

***SILVERADO
COMMUNITY DEVELOPMENT DISTRICT***

Advanced Board Package

***Board of Supervisors
Regular Meeting***

***Tuesday
November 1, 2016***

9:00 a.m.

At:

***Residence Inn
2101 Northpointe Parkway
Lutz, Florida 33558***

Note: The Advanced Meeting Package is a working document and thus all materials are considered DRAFTS prior to presentation and Board acceptance, approval or adoption.

Silverado Community Development District

Development Planning and Financing Group
15310 Amberly Drive, Suite 175, Tampa, Florida 33647
Phone: 813-374-9105

Board of Supervisors
Silverado Community Development District

Dear Board Members:

The Regular Meeting of the Silverado Community Development District is scheduled for **Tuesday, November 1, 2016 at 9:00 a.m.** at the Residence Inn, 2101 Northpointe Parkway, Lutz, Florida, 33558.

The advanced copy of the agenda for the meeting is attached along with associated documentation for your consideration. Any additional support material will be forwarded to you under separate cover or distributed at the meeting.

The balance of the agenda is routine in nature and staff will present their reports at the meeting. In the meantime if you have any questions, please contact me.

Sincerely,

Paul Cusmano
District Manager

SILVERADO COMMUNITY DEVELOPMENT DISTRICT

Date of Meeting: **Tuesday November 1, 2016**
Time: 9:00 a.m.
Location: Residence Inn
2101 Northpointe Parkway
Lutz, Florida 33558

Conference Call No.: (563) 999-2090
Code: 686859#

AGENDA

I. Roll Call

II. Audience Comments

III. Organizational Matters

- A. Oath of Office of Newly Elected Supervisors
- B. Consideration of Resolution 2017-1, Canvassing & Certifying Results Of the Landowners Election Exhibit 1
- C. Compensation of Supervisors
- D. Consideration of Resolution 2017-2 Elections of Officers Exhibit 2

IV. Consent Agenda

- A. Approval of Minutes of September 6, 2016 Meeting Exhibit 3
- B. Acceptance of September 2016 Unaudited Financial Statement Exhibit 4

V. Business Matters

- A. Consideration and Approval of Resolution 2017-3 Prompt Payment Policy & Procedure Exhibit 5
- B. Additional Matters

VI. Staff Reports

- A. District Manager
- C. Attorney

C. District Engineer

VII. Supervisors Requests

VIII. Audience Questions and Comments on Other Items

IX. Adjournment

EXHIBIT 1

RESOLUTION 2017-01

A RESOLUTION CANVASSING AND CERTIFYING THE RESULTS OF THE LANDOWNERS ELECTION OF SUPERVISORS HELD PURSUANT TO SECTION 190.006(2), FLORIDA STATUTES

WHEREAS, pursuant to Section 190.006(2), Florida Statute, a landowners meeting is required to be held within 90 days of the District's creation and every two years following the creation of a Community Development District for the purpose of electing three Supervisors of the District; and

WHEREAS, following proper publication of notice thereof, such landowners meeting was held November 1, 2016, at which the below recited persons were duly elected by virtue of the votes cast in their respective favor; and

WHEREAS, the Board of Supervisors by means of this Resolution desire to canvas the votes and declare and certify the results of said election;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE SILVERADO COMMUNITY DEVELOPMENT DISTRICT;

1. The following persons are found, certified, and declared to have been duly elected as Supervisors of and for the District, having been elected by the votes cast in their favor as shown, to wit:

<u>Lori Price</u>	250 Votes
<u>Ted Sanders</u>	250 Votes
<u>Vacant</u>	0 Votes

2. In accordance with said statute, and by virtue of the number of votes cast for the respective Supervisors, they are declared to have been elected for the following terms of office:

Lori Price

four (4) year term

Ted Sanders

four (4) year term

Vacant

two (2) year term

3. Said terms of office shall commence immediately upon the adoption of this Resolution.

PASSED AND ADOPTED THIS 1st DAY OF NOVEMBER, 2016.

Chairman Mike Lawson

Secretary Paul Cusmano

EXHIBIT 2

RESOLUTION 2017-2
A RESOLUTION DESIGNATING OFFICERS OF THE
SILVERADO COMMUNITY DEVELOPMENT DISTRICT

WHEREAS, the Board of Supervisors of the Silverado Community Development District at the business meeting held on November 1, 2016 desires to appoint the below recited persons to the offices specified.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF
SUPERVISORS OF SILVERADO COMMUNITY
DEVELOPMENT DISTRICT:

1. The following persons were appointed to the offices shown, to wit:

<u>Mike Lawson</u>	Chairman
<u>Doug Draper</u>	Vice Chairman
<u>Paul Cusmano</u>	Secretary
<u>Patricia Comings-Thibault</u>	Treasurer
<u>Paul Cusmano & Maik Aagaard</u>	Assistant Treasurer
<u>Carolyn Stewart & Janet Johns</u>	Assistant Secretary
<u>Lori Price</u>	Assistant Secretary
<u>Ted Sanders</u>	Assistant Secretary
<u>Vacant</u>	Assistant Secretary

2. That this resolution supersedes all previous resolutions and motions designating, electing or appointing officers adopted by the Board of Supervisors of the Silverado Community Development District and are hereby declared null and void.

Adopted this 1st day of November, 2016.

Chairman Mike Lawson

Secretary Paul Cusmano

EXHIBIT 3

1 **MINUTES OF MEETING**
2 **SILVERADO**
3 **COMMUNITY DEVELOPMENT DISTRICT**

4 The Regular Meeting of the Board of Supervisors of the Silverado Community Development
5 District was held Tuesday, September 6, 2016 at 5:30 p.m. at the Residence Inn, 2101 Northpointe
6 Parkway, Lutz, Florida.

7 **FIRST ORDER OF BUSINESS – Roll Call**

8
9 Mr. Cusmano called the meeting to order.

10 Present and constituting a quorum were:

11
12 Mike Lawson Board Supervisor, Chairman
13 Doug Draper Board Supervisor, Vice Chairman
14 Lori Price Board Supervisor, Assistant Secretary

15 Also present were:

16 Paul Cusmano District Manager
17 Vivek Babbar District Counsel

18 **SECOND ORDER OF BUSINESS – Public Comments**

19
20 There being none, the next item followed.

21
22 **THIRD ORDER OF BUSINESS – Administrative Matters**

23
24 **A. Approval of Minutes from June 3, 2016 Special Meeting**

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26 Mr. Cusmano presented the minutes from the June 3, 2016 Special Meeting and asked for
27 comments, questions or corrections.

28 On a MOTION by Mr. Lawson, SECONDED by Mr. Draper, WITH ALL IN FAVOR, the Board
29 approved the minutes from the June 3, 2016 Special Meeting for the Silverado Community Development
30 District.

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32 **B. Approval of Minutes from June 7, 2016 Meeting**

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34 Mr. Cusmano presented the minutes from the June 7, 2016 Meeting and asked for comments,
35 questions or corrections.

36 On a MOTION by Mr. Lawson, SECONDED by Mr. Draper, WITH ALL IN FAVOR, the Board
37 approved the minutes from the June 3, 2016 Special Meeting for the Silverado Community Development
38 District.

39
40 **C. Acceptance of July 2016 Financial Statements**

41
42 Mr. Cusmano presented the July 2016 Financial Statements and asked for comments or questions.

43 On a MOTION by Mr. Lawson, SECONDED by Ms. Price, WITH ALL IN FAVOR, the Board accepted
44 the July 2016 Financial Statements for the Silverado Community Development District.

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FOURTH ORDER OF BUSINESS – Business Matters

A. 2016-2017 Budget Public Hearing

1. Open Public Hearing

Mr. Cusmano requested a motion to open the Budget Public Hearing.

On a MOTION by Mr. Lawson, SECONDED by Mr. Draper, WITH ALL IN FAVOR, the Board opened the Budget Public Hearing for the Silverado Community Development District.

2. Review of the 2016-2017 Budget

Mr. Cusmano presented the 2016-2017 Budget and asked for comments or questions.

3. Public Comment & Testimony

There being none, next item followed.

4. Close Public Hearing

Mr. Cusmano requested a motion to close the Budget Public Hearing.

On a MOTION by Mr. Lawson, SECONDED by Ms. Price, WITH ALL IN FAVOR, the Board closed the Budget Public Hearing for the Silverado Community Development District.

B. Consideration and Adoption of Resolution 2016-06 Annual Appropriation Resolution Adopting the Fiscal Year 2016/2017 Budget

Mr. Cusmano presented Resolution 2016-06 Annual Appropriation Resolution Adopting the Fiscal Year 2016/2017 Budget and asked for comments or questions.

On a MOTION by Mr. Lawson, SECONDED by Mr. Draper, WITH ALL IN FAVOR, the Board adopted Resolution **2016-06** Annual Appropriation Resolution Adopting the Fiscal Year 2016/2017 Budget for the Silverado Community Development District.

C. Consideration of Resolution 2016-07 Imposing Assessments to Fund Fiscal Year 2016/2017 Budget

Mr. Cusmano presented Resolution 2016-07 Imposing Assessments to Fund Fiscal Year 2016/2017 Budget and asked for comments or questions.

On a MOTION by Mr. Lawson, SECONDED by Ms. Price, WITH ALL IN FAVOR, the Board adopted Resolution **2016-07** Imposing Assessments to Fund Fiscal Year 2016/2017 Budget for the Silverado Community Development District.

93 **D. Consideration of Resolution 2016-08 Officers; Appointing Paul Cusmano as**
94 **Secretary**

95
96 Mr. Cusmano presented Resolution 2016-08 Officers; Appointing Paul Cusmano as Secretary.

97 On a MOTION by Mr. Lawson, SECONDED by Mr. Draper, WITH ALL IN FAVOR, the Board adopted
98 Resolution 2016-08 Officers; Appointing Paul Cusmano as Secretary for the Silverado Community
99 Development District.

100
101 **E. Consideration and Approval of the 2016-2017 Meeting Schedule**

102
103 Mr. Cusmano presented the 2016-2017 Meeting Schedule and asked for comments or questions.

104 On a MOTION by Mr. Lawson, SECONDED by Ms. Price, WITH ALL IN FAVOR, the Board approved
105 the 2016-2017 Meeting Schedule for the Silverado Community Development District.

106
107 **F. Consideration and Approval of Resolution 2016-09 Final Supplemental Assessments**

108
109 Mr. Cusmano presented Resolution 2016-09 Final Supplemental Assessments and asked for
110
111 comments or questions.

112
113 On a MOTION by Mr. Lawson, SECONDED by Mr. Draper, WITH ALL IN FAVOR, the Board adopted
114 Resolution **2016-09** Final Supplemental Assessments for the Silverado Community Development District.

115
116 **G. Consideration of Grau Auditor Agreement**

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118 Mr. Cusmano presented the Grau Auditor Agreement and asked for comments or questions.

119
120 On a MOTION by Mr. Lawson, SECONDED by Ms. Price, WITH ALL IN FAVOR, the Board approved
121 the Grau Auditor Agreement for the Silverado Community Development District.

122
123 **H. Review of the Final Financial Report for Fiscal Year 2015**

124
125 Mr. Cusmano presented the Final Financial Report for Fiscal Year 2015 and asked for comments
126
127 or questions.

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129 On a MOTION by Mr. Lawson, SECONDED by Mr. Draper, WITH ALL IN FAVOR, the Board
130 accepted the Final Financial Report for Fiscal Year 2015 for the Silverado Community Development
131 District.

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133 **FIFTH ORDER OF BUSINESS – Staff Reports**

134
135 **A. Manager**

136 There being none, the next item followed.

137 **B. Attorney**

138 There being none, the next item followed.

139

140 **C. Engineer**

141 There being none, the next item followed.

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143 **SIXTH ORDER OF BUSINESS – Public Comments**

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145 There being none, the next item followed.

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147 **SEVENTH ORDER OF BUSINESS – Supervisor Requests**

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149 There being none, next item followed.

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151 **EIGHTH ORDER OF BUSINESS – Adjournment**

152

153 On a MOTION by Mr. Lawson, SECONDED by Ms. Price, WITH ALL IN FAVOR, the Board
154 adjourned the meeting of the Silverado Community Development District.

155

156 **Each person who decides to appeal any decision made by the Board with respect to any matter*
157 *considered at the meeting is advised that person may need to ensure that a verbatim record of the*
158 *proceedings is made, including the testimony and evidence upon which such appeal is to be based*

159 **Meeting minutes were approved at a meeting by vote of the Board of Supervisors at a publicly noticed**
160 **meeting held on _____.**

161

162

163 _____
Signature

164

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166 _____
Printed Name

167 **Title:** **Secretary** **Assistant Secretary**

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Signature

Printed Name

Title: **Chairman** **Vice Chairman**

EXHIBIT 4

Silverado Community Development District

Summary Financial Statements
(Unaudited)

Period Ending
September 30, 2016

SILVERADO CASH PROJECTIONS

Projections

September 30, 2016

ACTUAL

Cash	\$	1,065
Accounts Receivable/ Dev Funding	\$	548
Accounts Payable	\$	(548)

Remaining Assessments To be Collected FY 2016

Budgeted Special Assessments/Developer Funding	\$	251,740
Actual year to date	\$	(94,407)

Remaining Expenditures FY 2016

Actual year to Date	\$	93,392
Budgeted Expenditures FY 2016	\$	(251,740)

PROJECTED CASH EOY FY 2016

\$

50

Silverado Community Development District
Balance Sheet
Unaudited
September 30, 2016

	GENERAL FUND	2016A-1	2016A-2	CAPITAL PROJECTS	CIP 2016A - 2016A2	TOTAL
<u>ASSETS:</u>						
CASH	\$ 1,065	\$ -	\$ -	\$ -	\$ -	\$ 1,065
ACCOUNTS RECEIVABLE	548	-	-	2,900	8,850	12,298
PREPAID EXPENSES	-	-	-	-	-	-
RESERVE FUND 2016A-1	-	57,460	-	-	-	57,460
C.O.I. 2016A-1	-	3,326	-	-	-	3,326
CAP INTEREST FUND 2016A-1	-	63,870	-	-	-	63,870
RESERVE FUND 2016A-2	-	-	169,200	-	-	169,200
CAP INTEREST FUND 2016A-2	-	-	229,436	-	-	229,436
ACQ-CONSTRUCTION 2016A	-	-	-	-	400,077	400,077
ACQ-CONSTRUCTION 2016A-1	-	-	-	-	220,665	220,665
TOTAL ASSETS	\$ 1,613	\$ 124,656	\$ 398,636	\$ 2,900	\$ 629,592	\$ 1,157,397
<u>LIABILITIES:</u>						
ACCOUNTS PAYABLE	\$ 548	\$ -	\$ -	\$ 2,900	\$ 409,048	\$ 412,495
<u>FUND BALANCE:</u>						
NONSPENDABLE:						
UNASSIGNED:	1,065	124,656	398,636	-	220,544	\$ 744,901
TOTAL LIABILITIES & FUND BALANCE	\$ 1,613	\$ 124,656	\$ 398,636	\$ 2,900	\$ 629,592	\$ 1,157,397

Silverado Community Development District
Operations and Maintenance
Statement of Revenue, Expenditures And Change In Fund Balance
For The Period Ending September 30, 2016

	FY2016 ADOPTED BUDGET	BUDGET YEAR-TO-DATE	ACTUAL YEAR-TO-DATE	VARIANCE FAVORABLE (UNFAVORABLE)
REVENUES				
DEVELOPER FUNDING	\$ 251,740	\$ 228,801	\$ 94,407	\$ (134,394)
TOTAL REVENUES	251,740	228,801	94,407	(134,394)
EXPENDITURES				
GENERAL ADMINISTRATIVE:				
BOARD OF SUPERVISORS PAYROLL	12,000	12,000	5,600	6,400
PAYROLL TAXES	918	918	432	486
PAYROLL SERVICE FEE	600	600	275	325
MANAGEMENT CONSULTING SERVICES	21,000	21,000	21,000	-
MISCELLANEOUS	500	500	180	320
CONSTRUCTION ACCOUNTING SERVICES	9,500	9,500	-	9,500
PLANNING AND COORDINATING SERVICES	36,000	36,000	36,000	-
ADMINISTRATIVE SERVICES	3,600	3,600	-	3,600
BANKING FEES	175	175	12	163
AUDITING	250	250	2,400	(2,150)
TRAVEL PER DIEM	500	500	120	380
REGULATORY AND PERMIT FEES	175	175	175	-
LEGAL ADVERTISEMENTS	2,500	2,500	3,687	(1,187)
ENGINEERING SERVICES	4,000	4,000	2,403	1,597
LEGAL SERVICES	7,500	7,500	9,193	(1,693)
WEBSITE HOSTING	1,995	1,995	978	1,017
PRINTING & BINDING	-	-	1,400	(1,400)
INSURANCE	10,000	5,000	5,000	-
ADMINISTRATIVE CONTINGENCY	4,462	4,462	-	4,462
TOTAL GENERAL ADMINISTRATIVE	115,675	106,213	88,855	17,358
DEBT ADMINISTRATION:				
DISSEMINATION AGENT	5,000	-	-	-
TRUSTEE FEES	4,377	-	-	-
TRUST FUND ACCOUNTING	3,600	-	-	-
ARBITRAGE	500	-	-	-
TOTAL DEBT ADMINISTRATION	13,477	-	-	-
PHYSICAL ENVIRONMENT EXPENDITURES				
STREETPOLE LIGHTING	30,975	30,975	-	30,975
ELECTRICITY (IRRIGATION & POND PUMPS)	7,992	7,992	-	7,992
WATER	24,000	24,000	41	23,959
LANDSCAPING MAINTENANCE	26,400	26,400	550	25,850
IRRIGATION MAINTENANCE	4,236	4,236	3,775	461
POND MAINTENANCE	7,230	7,230	171	7,059
SOLID WASTE DISPOSAL	3,720	3,720	-	3,720
TOTAL PHYSICAL ENVIRONMENT EXPENDITURES	104,553	104,553	4,537	100,016
AMENITY CENTER				
AMENITY CENTER (3 MONTHS)	1,800	1,800	-	1,800
POOL SERVICE CONTRACT	875	875	-	875
POOL MAINTENANCE & REPAIRS	275	275	-	275
POOL PERMIT	1,380	1,380	-	1,380
AMENITY CENTER CLEANING & MAINTENANCE	1,380	1,380	-	1,380
AMENITY CENTER INTERNET	570	570	-	570
AMENITY CENTER ELECTRICITY	3,600	3,600	-	3,600
AMENITY CENTER WATER	2,625	2,625	-	2,625
AMENITY CENTER PEST CONTROL	255	255	-	255
REFUSE SERVICE	525	525	-	525
LANDSCAPE MAINTENANCE	3,000	3,000	-	3,000
MISC. AMENITY CENTER REPAIRS & MAINT	1,750	1,750	-	1,750
TOTAL AMENITY CENTER (3 MONTHS)	18,035	18,035	-	18,035
TOTAL EXPENDITURES	251,740	228,801	93,392	135,409
EXCESS OF REVENUE OVER (UNDER) EXPENDITURES	-	-	1,015	1,015
FUND BALANCE - BEGINNING	-	-	50	50
FUND BALANCE - ENDING	\$ -	\$ -	\$ 1,065	\$ 1,065

Silverado Community Development District

2016A-1

Statement of Revenue, Expenditures And Changes In Fund Balance

For The Period Ending August 31, 2016

	<u>ACTUAL YEAR-TO-DATE</u>
REVENUES	
BOND PROCEEDS	\$ 159,310
INTEREST	24
TOTAL REVENUES	<u>159,334</u>
EXPENDITURES	
MGMT. & CONSULTING FEES	52,000
TRUSTEE FEES	8,450
TOTAL EXPENSE	<u>60,450</u>
TOTAL EXPENDITURES	<u>60,450</u>
EXCESS OF REVENUE OVER (UNDER) EXPENDITURES	98,884
TRANSFER IN	25,772
 FUND BALANCE - BEGINNING	 -
FUND BALANCE - ENDING	<u><u>\$ 124,656</u></u>

Silverado Community Development District

2016A-2

Statement of Revenue, Expenditures And Changes In Fund Balance

For The Period Ending August 31, 2016

	<u>ACTUAL</u> <u>YEAR-TO-DATE</u>
REVENUES	
BOND PROCEEDS	\$ 535,082
INTEREST	76
TOTAL REVENUES	<u>535,158</u>
EXPENDITURES	
MGMT. & CONSULTING FEES	-
TRUSTEE FEES	-
TOTAL EXPENSE	<u>-</u>
TOTAL EXPENDITURES	<u>-</u>
EXCESS OF REVENUE OVER (UNDER) EXPENDITURES	535,158
TRANSFER OUT	(136,522)
 FUND BALANCE - BEGINNING	 -
FUND BALANCE - ENDING	<u>\$ 398,636</u>

Silverado Community Development District
Capital Projects Fund
Statement of Revenue, Expenditures And Changes In Fund Balance
For The Period Ending August 31, 2016

	<u>ACTUAL YEAR-TO-DATE</u>
REVENUES	
DEVELOPER FUNDING	\$ 77,792
MISCELLANEOUS REVENUE	-
TOTAL REVENUES	<u>77,792</u>
 EXPENDITURES	
CONSTRUCTION IN PROGRESS	<u>77,792</u>
TOTAL EXPENSE	<u>77,792</u>
 TOTAL EXPENDITURES	<u>77,792</u>
 EXCESS OF REVENUE OVER (UNDER) EXPENDITURES	-
FUND BALANCE - BEGINNING	-
 FUND BALANCE - ENDING	<u><u>\$ -</u></u>

Silverado Community Development District
CIP 2016A - 2016A-2
Statement of Revenue, Expenditures And Changes In Fund Balance
For The Period Ending August 31, 2016

	<u>ACTUAL YEAR-TO-DATE</u>
REVENUES	
BOND PROCEEDS	\$ 2,717,858
DEVELOPER FUNDING	\$ 12,909
INTEREST	183
TOTAL REVENUES	<u><u>2,730,950</u></u>
 EXPENDITURES	
CONSTRUCTION IN PROGRESS	<u>2,510,406</u>
TOTAL EXPENSE	<u><u>2,510,406</u></u>
 TOTAL EXPENDITURES	<u><u>2,510,406</u></u>
 EXCESS OF REVENUE OVER (UNDER) EXPENDITURES	 220,544
FUND BALANCE - BEGINNING	-
 FUND BALANCE - ENDING	 <u><u>\$ 220,544</u></u>

Silverado Community Development District
General Fund - Bank Reconciliation
Operating Account
August 31, 2016

	<u>BU</u>
Balance Per Bank Statement	\$ 5,523.78
Less: Outstanding AP Checks	(4,458.34)
	<hr/>
<i>Adjusted Bank Balance</i>	<u><u>\$ 1,065.44</u></u>
Beginning Bank Balance Per Books	\$ 1,464.67
Deposits & Interest	7,411.00
Cash Disbursements	(7,810.23)
	<hr/>
<i>Balance Per Books</i>	<u><u>\$ 1,065.44</u></u>

Silverado CDD
Check Register
Operating Account
FY 2016

DATE	CK NO.	PAYEE	TRANSACTION	DEPOSIT	DISBURSMT	BALANCE SUNTRUST
			Beginning			737.98
10/05/2015		Deposit	GF 2015-08	9,750.00		10,487.98
10/05/2015	2032	DPFG	CDD/Field Mgmt - Oct		4,750.00	5,737.98
10/05/2015	2033	Egis Insurance Advisors, LLC	Insurance FY 2016		5,000.00	737.98
10/12/2015	2034	ATLAS PROFESSIONAL SERVICES, INC.	Web Site - Oct		60.00	677.98
10/12/2015	2035	TAMPA BAY TIMES	Legal Ad		119.66	558.32
10/19/2015	2036	FLORIDA DEPT OF ECONOMIC OPPORTUN	Annual Filing Fee FY 2016		175.00	383.32
10/31/2015	ACH10022015	ADP	Payroll		40.00	343.32
		EOM	Balance	9,750.00	10,144.66	343.32
11/05/2015			CF 2015-06	414.95		758.27
11/05/2015	2037	Heidt Design	CF 2015-06		414.95	343.32
11/16/2015	2038	ATLAS PROFESSIONAL SERVICES	Domain Name		18.17	325.15
11/25/2015			CF 2015-07	314.95		640.10
11/25/2015	2039	Heidt Design	CF 2015-07		314.95	325.15
11/30/2015			Service Charge		12.00	313.15
		EOM	Balance	729.90	760.07	313.15
12/28/2015		DEPOSIT	GF 2016-01	13,874.36		14,187.51
12/29/2015	2040	ATLAS PROFESSIONAL SERVICES, INC.	GF 2016-01 - Web Site Set Up/Hosting		300.00	13,887.51
12/29/2015	2041	DPFG	GF - 2016-01 - CDD/Field Mgmt - Nov & Dec		9,500.00	4,387.51
12/29/2015	2042	Straley & Robin	GF 2016-01 - Legal Svcs		1,727.00	2,660.51
12/29/2015	2043	TAMPA BAY TIMES	GF 2016-01 - Legal Ad		97.36	2,563.15
12/31/2015	ACH12312015	Paychex	BOS Mtg - 10/6, 11/3, 12/1 - Fees		40.95	2,522.20
12/31/2015	50000DD	ANTHONY BRANNAN	BOS Mtg - 10/6/15		183.87	2,338.33
12/31/2015	500001	IRA D. DRAPER	BOS Mtg - 10/6, 11/3, 12/1		513.27	1,825.06
12/31/2015	500003DD	Lori Price	BOS Mtg - 10/6, 11/3, 12/1		513.27	1,311.79
12/31/2015	500002	Michael Lawson	BOS Mtg - 10/3, 11/3, 12/1		513.27	798.52
12/31/2015	ACH12312015	Paychex	BOS Mtg - 10/6, 11/3, 12/1		429.32	369.20
		EOM	Balance	13,874.36	13,818.31	369.20
01/21/2016		DEPOSIT	GF 2016-02	1,773.30		2,142.50
01/22/2016	2044	ATLAS PROFESSIONAL SERVICES, INC.	Web Site Hosting - Dec		60.00	2,082.50
01/22/2016	2045	Straley & Robin	Legal Svcs thru 12/15/15		528.00	1,554.50
01/22/2016	2046	TAMPA BAY TIMES	Legal Ad		185.30	1,369.20
		EOM	Balance	1,773.30	773.30	1,369.20
02/01/2016		DEPOSIT	GF 2016-03	4,887.48		6,256.68
02/02/2016	2048	ATLAS PROFESSIONAL SERVICES, INC.	GF 2016-03 Web Site Hosting - Jan		60.00	6,196.68
02/02/2016	2049	DPFG	GF 2016-03 CDD/Field Mgmt - Jan		4,750.00	1,446.68
02/02/2016	2050	TAMPA BAY TIMES	GF 2016-03 Legal Ad		77.48	1,369.20
02/12/2016		DEPOSIT	GF 2016-04	4,750.00		6,119.20
02/15/2016	2051	DPFG	GF - 2016-04 CDD/Field Mgmt - Feb		4,750.00	1,369.20
02/15/2016	2052	ATLAS PROFESSIONAL SERVICES, INC.	Web Site Hosting - Feb		60.00	1,309.20
02/15/2016	2053	TAMPA BAY TIMES	Legal Ad		63.05	1,246.15
02/15/2016	2054	Straley & Robin	Legal Svcs thru 1/15-16		45.00	1,201.15
02/29/2016	2055	Straley & Robin	Legal Svcs thru 2/15/16		306.40	894.75
		EOM	Balance	9,637.48	10,111.93	894.75
03/10/2016	ACH03102016	Paychex	P/R Fees EOY		20.00	874.75
03/10/2016	2056	ATLAS PROFESSIONAL SERVICES, INC.	Web Site Hosting - March		60.00	814.75
03/17/2016		Deposit	CF 2015-08	7,000.00		7,814.75
03/17/2016	2057	Grandview Botanicals Landscape	Landscape		7,000.00	814.75
03/24/2016		Deposit	GF 2016-05	9,404.71		10,219.46
03/25/2016	2058	DPFG	CDD/Field Mgmt - March		4,750.00	5,469.46
03/25/2016	2059	TAMPA BAY TIMES	Legal Ads		2,284.71	3,184.75
03/25/2016	2060	Straley & Robin	Legal Svcs thru 3/15/16		194.45	2,990.30
03/29/2016	ACH03292016	Paychex	P/R Fees		49.95	2,940.35
03/29/2016	500004	IRA D. DRAPER	BOS Mtg - 2/2 & 3/1/16		348.15	2,592.20
03/29/2016	500006DD	Lori Price	BOS Mtg - 2/2 & 3/1/16		348.15	2,244.05
03/29/2016	500005	Michael Lawson	BOS Mtg - 3/1/16		183.45	2,060.60
03/29/2016	ACH03292016	Paychex	BOS Mtgs - 2/2 & 3/1/16		228.60	1,832.00
03/29/2016	500007	THEODORE SANDERS	BOS Mtg - 2/2/16		183.45	1,648.55
		EOM	Balance	16,404.71	15,650.91	1,648.55
04/13/2016	2062	ATLAS PROFESSIONAL SERVICES, INC.	Web Site Hosting - April		60.00	1,588.55
04/13/2016	2063	Residence Inn Tampa Northpointe	Meeting Room - 4/7/16		180.00	1,408.55
04/29/2016		Developer Contribution	CF 2015-11	35,218.00		36,626.55
		EOM	Balance	35,218.00	240.00	36,626.55
05/02/2016	2064	Grandview Botanicals Landscape	2015- 11 CF		35,218.00	1,408.55
05/09/2016	2065	ATLAS PROFESSIONAL SERVICES, INC.	Web Site Hosting - May		60.00	1,348.55
05/10/2016	051016PC	Paychex	PAYCHEX EIB INVOICE 20370		10.00	1,338.55
		EOM	Balance	0.00	35,288.00	1,338.55
06/10/2016		Developer Contribution	GF 2016-06	9,393.75		10,732.30
06/13/2016	2066	DPFG	CDD/Field Mgmt - April		4,750.00	5,982.30
06/13/2016	2067	Grau and Associates	Audit FY 2015		2,000.00	3,982.30

Silverado CDD
Check Register
Operating Account
FY 2016

DATE	CK NO.	PAYEE	TRANSACTION	DEPOSIT	DISBURSMT	BALANCE SUNTRUST
06/13/2016	2068	Stantec Consulting Services Inc.	Engineering Svcs thru 3/18/16		1,582.50	2,399.80
06/13/2016	2069	Straley Robin Vericker	Legal Svcs thru 4/15/16		351.25	2,048.55
06/16/2016		Developer Contribution	GF 2016-07	5,462.25		7,510.80
06/17/2016	2070	DPFG	CDD/Field Mgmt -May		4,750.00	2,760.80
06/17/2016	2071	ATLAS PROFESSIONAL SERVICES, INC.	Web Site Hosting - June		60.00	2,700.80
06/17/2016	2072	Pasco County Utilities Services Branch	4/14-5/18 - 6270 Silverado Ranch Pump		8.87	2,691.93
06/17/2016	2073	TAMPA BAY TIMES	Legal Ad		86.36	2,605.57
06/22/2016	ACH0622201	Paychex	P/R Fees		52.25	2,553.32
06/22/2016	500008	IRA D. DRAPER	BOS Mtgs 4/7 & 5/4/16		384.75	2,168.57
06/22/2016	500010DD	Lori Price	BOS Mtgs - 4/7 & 5/3/16		348.15	1,820.42
06/22/2016	500009	Michael Lawson	BOS Mtg - 5/3/16		183.45	1,636.97
06/22/2016	ACH0622201	Paychex	BOS Mtgs 4/7 & 5/3/16		239.82	1,397.15
06/22/2016	500011	THEODORE SANDERS	BOS Mtg - 4/7/16		183.45	1,213.70
06/24/2016	2074	Straley Robin Vericker	Legal Svcs thru 5/15/16		600.65	613.05
		EOM	Balance	14,856.00	15,581.50	613.05
07/05/2016	2075	ATLAS PROFESSIONAL SERVICES, INC.	Web Site Hosting - July		60.00	553.05
07/05/2016	2076	Pasco County Utilities Services Branch	5/16-5/20 - 5270 Silverado Ranch Pump	-	17.59	535.46
07/11/2016		Deposit	GF 2016-08	12,968.43		13,503.89
07/12/2016	2077	DPFG	CDD/Field Mgmt - June		4,750.00	8,753.89
07/12/2016	2078	Grandview Botanicals Landscape	Irrigation Repairs		4,325.00	4,428.89
07/12/2016	2079	Straley Robin Vericker	Legal Svcs thru 6/15/16		2,467.90	1,960.99
07/22/2016		Deposit	GF 2016-09	6,150.00		8,110.99
07/22/2016	2080	DPFG	CDD/Field Mgmt - July		4,750.00	3,360.99
07/22/2016	2081	Grau and Associates	Audit FY 2015		400.00	2,960.99
07/28/2016	ACH0728201	Paychex	P/R Fees		62.25	2,898.74
07/28/2016	500012	IRA D. DRAPER	BOS Mtgs - 6/3 & 6/7/2016		423.63	2,475.11
07/28/2016	500014DD	Lori Price	BOS Mtgs 6/3 & 6/7/15		348.15	2,126.96
07/28/2016	500013	Michael Lawson	BOS Mtgs - 6/3 & 6/7/16		348.15	1,778.81
07/28/2016	ACH0728201	Paychex	BOS Mtgs 6/3 & 6/7/16		247.35	1,531.46
		EOM	Balance	19,118.43	18,200.02	1,531.46
08/02/2016	2083	ATLAS PROFESSIONAL SERVICES, INC.	Web Site Hosting - August		60.00	1,471.46
08/19/2016		Deposit	GF 2016-10	5,913.30		7,384.76
08/22/2016	2084	DPFG	CDD/Field Mgmt - August		4,750.00	2,634.76
08/22/2016	2085	Straley Robin Vericker	Legal Svcs thru 7/15/16		1,163.30	1,471.46
08/24/2016	2086	Stantec Consulting Services Inc.	Engineering Svcs thru 7/15/16		820.50	650.96
08/25/2016		Deposit	GF 2016-11	1,552.70		2,203.66
08/25/2016	2087	Tampa Bay Times	Legal Ad		732.20	1,471.46
08/29/2016	2088	Pasco County Utilities Services Branch	7/18-8/19/16		6.79	1,464.67
		EOM	Balance	7,466.00	6,793.80	1,464.67
09/06/2016	2089	ATLAS PROFESSIONAL SERVICES, INC.	Web Site Hosting - September		60.00	1,404.67
09/06/2016	2090	TAMPA BAY TIMES	Legal Ad		160.40	1,244.27
09/15/2016	2091	AQUATIC SYSTEMS, INC	Lake & Pond Maint - September		171.00	1,073.27
09/21/2016			GF 2016-12	7,411.00		8,484.27
09/22/2016	2092	DPFG	CDD/Field Mgmt - September		4,750.00	3,734.27
09/22/2016	2093	ImageMaster, LLC	Bond Printing		1,400.00	2,334.27
09/22/2016	2094	Straley Robin Vericker	Legal Svcs thru 8/15/16		1,261.00	1,073.27
09/30/2016	2096	Pasco County Utilities Services Branch	8/19-9/16 - 6270 Silverado Ranch Pump		7.83	1,065.44
		EOM	Balance	7,411.00	7,810.23	1,065.44

EXHIBIT 5

MEMORANDUM

To: Board of Supervisors
Silverado CDD

From: Paul Cusmano

Date: November 1, 2016

Re: Prompt Payment Policies and Procedures

The purpose of this memorandum is to outline the Silverado Community Development District's ("District") responsibilities under the Local Government Prompt Payment Act (Chapter 218, Part VII, Florida Statutes) ("Act"). The Act requires districts to establish procedures for marking payment requests or invoices as "received" and to establish dispute resolution procedures in the event a dispute occurs between a district and a contractor.

The accompanying proposed resolution and policy ("Prompt Payment Policies and Procedures") sets forth specific policies and procedures to ensure timely payment to vendors or contractors providing goods or services to the District and to provide guidance in contracting matters. The Prompt Payment Policies and Procedures will provide more protection for the District by establishing a process to deny and resolve instances of improper invoices such as an invoice for goods or services that fail to meet the contract requirements. As required by the Act, the Prompt Payment Policies and Procedures delineate the procedure for accepting and calculating the date of payment for construction services and non-construction goods and services.

If you have questions regarding the Prompt Payment Act, or the attached proposed Resolution and Prompt Payment Policies and Procedures, please do not hesitate to contact me.

RESOLUTION 2017-03

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE SILVERADO COMMUNITY DEVELOPMENT DISTRICT ADOPTING PROMPT PAYMENT POLICIES AND PROCEDURES PURSUANT TO CHAPTER 218, FLORIDA STATUTES; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Silverado Community Development District (the "District") is a local unit of special-purpose government created and existing pursuant to Chapter 190, Florida Statutes, being situated in Pasco County, Florida; and

WHEREAS, Chapter 218, Florida Statutes, requires timely payment to vendors and contractors providing certain goods and/or services to the District; and

WHEREAS, the Board of Supervisors of the District (the "Board") accordingly finds that it is in the best interests of the District to establish by resolution the Prompt Payment Policies and Procedures attached hereto as **Exhibit A** for immediate use and application.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE SILVERADO COMMUNITY DEVELOPMENT DISTRICT:

SECTION 1. The Prompt Payment Policies and Procedures attached hereto as **Exhibit A** are hereby adopted pursuant to this resolution as necessary for the conduct of District business. The Prompt Payment Policies and Procedures shall remain in full force and effect until such time as the Board may amend them; provided, however, that as the provisions of Chapter 218, Florida Statutes, are amended from time to time, the attached Prompt Payment Policies and Procedures shall automatically be amended to incorporate the new requirements of law without any further action by the Board.

SECTION 2. If any provision of this Resolution is held to be illegal or invalid, the other provisions shall remain in full force and effect. All District resolutions, policies or parts thereof in actual conflict with this Resolution are, to the extent of such conflict, superseded and repealed, except as noted below.

SECTION 3. This Resolution shall become effective upon its passage and shall remain in effect unless rescinded or repealed.

PASSED AND ADOPTED THIS 1st DAY OF NOVEMBER, 2016.

ATTEST:

**SILVERADO COMMUNITY
DEVELOPMENT DISTRICT**

Secretary/Assistant Secretary

Chairman, Board of Supervisors

Exhibit A: Prompt Payment Policies and Procedures

SILVERADO COMMUNITY DEVELOPMENT DISTRICT

Prompt Payment Policies and Procedures **In Accordance With the Local Government Prompt Payment Act** **Chapter 218, Part VII, Florida Statutes**

November 1, 2016

Silverado Community Development District
Prompt Payment Policies and Procedures

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I. Purpose

In accordance with the Local Government Prompt Payment Act (Chapter 218, Part VII, Florida Statutes) (“PPA”), the purpose of the Silverado Community Development District (“District”) Prompt Payment Policies and Procedures (“Policies & Procedures”) is to provide a specific policy to ensure timely payment to Vendors and Contractors (both hereinafter defined) providing goods and/or services to the District and ensure the timely receipt by the District of goods and/or services contemplated at the time of contracting. Please note that the PPA, like any statute or law, may be amended from time to time by legislative action. These Policies & Procedures are based on the statutory requirements as of the date identified on the cover page of this document. By this reference, as applicable statutory provisions subsequently change, these Policies & Procedures shall automatically be amended to incorporate the new requirements of law. These Policies & Procedures are adopted by the District to provide guidance in contracting matters. Failure by the District to comply with these Policies & Procedures shall not expand the rights or remedies of any Provider (hereinafter defined) against the District under the PPA. Nothing contained herein shall be interpreted as more restrictive on the District than what is provided for in the PPA.

II. Scope

These Policies & Procedures apply to all operations of the District, including Construction Services and Non-Construction Goods and Services, as applicable.

III. Definitions

A. Agent

The District-contracted architect, District-contracted engineer, District Manager, or other person, acting on behalf of the District, which is required by law or contract to review invoices or payment requests from Providers (hereinafter defined). Such individuals/entities must be identified in accordance with §218.735 (1), Fla. Stat., and further identified in the relevant agreement between the District and the Provider.

B. Construction Services

All labor, services, and materials provided in connection with the construction, alteration, repair, demolition, reconstruction, or other improvement to real property that require a license under parts I and II of Chapter 489, Fla. Stat.

C. Contractor or Provider of Construction Services

The entity or individual that provides Construction Services through direct contract with the District.

D. Date Stamped

Each original and revised invoice or payment request received by the District shall be marked electronically or manually, by use of a date stamp or other method, which date marking clearly indicates the date such invoice or payment request is first delivered to the District through its Agent. In the event that the

Agent receives an invoice or payment request, but fails to timely or physically mark on the document the date received, "Date Stamped" shall mean the date of actual receipt by the Agent.

E. Improper Invoice

An invoice that does not conform to the requirements of a Proper Invoice.

F. Improper Payment Request

A request for payment for Construction Services that does not conform to the requirements of a Proper Payment Request.

G. Non-Construction Goods and Services

All labor, services, goods and materials provided in connection with anything other than construction, alteration, repair, demolition, reconstruction, or other improvements to real property.

H. Proper Invoice

An invoice that conforms to all statutory requirements, all requirements of these Policies and Procedures not expressly waived by the District and any additional requirements included in the agreement for goods and/or services for which the invoice is submitted not expressly waived by the District.

I. Proper Payment Request

A request for payment for Construction Services which conforms to all statutory requirements, all requirements of these Policies & Procedures not expressly waived by the District and any additional requirements included in the Construction Services agreement for which the Payment Request is submitted not expressly waived by the District.

J. Provider

Includes any Vendor, Contractor or Provider of Construction Services, as defined herein.

K. Purchase

The purchase of goods, materials, services, or Construction Services; the purchase or lease of personal property; or the lease of real property by the District.

L. Vendor

Any person or entity that sells goods or services, sells or leases personal property, or leases real property directly to the District, not including Construction Services.

IV. Proper Invoice/Payment Request Requirements

A. General

Prior to Provider receiving payment from the District, Non-Construction Goods and Services and Construction Services, as applicable, shall be received and performed in accordance with contractual or other specifications or requirements to the satisfaction of the District. Provision or delivery of Non-Construction Goods and Services to the District does not constitute acceptance for the purpose of payment. Final acceptance and authorization of payment shall be made only after delivery and inspection by the Agent and the Agent's confirmation that the Non-Construction Goods and Services or Construction Services meet contract specifications and conditions. Should the Non-Construction Goods and Services or Construction Services differ in any respect from the specifications, payment may be withheld until such time as the Provider takes necessary corrective action. Certain limited exceptions which require payment in advance are permitted when authorized by the District Board of Supervisors ("Board") or when provided for in the applicable agreement.

B. Sales Tax

Providers should not include sales tax on any invoice or payment request. The District's current tax-exempt number is 85-8016627815C-9. A copy of the tax-exempt form will be supplied to Providers upon request.

C. Federal Identification and Social Security Numbers

Providers are paid using either a Federal Identification Number or Social Security Number. To receive payment, Providers should supply the District with the correct number as well as a proper Internal Revenue Service W-9 Form. The District Manager shall treat information provided in accordance with Florida law.

Providers should notify the District Manager when changes in data occur (telephone 1-813-374-9104, email: paul.cusmano@dpg.com)

D. Proper Invoice for Non-Construction Goods and Services

All Non-Construction Goods and Services invoiced must be supplied or performed in accordance with the applicable purchase order (including any bid/proposal provided, if applicable) or agreement and such Non-Construction Goods and Services quantity and quality must be equal to or better than what is required by such terms. Unless otherwise specified in the applicable agreement, invoices should contain all of the following minimum information in order to be considered a Proper Invoice:

1. Name of Vendor
2. Remittance address
3. Invoice Date
4. Invoice number
5. The "Bill To" party must be the District or the Board, or other entity approved

- in writing by the Board of the District Manager
6. Project name (if applicable)
 7. In addition to the information required in Section IV.D.1-6 above, invoices involving the purchase of goods should also contain:
 - a. A complete item description
 - b. Quantity purchased
 - c. Unit price(s)
 - d. Total price (for each item)
 - e. Total amount of invoice (all items)
 - f. The location and date(s) of delivery of the goods to the District
 8. In addition to the information required in Section IV.D.1-6 above, invoices involving the purchase of services should also contain:
 - a. Itemized description of services performed
 - b. The location and date of delivery of the services to the District
 - c. Billing method for services performed (i.e., approved hourly rates, percentage of completion, cost plus fixed fee, direct/actual costs, etc.)
 - d. Itemization of other direct, reimbursable costs (including description and amount)
 - e. Copies of invoices for other direct, reimbursable costs (other than incidental costs such as copying) and one (1) of the following:
 - i. Copy of both sides of a cancelled check evidencing payment for costs submitted for reimbursement
 - ii. Paid receipt
 - iii. Waiver/lien release from subcontractor (if applicable)
 9. Any applicable discounts
 10. Any other information or documentation, which may be required or specified under the terms of the purchase order or agreement

E. Proper Payment Request Requirements for Construction Services

Payment Requests must conform to all requirements of Section IV.A.-D., above, unless otherwise specified in the terms of the applicable agreement or purchase order between the District and the Contractor.

V. Submission of Invoices and Payment Requests

The Provider shall submit all Invoices and Payment Requests for both Construction Services and Non-Construction Goods and Services to the District's Agent as provided in the purchase order or agreement, as applicable, and to the District Manager as follows:

Submit the invoice and/or payment request, with required additional material and in conformance with these Policies and Procedures, by mail, by hand delivery, or via email (Note: email is the preferred method for receipt of Non-Construction Goods and Services invoices).

1. **Mailing and Drop Off Address**
Development Planning and Financing Group
c/o Paul Cusmano
15310 Amberly Drive, Suite 175
Tampa, Florida 33647
2. **Email Address**
Paul.cusmano@dpg.com

VI. Calculation of Payment Due Date

A. Non-Construction Goods and Services Invoices

1. **Receipt of Proper Invoice**
Payment is due from the District forty-five (45) days from the date on which a Proper Invoice is Date Stamped.
2. **Receipt of Improper Invoice**
If an Improper Invoice is received, a required invoice is not received, or invoicing of a request for payment is not required, the time when payment is due from the District is forty-five (45) days from the latest date of the following:
 - a. On which delivery of personal property is fully accepted by the District;
 - b. On which services are completed and accepted by the District;
 - c. On which the contracted rental period begins (if applicable); or
 - d. On which the District and the Vendor agree in a written agreement that provides payment due dates.
3. **Rejection of an Improper Invoice**
The District may reject an Improper Invoice. Within ten (10) days of receipt of the Improper Invoice by the District, the Vendor must be notified that the invoice is improper and be given an opportunity to correct the deficient or missing information, remedy the faulty work, replace the defective goods, or take other necessary, remedial action.

The District's rejection of an Improper Invoice must:

1. Be provided in writing;
2. Specify any and all known deficiencies; and
3. State actions necessary to correct the Improper Invoice.

If the Vendor submits a corrected invoice, which corrects the deficiencies specified in the District's written rejection, the District must pay the corrected invoice within the later of: (a) ten (10) business days after date

the corrected invoice is Date Stamped; or (b) forty-five (45) days after the date the Improper Invoice was Date Stamped.

If the Vendor submits an invoice in response to the District's written rejection which fails to correct the deficiencies specified or continues to be an Improper Invoice, the District must reject that invoice as stated herein.

4. Payment of Undisputed Portion of Invoice

If the District disputes a portion of an invoice, the undisputed portion shall be paid in a timely manner and in accordance with the due dates for payment as specified in these Policies & Procedures.

B. Payment Requests for Construction Services

1. Receipt of Proper Payment Request

The time at which payment is due for Construction Services from the District is as follows:

a. If an Agent must approve the payment request before it is submitted to the District Manager, payment (whether full or partial) is due twenty-five (25) business days after the payment request is Date Stamped. The Contractor may send the District an overdue notice. If the payment request is not rejected within four (4) business days after Date Stamp of the overdue notice, the payment request shall be deemed accepted, except for any portion of the payment request that is fraudulent, misleading or is the subject of dispute.

The agreement between the District and the Contractor shall identify the Agent to which the Contractor shall submit its payment request, or shall be provided by the District through a separate written notice no later than ten (10) days after contract award or notice to proceed, whichever is later. Contractor's submission of a payment request to the Agent shall be Date Stamped, which shall commence the time periods for payment or rejection of a payment request or invoice as provided in this section.

b. If, pursuant to contract, an Agent is not required to approve the payment request submitted to the District, payment is due twenty (20) business days after the payment request is Date Stamped unless such payment request includes fraudulent or misleading information or is the subject of dispute.

2. Receipt and Rejection of Improper Payment Request

a. If an Improper Payment Request is received, the District must reject the Improper Payment Request within twenty (20) business days after the date on which the payment request is Date Stamped.

b. The District's rejection of the Improper Payment Request must:

1. Be provided in writing;
2. Specify any and all known deficiencies; and
3. State actions necessary to correct the Improper Invoice.

c. If a Contractor submits a payment request which corrects the deficiency specified in the District's written rejection, the District must pay or reject the corrected submission no later than ten (10) business days after the date the corrected payment request is Date Stamped.

3. Payment of Undisputed Portion of Payment Request

If the District disputes a portion of a payment request, the undisputed portion shall be paid in a timely manner and in accordance with the due dates for payment as specified in this section.

VII. Resolution of Disputes

If a dispute arises between a Provider and the District concerning payment of an invoice or payment request, the dispute shall be resolved as set forth in § 218.735, Fla. Stat., for Construction Services, and § 218.76, Fla. Stat. for Non-Construction Goods and Services.

A. Dispute between the District and a Contractor

If a dispute between the District and a Contractor cannot be resolved following resubmission of a payment request by the Contractor, the dispute must be resolved in accordance with the dispute resolution procedure prescribed in the construction contract, if any. In the absence of a prescribed procedure in the contract, the dispute must be resolved by the procedures specified below.

B. Dispute Resolution Procedures

1. If an Improper Payment Request or Improper Invoice is submitted, and the Provider refuses or fails to submit a revised payment request or invoice as contemplated by the PPA and these Policies and Procedures, the Provider shall, not later than thirty (30) days after the date on which the last payment request or invoice was Date Stamped, submit a written statement via certified mail to the Agent, copying the District Manager, specifying the basis upon which the Provider contends the last submitted payment request or invoice was proper.
2. Within forty-five (45) days of receipt by the Agent and District Manager of the disputed, last-submitted payment request or invoice, the Agent and/or District Manager shall commence investigation of the dispute and render a final decision on the matter no later than sixty (60) days after the date on which the last-submitted payment request or invoice is Date Stamped.

3. Absent a written agreement to the contrary, if the Provider refuses or fails to provide the written statement required above, the Agent and/or District Manager is not required to contact the Provider in the investigation. In addition, and absent a written agreement to the contrary, if such written statement is not provided, the District may immediately contract with third parties to provide the goods and services subject to the dispute and deduct the costs of such third party purchases from amounts owed to the Provider.
4. The Board shall approve any decision of the District Manager to contract with a third party which would result in: 1) an expenditure above what is budgeted for the Construction Services or Non-Construction Services; or 2) an expenditure which exceeds the original contract amount for the Construction Services or Non-Construction Services by more than ten percent (10%) or Ten Thousand Dollars (\$10,000).
5. A written explanation of the final decision shall be sent to the Provider, via certified mail, within five (5) business days from the date on which such final decision is made. A copy of the written explanation of the final decision shall be provided to the Chairperson of the Board simultaneously with the certified mailing to the Provider.
6. If a Provider does not accept in writing the final decision within five (5) days after receipt by the Provider, the District may immediately contract with third parties to provide the goods and services subject to the dispute and deduct the costs of such third party purchases from amounts owed to the Provider. If the costs of the third party purchases exceed the amount the District owes to the Provider, the District may seek to recover such excess from the Provider in a court of law or as otherwise provided in an agreement between the District and the Provider. Nothing contained herein shall limit or affect the District's ability to enforce all of its legal and contractual rights and remedies against the Provider.

VIII. Purchases Involving Federal Funds or Bond Funds

When the District intends to pay for a purchase with federal funds or bond funds, the District shall make such purchases only upon reasonable assurances that federal funds or bond funds sufficient to cover the cost will be received. When payment is contingent upon the receipt of bond funds, federal funds or federal approval, the public procurement documents and any agreement with a Provider shall clearly state such contingency. (§ 218.77, Fla. Stat.).

IX. Requirements for Construction Services Contracts – Project Completion; Retainage

The District intends to follow the PPA requirements for construction project completion and retainage, including, but not limited to, § 218.735 (7) and (8), Fla. Stat.

X. Late Payment Interest Charges

Failure on the part of the District to make timely payments may result in District responsibility for late payment interest charges. No agreement between the District and a Provider may prohibit the collection of late payment interest charges allowable under the PPA as mandatory interest. (§218.75, Fla. Stat.).

A. Related to Non-Construction Goods and Services

All payments due from the District, and not made within the time specified within this policy, will bear interest, from thirty (30) days after the due date, at the rate of one percent (1%) per month on the unpaid balance. The Vendor must submit a Proper Invoice to the District for any interest accrued in order to receive the interest payment. (§ 218.74 (4), Fla. Stat.).

An overdue period of less than one (1) month is considered as one (1) month in computing interest. Unpaid interest is compounded monthly. The term one (1) month means a period beginning on any day of a month and ending on the same day of the following month.

B. Related to Construction Services

All payments for Construction Services that are not made within the time periods specified within the applicable statute, shall bear interest from thirty (30) days after the due date, at the rate of one percent (1%) per month, or the rate specified by agreement, whichever is greater. The Contractor must submit a Proper Payment Request to the District for any interest accrued in order to receive the interest payment. An overdue period of less than one (1) month is considered as one (1) month in computing interest. (§ 218.735 (8)(i), Fla. Stat.).

Unpaid interest is compounded monthly. The term one (1) month means a period beginning on any day of a month and ending on the same day of the following month.

C. Report of Interest

If the total amount of interest paid during the preceding fiscal year exceeds \$250, the District Manager is required to submit a report to the Board during December of each year, stating the number of interest payments made and the total amount of such payments. (§ 218.78, Fla. Stat.).



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