

TO: Dean Mealy, Director of Purchasing

VIA: H. Paul Brazil, P.E., Director of Public Works *HPB*

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

RE: Review and Approval of Phase 7 Design Services for Town-Wide Undergrounding of Utilities Program

DATE: August 25, 2020

Kimley Horn and Associates were selected through a CCNA solicitation for the design of the Town-Wide Undergrounding of Utilities Program to provide services related to the overall program implementation which included but may not be limited to development of a master plan, design, construction oversight, easement acquisition support, and coordination with utilities for design and construction. At the time of award, the Town negotiated a master contract which established rates and allowable rate adjustments for the life of the contract.

The Master Plan that was completed under the master contract established the phases, the schedule and the opinion of cost. The program has been broken into 8 distinct phases and 7 of the 8 phases are broken into a north and south sub phase. So far the Town has awarded design of Phases 1, 2, 3, 4, 5 and 6. The proposal for Phase 7 was received July 17, 2020. Other proposals received at this time were the Phase 3 South Construction Oversight and the Phase 4, 7, and 8 easement acquisition support.

I have reviewed each of the attached proposals based on the following criteria:

1. Are the rates consistent with the approved rates?
2. Is the overall budget of the proposal within budget as estimated in the master plan or the updated opinion of cost from November 2019?
3. Are the hours proposed for the work to be completed consistent with the scope of work and reasonable?

It is important to note that Kimley Horn has increased the approved contract rates each year per the contract agreement with the exception of this year. This year, July 2020, they did not submit a change in rates. Therefore, the rates used for each of the attached proposals are utilizing approved rates from July 2019. Next the proposal for the design of Phase 7 is consistent with the budget. The construction oversight for Phase 3 South is also consistent with the budget. The level of effort and hours proposed is consistent with previous phases. The proposal for Easement Acquisition is unique because this scope has typically been included in the scope for each phase of design. Due to the extent of negotiations and redesign of easement proposals in Phase 4, these funds have been completely expended. It is important to note that while the majority of task performed in Phase 4 design was contracted as a lump sum the easement assistance and the meetings are done as not to exceed time and materials. As staff recognized funds were going to be exceeded in the easement assistance task in Phase 4, staff recommended that a proposal be submitted for easement assistance for the remainder of Phase 4, plus the remaining phases to be designed. Therefore, Phase 7 Design proposal does not include easement assistance, and the comparison for level of effort was compared without that task included. The proposal for easement assistance is a time and materials not to exceed cost proposal. The level of work for easement acquisition has exceed all of staff's estimates due to the difficulty in negotiating easement locations.

My review of the attached proposals finds that they meet the above mentioned criteria. I recommend approval of the proposals.



July 17, 2020

Dean Mealy, II CPPO
Town of Palm Beach – Purchasing Division
951 Okeechobee Road, Suite 'D'
West Palm Beach, FL 33401

RE: *Town-Wide Undergrounding of Utilities Program: Phase 7 Design Services*

Dear Dean,

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 the design of Phase 7 for 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 7 project areas (Phase 7 North and Phase 7 South) commence now so that construction can begin in 2023. These two areas will be from approximately Via Marila to Country Club Road and from approximately Sanford Avenue to Atlantic Avenue. These areas are in general accordance with the overall program phasing limits identified in the master plan.

It is understood that FPL, ATT, and Comcast all have facilities on utility poles in the Phase 7 areas. These poles are generally located in rear lot easements or in the public rights-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. Once the new facilities have been installed, activated, and the services cut over, the rear lot poles and wires will be removed. Kimley-Horn will coordinate with FPL, ATT and Comcast to develop the electric and communications infrastructure design for the area. In general, each utility will develop the electric and communications network design and Kimley-Horn will develop the detailed conduit plan to support the network designs prepared by each utility.

There are a number of light fixtures attached to the FPL poles through each of the Phase 7 project areas. It is understood that these existing streetlights will need to be replaced with new FPL streetlights where such lights exist in the right-of-way. Lights that exist in rear yard easements will not be replaced.

There has been discussion regarding watermain replacements across the island that should occur during the undergrounding program. Discussions between the Town and the City have yielded a conclusion that watermain work would only be performed if required to move a watermain due to a conflict with the undergrounding work. Therefore, no intentional watermain replacement design is included in this proposal.

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

Scope of Services

Task 1.1 – Phase 7 North Design Services (Via Marila to Country Club Road)

Kimley-Horn will conduct a kickoff meeting with the Town to coordinate our services. Kimley-Horn will conduct a site visit to review the field conditions and identify existing meter locations. Letter notification mailers will be sent by the Town to affected residents. A design ticket will be called into Sunshine 811 such that utility companies having infrastructure in the area can be identified. We will then obtain and review available record drawings and data for the project area that may impact the design.

Kimley-Horn will perform a topographical survey of the public rights-of-way and accessible alleyways/easements. Rim and invert elevations for storm and sanitary utilities will be provided. Topographical spot elevations will be shown on 100-foot intervals along the conduit routes with additional detail at each intersection. Landscape areas within 4-feet of the roadway curb will be identified, and trees larger than 6-inch in diameter within 4-feet of the roadway curb will be located. The survey will also provide parcel limits within the project area based on plat/property appraiser data, including platted easements.

Kimley-Horn will obtain the horizontal and vertical locations of a representative number of known utilities within the project area. Up to twenty-five (25) soft-dig utility locates will be performed to determine the vertical and horizontal locations of known utilities. This information will be incorporated into the drawings to determine the proposed power and communication conduit runs within the right-of-way.

Kimley-Horn will review the survey and utility record drawing data obtained to develop an overall base map. Known and available utility record information will be added to the base map to aid in the coordination of the design efforts. This utility base map will be provided to FPL, ATT, Comcast, and other communications companies, if applicable, for their use in their network design efforts.

Kimley-Horn will perform a geotechnical investigation within the project area. The purpose of this investigation is to gather information regarding the existing pavement and base thickness and provide information to the selected contractor regarding soil conditions that will be encountered on the project. Up to five (5) 10-foot deep Standard Penetration Tests will be performed within the existing roadways to gather the geotechnical and pavement information. This information will be presented in a brief technical report.

We will coordinate the design of the underground infrastructure with FPL, ATT, and Comcast in order to develop the supplementary conduit plan. It is understood that the Town will pay the design and construction fees assessed by FPL, ATT, Comcast, and other communications companies (if applicable) directly. Aboveground infrastructure required to support the underground system (Transformers, switch cabinets, pedestals, etc.) will be shown on the plans. Service line routes to the individual homes will be schematically shown so that exact routes can be field coordinated with the property owners by the contractor during construction.

Kimley-Horn will perform individual commercial service conductor sizing and voltage drop calculations to verify the proposed commercial service conductors meet minimum NEC requirements and necessary ampacity ratings for the customer load. Up to two (2) commercial service conductors will be sized under

this task. It is assumed that FPL will size all residential services and that these services will be owned and maintained by FPL. Existing underground services will be maintained to the greatest extent practical although it is anticipated that some will need to be replaced in order to convert the service from the rear alley to the front street.

It is anticipated that the final undergrounding construction documents may contain the following information:

- Cover Sheet
- Survey
- General Notes (up to 4 sheets)
- Overall Site Plan (up to 1 sheet)
- Conduit/Equipment plan (up to 31x2 sheets, 1"=20')
- Equipment Details (up to 8 sheets)
- Trench and Conduit Details (up to 2 sheets)
- Construction / Restoration Details (up to 2 sheets)
- Commercial Service Sizing Spreadsheet (up to 1 sheet)
- Street Light Replacement Locations and Details (up to 1 sheet)
- Landscape Plan (up to 14 sheets)
- Planting Details and Notes (up to 2 sheets)
- Technical Specifications

It is understood that the Town is pursuing the installation of FPL LED lighting and that FPL will perform the detailed design and installation of the poles, conductor, and service points. Kimley-Horn will provide a street lighting exhibit to FPL for use in their design of new LED lighting under the LT1 tariff. Use of this tariff is expected to minimize conduit needed for new street lighting. It is not expected that any conduit will need to be installed by the Town for street lighting, rather FPL will install necessary conduit when they install the new lights.

Kimley-Horn will submit deliverables for review at the following milestones:

- Survey Complete
- Utility Base Map Complete
- Equipment Location Plan Complete
- Conduit Routing Plan Complete

Kimley-Horn will address one (1) round of reasonable comments after Town review of the Equipment Location Plan and Conduit Routing Plan submittals. During the design process, we will continue to coordinate with FPL, ATT, and Comcast to ultimately obtain their final network designs and cost estimates. An opinion of cost for the project areas will be submitted with the final construction document submittal. We will also submit the plans to FPL, ATT and Comcast for coordination purposes concurrently with the Town submittals. We have assumed that ARCOM review and approval will not be required for the landscaping that may be required to screen the above grade equipment on the project. If ARCOM approval is deemed to be required by the Town, we can provide these services as an additional service.

No Town infrastructure improvements beyond the underground conversion are currently contemplated in the Phase 7 North area. If it becomes known through our coordination with the Town during this phase of the project that additional infrastructure improvements should be incorporated into the design, we can perform such design as an additional service.

Task 1.2 – Phase 7 South Design Services (Sanford Avenue to Atlantic Avenue)

Kimley-Horn will conduct a kickoff meeting with the Town to coordinate our services. Kimley-Horn will conduct a site visit to review the field conditions and identify existing meter locations. Letter notification mailers will be sent by the Town to affected residents. A design ticket will be called into Sunshine 811 such that utility companies having infrastructure in the area can be identified. We will then obtain and review available record drawings and data for the project area that may impact the design.

Kimley-Horn will perform a topographical survey of the public rights-of-way and accessible alleyways/easements. Rim and invert elevations for storm and sanitary utilities will be provided. Topographical spot elevations will be shown on 100-foot intervals along the conduit routes with additional detail at each intersection. Landscape areas within 4-feet of the roadway curb will be identified, and trees larger than 6-inch in diameter within 4-feet of the roadway curb will be located. The survey will also provide parcel limits within the project area based on plat/property appraiser data, including platted easements.

Kimley-Horn will obtain the horizontal and vertical locations of a representative number of known utilities within the project area. Up to fifty (50) soft-dig utility locates will be performed in order to verify the vertical and horizontal locations of known utilities. This information will be incorporated into the drawings to determine the proposed power and communication conduit runs within the right-of-way.

Kimley-Horn will review the survey and utility record drawing data obtained to develop an overall base map. Known and available utility record information will be added to the base map to aid in the coordination of the design efforts. This utility base map will be provided to FPL, ATT, Comcast, and other communications companies, if applicable, for their use in their network design efforts.

Kimley-Horn will perform a geotechnical investigation within the project area. The purpose of this investigation is to gather information regarding the existing pavement and base thickness and provide information to the selected contractor regarding soil conditions that will be encountered on the project. Up to five (5) 10-foot deep Standard Penetration Tests will be performed within the existing roadways to gather the geotechnical and pavement information. This information will be presented in a brief technical report.

We will coordinate the design of the underground infrastructure with FPL, ATT, and Comcast in order to develop the supplementary conduit plan. It is understood that the Town will pay the design and construction fees assessed by FPL, ATT, Comcast, and other communications companies (if applicable) directly. Aboveground infrastructure required to support the underground system (Transformers, switch cabinets, pedestals, etc.) will be shown on the plans. Service line routes to the individual homes and businesses will be schematically shown so that exact routes can be field coordinated with the property owners by the contractor during construction.

Kimley-Horn will perform individual commercial service conductor sizing and voltage drop calculations to verify the proposed commercial service conductors meet minimum NEC requirements and necessary ampacity ratings for the customer load. Up to six (6) commercial service conductors will be sized under this task. It is assumed that FPL will size all residential services and that these services will be owned and maintained by FPL. Existing underground services will be maintained to the greatest extent practical although it is anticipated that some will need to be replaced in order to convert the service from the rear alley to the front street.

It is anticipated that the final undergrounding construction documents may contain the following information:

- Cover Sheet
- Survey
- General Notes (up to 4 sheets)
- Overall Site Plan (up to 1 sheet)
- Conduit/Equipment plan (up to 30x2 sheets, 1"=20')
- Equipment Details (up to 6 sheets)
- Trench and Conduit Details (up to 2 sheets)
- Construction / Restoration Details (up to 2 sheets)
- Electrical Service Sizing Spreadsheet (up to 2 sheets)
- Street Light Replacement Location Exhibit (up to 1 sheet)
- Landscape Plan (up to 14 sheets)
- Planting Details and Notes (up to 2 sheets)
- Technical Specifications

It is understood that the Town is pursuing the installation of FPL LED lighting and that FPL will perform the detailed design and installation of the poles, conductor, and service points. Kimley-Horn will provide a street lighting exhibit to FPL for use in their design of new LED lighting under the LT1 tariff. Use of this tariff is expected to minimize conduit needed for new street lighting. It is not expected that any conduit will need to be installed by the Town for street lighting, rather FPL will install necessary conduit when they install the new lights.

Kimley-Horn will submit deliverables for review at the following milestones:

- Survey Complete
- Utility Base Map Complete
- Equipment Location Plan Complete
- Conduit Routing Plan Complete

Kimley-Horn will address one (1) round of reasonable comments after Town review of the Equipment Location Plan and Conduit Routing Plan submittals. During the design process, we will continue to coordinate with FPL, ATT, and Comcast to ultimately obtain their final network designs and cost estimates. An opinion of cost for the project areas will be submitted with the final construction document submittal. We will also submit the plans to FPL, ATT and Comcast for coordination purposes concurrently with the Town submittals. We have assumed that ARCOM review and approval will not be required for the landscaping that may be required to screen the above grade equipment on the

project. If ARCOM approval is deemed to be required by the Town, we can provide these services as an additional service.

No Town infrastructure improvements beyond the underground conversion are currently contemplated in the Phase 7 South area. If it becomes known through our coordination with the Town during this phase of the project that additional infrastructure improvements should be incorporated into the design, we can perform such design as an additional service.

Task 1.3 – Bid Phase Services [Phase 7 North / Phase 7 South]

Kimley-Horn will prepare the construction documents for bidding by the Town's Construction Manager. We will prepare the construction documents for bidding, attend pre-bid meetings for the north and south project areas (up to two (2) pre-bid meetings) and respond to requests for clarification during the bidding process. We will review the GMP bid proposals received for each project area and attend up to four (4) meetings with the Town to discuss our comments. A summary memorandum will be provided to the Town describing the results of the bidding process.

It has been assumed that the Town or Construction Manager will prepare the "front end" bidding instructions and contract paperwork. Therefore, the preparation of these items is not included in this proposal.

Task 1.4 – Meetings [Phase 7 North / Phase 7 South]

Kimley-Horn and our sub-consultant team members, as appropriate, will attend scheduled project meetings as described below during the design phase of the project:

- Project kickoff meeting
- Team progress meetings (monthly, up to 12)
- Town point-of-contact meetings and other general meetings with Town staff, utility owners, etc. (up to 6)
- Underground Utility Task Force meetings (up to 6)
- Stakeholder meetings (FPU, FDOT, Community, etc.) (up to 6)

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:

- Utility record drawing information as may be available
- Access to the project areas
- Town Project Manager services to prepare letter notices, easement documentation, 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 September 2020 and will be completed by May 2023.

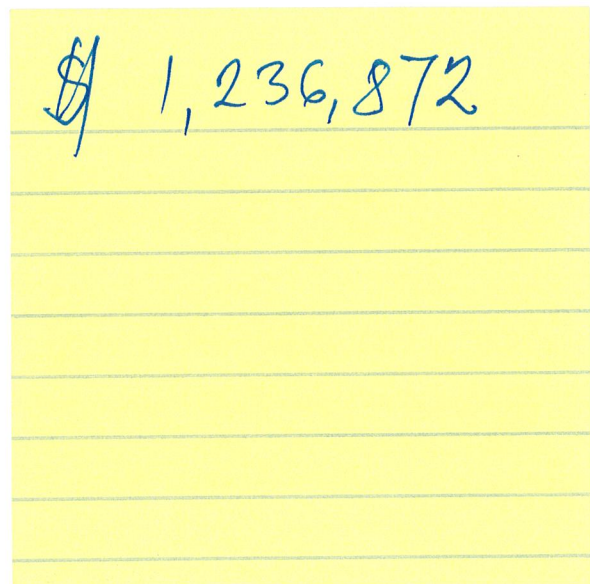
Fee and Billing

Kimley-Horn will perform the services in Tasks 1.1 through 1.3 for the total lump sum fees listed below. Individual task amounts are informational only. All permitting, application, and similar project fees will be paid directly by the Client. Lump sum fees will be invoiced monthly based upon the overall percentage of services performed.

Task 1.1 – Phase 7 North Design Services	\$492,488
Task 1.2 – Phase 7 South Design Services	\$630,830
Task 1.3 – Bid Phase Services [Phase 7 North / Phase 7 South]	\$ 35,938

Kimley-Horn will perform the services in Task 1.4 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.

Task 1.4 – Meetings [Phase 7 North / Phase 7 South]	\$ 77,616
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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,
KIMLEY-HORN AND ASSOCIATES, INC.



By: Kevin Schanen, P.E.
Senior Vice President

Attachment

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