

TOWN OF PALM BEACH

Information for Town Council Meeting on: September 10, 2019

TO: Mayor and Town Council

VIA: Kirk W. Blouin, Town Manager

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

RE: Town Marina Project Update

DATE: August 28, 2019

STAFF RECOMMENDATION

Gordon Thomson with Baird and Associates will be presenting a status report regarding engineering and design for the Town Marina Project at the September 10, 2019 Town Council Meeting. Staff also is providing an update on project costs to-date and, based on future requirements, is requesting approval to use previously approved funds from construction phase services to perform additional permitting and design tasks not included in the original budget.

GENERAL INFORMATION

Town staff and the project consultant for this project (Baird and Associates) will continue to present updates to the Mayor and Town Council on a monthly basis. The project is still in the permitting and design phase.

- **Permits** - Staff and our consultants continue to coordinate with the State and Federal regulatory agencies in order for the permitting processes to meet our required schedule for the project to be included within the next grant cycle for cost-sharing with the Florida Inland Navigation District (FIND). The USACE is requiring that a 0.12 acre mitigation reef be included as part of the project approval. Staff has expedited the documentation for the permit application required for that mitigation.

Specific to State permitting, FDEP has issued the project permit on August 23, 2019. The application to FDEP for the mitigation work will be signed and forwarded by August 28, 2019. FDEP will not require a separate noticing period for the mitigation, and will also accept the drawings to be developed for the USACE permit.

Specific to Federal permitting, the USACE has requested that the mitigation reef permit be processed as part of the original permit application. That permit application was submitted to the USACE on August 22, 2019. Public Notice was issued on August 27, 2019 and expiration of the notice period will be September 11, 2019. During the public notice period, USACE will be drafting the additional language to include the mitigation work into the project permit.

At this point, both the FDEP and the USACE have expressed that the respective review processes are expected to be completed for permits to be issued prior to the FIND deadline of September 15, 2019.

- Schedule – The project timeline for the remainder of the design and bid phase is attached.
- Solicitation (RFP) for General/Marine Contractors – A public workshop was held on August 15th for all interested suppliers and contractors so they are aware of the proposed project and to seek the broadest base of potential proposers/bidders. The advertisement of the solicitation for the project itself is still anticipated to occur in September, and is dependent upon receipt of the permits and conclusion of the design and final bid documents.
- 90% Design Review – The design consultant received the 90% design review comments from staff, along with peer review comments. Baird, and their sub-consultants, are addressing those comments as they work to complete the 100% design and bid documents.
- Opinion of Probable Construction Cost (OPCC) – The consultant has updated their construction cost estimate and provided detail regarding how that estimate was developed. This latest estimate is \$33.2M and includes a contingency. The estimate does not include the tax savings to be derived from the Town's direct purchase of major materials, but that will be reflected in the construction contract costs to be negotiated with the selected general contractor. The OPCC also does not include cost escalation factors, and it does not include any owner-furnished items that would be included in the overall project budget. Such items might include but not be limited to:
 - Furnishings, fixtures and equipment (FFE) provided by the Town as outfitting items after the completion of construction
 - Utility costs and connections (FPL upgrades and revised water services, etc)
 - Abatement and/or remediation of any environmental issues (asbestos, lead-based paint, waste oil contamination, etc.)
 - Mitigation work required as part of permit approval
 - Other future construction not currently identified within the project scope
- Budget Revisions – The previously approved budget for the permitting, design, bid and construction phase services, was \$1,800,000 per Resolutions No. 164-2018 and 165-2018. A summary of the “soft costs” incurred as part of this project are attached. There have been additional out-of-scope tasks that are required for completing the permitting and design, and those are also indicated in the attachment. These are for additional services not included in the original scope or were owner-requested revisions or changes. Staff recommends that the Town Council authorize the Town Manager to use previously approved funds (but not yet expended for construction phase services) to adequately address these items. The budget will be updated once the construction contract cost is negotiated and the final construction phase services are determined. Staff will provide a reconciliation of the final costs associated with the permitting, design and bid phase services at that time.

- Parking/Security Issues – Based upon recent feedback and guidance, staff will include access gates at the parking lot entrances, as well as other enhancements to improve security there. Staff is meeting with the design consultant to update the design relative to these “low-voltage” requirements (cameras, access control wiring, etc.). Staff requests that the Town Council provide any specific guidance or direction on this topic.

Attachment

cc: Jay Boodheshwar, Deputy Town Manager
Carolyn Stone, Director of Business Development & Operations
Eric Brown, P.E., Assistant Director of Public Works
Patricia Strayer, P.E., Town Engineer
Jason Debrincat, P.E. Senior Project Engineer
Dean Mealy, Purchasing Manager
Mike Horn, Town Dockmaster
Rob Weber, Coastal Program Manager

TOWN MARINA – DESIGN AND BID PHASE SCHEDULE MILESTONES

Permits Issued and Received (FDEP & USACE)	September 13, 2019
Solicitation and Advertisement (RFP Issued)	September 16, 2019
Pre-Proposal Meeting with Contractors	October 8, 2019
Issue Addenda to RFP	As needed
Advertisement Period Ends, Proposals Due	December 2, 2019
Evaluation & Selection Process Begins	December 10, 2019
Selection Committee Preliminary Ranking Completed	January 13, 2020
Oral Interviews and Final Ranking Completed	January 23, 2020
Negotiations Begin (with top-ranked contractor)	January 31, 2020
Negotiations Completed	February 25, 2020
Town Council Meeting for Project Approval	March 10, 2020
Construction Contract Award & Notice-to-Proceed	April 1, 2020
Construction Start	May 1, 2020

PERMITTING, DESIGN AND BID PHASE BUDGET

Approved Permitting/Design/Bid/CA		
Budget =		\$1,800,000.00
Permitting =	\$150,000.00	
Eng/Design/Construction Admin =		\$1,650,000.00
Original PO Amounts =	\$137,862.00	\$1,562,066.00
Contingency Funds & Use:		
Starting Contingency Balance Available =	\$12,138.00	\$87,934.00
Boundary Survey =		\$3,698.00
Sediment Sampling/Test =		\$2,615.00
RFQ Advertising - Dock Manufacturers =		\$529.76
RFQ Advertising - FDEP Permit Notice =	\$663.92	
Travel costs SSL visit Tallahassee=	\$1,000.00	
Vessel support -ATM NMFS dive visit =	\$2,320.00	
KHA Peer Review =		\$46,573.51
NMFS Habitat Survey/Mitigation Report=	\$19,478.00	
Mitigation Artificial Reef Permit Appl. =	\$15,814.00	
FDEP Permit Fee =	\$420.00	
Contingency Remaining:		
Permitting =	-\$27,557.92	
Eng/Design/CA =		\$34,517.73
Overall Permitting/Eng/Design/CA		
Contingency Balance =		\$6,959.81

EXAMPLES OF PENDING TASKS – PERMITTING, DESIGN AND BID PHASE

Environmental Surveys (Asbestos, Lead-Based Paint, Waste Oil)	\$10,156.85
Low Voltage Requirements (Enhanced Security/Access)	TBD
Additional Services Baird (Meetings, Presentations, ARCOM, etc)	\$49,562.68 *
Parking Revisions (Lot and On-Street)	TBD
Crosswalks and ROW Improvements (Adjacent to Park)	TBD

*Request for additional compensation due to out-of-scope work received from Baird; final amount pends negotiation with Town staff.