

TOWN OF PALM BEACH

Information for Town Council Meeting on: February 13, 2024

TO: Mayor and Town Council

VIA: Kirk W. Blouin, Town Manager

VIA: Robert Miracle, CPA Deputy Town Manager, Finance and Administration

FROM: Dean Mealy, II NIGP-CPP, CPPO Town Procurement and Contract Manager

RE: Resolution approving a retroactive change order in the amount of \$18,300 to Kimley-Horn and Associates, Inc. for additional work related to the Central Fire Fuel Tank Replacement Assessment, Design Phase Services, Environmental Regulatory Permitting, and Environmental Site Remediation for a new project budget of \$214,050

DATE: January 29, 2024

STAFF RECOMMENDATION

Staff recommends the Town Council approve Resolution No. 009-2024, approving a retroactive change order in the amount of \$18,300 to Kimley-Horn and Associates, Inc. (KHA) for additional work related to the Central Fire Fuel Tank Replacement Assessment, Design Phase Services, Environmental Regulatory Permitting, and Environmental Site Remediation for a new project budget of \$214,050.

SUMMARY EXPLANATION/BACKGROUND

Town Council approved Resolution No. 111-2023 on September 12, 2023 which approved the retroactive engagement proposal for remediation in the amount of \$195,750, authorize cleanup, and replacement of existing underground fuel tank to KHA and authorized the Town Manager or designee to coordinate with tank manufacturer regarding warranty, insurance company for reimbursement and authorizing support, coordination, and all submittals to applicable agencies specific to this repair, remediation and replacement.

Due to the nature of the assessment, which is being performed by KHA, the original scope included five site visits to assist with product gauging during the recovery efforts by the Town's contractor, Cliff Berry. When the scope of services was developed the intent was that the product recovery efforts would continue until the free product levels had been reduced to where the fuel recovery had diminished and there was no longer a measurable amount of free product in the recovery wells and breached fuel tank. As of November 13, 2023, up-to six inches of product were recorded at the Central Fire Station.

KHA proposed and the Town accepted the additional schedule for site visits to gauge the free

product to coordinate with the Town to schedule Cliff Berry for fuel recovery and visit the site during the fuel recovery operation to provide product gauging once a week, for up to ten weeks. Due to additional visits that were conducted, the Town issued a change order to keep the work proceeding.

No additional change orders are anticipated for this phase of the project.

FUNDING/FISCAL IMPACT

Funding will be from AIG, the insurance carrier for the remediation, and the Risk Contingency Fund. It should be noted that the insurance carrier and the tank manufacturer have been placed on notice as there will be multiple sources for reimbursement.

Finance and Public Works will continue to bring back to the Town Council all requests for approval of purchase orders and related proposals as work progresses.

TOWN ATTORNEY REVIEW

This format has been utilized by the Town in previous recommendations and was approved by the Town Attorney.