



January 17, 2018

Mr. Steven Stern
Town of Palm Beach
360 S. County Road
Palm Beach, FL 33480

RE: *Town-Wide Undergrounding of Utilities Program: Phase 3 Easement Assistance Services*

Dear Steven,

The Kimley-Horn and Associates, Inc. team (Kimley-Horn) is pleased to submit this proposal to the Town of Palm Beach ("TOWN") for providing engineering services related to easement assistance for Phase 3 of the Town-wide Undergrounding of Utilities Program. Our project understanding, scope of services, schedule, and fee follow.

Project Understanding

The Town has requested that the design phase for the two Phase 3 project areas (Phases 3 North and 3 South) commence now so that construction can begin in Phase 3 in 2019. These two areas will be from Osceola Way to La Puerta Way and from the intersection of A1A and South Ocean Blvd to approximately Worth Avenue. These areas are in accordance with the overall program phasing limits identified in the master plan.

It is understood that FPL, AT&T, and Comcast all have facilities on utility poles in the Phase 3 areas. These poles are generally located in rear lot easements or in the public rights of way right of way. New underground electric and communications infrastructure is planned to be installed within the road rights of way and in new front lot easements to contain the new underground facilities. Engineering assistance is required to help the Town facilitate the easement acquisition process. The primary focus of the acquisition process will be for Phase 3 but advance services can be performed for select pieces of significant equipment in Phases 4 and 5.

Based on this understanding, our detailed scope of services is provided below.

Scope of Services

Task 1 – Easement Assistance (Phase 3)

Kimley-Horn will coordinate with the Town Project Manager during the easement acquisition process for Phases 3 North and 3 South. We will research the online Palm Beach County Clerk's records for evidence of existing utility easements within the project area that can be reused for this project. Title searches will not be performed. It is assumed that if a title search for easements on a particular property is required, the Town will coordinate and obtain the title search results. Existing easements that are found in the public record will be plotted on the survey and utility base map.

We will develop easement exhibits for use as discussion tools during meetings with property owners to discuss the easement request. We will conduct field meetings with those property owners where easements are being sought for the proposed electric and communications equipment. The purpose of the meetings will be to explain the easement request to the property owner, address questions/concerns they may have, and work to accommodate any reasonably implementable suggestions they may have related to the placement of equipment on their property.

Easements for equipment will be defined on the construction plans being developed under a separate authorization. Once a verbal agreement is reached with a property owner for an easement, Kimley-Horn will provide a separate basic sketch and legal description signed and sealed by a registered Florida surveyor for the proposed easement. We have included an allowance budget for our surveyor to describe these easements, which assumes up to 125 easements for above-ground equipment will be provided under this task.

It is understood that the preparation of the easement documents (except the legal sketch and description), follow up and acquisition of the executed easement documents, and recording of the final executed easements will be the responsibility of the Town Project Manager by either internal Town resources or a separate outside consultant.

Task 2 – Easement Assistance (Phase 4/5)

Kimley-Horn will coordinate with the Town Project Manager during the easement acquisition process for significant equipment identified during the master planning process in the Phase 4 and 5 areas. This will allow extra time for these easements to be procured in advance of the detailed design effort for these phases. Only easements for significant equipment (such as feeder tie switches) that are location dependent due to existing facilities (such as Intracoastal Waterway cable crossings) will be pursued under this Task. Easements for other equipment such as transformers, load switches, and communications equipment are not considered under this task because their exact locations cannot be determined until the detailed design phase of these Phase areas.

We will develop easement exhibits using available GIS information for use as discussion tools during meetings with property owners to discuss the easement request. We will conduct field meetings with those property owners where easements are being sought for the proposed equipment. The purpose of the meetings will be to explain the easement request to the property owner, address questions/concerns they may have, and work to accommodate any reasonably implementable suggestions they may have related to the placement of equipment on their property.

Once a verbal agreement is reached with a property owner for an easement, Kimley-Horn will provide a separate basic sketch and legal description signed and sealed by a registered Florida surveyor for the proposed easement. We have included an allowance budget for our surveyor to describe these easements, which assumes up to 33 easements for above-ground equipment will be provided under this task.

It is understood that the preparation of the easement documents (except the legal sketch and description), follow up and acquisition of the executed easement documents, and recording of the final

executed easements will be the responsibility of the Town Project Manager by either internal Town resources or a separate outside consultant.

Additional Services

Any services not specifically provided for in the above scope, as well as any changes in the scope requested by the Town, will be considered additional services and will be performed based on proposals approved prior to performance of the additional services.

Information and Services Provided By the Town

The following information shall be provided to Kimley-Horn:

- Access to the Project Areas
- Town Staff or Outside Consultant services to prepare easement documentation package, coordinate the execution of easements, perform title searches (if required), and recording of easements.
- Access to Town facilities for public meetings and public gatherings as needed

Schedule

Kimley-Horn will perform the scope of services above as expeditiously as practical to meet a mutually agreed upon schedule. It is anticipated that services will begin in February 2018 and will be completed by May 2019.

Fee and Billing

Kimley-Horn will perform the services in Tasks 1 and 2 on a labor fee plus expense basis with the estimated labor and expense fees shown below. Kimley-Horn will not exceed the total maximum labor and expense fee shown without authorization from the Client. Individual task amounts are provided for budgeting purposes only. Kimley-Horn reserves the right to reallocate budgets among tasks as we deem necessary. Due to the complexity and unknown elements of the easement acquisition process, the budget amount may fluctuate greatly.

Task 1 – Easement Assistance (Phase 3)	\$235,954
Task 2 – Easement Assistance (Phase 4/5)	\$138,900

An allowance budget has been provided for easement sketch and legal descriptions provided by the project surveyor. This allowance is based on the estimated 125 easements required for Phase 3 and the 33 easements for significant equipment estimated for Phases 4/5.

Legal Sketch and Description Allowance (Phase 3)	\$ 37,436
Legal Sketch and Description Allowance (Phase 4/5)	\$ 9,933

Closure

In addition to the matters set forth herein, our Agreement shall include and be subject to, and only to, the terms and conditions in the Master Professional Services Agreement between the Town of Palm Beach and Kimley-Horn and Associates, Inc., Professional Engineering Services for the Town-Wide Undergrounding of Utilities Program RFQ No. 2016-07, which are incorporated by reference. As used in the Agreement, the term "CONSULTANT" shall refer to Kimley-Horn and Associates, Inc., and the term "TOWN" shall refer to The Town of Palm Beach.

If you concur in all the foregoing and wish to direct us to proceed with the services, please notify us by providing a purchase order for the scope and fee described above.

We appreciate the opportunity to provide these services to you. Please contact me at (561) 840-0820 or kevin.schanen@kimley-horn.com should you have any questions.

Sincerely,

A handwritten signature in blue ink, appearing to read 'KS' or 'K. Schanen', is positioned above the typed name.

By: Kevin Schanen, P.E.
Vice President

Attachment

K:\WPB_Civil\General\Schanen\Proposals\Palm Beach\Undergrounding\Overall Program Documents and Presell\Phase Proposals\Phase 3\Undergrounding_Phase3 Easement Assistance.docx