



PROFESSIONAL SERVICES AGREEMENT

This Agreement is entered this ____ day of _____, 2024, by and between SML, Inc. (CONSULTANT) and the City of LaBelle (CITY).

RECITALS:

A. CITY is in need of Records Management Services as described in *Records Management Plan & Onsite Records Management Consulting Proposal and Statement of Qualifications* dated December 2, 2024 (Attached).

B. CONSULTANT possesses all necessary qualifications and expertise to perform the Services.

C. CITY wishes to engage the services of the CONSULTANT, and CONSULTANT wishes to perform the services for CITY, under the terms and conditions set forth herein and as indicated in *Records Management Plan & Onsite Records Management Consulting Proposal and Statement of Qualifications* dated December 2, 2024 (Attached).

NOW, THEREFORE, in consideration of the mutual covenants and promises herein contained, CONSULTANT and CITY agree as follows:

TERMS:

1. **RECITALS:** The recitals are true and correct and are hereby incorporated into and made a part of the Agreement.
2. **TERM:** The term of this Agreement shall commence on the date hereof and continue for a period of One (1) Year.
3. **QUALIFICATION:** CONSULTANT represents and warrants to CITY he possesses all qualifications and expertise required for the performance of the Services and all personnel assigned to perform the Services are and shall be, at all times during the term hereof, fully qualified and trained to perform the tasks assigned to each.
4. **COMPENSATION:** The amount of compensation payable by CITY to the CONSULTANT shall be made as follows and in accordance with *Records Management Plan & Onsite Records Management Consulting Proposal and Statement of Qualifications* dated December 2, 2024 (Attached).

All payments shall be made within thirty (30) days after receipt of CONSULTANT invoice.

5. **COMPLIANCE WITH FEDERAL, STATE AND LOCAL LAWS:**

CONSULTANT understands this Agreement is subject to certain laws and regulations, including laws pertaining to public records, conflict of interest, record keeping, etc. CITY and CONSULTANT agree to comply with and observe all applicable federal, state and local laws, rules, regulations, codes and ordinances, as they may be amended from time to time.

6. **NON-DISCRIMINATION:**

CONSULTANT represents and warrants to CITY CONSULTANT does not and will not engage in discriminatory practices and there shall be no discrimination relating to CONSULTANT's performance under this Agreement because race, color, sex, religion, age, handicap, marital status or national origin.

7. **ASSIGNMENT:**

This Agreement shall not be assigned by CONSULTANT, in whole or in part, without the prior written consent of CITY, which may be withheld or conditioned, at CITY's sole discretion.

IN WITNESS WHEREOF, the parties hereto have caused this instrument to be executed by their respective officials thereunto duly authorized, this the day and year above written.

CITY OF LABELLE:

By: _____

Print Name and Title

SML, Inc.:

By: _____

Matt Daugherty, Vice President/Consultant – SML, Inc.

Records Management Plan & Onsite Records Management Consulting

For the

**City of LaBelle,
Florida**

Proposal and Statement of Qualifications

December 2, 2024

**Matt Daugherty, CRM
Executive Vice President**

Post Office Box 484, Vero Beach, Florida 32961
813.528.2705

mattdaugherty@msn.com
www.smlinfo.net



December 2, 2024

Tijauna Warner, BAS, MMC
Deputy City Clerk/Custodian of Public Records/P.I.O.
481 West Hickpochee Avenue
LaBelle, FL 33935
tiawarner@citylabelle.com

Ms. Warner,

It was very nice speaking with you again last week. I appreciate your continued interest in our services and your dedication to improving the city's records management program. I am pleased to propose services related to city records management improvements to include the development of a written, city-wide, **Records Management Plan** and **Onsite Records Management Consulting Services**. This document serves to clarify the scope of these services, general timeline, and related fees.

I. COMPREHENSIVE RECORDS PROGRAM GOALS:

Section 257.36, Florida Statute mandates every public agency establish and maintain a records management program to ensure the economical and efficient management of agency information. To meet this mandate, a records program must be formalized and administered with key components established in writing. All decision-making affecting the management of information, either directly or indirectly (e.g. policy/procedure development, technology implementation, etc.) should consider the agency's Records Management Program standards and goals.

A. ACCESS

1. Internal – management access to both active and inactive records in an accurate and timely fashion to facilitate government processes.
2. External – management access to both active and inactive records in an accurate and timely fashion to facilitate public records request.

B. RETENTION

1. Retention of records in accordance with all local, state and federal requirements.
2. Retention of all records under secure conditions, preventing unauthorized access by both employees and third parties

C. DISPOSITION

1. Timely destruction of records at the end of their retention period in a secure manner.
2. Disposition documentation pursuant to state requirements.

D. PRESERVATION

1. Protection of all records from physical calamity and decay.
 - i. Provision for disaster recovery, vital records protection
2. Conversion of long-term retention records for appropriate preservation.
3. Storage of all records under secure conditions, preventing unauthorized access by both employees and third parties.

II. DEVELOPMENT OF A RECORDS MANAGEMENT PLAN

SML will develop and deliver a written Records Management Plan. This includes two digital copies (one in PDF format and one in MS Word). The plan will be comprehensive, systematic, legally sufficient, and efficient in its approach. The plan will be based on general requirements and specific data relative to the city and its operations. The plan will be long-range, describing in detail steps to be taken to achieve all comprehensive records program goals listed above.

The plan will address the following:

- **Records Management Program Goals and Approach**
- **Program Implementation**
- **Program Administration**
- **Program Maintenance**
- **Training**
- **Public Records Definitions**
- **Public Agency Status**
- **Categorization of Data**
- **Scheduling**
- **Disposition**
- **Format & Media Selection**
- **Imaging**
- **Electronic Communications**
- **Social Media**
- **Storage & Security**
- **Filing Systems**
- **Public Records Access (Public Records Request)**
- **Exemptions**
- **Agency Specific Records Collections Issues**
- **Policies & Procedures**
- **Contracts Management**

The plan will include:

- **Narrative explanations, and recommendations.**
- **A detailed implementation narrative and project checklist.**
- **An executive summary.**
- **Draft Policies and Procedures**
- **Bid specifications for implementation.**
- **A systematic disposition procedure for all Public Records in accordance with Rule Chapter 1B-24, F.A.C.**
- **A filing system matrix together with an automated file code tracking system and/or boxed record index, word searchable, written to Microsoft Excel.**
- **Organizational structure recommendations related to record operations.**
- **An email policy for automated retention and disposition.**
- **An Agency-Wide Disposition List for Agency Public Records in accordance with Rule Chapter 1B-24, F.A.C. based on a record series title inventory.**
- **A training outline and training manual to be used by personnel with record responsibilities.**
- **A list of references and published sources used during preparation.**

Traditional data collection and analysis techniques will be employed including but not limited to, on-site interviews with relevant staff; hands on evaluation of high density and key record collections; review and analysis of existing policy and procedures. A review and analysis of record management operations will be made resulting in a comprehensive narrative records management plan. Except for clerical functions, I will perform all related project activities. All data analysis and recommendations will be my personal responsibility.

Project Scope & Timeframe:

- 1. On-site Data Collection – One to Two Days**
- 2. Off-site Data Collection, Data Analysis, Agency-Wide Disposition List Creation, and Writing of Records Management Plan – Sixty to Ninety Days**
- 3. Management Presentation** - Following the delivery of the plan, I will present findings and recommendations to management. This will give the agency an opportunity to discuss recommendations. Management presentation must be scheduled and completed within six months of delivery of the plan narrative.
- 4. Agency-Wide Training (Optional)** - If requested and scheduled within six months of the delivery of the Records Plan, I will provide a one-day, six-hour training at no additional cost (training is separate from project billing).

III. ONSITE RM CONSULTING SERVICES

SML, Inc., will assist the City of LaBelle (Agency) onsite in implementing identified improvements to and maintaining the City's Records Management Program. Implementation services would include on-site technical assistance of nearly any records related service including, but not limited to:

- Records collection and storage area review,
- Identification and documentation of records eligible for destruction,
- Implementation of file code systems,
- Indexing and organization services,
- Electronic records review
- Policy/Procedure Development
- Staff Training and Professional Development

IV. SERVICE FEES

A. RECORDS MANAGEMENT PLAN – The fee for the on-site visit, data collection and analysis, creation of an agency wide disposition list and writing of the Plan is **\$21,000.00 inclusive, one half billable upon completion of the on-site data collection and the second half billable upon delivery of the Plan narrative.** This fee is inclusive of any travel expenses from my office in St. Augustine, FL.

Future Plan Updates – Updating of the Plan every three years to remain legally compliant and current with technology and agency business process changes is recommended. If procured within the three-year period, updates will be billed at **25% of the initial Plan fee.**

B. ONSITE RECORDS MANAGEMENT CONSULTING SERVICES - The fee for consulting services is **\$2,000.00 per business day (9:00am-4:00pm) billed per visit.** This sum includes all related travel costs. **As discussed, the city would like to procure 2 days for the fiscal year. Total billing for 2 days of service at the above rate is \$4,000.00.**

TOTAL PROJECT COSTS: \$25,000.00.

V. PROFESSIONAL EXPERIENCE

SML, Inc. has worked with numerous agencies on similar projects. Most recently, I completed comprehensive records management plans for the City of Gulf Breeze, the City of Jacksonville Beach, the City of Coral Springs, and the City of Coconut Creek. SML, Inc., continues to consult with municipalities around the state. This includes the City of Clermont where we have assisted in the **disposal of 12,932.86 cubic feet of**

paper records and 240.70 GB of digital data to date. We maintain annual consulting services as proposed for a number of cities including the City of Coconut Creek, the City of Margate, the City of Gulfport, and the City of Seminole.

Numerous references are available upon request. I have over **twenty-two years of professional experience** managing Florida Public Records. I am a **Certified Records Manager (CRM)** through the Institute of Certified Records Managers (ICRM). Immediately prior to my position with SML, Inc, I served as **Records Analyst in the Records and Information Management Program of the Florida Department of State, State Library and Archives** providing records management technical assistance to all levels of Public Agencies; developing statewide policies and procedures; assisting in the operation of the State Records Center and conducting regional seminars on Public Records Law and Public Records Management. I hold a **Master of Arts degree** from Florida State University with a concentration in Records and Archives Management.

Our consultants bring over **forty years of professional experience** working with nearly every type and size of agency. We provide innovative and comprehensive records and information management consulting services to government agencies and the private sector including Comprehensive Records and Information Management Planning; Records Retention Services; Disposition Services; Email Management; Training; Policy and Procedure Development; Facilities Management; Records Storage; a full range of Imaging Services and Compliance Monitoring. Additionally, we regularly conduct 12-hour seminars for CEU's through the John Scott Dailey, Florida Institute of Government on Public Records Law and Public Records Management. These seminars are certified for credit by the IIMC for the Certified Municipal Clerk and Master Municipal Clerk program and ongoing education. We also conduct public records courses as part of the Florida Department of Revenue College for Tax Collectors and Property Appraisers and the Florida Association of Code Enforcement certification program.

I appreciate the opportunity to work with you towards a successful records management program. Please give me a call to discuss any of this you wish.

Sincerely,



Matt Daugherty, CRM
Executive Vice President – SML, Inc.

Cc: Steve Lewis

List of Recent Florida Clients:

Municipalities

City of Clermont
City of Coconut Creek
City of Coral Springs
City of DeBary
City of Doral
City of Eagle Lake
City of Eustis
City of Fruitland Park
City of Groveland
City of Gulf Breeze
City of Gulfport
City of Holmes Beach
City of Indian Rocks Beach
City of Jacksonville Beach
Town of Lady Lake
City of Madeira Beach
City of Margate
City of Mulberry
City of North Lauderdale
City of Ormond Beach
City of Plant City

City of Seminole

Counties

Clay County Utility Authority

State Agencies/Universities

Florida Atlantic University
Florida Department of Revenue
Florida Gulf Coast University
Florida State University
University of South Florida

Other

Central Florida Expressway Authority
Constangy, Brooks, Smith & Prophete
Florida Association of City Clerks
Florida Association of Code
Enforcement
Florida Government Finance Officers
Association
Florida Tax Collectors Association