

# **TOWN OF PALM BEACH**

Information for Town Council Meeting on: December 12, 2023

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TO: Mayor and Town Council

VIA: Kirk W. Blouin, Town Manager

VIA: Robert Miracle, CPA Deputy Town Manager, Finance and Administration

FROM: Dean Mealy, II NIGP-CPP, CPPO Town Procurement and Contract Manager

RE: Resolution approving an award to Coastal Protection Engineering, LLC in a Not-To-Exceed amount of \$278,515 for professional services to support Federal Permitting for the Mid-Town Beach Nourishment Project

DATE: November 30, 2023

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## **STAFF RECOMMENDATION**

Staff recommends the Town Council approve Resolution No. 151-2023 approving an award to Coastal Protection Engineering in a Not-To-Exceed amount of \$278,515 for professional services to support Federal Permitting for the Mid-Town Beach Nourishment Project.

## **SUMMARY EXPLANATION/BACKGROUND**

Coastal Protection Engineering, LLC (CPE) was awarded as a prequalified engineering firm by Resolution No. 05-2020 on February 11, 2020. The request by the Town to provide professional services to support Federal Permitting for the Mid-Town Beach Nourishment Project is a deliverable as noted in the solicitation.

The Mid-Town Beach Nourishment project permit expired in December 2019. CPE will request a reissuance of the Mid-Town Beach Nourishment Project (SAJ-1995-03779) permit from the U.S. Army Corps of Engineers (USACE). Through this process, the project is subject to consultation under Section 7 of the Endangered Species Act (ESA) and consultation under the Magnuson-Stevens Fishery Conservation and Management Act. This may include coordination with, but not limited to, the USACE, National Marine Fisheries Services (NMFS), and U.S. Fish and Wildlife Service (USFWS). Coordination may include efforts such as responses to data requests, preparation of maps and plans, and participation in meetings and conference calls to discuss issues raised by the consulting agencies.

CPE will coordinate a meeting with USACE to review the request to re-issue the permit for the previously authorized project. The meeting can be held virtually via webinar or as an in-person meeting with USACE in the Palm Beach Gardens regulatory office, according to the preferences of the Town staff. The overall purpose of this meeting is to present the proposed project, obtain agency input and guidance and identify any additional data needs and concerns. Feedback received

during this meeting will be used to refine the proposed field investigations and prepare and submit a thorough and complete permit application.

CPE will review existing data and the proposed beach fill template to update the design to current conditions, prepare the permit sketches, and assemble the permit application attachments. Shoreline and volume changes will be updated to evaluate volume needs and distribution on the existing beach conditions using the previously authorized template. The permit sketches will include plan view and cross-sections of the beach fill template and North Borrow Area 1, available construction access(es) and staging areas, topographic and bathymetric survey data, identified regulatory restrictions, and known hardbottom areas. The permit sketches will be signed and sealed by a Professional Engineer registered in the State of Florida and provided with the application.

After application submittal, CPE will continue to coordinate with the USACE and respond to Requests for Additional Information (RAIs) during the permit review process. RAIs may include comments from NMFS, USFWS, and the public. CPE will coordinate with the Town on the extent of the response and what the implication may be to the permitting process and construction timeline. CPE will draft the RAI response and provide the Town with an opportunity for review prior to submittal to the agencies. In cases where coordination and response efforts may exceed the level of effort estimated herein, CPE will contact the Town to discuss an approach and can develop a supplemental proposal if requested. This scope does not include beach profile survey data collection, project engineering for design, or mitigation planning as the current objective is to permit the previously authorized beach fill design and borrow area, and it is understood that mitigation planning is being developed by another consultant for the Town.

### **FUNDING/FISCAL IMPACT**

Funding for this service will be from the Coastal Budget.

### **TOWN ATTORNEY REVIEW**

This format has been utilized by the Town in previous recommendations and was approved by the Town Attorney.