# TOWN OF PALM BEACH

Information for Town Council Meeting on: March 20, 2018

TO: Mayor and Town Council

VIA: Kirk W. Blouin, Town Manager

FROM: H. Paul Brazil, P.E., Director of Public Works

RE: Approve a Purchase Order Increase for the Townwide Overhead Utility

Undergrounding Phase 1 North for AT&T and Comcast Related Improvements

Resolution No. 35-2018

DATE: February 26, 2018

#### **STAFF RECOMMENDATION**

Town staff recommends that Town Council approve Resolution No. 35-2018, approving a purchase order increase (change order) to Burkhardt Construction, Inc. (BCI) in the amount of \$371,200.88 for additional scope related to the installation of AT&T and Comcast service materials for the Town-wide Overhead Utility Undergrounding Phase 1 North, increasing the purchase order from \$4,828,736.28 to \$5,199,937.16 and establishing a total construction budget of \$5,504,048.20.

#### **GENERAL INFORMATION**

The Phase 1 North portion of the undergrounding project, located from Onondaga Avenue to the northern Town limits at the Inlet Dock, is ongoing and approaching a point where a decision needs to be made in regards to the installation of AT&T and Comcast services conduits. The service conduits are routed from the main line, in the right-of-way, to the service connection point located at each individual residence. The Town is currently in negotiations with AT&T as described in the attached March 6, 2018 memorandum to the Underground Utility Task Force. To keep the project on schedule a change order increasing the project purchase order for the installation of the service conduits and related construction materials is necessary.

Staff recommends proceeding with the AT&T and Comcast service installations and approving a change order to the BCI Guaranteed Maximum Price Contract. The change order, in the amount of \$371,200.88, will increase the purchase order to \$5,199,937.16 and establish a new total construction budget of \$5,504,048.20.

#### **FUNDING/FISCAL IMPACT**

Funding for these services are available within the Underground Utility Project Fund from the proceeds of the Commercial Paper program.

#### **PURCHASING REVIEW**

This item has been reviewed by the Purchasing Division and approved as recommended.

### **TOWN ATTORNEY REVIEW**

This Resolution has been reviewed and approved by the Town Attorney for legal form and sufficiency.

#### Attachment

cc: Jane Struder, Director of Finance

Patricia Strayer, P.E., Town Engineer

Jason Debrincat, P.E., Senior Project Engineer

Jeffrey Sanon, P.E., Project Engineer

Michael Roach, P.E., Project Engineer

Steven Stern, Underground Utilities Manager

Dean Mealy, Purchasing Manager

#### **RESOLUTION NO. 35-2018**

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING A PURCHASE ORDER INCREASE FOR AT&T AND COMCAST RELATED IMPROVEMENTS FOR THE TOWNWIDE OVERHEAD UTILITY UNDERGROUNDING PHASE 1 NORTH TO BURKHARDT CONSTRUCTION, INC., IN AN AMOUNT OF \$371,200.88 AND ESTABLISHING A TOTAL CONSTRUCTION BUDGET OF \$5,504,048.20.

\* \* \* \* \*

BE IT RESOLVED BY THE TOWN COUNCIL of the Town of Palm Beach, Palm Beach County, Florida as follows:

<u>Section 1.</u> The Town Council of the Town of Palm Beach hereby approves a purchase order increase for AT&T and Comcast Related Improvements to Burkhardt Construction, Inc., in an amount of \$371,200.88, and establishes a Total Construction Budget of \$5,504,048.20.

<u>Section 2.</u> The Town Manager is hereby authorized to execute a purchase order increase on behalf of the Town of Palm Beach for this improvement, and is authorized to approve additional tasks, as necessary, within budget.

<u>Section 3.</u> The Town Manager, or his designee, is hereby authorized to take such further actions as may be necessary to effectuate the completion of the said project, including any necessary change order work as recommended by the Public Works Director.

PASSED AND ADOPTED in a regular adjourned session of Town Council of the Town of Palm Beach this 20th day of March 2018.

Gail L. Coniglio, Mayor	Town Council President				
	Council President Pro Tem				
	Town Council Member				
ATTEST:	Town Council Member				
Kathleen Dominguez, Town Clerk	Town Council Member				

# TOWN OF PALM BEACH

Information for Underground Utility Task Force Meeting on: March 6, 2018

TO: Underground Utility Task Force

VIA: Kirk W. Blouin, Town Manager

FROM: Patricia Strayer, P.E., Town Engineer

RE: AT&T and Comcast Service Conduit Change Orders

DATE: March 1, 2018

#### STAFF RECOMMENDATION

Town staff recommends the Underground Utility Task Force (UUTF) recommend approval of Phase 1 North and South change orders for installation of AT&T and Comcast Service Conduit and Splice Boxes.

#### **GENERAL INFORMATION**

The Town of Palm Beach is in the process of converting existing overhead utilities to an underground location. Kimley-Horn previously prepared a master plan along with an opinion of probable cost of \$98.6 million for the program implementation. This opinion was largely based on a "like for like" conversion of the utilities and included the use of direct bury service cable to the residence. It is important to note that in February 2017, both AT&T and Comcast concurred that direct bury of service cable was acceptable. At this time, staff was completing Master Plan value engineering in an effort to reduce program costs closer to \$90 million. Therefore, program costs of \$98.6 million do not include service conduit for either AT&T or Comcast.

The Town expressed interest in exploring design options with AT&T and Comcast to determine if an alternate design could be deployed that both increased the level of service provided to the community and lowered the cost of the program. Multiple meetings were held with both AT&T and Comcast where the service providers presented options that consisted of either Hybrid Fiber/Coax (HFC) systems or complete Fiber Optic (FTTP) systems. Comcast presented their Hybrid Fiber/Coax system to the UUTF in the May 2017 meeting offering a proposal for improved service that was near equal to the "like for like" system with the exception of the addition of service conduit. The Town further negotiated providing service conduit to the property line of every single family home and Comcast would include in their direct cost the additional service conduit from the right-of-way/property line to the point of service. This additional cost is approximately \$1.9 million. It is important to note that the Comcast invoice for Phase 1 direct cost came in \$20,000 less than the estimated budget for this cost. At this point in time, Town staff recommended the Town accept the Comcast proposal.

AT&T also provided costs for an upgraded system. For AT&T the choice is limited to a complete fiber optic system deployment in lieu of the "like for like" copper based system. AT&T's cost for "like for like" has always been significantly higher than the Comcast program cost. Additionally, AT&T "like for like" direct cost is more than their fiber optic system cost alternative. The significant difference in the AT&T fiber cost proposal from the estimate within the Master Plan is the addition and cost of service conduit to each single family home Town-wide along with increased size of splice boxes, service handholes, and potential pole demolition costs. Town staff has been in continuous negotiations with AT&T since May, 2017. Each offer received from AT&T has included a subsidy for service conduit installed to each single family residential property to assist the Town in offsetting related material and installation costs. The additional cost without a subsidy for this conduit is approximately \$2.85 million. Town staff is continuing to negotiate with AT&T in an attempt to obtain the lowest possible total cost for an AT&T fiber optic system.

The Phase 1 north construction has reached a critical point where any additional delay in the installation of the service conduits will result in an overall project delay and remobilization will result in additional project cost. Staff has delayed this request due to the prolonged negotiations with AT&T because it was difficult to quantify the total program cost impacts without knowing the outcome of those negotiations. The construction has reached a point that the communications providers need to begin their work to stay on schedule. Therefore, change orders for this work are being presented at Town Council on March 20<sup>th</sup>. The north construction change order is for a total amount of \$371,200.88. The Comcast portion of this change order is \$116,753.58 with the remaining \$254,447.30 attributable to AT&T service conduit and splice boxes. The amount associated with the splice boxes will result in a reduction in the AT&T direct cost. The south construction change order is \$111,824.00. Town staff recommends moving forward with these improvements, while continuing to negotiate with AT&T.

Finally, as these cost are considered, which would increase the overall program budget, a balancing factor is that the Town had an affirmative response from FPL on further consideration of credits for undergrounding. On January 9<sup>th</sup> the Florida Public Service Commission provided contingent approval for the FPL's tariff amendments allowing additional CIAC credits for conversion of existing non-hardened overhead feeder facilities to underground feeder facilities. These rates became effective upon the Florida PSC's formal order which cleared the way for FPL to finalize tariff changes with the effective date being February 13, 2018. These additional credits are expected to apply for all phases of the Town-wide program and the Nightingale-LaPuerta undergrounding project since these initiatives are not yet completed. Staff has requested FPL provide their estimate of the additional savings the Town should realize as a result of the Tariff approval and filing. Staff has estimated these savings to be between \$3 and \$6 million.

#### **FUNDING/FISCAL IMPACT**

Funding for these services is available in the Underground Utility Project Fund from the proceeds of the Commercial Paper program.

#### **PURCHASING REVIEW**

This item has been reviewed and approved by the Purchasing Division.



# **Change Notification to Owner**

The Whiting-Turner Contracting Company 1901 W. Cypress Creek Road, Suite 101, Fort Lauderdale, FL 33309

WHITING-TURNER						Tel: (954) 776-0800 Fax: (954) 776-0797				
Project To:	Palm Beach of Michael Road Town Of Palm 951 Old Okee Suite A	h	nderg	grnding Ph.1 -	From:	W-T Job Number:	016885.100 12/05/2017 000013			
REASO SOURC	IPTION: N: E:	Additional AT&T and Con Design			uested pe	r the Town to be installed on Ibis Isle.				
RELATI	ED OBJECTS									
WT REQI		RIZATION TO PROCEED WI CT WILL BE AS FOLLOWS:	TH TH	E CHANGES DESCRIB	ED ABOVE					
Cost: 9	125,146.8	6		Funding:						
SCHED	ULE: X	NO IMPACT POSSIBLE IMPACT - WT IMPACT TO SCHEDULE								
	BUTION:	ORIGINAL FILE OWNER/OWNER REP. ARCHITECT LENDER		PRICE ONLY - DO NO PROCEED AND CON PROCEED FOR NTE O PROCEED T&M PROCEED FOR LUMP PROCEED (NO IMPAO PROCEED AND PRICE CANCEL	FIRM COST COST INDI P SUM COS CT)	CATED ABOVE				

OWNER'S REPRESENTATIVE

DATE

REJECTED Other:

COST BREAKDOWN					
<b>DATE:</b> 12/05/2017			JOB NO:	016885.100	
PROJECT AREA:		CN NO:	000013		
Vendor	Description		Budget Co	ode	Billing Amoun
	Construction Continge	ency	016885.10	0.09999990.X	\$ 0.0
Wilco Electrical, LLC	Undergrounding - Wil	со	016885.10	0.26010000.S	\$ 93,753.0
C.R. Dunn, Inc.	Undergrounding - CR	Dunn	016885,10	0.26050000.S	\$ 28,940.0
	Bond & Insurance		016885.10	0.93100000.F	\$ 2,453.8
			<b>Total Cost</b>	of this work:	\$ 125,146.8
APPROVAL: WHITING-TURNER REQUES	STS APPROVAL OF THE FOLL	OWING ACTUAL/FINAL	COST FOR THIS WOR	RK:	a :
PROPOSAL AMOUNT:	\$ 125,146.86				
OWNER CHANGE REF:		SUBMITTED BY:	WHITING-TURNER REPRES	SENITATIVE	DATE
DATE:			WIITING-TORNER REFRE	SENTATIVE	DATE
		APPROVED BY:	J		
			OWNERD PERFECTIVE	VE.	D. Amer

13-13-18



#### TOWN OF PALM BEACH



# Town-Wide Overhead Utility Undergrounding Phase 1 - South CN# 013 - Additional AT&T and Comcast Service Conduit at Ibis Isle per the Town's Request

Description	Qty	Units	Unit Rate	Total	Time Extension Requested (calendar days)	Remarks			
T&T Fiber Service & Private Service at Ibis Isle									
Electrical Subcontractor's Pricing	1	LS	\$52,605.00	\$52,605.00	0	This includes all services and private side services per the KHA sketches attached.			
Subtotal				\$52,605.00					
Construction Contingency				\$0.00		Construction Contingency carried by the Town			
Bond & Insurance				\$1,052.10					
W-T Markup				\$0.00					
Additional ATT Conduits at Ibis Isle Subtotal				\$53,657.10	0				
AT&T Bore Across Ibis Way & Ibis Bridge									
5" Bore (between Ibis Isle east & west)	1	LS	\$7,200.00	\$7,200.00	0				
4" Bore (along Ibis Way between S. Ocean and Ibis Isle East, excluding bridge crossing)	1	LS	\$12,540.00	\$12,540.00					
Bridge Crossing	1	LS	\$9,200.00	\$9,200.00					
Subtotal				\$28,940.00					
Construction Contingency				\$0.00		Construction Contingency carried by the Town.			
Bond & Insurance				\$578.80					
W-T Markup				\$0.00					
Comcast Service Conduits at Ibis Isle Subtotal				\$29,518.80	0				
Comcast Service Conduit at Ibis Isle									
Electrical Subcontractor's Pricing	1	LS	\$41,148.00	\$41,148.00	0	This includes all services per the KHA sketches attached. Private side services are excluded.			
Subtotal				\$41,148.00					
Construction Contingency				\$0.00		Construction Contingency carried by the Town.			
Bond & Insurance			-	\$822.96					
W-T Markup				\$0.00					
Comcast Service Conduits at Ibis Isle Subtotal				\$41,970.96	0				
AT&T AND COMCAST TOTAL				\$125,146.86					



# Electrical, LLC.

• Bus: (305) 248-9911 • Fax: (305) 669-8891

430 Business Park Way, Royal Palm Beach, FL

		39	40	41	42	
	1-1"					1525
						755
				5	2	12
	1-1"	206	1435		165	2136
	2-1"	70				355
			100	130		230
		2	5	1	2	10
	1525	13 \$	19.825.00			
		-	•			
	12	-	•			
	15	300 \$	•			
	1	15000 \$	•			
Subtotal						
	2136	13 \$	27,768.00			
	355					
	230	-10 \$				
	10	100 \$				
	5	300 \$	1,500.00			
	1	7500 \$	7,500.00			
Subtotal		Ş	41,148.00			
TOTAL		Ş	93,753.00			
	Subtotal	1525 755 12 15 1 Subtotal  2136 355 230 10 5 1	2-1" 115	1-1" 255 150 2-1" 115 640 1 4 1-1" 206 1435 2-1" 70 30 100 2 5  1525 13 \$ 19,825.00 755 16 \$ 12,080.00 12 100 \$ 1,200.00 15 300 \$ 4,500.00 1 15000 \$ 15,000.00 Subtotal \$ 52,605.00  Subtotal \$ 355 16 \$ 5,680.00 230 -10 \$ (2,300.00) 10 100 \$ 1,000.00 5 300 \$ 1,500.00 5 300 \$ 1,500.00 Subtotal \$ 300.00 5 300 \$ 1,500.00 5 300 \$ 1,500.00 5 300 \$ 1,500.00 5 300 \$ 7,500.00 5 300 \$ 7,500.00 5 300 \$ 7,500.00 5 300 \$ 7,500.00	1-1" 255 150 850 2-1" 115 640  1 4 5 1-1" 206 1435 330 2-1" 70 30 255 100 130 2 5 1 100 130 2 5 1 1525 13 \$ 19,825.00 755 16 \$ 12,080.00 12 100 \$ 1,200.00 15 300 \$ 4,500.00 1 15000 \$ 15,000.00 Subtotal \$ 52,605.00  Subtotal \$ 5,680.00 230 -10 \$ (2,300.00) 10 100 \$ 1,000.00 5 300 \$ 1,500.00 Subtotal \$ 7,500.00	1-1" 255 150 850 270 2-1" 115 640  1 4 5 2 1-1" 206 1435 330 165 2-1" 70 30 255  100 130  2 5 1 2  1525 13 \$ 19,825.00 755 16 \$ 12,080.00 12 100 \$ 1,200.00 15 300 \$ 4,500.00 1 15000 \$ 15,000.00 5 52,605.00  Subtotal \$ 27,768.00 230 -10 \$ (2,300.00) 10 100 \$ 1,000.00 5 300 \$ 1,500.00 5 300 \$ 1,500.00 Subtotal \$ 41,148.00



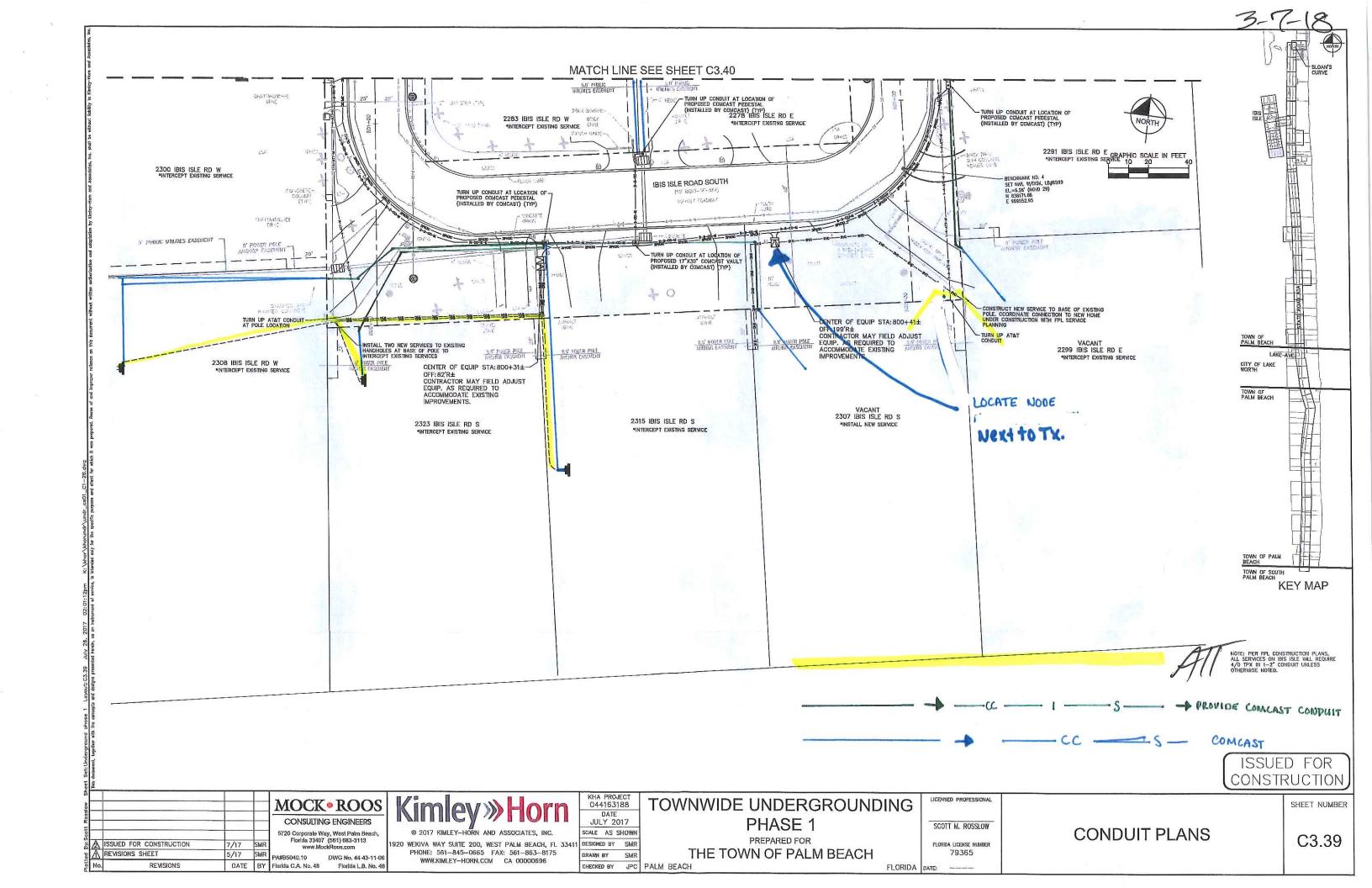
#### Electrical Construction 1202 Pope Lane / Lake Worth, Fl. 33460 (561) 585 2155 / fax (561) 585 1233 EC 0001144

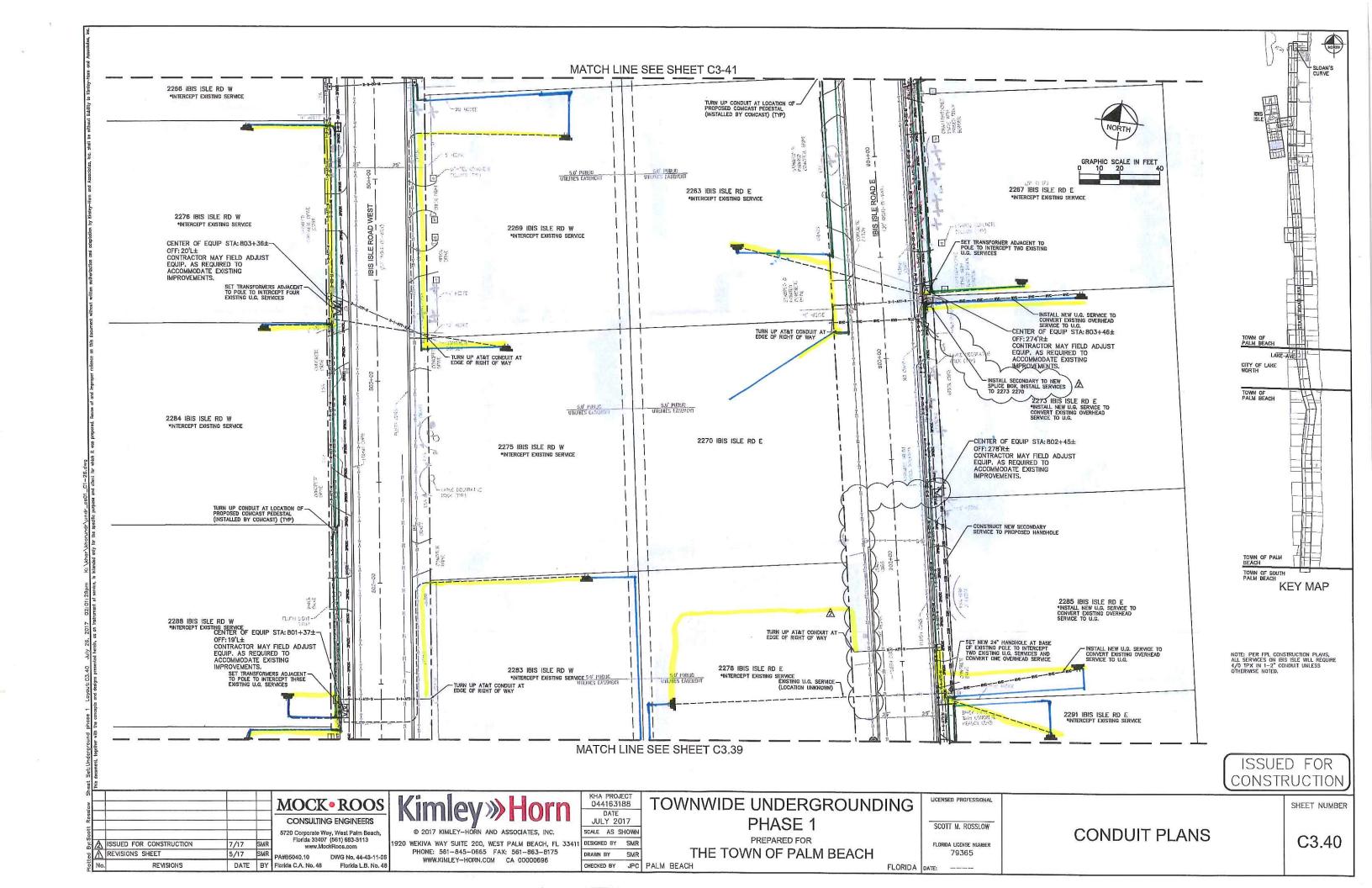
Change Order

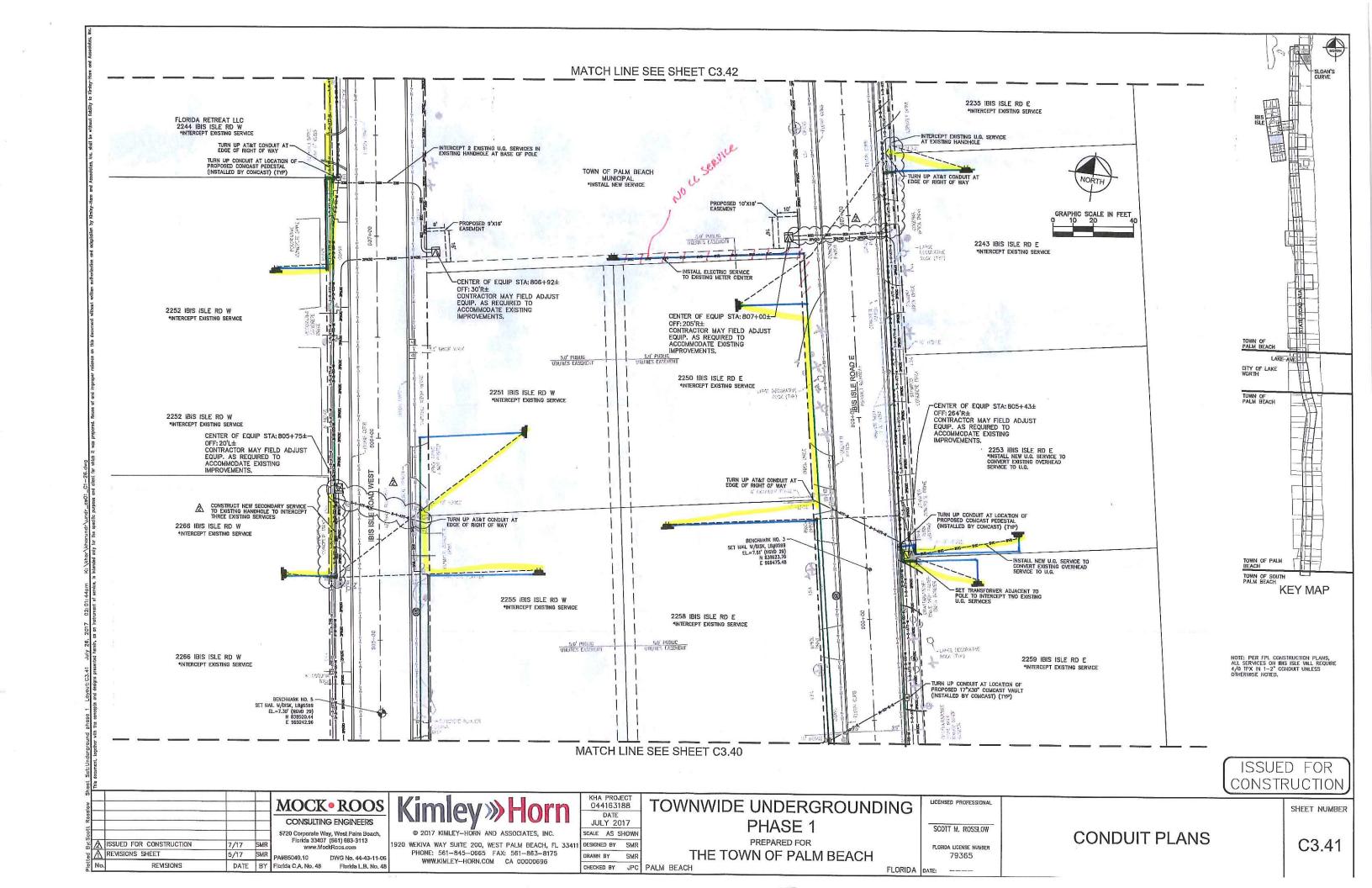
To: Whiting and Turner Date: 11/9/17 Attn: Matt Moo Koung landscape restoration 4 missiles, 1pprox 140 LF, ROW restoration, sor Project: Ibis Island AT& conduits hand digging, back of house, back of pool, We submit the following proposal to you on a confidential basis, the information in this proposal is not to be shared with any other 1 missile, approx 40LF, landscape restoration, person without our written permission. Proposal pertains to the following plans and specifications. as-builts 4 missiles, approx crossing 2 driveways restoration, as-builts 2227 = \$3000.00 \$1,900 2 missiles, approx. 50LF, 19. 2283 = \$7500.00 \$6,3002. 22**5**5 <del>\$3000.00</del> \$1,900 20. 2275 = \$3500.00 \$2,400 1 missile, approx. 50LF, landscape restoration, a 3. 224<del>5</del> = \$3000.00 \$1,900 21.2284 = \$2000.00 \$1,500 4 missiles, approx 170LF, back of house under driveway, hand dig etc., asbuilts 1 missile, approx 40LF, landscape restoration, as-bui  $4. \quad 2250 = \frac{$6000.00}{$4,900}$ 22. 2269 = \$8500.00 \$6,700 5. 2253 = \$3000.00 \$1,9002 missiles, approx 70LF crossing driveway, land-restoration, asbuilts. **2**3. 2276 = \$3000.00 \$1,900 2 missiles, approx 60LF, crossing  $6. \quad 2259 = \frac{$3000.00}{1,900}$  $24.2266 = \$2500.00 \angle \$1,800$  asbu 2258 = \$3000.00 \$1,9002 missiles, approx. 70LF, crossing  $\Rightarrow$  25. 2255 = \$3500.00 \$2,300 driveway, landscape restoration 2267 = \$3500.00 \$2,400asbuilts 26. 2244 = \$3500.00 \$2,400 1 missile, appropriation, asburgation, asbu 40LF, landscape 2 missile, approx. 70LF across driveway, asbuilts 2263 = \$3500.00 \$2,40027.2236 = \$3000.00 \$2,000 1 missile, approx. 5 .10. 2273 = \$4500.00 \$3,400 2 missiles, approx. 80LF, crossing driveway, adjacent to utilies in ROW, asbuilts 128.2228 = \$500.00hand digging, landsorestoration, asbuilts 1.2285 = \$3500.00 \$2,4001 missile, approx. 20LF 29.300' = 1-5" bore pipe @ **1**2. 2291 <del>\\$3500.00 </del>\$2,400 1 missile, approx 30LF minor \$24.00 ft = \$7,200.06 3.2278 = \$1500.00 \$1,0004 missiles, approx 200LF. Som 30. 4" Bore to Bridge and bridge to hand digging, landscape restoration  $4.2315 = $6000.00_$4,800$ Ibis east 590' @ \$22.00 ft 35.2323 = \$3000.00 \$1,9001 missile approx, 40 LF. =\$12,980.00 \( \sqrt{\$12,540} \) = 16.2308 = \$8500.00 \$7,0004 missiles, approx 140LF to 31. Bridge crossing \$9,850.00 back of house, landscape restoration, asbuilts. 717.2300 = \$3500.00 \$2,400 18. 2288 = \$1500.00 \$1,000 1 missile, approx. 50LF, crossing driveway, asbuilts \$28,940.00 1 missile, approx 40 LF sbuilts (not shown on KHA drawings) Lump sum Price \$ 134,030.00 \$104,140 Contingency for Unknown Regalls D2U, UU.

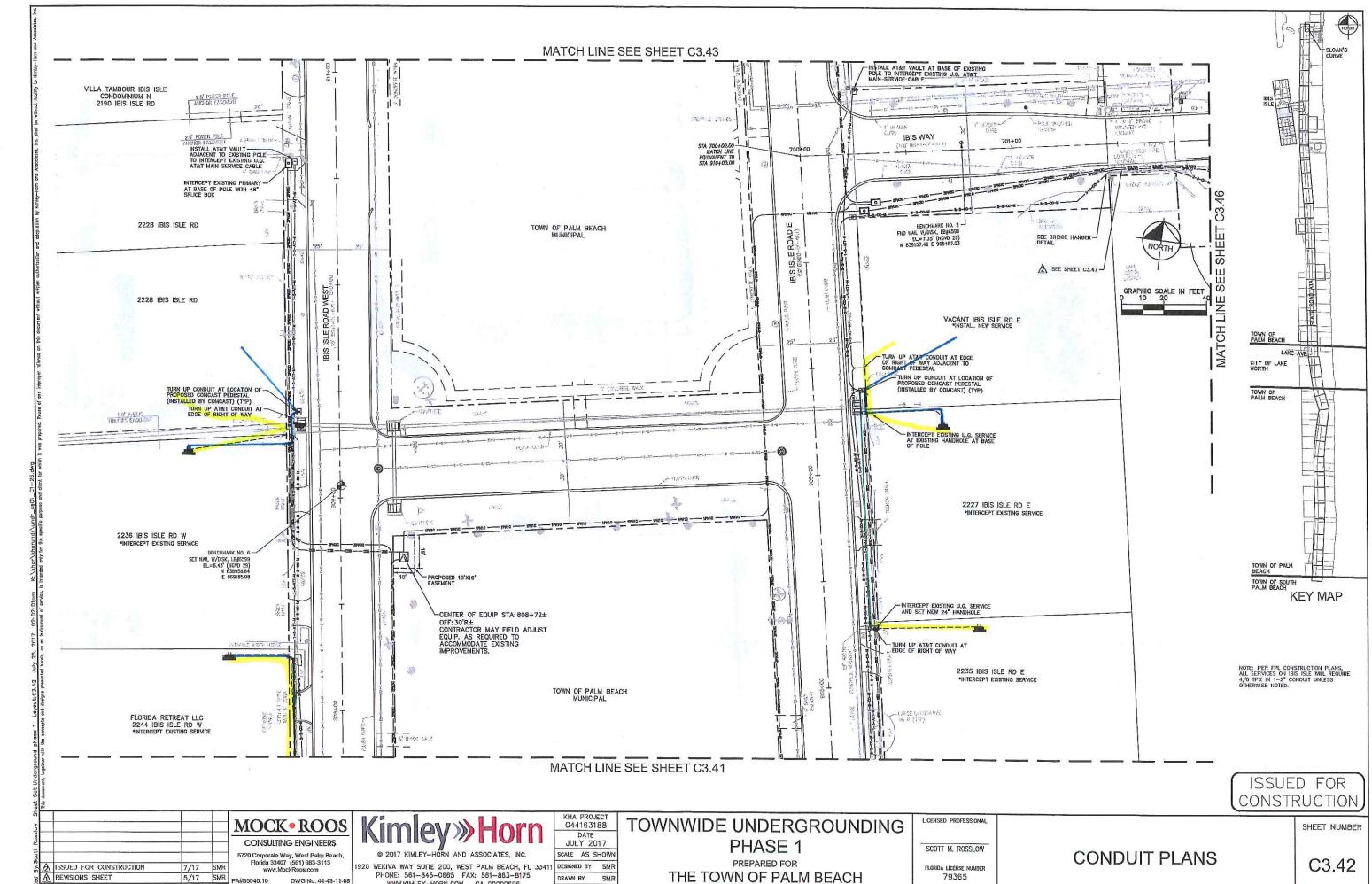
This proposal is to remain confidential. This proposal is accepted by you in any of the following methods: A) Utilizing our prices And or value engineering ideas for any purpose, including but not limited to sharms or shopping our price or ideas with any other proposal with any of the work for this project. (I) Westing proposal including but not Person. B) Requesting us to proceed with any of the work for this project. C) Written acceptance of this proposal including letter of intent to enter into a contract. Do to the increase in materials this price is good for only 30 days. Respectfully submitted \$124,140.00 Contingency to be held by construction manager until needed for construction. All remaining/unused funds to

be returned to owner.









CHECKED BY JPC PALM BEACH

FLORIDA DATE:

DWG No. 44-43-11-06

DATE BY Florida C.A. No. 48

WWW.KIMLEY-HORN.COM CA 00000696