

TOWN OF PALM BEACH

Information for Town Council Meeting on: April 9, 2024

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 the Award of ITB No. 2024-09, Central Fire Fuel Tank Station Remediation and Replacement to Murray Logan Construction, LLC, in the amount of \$2,224,968 and establishing a project budget of \$2,674,698

DATE: March 28, 2024

STAFF RECOMMENDATION

Staff recommends the Town Council approve Resolution No. 027-2024, approving the Award of ITB No. 2024-09, Central Fire Fuel Tank Station Remediation and Replacement to Murray Logan Construction, LLC, in the amount of \$2,224,968 and establishing a project budget of \$2,674,698.

SUMMARY EXPLANATION/BACKGROUND

Procurement and Contract Management issued ITB No. 2024-09 for the Central Fire Fuel Tank Station Remediation and Replacement.

The Scope entails removal and replacement of the existing fuel tank, limited site remediation, to include; removal of existing damaged tank, removal of contaminated soils, installation of new tank, minor mechanical, electrical and low voltage improvements to the adjacent Town buildings generator facilities, and restoration of the area. The new fuel tank will involve a “wet” installation. The project also includes fuel system improvements at the Police Station and Town Hall. The successful bidder must have a minimum of ten (10) years of experience in underground petroleum storage tank removal and wet installation method within the State of Florida. The bidders are required to have an active Florida General Contractor License. Either the General Contractor or a subcontractor on the team shall have an active Pollutant Storage System Contractor’s License and Electrical Contractor License. The awarded bidder must furnish all labor and materials necessary to construct all improvements at the Central Fire Station, Police Station, and Town Hall as depicted on the plans and in the specifications to provide a complete and functional system.

Public Works and Procurement and Contract Management issued a purchase order for the Central Fire Sation Underground Fuel Tank Environmental Assessment Services to Kimley-Horn and Associates, Inc. (KHA) in September 2023. Resolution No. 111-2023 awarded the purchase order to KHA. This was charged to insurance claim 417042.

A separate purchase order was issued to Cliff Berry, Inc. in the amount of \$60,000 to provide fuel recovery, contaminate removal, and disposal services. This was charged to insurance claim 417042.

ITB No, 2024-09 attracted two bids which have been evaluated by KHA and Town staff. The low bid was rejected by KHA for a variety of reasons. The firm indicated that they were going to protest the award recommendation to Murray Logan Construction, LLC., however, they failed to meet the requirements of the bid protest procedures.

The contractor's intent is to maintain the work hours during the off-season, May through November 8:00am to 6:00pm Monday through Friday. The contractor would like the flexibility to request, if approved by the Public Works Director and communicated with adjacent properties, extended work hours, night-time, and Saturday work to expedite the project should there be delays due to acts of God or unforeseen conflicts. The contractor and Public Works staff will communicate with adjacent properties prior to any requests to change the work hours to minimize any confusion or conflicts with residents.

Staff recommends a waiver to Section 42-196 through Section 42-199 of the Town Code of Ordinances to allow for extended work hours on Saturday, and night-time work hours as necessary, and approved by Public Works.

Staff also recommends a waiver to the Noise Ordinance for pumping, air sparging or those same Saturday and night-time activities from Section 42-226 through Section 42-229 of the Town Code of Ordinances.

FUNDING/FISCAL IMPACT

For this project, we will be receiving funds from an insurance claim with our carrier. Funding for this award is still being determined between Capital Improvement Fund and Insurance Risk Claim.

TOWN ATTORNEY REVIEW

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