

# TOWN OF PALM BEACH

Information for Town Council Meeting on: February 8, 2022

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TO: Mayor and Town Council

VIA: Kirk Blouin, Town Manager

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

RE: Town Marina and Lake Drive Park Improvements - Project Update

DATE: January 24, 2022

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## **STAFF RECOMMENDATION**

Town staff recommends that Town Council review the project update provided below, and authorize the Town Manager to execute the proposed final change order for the Town Marina Project.

## **GENERAL INFORMATION**

The Town Marina opened on November 1, 2021 for operation, and Lake Drive Park is fully opened for public use. South Lake Drive was fully re-opened to traffic as well, with new crosswalks, stop signs, and right-of-way improvements completed. Punchlist items identified during final inspections are being addressed and project close-out will continue with the contractor providing as-built documentation, operations and maintenance information, and warranties.

A significant change order was requested by the contractor as related to the costs and effort to accomplish the dredging and disposal for the new marina. The contractor's initial request for additional compensation was \$3,131,253, and this was reviewed and analyzed by Town staff including Public Works, Purchasing, and the Town Manager. The final negotiated change order amount was \$2,200,000, which includes \$346,892 to be paid from an existing pay item in the contract. This additional compensation for the dredging work is considered to be fair and reasonable by all parties. [A third-party legal review was also conducted for validation]. This negotiated amount will be included in the final change order for the project, and with Town Council concurrence that change order will be executed by the Town Manager.

An accounting of project costs compared to the budget amounts is presented below and reflects the proposed final construction change order:

### **Town Marina Project**

Approved Construction Project Funding	=	\$32,968,000.00
Approved Construction Contingency Funding	=	\$ 3,296,800.00
Contingency Used	=	\$ 2,379,045.03
Contingency Balance	=	\$ 917,754.97

Approved Owner's Budget/Contingency*	=	\$1,393,953.00
Owner's Budget/Contingency Used	=	<u>\$1,281,620.08</u>
Owner's Budget/Contingency Balance	=	<u>\$ 112,332.92</u>

\*This includes FFE (outfitting) costs, FPL costs, mitigation work related to FDEP/USACE permits, utility connection fees, builders risk insurance, etc.

### **Lake Drive Park Improvements Project**

Approved Project Funding	=	\$3,635,044.00
Contingency Amount Approved	=	\$ 372,507.00
Contingency Used	=	<u>\$ 74,420.00</u>
Contingency Balance	=	<u>\$ 298,087.00</u>

### **FUNDING/FISCAL IMPACT**

Public Works will proceed with the financial close-out of the project once all the contract requirements and payments have been made.

### **PURCHASING REVIEW**

The Purchasing Division participated in and concurs with the proposed actions.

### **TOWN ATTORNEY REVIEW**

This proposed action did not require Town Attorney review, but third-party legal review of the proposed request was performed.

cc. Jay Boodheshwar, Deputy Town Manager  
Carolyn Stone, Assistant Town Manager  
Jane LeClainche, Finance Director  
Eric Brown, P.E., Assistant Director of Public Works  
Patricia Strayer, P.E., Town Engineer  
Jason Debrincat, P.E., Senior Project Engineer  
Robert Weber, Coastal Program Manager  
Gordon Thomson (W.F. Baird & Associates)  
Dean Mealy, Purchasing Manager