$300.00	30	\$1,200.00	35	\$1,500.00
6 Attend Public Hearings	10	\$600.00	0	\$0.00	10	\$600.00
	29	\$1,740.00	95	\$3,800.00	124	\$5,540.00
Direct Costs		\$200.00				\$200.00
Total Costs						\$5,740.00
Note: Rate includes salary, fringe, common and indirect costs						

POLICE

TASK	PROGRAM MANAGER		REGIONAL PLANNER		PROJECT TOTALS	
	RATE	\$60	RATE	\$40		
	HRS	COST	HRS	COST	HRS	COST
1 Determine Existing Inventory	5	\$300.00	30	\$1,200.00	35	\$1,500.00
2 Calculate Unit Cost	2	\$120.00	10	\$400.00	12	\$520.00
3 Assess the Present County Funding	0	\$0.00	25	\$1,000.00	25	\$1,000.00
4 Calculate the Appropriate Impact Fee	7	\$420.00	0	\$0.00	7	\$420.00
5 Attend Public Hearings	10	\$600.00	0	\$0.00	10	\$600.00
	24	\$1,440.00	65	\$2,600.00	89	\$4,040.00
Direct Costs		\$200.00				\$200.00
Total Costs						\$4,240.00
Note: Rate includes salary, fringe, common and indirect costs						



TRANSPORTATION

TASK	TRANS. PLANNER		REGIONAL PLANNER		PROJECT TOTALS		
	RATE	\$60	RATE	\$40			
	HRS	COST	HRS	COST	HRS	COST	
1	Review and Modify Impact Fee Parameters	55	\$3,300.00	0	\$0.00	55	\$3,300.00
2	Update Trip Generation Rates	5	\$300.00	0	\$0.00	5	\$300.00
3	Review and Update Roadway Finance Credits	15	\$900.00	5	\$200.00	20	\$1,100.00
4	Cost Allocation	30	\$1,800.00	0	\$0.00	30	\$1,800.00
5	Calculate the Appropriate Impact Fee	20	\$1,200.00	0	\$0.00	20	\$1,200.00
6	Attend Public Hearings	10	\$600.00	0	\$0.00	10	\$600.00
		135	\$8,100.00	5	\$200.00	140	\$8,300.00
	Direct Costs		\$200.00				\$200.00
	Total Costs						\$8,500.00
Note: Rate includes salary, fringe, common and indirect costs							