



TOWN OF PALM BEACH

Town Manager's Office
TOWN COUNCIL MEETING

**TOWN HALL
COUNCIL CHAMBERS - SECOND FLOOR
360 SOUTH COUNTY ROAD
AGENDA**

MARCH 2, 2021

9:30 AM

**To Participate via Zoom, please click on the link below:
<https://zoom.us/j/94172433024>**

Welcome

For information regarding this agenda and the procedures for public participation at Town Council Meetings, please refer to the end of this agenda.

I. CALL TO ORDER AND ROLL CALL

Gail L. Coniglio, Mayor
Margaret A. Zeidman, President
Bobbie Lindsay, President Pro Tem
Julie Araskog
Lew Crampton
Danielle H. Moore

II. INVOCATION AND PLEDGE OF ALLEGIANCE

III. MODIFICATIONS TO THE AGENDA

IV. APPROVAL OF AGENDA

V. BOARDS AND COMMISSIONS PRESENTATIONS AND APPOINTMENTS

- A. Presentations by Architectural Commission (ARCOM) Applicants.
Queenester Nieves, CMC, Town Clerk
- B. Presentations by the Landmarks Preservation Commission Applicants.
Queenester Nieves, CMC, Town Clerk
- C. Presentations by the Planning and Zoning Commission Applicants.
Queenester Nieves, CMC, Town Clerk
- D. Presentations by the Retirement Board of Trustees Applicants.
Queenester Nieves, CMC, Town Clerk
- E. Appointments to the Architectural Commission (ARCOM). Page 7
Queenester Nieves, CMC, Town Clerk
- F. Appointments to the Landmarks Preservation Commission. Page 55
Queenester Nieves, CMC, Town Clerk
- G. Appointments to the Planning and Zoning Commission. Page 91
Queenester Nieves, CMC, Town Clerk
- H. Appointments to the Retirement Board of Trustees. Page 116
Queenester Nieves, CMC, Town Clerk

VI. COMMENTS OF MAYOR GAIL L. CONIGLIO

VII. COMMENTS OF TOWN COUNCIL MEMBERS

VIII. COMMUNICATIONS FROM CITIZENS - 3 MINUTE LIMIT PLEASE

IX. APPROVAL OF CONSENT AGENDA (SEE NOTE 5)

A. MINUTES

- 1. Town Council Meeting Minutes Page 129
Queenester Nieves, CMC, Town Clerk
 - a. February 9, 2021, Town Council Meeting Minutes - *Deferred to the April 13, 2021 Town Council Meeting.*
 - b. February 10, 2021, Town Council Development Review Meeting Minutes - *Deferred to the April 13, 2021 Town Council Meeting.*
 - c. February 11, 2021, Special Town Council Meeting Minutes
- 2. Approval of Major Matters Considered by the Architectural Review Commission at its Meeting of February 24, 2021. Page 133
Wayne Bergman, Director of Planning, Zoning and Building

B. RESOLUTIONS

- 1. RESOLUTION NO. 027-2021 A Resolution Of The Town Council Of The Town Of Palm Beach, Palm Beach County, Florida, Approving The Award Of ITB No. 2021-07 To Rio-Bak Corporation For Dune Restoration - Truck Haul In The Amount Of \$1,765,374 Page 135

And Establish A Project Budget Of \$1,900,000.

Town staff recommends that Town Council approve both Weeks Marine, Inc. and Rio-Bak Corporation to perform construction related services outside of the Town Code of Ordinances restrictions for construction dates, hours, and noise levels for activities on the beach and in the Lake Worth Lagoon related to construction of the 2021 Phipps Ocean Park Beach Nourishment and Dune Restoration Projects.

Dean Mealy, Purchasing Manager

2. RESOLUTION NO. 028-2021 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving a Purchase Order to Applied Technology & Management, Inc., in the Amount of \$208,292.40 for Coastal Engineering and Turbidity Monitoring Services for 2021 Phipps Ocean Park Beach Nourishment, and Dune Restoration Projects and Establishing a Task Budget of \$229,000. Page 144

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

3. RESOLUTION NO. 029-2021 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving a Retroactive Purchase Order to Glasgow Equipment Services Inc. in the Amount of \$28,625 for Repairs to the Par 3 Fuel Tank and Approve \$14,000 for the Remaining Years of the Contract. Page 155

The repair of \$28,625 and the previous awards since 2019 cumulatively in the amount of \$44,122 now exceeds the \$65,000 award authority of the Town Manager. The contract has additional two years before rebidding. As such, an additional allocation of \$14,000 is required to support the remaining two years.

Dean Mealy, Purchasing Manager

C. OTHER

1. Promotion of Current Alternate Members on the Shore Protection Board and Recreation Advisory Commission to Regular Member Status. Page 159

Jay Boodheshwar, Deputy Town Manager

2. Accept Donation from the Palm Beach Police & Fire Foundation and Approve the Transfer of Funds from the Town's Equipment Replacement Fund Contingency and Designate the Funds for the Replacement and Renovation of the Police Department Firearms Range in the FY21 Budget Page 162

Nicholas Caristo, Chief of Police

3. Request by the City of West Palm Beach for Town Sponsorship in the Amount of \$12,000 for the City's 4th on Flagler Event. Page 168

Kirk W. Blouin, Town Manager

X. BOARD/COMMISSION ANNUAL REPORT

- A. Annual Report of the Landmarks Preservation Commission. Page 174
Richard Rene Silvin, Chair

XI. COMMITTEE REPORTS

- A. Report of the Business and Administrative Committee Meeting Held on Page 177
Tuesday, January 26, 2021.
Lew Crampton, Chair

XII. REGULAR AGENDA

A. Matters Pulled From Consent Agenda: If needed

B. Old Business

1. COVID-19 Update Page 182
Kirk W. Blouin, Town Manager
TIME CERTAIN: 10:30 AM

a. Report on COVID-19 Infections, Hospitalizations and Vaccines
Darrel Donatto, Fire Rescue Chief

b. Compliance with Emergency Order and Mandates
Nicholas Caristo, Police Chief

c. Discussion About Town-Wide Curfew

d. RESOLUTION NO. 030-2021 A Resolution Of The Town Council Of The Town Of Palm Beach, Palm Beach County, Florida Concurring With The Request Of The Town's Chief Of Police, To Extend The Chief's Declaration Of The Existence Of A State Of Emergency Within The Corporate Limits Of The Town To April 13, 2021, Unless Earlier Terminated By The Chief Of Police, At Which Time The Town Council Will Address The Need For Any Extension Of The Declaration Of Emergency; Providing For An Effective Date.

2. Town-wide Undergrounding Project Page 187
H. Paul Brazil, P.E., Director of Public Works

a. Review of Project and Dashboard, Summary of Project Status

b. RESOLUTION NO. 031-2021 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving the Award of Guaranteed Maximum Price to Burkhardt Construction Inc., for Phase 4 South Part-1 and the Watermain Replacement on South Lake Drive in the Amount of \$1,252,588 and Establish a Project Budget in the Amount of \$1,440,470.
Dean Mealy, Purchasing Manager

c. RESOLUTION NO. 032-2021 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving

a Purchase Order to Kimley-Horn and Associates, Inc. in the Amount of \$49,838.17 and a Project Budget of \$53,000 for Phase 4 South Part-1 Construction Phase Services for Town-Wide Undergrounding of Utilities and South Lake Avenue Watermain Replacement.

C. New Business

1. Proposed Business Association Special Event on November 11, 2021 to be Hosted by the Main Street Business Association.
Queenester Nieves, CMC, Town Clerk
2. Traffic Related Complaints on Brazilian Avenue.
Nicholas Caristo, Chief of Police

Page 275

XIII. ANY OTHER MATTERS

XIV. ADJOURNMENT

PLEASE TAKE NOTE:

Note 1: Please submit written comments/materials to council@townofpalmbeach.com or in person to the Town Clerk's Office, located at Town Hall, 360 South County Road. No written materials received after 3:30 p.m. on the Wednesday immediately prior to a monthly Town Council meeting will be included in the back-up binders distributed to the Mayor and Town Council in preparation for that meeting. Written materials received after 3:30 p.m. on Wednesday will be separately distributed to the Mayor and Town Council; however, depending upon the length of the materials, the time of submittal, and other circumstances, the Mayor and Town Council may not be able to read and consider such late submittals prior to acting upon the policy matter(s) which they address.

Note 2: The progress of this meeting may be monitored by visiting the Town's website (townofpalmbeach.com) and clicking on "Meeting Audio" in the left column. If you have questions regarding that feature, please contact the Office of Information Technology (561) 227-6315. The audio recording of the meeting will appear within 24 hours after the conclusion of the meeting.

Note 3: If a person decides to appeal any decision made by this Council with respect to any matter considered at this meeting or hearing, he/she will need a record of the proceedings. For such purpose, he/she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

Note 4: Disabled persons who need an accommodation in order to participate in the Town Council Meeting are requested to contact the Town Manager's Office at 838-5410 or through the Florida Relay Service by dialing 1-800-955-8770 for voice callers or 1-800-955-8771 for TDD callers, at least two (2) working days before this meeting.

Note 5: Items listed on the Consent Agenda will be approved by one motion of

the Town Council, unless the Mayor or an individual Council Member requests that any item(s) be moved to the Regular Agenda and individually considered.

Note 6: All back-up material for the items listed on the agenda are posted to the Town's website and emailed to all Stay Informed subscribers on the Friday before the Town Council meeting. To access the back-up materials and/or subscribe to the Stay Informed list, please visit the Town's website (townofpalmbeach.com).

PROCEDURES FOR PUBLIC PARTICIPATION

Citizens desiring to address the Town Council should proceed toward the public microphones when the applicable agenda item is being considered to enable the Town Council President to acknowledge you.

PUBLIC HEARINGS: Any citizen is entitled to be heard on an official agenda item under the section entitled "Public Hearings," subject to the three minute limitation.

COMMUNICATIONS FROM CITIZENS: Any citizen is entitled to be heard concerning any matter under the section entitled "Communications from Citizens," subject to the three minute limitation. The public also has the opportunity to speak to any item listed on the agenda, including the consent agenda, at the time the agenda item comes up for discussion.

OTHER AGENDA ITEMS: Any citizen is entitled to be heard on any official agenda item when the Town Council calls for public comments, subject to the three minute limitation.

Town Council Meetings are public business meetings and, as such, the Town Council retains the right to limit discussion on any issue.

TOWN OF PALM BEACH

Town Council Meeting on: March 2, 2021

Section of Agenda

BOARDS AND COMMISSIONS PRESENTATIONS AND APPOINTMENTS

Agenda Title

Appointments to the Architectural Commission (ARCOM).

Presenter

Queenester Nieves, CMC, Town Clerk

ATTACHMENTS:

- ▣ **Memorandum Dated February 22, 2021, from Queenester Nieves, CMC, Town Clerk**
- ▣ **Attendance Record**
- ▣ **Status Sheet**
- ▣ **Sample Ballot**
- ▣ **Application - Gerard J. Beekman**
- ▣ **Application - John David Corey**
- ▣ **Application - Thomas Kirchhoff**
- ▣ **Application - Jeffery W. Smith**

TOWN OF PALM BEACH

Information for Town Council Meeting on March 2, 2021

TO: Mayor and Town Council

VIA: Kirk W. Blouin, Town Manager

FROM: Queenester Nieves, CMC, Town Clerk

RE: Architectural Commission (ARCOM) Appointment of Regular Members

DATE: February 22, 2021

STAFF RECOMMENDATION

Staff recommends that the Town Council review the attached applications and appoint three (3) regular members to the Architectural Commission (ARCOM). These members will be filling the vacancies left by Robert N. Garrison who is termed out; Jeffery W. Smith and John David Corey whose terms have expired and who are eligible for re-appointment.

GENERAL INFORMATION

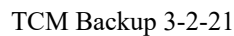
The Town Clerk's office has received two (2) applications from **REGULAR MEMBERS SEEKING REAPPOINTMENT** from the following:

1. John David Corey – 426 Australian Avenue, Palm Beach, FL;
2. Jeffery W. Smith – 241 Sanford Avenue, Palm Beach, FL.

The Town Clerk's office has received two (2) applications seeking **NEW APPOINTMENT** from the following:

1. Gerard J. Beekman – 412 S. Palmway, Apt. 4, Lake Worth, FL;
2. Thomas Kirchhoff – 5728 Old Fort Jupiter Road, Jupiter, FL.

cc: Wayne Bergman, Director of Planning, Zoning and Building

[illegible]

Betsy Shiverick
Katherine Catlin
Dan Floersheimer
Ted Cooney

- Interim Appointment

ARCHITECTURAL COMMISSION (ARCOM)

Next appointment: **March 2, 2021, Town Council meeting**

Openings advertised via news release: **January 27, 2021**

Deadline to submit applications: **Friday, February 19, 2021, by 5:00 p.m.**

Number of openings: **3 regular members**

Applicants

<u>NAME</u>	<u>SEEKING</u>
John David Corey	Reappointment
Jeffery W. Smith	Reappointment
Gerard J. Beekman	New Appointment
Thomas Kirchhoff	New Appointment

Current members and open seats

<u>NAME</u>	<u>TERM EXPIRES</u>
<u>Regular Members</u>	
Michael B. Small (Chair)	March, 2022
Robert N. Garrison (Vice Chair)***	March, 2021
Alexander C. Ives	March, 2022
Maisie Grace	March, 2023
John David Corey (Master Gardener)	March, 2021
Betsy Shiverick	March, 2023
Jeffery W. Smith (Architect)	March, 2021
<u>Alternate Members</u>	
Katherine Catlin	March, 2022
Dan Floersheimer	March, 2022
Edward A. Cooney	March, 2022

Highlighted in yellow=term currently expiring/vacant

*=Applied for reappointment

**=Applied for appointment from alternate member to regular member

***=Termed out

BALLOT FOR APPOINTMENT OF REGULAR MEMBERS
TO THE ARCHITECTURAL COMMISSION
Town Council Meeting on **March 2, 2021**

Positions to be filled:

 3 Regular Members

Please circle 3 from the list of names appearing below

Regular Members Applying for Reappointment

(Listed alphabetically)

John David Corey

Jeffery W. Smith

Others Who Have Submitted Applications

(Listed alphabetically)

Gerard J. Beekman

Thomas Kirchhoff

Signature of Town Council Member: _____
Town Council Member

**TOWN OF PALM BEACH**

APPLICATION FOR SERVICE ON

ARCHITECTURAL COMMISSION (ARCOM)

Please complete this application by typing or printing legibly in ink. Applications should be submitted to the Town Clerk (360 South County Road, Palm Beach, FL 33480, via facsimile 561-838-5417, or via e-mail addressed to townclerk@townofpalmbeach.com) no later than 5 p.m., 11 calendar days prior to the Town Council meeting in which the appointment will be considered. Completion of this application requires the applicant to review certain Town documents as noted in this application. To review or obtain a copy of the documents please contact the Town Clerk's Office (561-838-5416). Please feel free to attach any additional background information to this application form. (Please be advised that members of the Architectural Commission must file an annual financial disclosure form per State law.)

Name: Gerard J. Beekman Residence Address: 412 S. Palmway, Apt 4, Lake Worth, FL 33460

Mailing Address: 421 Degraw Street, Apt 1K, Brooklyn, NY 11217 Home Telephone: (917) 225-9096

E-mail Address: gbeekman@madisonwortharch.com Work Telephone: (561) 833-3242

I am a registered voter of the Town of Palm Beach I am not. (please initial)

Appointment to ARCOM requires the applicant to be a registered voter in the Town of Palm Beach. Please attach a copy of BOTH SIDES of your Voter Registration card with your application. Failure to provide the copy of the required voter registration card shall be grounds for rejection of the application.

1. Why are you interested in serving on the Architectural Commission? (Please explain; attach additional pages if necessary)

I am interested in serving as a non-resident Architect. Please see attached documentation.

2. How many meetings of the Architectural Commission have you attended in the last year? I have reviewed all agendas and listened to pertinent audio.

3. If you have served on any boards/commissions/committees in the Town of Palm Beach or elsewhere, please list them and include details such as length of service, attendance record, etc.

4. Please indicate if there are any periods of time for which you will be unavailable for meetings.

None known at this time.

5. Do you have any personal experience with requesting approvals from the Town's Architectural Commission? (Please explain)

Yes, I have presented projects for construction of new residences and projects for renovations and additions.

6. Are you a member of any of the following organizations? (Check all that apply)

- | | |
|--|---|
| ☐ Palm Beach Chamber of Commerce | ☒ Preservation Foundation of Palm Beach |
| ☐ Palm Beach Civic Association | ☐ North End Property Owners Association |
| ☐ Citizens' Association of Palm Beach | ☐ Neighborhood Alliance of Palm Beach |
| | ☒ Other <u>American Institute of Architects & The Social Register</u> |

7. Present occupation. Architect No. of years. 21

Employer. Self - Madison Worth Architecture, D.P.C. Inc.

8. Past occupation(s). _____ No. of years. _____

Employer(s). _____

9. Are you currently a Registered Architect in the State of Florida? ☒ Yes ☐ No

Are you currently a Registered Architect in another state? ☒ Yes ☐ No

If So, in which state are you currently registered? NY, CT, PA

10. Do you have a degree in, or have you taken courses in, any of the following fields of study: (Check all that are applicable)

- | | |
|--|--|
| ☒ Architecture | ☐ History |
| ☐ Landscape Architecture/Design | ☒ Design |
| ☐ Architectural History | ☐ Building Construction |

11. Please provide details regarding your educational background.

I have a Bachelor of Architecture from the Rhode Island School of Design and a Bachelor of Fine Arts from the Rhode Island School of Design.

12. Why do you feel that you are qualified to serve on the Town's Architectural Commission? (Attach additional page if necessary)

Please see attached documentation.

13. To enable Town Council to consider potential conflicts of interest, please provide the following information regarding family members who live and/or work in the Town of Palm Beach, including your spouse, parents, siblings or children.

Family Member Name	Relationship	Address	Occupation	Employer

14. Have you ever been convicted of a crime or pled guilty or nolo contendere to a crime other than minor traffic violations? No.

15. If you are currently serving on a Town board, commission, or committee, please identify it in the space below and check the box that indicates you will resign from that position if you are appointed to the position you are seeking in this application.

☐ I will resign from the _____ if I am appointed to the position I am seeking in this application.
board/commission/committee

16. In the event you are applying to be a Regular Member of ARCOM and you are not successful, will you accept appointment as an Alternate Member of ARCOM should the Town Council wish to appoint you as an Alternate Member?

☒ Yes ☐ No

The following information is needed to facilitate Town reporting requirements in Florida Statute 760.80. Please check one in each category.

RACE

- ☐ African American ☐ Native American
☐ Asian American ☒ Caucasian
☐ Hispanic American ☐ Not known

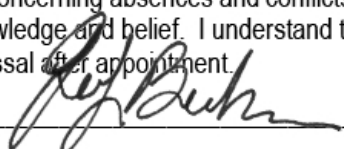
GENDER

☒ Male ☐ Female

PHYSICALLY DISABLED

☐ Yes ☒ No

I hereby certify that I have read the sections of the Town Code of Ordinances for the particular board/commission/committee that I have selected above and have noted the description of the board/commission/committee and its members' duties, and further I have read the regulations concerning absences and conflicts of interests. I certify the information given by me is true and complete to the best of my knowledge and belief. I understand that any falsification of material facts will be grounds for rejection of this application or dismissal after appointment.

SIGNATURE:  DATE: February 19, 2021

Please provide a copy of BOTH SIDES of your Palm Beach County Voter Registration card, which shows your Town of Palm Beach address, with your application.

Please note that Board/Commission applications will expire on December 15 of each year.

ARCHITECTURAL COMMISSION (ARCOM)

ARCOM reviews and approves modifications to any existing structures visible from public rights-of-way, new construction, and landscaping. The seven regular members and three alternate members are Town registered voters appointed by the Town Council. Regular members are appointed for three-year terms and no member may serve more than two consecutive terms. Members are appointed on the basis of experience in art, architecture, community planning, land development, real estate, landscape architecture, or other relevant business, profession, or civic interest. At least two members, but not more than three members, shall be registered architects in the state. In the event there are, in the discretion of the town council, no bona fide applicants who are registered architects in the State of Florida, the town may solicit and appoint architects registered outside the State of Florida to fill one of the architect seats.

BIOGRAPHY



Gerard Beekman is a licensed architect in multiple states and the president of Madison Worth Architecture, a full-service studio with offices in Palm Beach and New York City. A recipient of a 2021 Mizner Award from the Institute of Classical Architecture and Art, Gerard specializes in designing bespoke residential projects for clients with a sophisticated eye for design. He's dedicated his career to designing buildings with impeccable proportions, effortless elegance, and quality of architectural detailing.

Gerard's intimate knowledge of the architecture in Palm Beach and its history positions him to provide leadership on the Commission. His work spans the varied typologies of buildings — from smaller scaled homes in the North End, to condominiums in midtown to mansions in the large estates zone. Gerard has worked on landmarked homes and has formal training in the canons of classical architecture. He believes that while the design process should begin with his clients, their lifestyle and vision for their home, a building must always relate to its context; both in terms of the built-environment and culture.

Navigating the tension between the zoning code's intent and an owner's needs is one of Gerard's greatest strengths. The result is consistently a building that is not only beautiful but also satisfies all parties and is scaled for its site and neighborhood. To date, the construction and renovation projects he has presented to the ARCOM and the Landmarks Commission have been approved without deferrals at their first presentation. Furthermore, Gerard is well-versed in the intricacies of architectural styles and has a love for all those represented in the town's makeup at large. He does not impose stylistic manifestos on his clients and thrives on discussion related to design precedent, and developing buildings with unique, striking appearances. While the foundation of his process lies in his beautiful hand drawings, his firm's work is supported by the study of form using the latest technologies, including 3D printed models and VR animations (used with or without VR headsets).

Prior to founding Madison Worth Architecture, Gerard was an associate at Robert Stern Architects, working on noteworthy commissions in the United States and abroad. Gerard's first introduction to the specificity of design in Palm Beach was at the Rhode Island School of Design, where he worked on a semester-long project for the design of a fictional resort hotel on the five-acre site of the Casa Apava. After graduating with a Bachelor's degree in Architecture, Gerard spent two years at Peter Marino Architect, working on the interior architecture of La Reverie for Sidell Miller. At Ferguson Shamamian Architects, Gerard was the project manager for the reconstruction of Maurice Fatio's residence for E. F. Hutton on South Ocean Boulevard.

Gerard grew up in Switzerland and holds US and French citizenship. (Maurice Fatio's grandchildren are his cousins). He and his husband, award-winning filmmaker, Sean Kaminsky, divide time between their homes in Lake Worth Beach, Brooklyn, upstate New York (The Catskills) and their beach home in the Pays de la Loire in France.

PROFESSIONAL EXPERIENCE

President at **MADISON WORTH ARCHITECTURE D.P.C.**

May 2003 - Present

Vice President at **GRAMATAN CORPORATION ARCHITECTURE**

- **167 Seagate Road** residence for Mr. and Mrs. George Merck – 5,500 square feet – new Jamaican inspired island house - landscape by Nievera Williams Design
- **1040 North Lake Way** residence for Mr. and Mrs. Ed Garden – 6,600 square feet – full gut renovation and fenestration alterations of Regency Style house - Landscape by Fernando Wong Outdoor Living Design
- **Earl E. T. Smith Memorial Park** new fountain design, park renovation and landscape plan
- **Conyers Farms, Greenwich CT** residence for Mr. & Mrs. Jim Clark – 20,000 square feet - Gut renovation and addition of accessory buildings - Decoration by Steven Gambrel
- **1574 South Ocean Boulevard** residence for Mr. and Mrs. Martin Gruss – Renovation and enclosure of entry portico - Interior design by Scott Snyder Inc.
- **2252 Ibis Isle Road** residence for Mr. and Mrs. Andrew Marks – 6,000 square feet – new International Style waterfront house - landscape by Nievera Williams Design
- **575 Island Drive** residence for Mr. and Mrs. Robert Gilbane – 6,800 square feet - full gut renovation of Island Style house - Decoration by Sara Gilbane Interiors and landscape by Environment Design
- **8 Golfview road** residence for Mr. and Mrs. George Roush at– 9,000 square foot home – New Mediterranean Revival style house (ARCOM approved – not built)
- **1486 North Lake Way** residence of Mrs. Phipps – partial interior remodel
- **401 Antigua Lane** private residence – partial interior remodel
- **Residence on the Main Line, Pennsylvania** - Renovation and addition to historic mansion
- **200 Bradley Place** private condominium – gut renovation
- **1768 South Ocean Boulevard** private residence – partial interior remodel
- **Faena House - 315 Collins Avenue Miami** private condominium – Architect of record for gut renovation
- **850 South Ocean Boulevard** – Architect of record for gut renovation of landmarked house
- **360 South Ocean Boulevard** – Architect of record for gut renovation of condominium
- **1960 South Ocean Boulevard** residence for Mr. and Mrs. Steve Wynn – new Master Suite (not built)

Construction Project Manager at **LIVINGSTON BUILDERS, INC.**

May 2003 - Present

- **770 Park Avenue, New York New York** – 5,400 square foot penthouse gut renovation in one summer
- **2644 Bronson Road, Fairfield, Connecticut** – new equestrian estate 30 acres, seven buildings and stables

RESUME AND REFERENCES

Associate at **ROBERT A. M. STERN ARCHITECTS**

2007 - 2013

- **Audley Square, Mayfair, London England** – New Seven-story luxury condominium on listed town square
- **Tiffany & Co. By-appointment Jewel Salon** – 1,500 square foot private space in New York Flagship store
- **18 Gramercy Park South** – Reconstruction of an 18-story Georgian landmark and reuse as a condominium
- **Private Residence in Singapore** – New important house inspired by Singapore's "Black and White style"
- **Private Residence in New Delhi, India** – 11,000 square foot 18th century inspired new house
- **50 Curzon Street, Mayfair, London England** – New luxury condominium
- **Miramar Hotel and Bungalows, Santa Barbara** – Five star beach resort in Santa Barbara

Project Manager at **FERGUSON SHAMAMIAN ARCHITECTS, LLP**

2003 - 2007

- **1768 South Ocean Boulevard** – 32,000 square foot reconstruction of a Maurice Fatio landmarked residence
- **944 Fifth Avenue New York** – 5,500 square foot floor gut renovation
- **Old Fort Bay, Nassau Bahamas** – 8,500 square foot new Venetian inspired villa and accessory buildings

Junior Architect at **PETER MARINO ARCHITECT**

1999 - 2003

- **1415 South Ocean Boulevard** – New 65,000 square foot house with Smith Architectural Group Inc.
- **Penthouse of the Four Seasons Hotel, New York** – 4,500 square foot tower addition with I. M. Pei
- **Penthouse at Canary Warf, London England** – 3,000 square foot – gut renovation
- **Château de Chantilly, France** - 5 star hotel design for His Highness the Aga Khan

EDUCATION

Rhode Island School of Design, Providence Rhode Island

Bachelor of Architecture,
Bachelor of Fine Arts

International School of Geneva, Switzerland

International Baccalaureate

Brown University -Dietrich Neumann's course on the architecture of Film

Institute of Classical Art & Architecture - Courses on the orders of classical architecture and interior detailing

LICENSES

State of Florida #AR95819

State of New York #034710

State of Connecticut #ARI.0013999

State of Pennsylvania #RA406481

PROFESSIONAL REFERENCES

Mr. Robert A. M. Stern – Principal – Robert A. M. Stern Architects +1 (212) 967-5100

Mr. Mark Ferguson – Principal – Ferguson Shamamian Architects, LLP +1 (212) 944-8180

SELECTED WORK

New Jamaican inspired house on the North End



SELECTED WORK

New Jamaican inspired house on the North End



GERARD J. BEEKMAN, A.I.A., LEED AP
FLORIDA ARCHITECT LICENSE #AR 95819

SELECTED WORK

New Jamaican inspired house on the North End



GERARD J. BEEKMAN, A.I.A., LEED AP
FLORIDA ARCHITECT LICENSE #AR 95819

SELECTED WORK

New International Style waterfront house in Palm Beach
Architecture & Interior Design



SELECTED WORK

New International Style waterfront house in Palm Beach
Architecture & Interior Design



SELECTED WORK

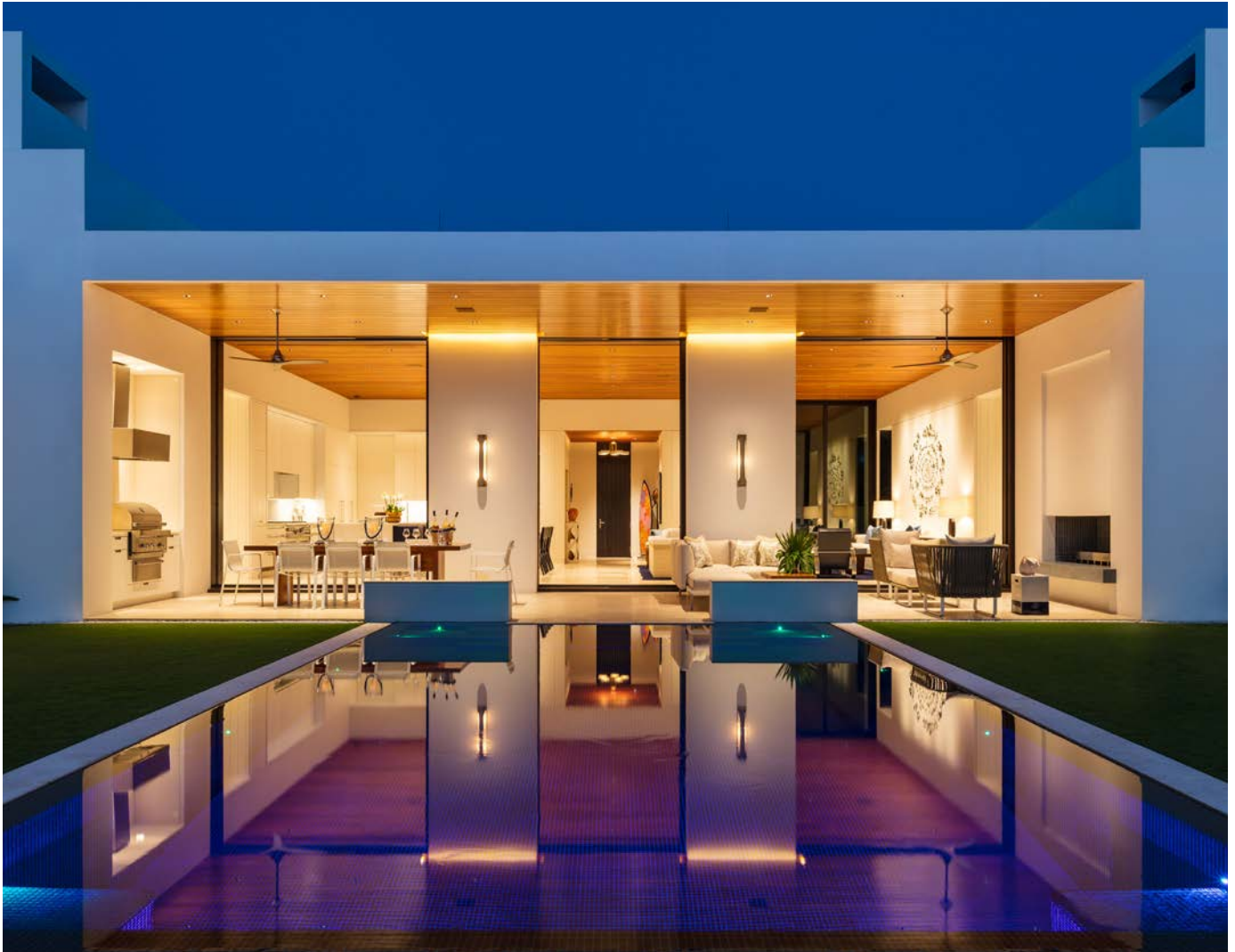
New International Style waterfront house in Palm Beach
Architecture & Interior Design



GERARD J. BEEKMAN, A.I.A., LEED AP
FLORIDA ARCHITECT LICENSE #AR 95819

SELECTED WORK

New International Style waterfront house in Palm Beach
Architecture & Interior Design



SELECTED WORK

Earl E. T. Smith Memorial Park in Palm Beach
Park renovation with new fountain, decorative finials and landscaping



SELECTED WORK

Gut renovation and modification to a house on Everglades Island
Decoration by Sara Gilbane



SELECTED WORK

Gut renovation and modification to a house on Everglades Island
Decoration by Sara Gilbane



GERARD J. BEEKMAN, A.I.A., LEED AP
FLORIDA ARCHITECT LICENSE #AR 95819

SELECTED WORK

Luxury residence in Mayfair London
Designer of exterior elevations and floorplans



GERARD J. BEEKMAN, A.I.A., LEED AP
FLORIDA ARCHITECT LICENSE #AR 95819

SELECTED WORK

Private Jewel Salon for Tiffany & Co.
by appointment for individuals spending over \$400,000



GERARD J. BEEKMAN, A.I.A., LEED AP
FLORIDA ARCHITECT LICENSE #AR 95819

SELECTED WORK

18 Gramercy Park South
Architect for the renovation of the Landmarked building and new interiors



GERARD J. BEEKMAN, A.I.A., LEED AP
FLORIDA ARCHITECT LICENSE #AR 95819

SELECTED WORK

New Residence in Singapore
Designer of interior architecture, decoration by Anouska Hempel



GERARD J. BEEKMAN, A.I.A., LEED AP
FLORIDA ARCHITECT LICENSE #AR 95819

SELECTED WORK

New Venitian inspired house in Old Fort Bay, Bahamas
Architect of exterior elevations and floor plans



**TOWN OF PALM BEACH**

APPLICATION FOR SERVICE ON

ARCHITECTURAL COMMISSION (ARCOM)

Please complete this application by typing or printing legibly in ink. Applications should be submitted to the Town Clerk (360 South County Road, Palm Beach, FL 33480, via facsimile 561-838-5417, or via e-mail addressed to townclerk@townofpalmbeach.com) no later than 5 p.m., 11 calendar days prior to the Town Council meeting in which the appointment will be considered. Completion of this application requires the applicant to review certain Town documents as noted in this application. To review or obtain a copy of the documents please contact the Town Clerk's Office (561-838-5416). Please feel free to attach any additional background information to this application form. (Please be advised that members of the Architectural Commission must file an annual financial disclosure form per State law.)

Name: John David Corey Residence Address: 426 Australian Avenue
Mailing Address: Same Home Telephone: 561-408-2880
E-mail Address: johncorey84@gmail.com Work Telephone: 617-590-0886

I am a registered voter of the Town of Palm Beach JC (please initial) PGG

Appointment to ARCOM requires the applicant to be a registered voter in the Town of Palm Beach. Please attach a copy of BOTH SIDES of your Voter Registration card with your application. Failure to provide the copy of the required voter registration card shall be grounds for rejection of the application.

1. Why are you interested in serving on the Architectural Commission? (Please explain; attach additional pages if necessary)

I have great appreciation of the architectural and urban design qualities in Palm Beach. I want to help maintain appropriate scale, excellent detailing, good proportions and appropriate landscape of all new and renovated structures in Palm Beach. I am committed to help enhance the existing character and scale of the building fabric on the island.

2. How many meetings of the Architectural Commission have you attended in the last year? ALL

3. If you have served on any boards/commissions/committees in the Town of Palm Beach or elsewhere, please list them and include details such as length of service, attendance record, etc.

ARCOM (2016-2021), PBCA Beautification Committee (2018-2020), Friends of Lake Drive Park
Palm Beach Walks (2015-2021)

4. Please indicate if there are any periods of time for which you will be unavailable for meetings.

NONE

5. Do you have any personal experience with requesting approvals from the Town's Architectural Commission? (Please explain) Yes, I built two new houses in Palm Beach both in a neo-classical

style which fit within the context and scale of the neighborhood.

6. Are you a member of any of the following organizations? (Check all that apply)

- | | |
|--|---|
| ☒ Palm Beach Chamber of Commerce | ☒ Preservation Foundation of Palm Beach |
| ☒ Palm Beach Civic Association | ☐ North End Property Owners Association |
| ☐ Citizens' Association of Palm Beach | ☐ Neighborhood Alliance of Palm Beach |
| | ☒ Other <u>Palm Beach Walks/Friends of Lake</u> |

7. Present occupation. Real Estate Investor No. of years. 25

Employer. Boston Investment & Development

8. Past occupation(s). _____ No. of years. _____

Employer(s). _____

9. Are you currently a Registered Architect in the State of Florida? ☐ Yes ☒ No

Are you currently a Registered Architect in another state? ☐ Yes ☒ No

If So, in which state are you currently registered? _____

10. Do you have a degree in, or have you taken courses in, any of the following fields of study: (Check all that are applicable)

- | | |
|---|---|
| ☒ Architecture | ☒ History |
| ☒ Landscape Architecture/Design | ☒ Design |
| ☒ Architectural History | ☒ Building Construction |

11. Please provide details regarding your educational background.

MIT - Master's Degree from the Department of Urban Studies and Planning (2000)

Boston College - Bachelor Degree with Concentration in Finance (1995)

University of Florida - Master Gardener (2018)

12. Why do you feel that you are qualified to serve on the Town's Architectural Commission? (Attach additional page if necessary)

With extensive experience in the design, restoration and construction of new residences and
historic homes in both Boston and Palm Beach, I have a broad architectural knowledge

to make a lasting contribution to the enhancement and protection of Palm Beach's character.

Certified University of Florida Master Gardener.

13. To enable Town Council to consider potential conflicts of interest, please provide the following information regarding family members who live and/or work in the Town of Palm Beach, including your spouse, parents, siblings or children.

Family Member Name	Relationship	Address	Occupation	Employer
Miguel Rosales	Husband	Same	Architect	Rosales + Partners

14. Have you ever been convicted of a crime or pled guilty or nolo contendere to a crime other than minor traffic violations? NO

15. If you are currently serving on a Town board, commission, or committee, please identify it in the space below and check the box that indicates you will resign from that position if you are appointed to the position you are seeking in this application.

☐ I will resign from the _____ if I am appointed to the position I am seeking in this application.
board/commission/committee

16. In the event you are applying to be a Regular Member of ARCOM and you are not successful, will you accept appointment as an Alternate Member of ARCOM should the Town Council wish to appoint you as an Alternate Member?

☐ Yes ☒ No

The following information is needed to facilitate Town reporting requirements in Florida Statute 760.80. Please check one in each category.

RACE

- ☐ African American ☐ Native American
☐ Asian American ☒ Caucasian
☐ Hispanic American ☐ Not known

GENDER

☒ Male ☐ Female

PHYSICALLY DISABLED

☐ Yes ☒ No

I hereby certify that I have read the sections of the Town Code of Ordinances for the particular board/commission/committee that I have selected above and have noted the description of the board/commission/committee and its members' duties, and further I have read the regulations concerning absences and conflicts of interests. I certify the information given by me is true and complete to the best of my knowledge and belief. I understand that any falsification of material facts will be grounds for rejection of this application or dismissal after appointment.

SIGNATURE: _____

DATE: 2/18/21

Please provide a copy of BOTH SIDES of your Palm Beach County Voter Registration card, which shows your Town of Palm Beach address, with your application.

Please note that Board/Commission applications will expire on December 15 of each year.

ARCHITECTURAL COMMISSION (ARCOM)

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FLORIDA MASTER GARDENER VOLUNTEER

John Corey

Master Gardener Volunteer

Emily Marois

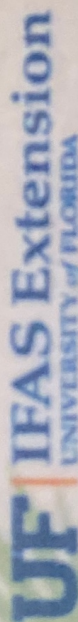
County Extension Agent

Palm Beach County

12/31/2020

County

Expiration Date



RECEIVED

By gayle at 3:17 pm, Feb 19, 2021



TOWN OF PALM BEACH

APPLICATION FOR SERVICE ON

ARCHITECTURAL COMMISSION (ARCOM)

Please complete this application by typing or printing legibly in ink. Applications should be submitted to the Town Clerk (360 South County Road, Palm Beach, FL 33480, via facsimile 561-838-5417, or via e-mail addressed to townclerk@townofpalmbeach.com) no later than 5 p.m., 11 calendar days prior to the Town Council meeting in which the appointment will be considered. Completion of this application requires the applicant to review certain Town documents as noted in this application. To review or obtain a copy of the documents please contact the Town Clerk's Office (561-838-5416). Please feel free to attach any additional background information to this application form. (Please be advised that members of the Architectural Commission must file an annual financial disclosure form per State law.)

Name: THOMAS M KIRCHHOFF Residence Address: 5728 OLD FORT JUPITER RD
JUPITER FL. 33458

Mailing Address: 1907 COMMERCE LN. S. 100
JUPITER, FL 33458 Home Telephone: 561-371-0995

E-mail Address: TMKE.KIRCHHOFFARCHITECTS.COM Work Telephone: 561 375-9994

I am a registered voter of the Town of Palm Beach _____ (please initial)

Appointment to ARCOM requires the applicant to be a registered voter in the Town of Palm Beach. Please attach a copy of BOTH SIDES of your Voter Registration card with your application. Failure to provide the copy of the required voter registration card shall be grounds for rejection of the application.

1. Why are you interested in serving on the Architectural Commission? (Please explain; attach additional pages if necessary)

ALTHOUGH I DO NOT LIVE IN PALM BEACH, I HAVE PARTICIPATED IN THE SOCIAL,
CULTURAL (PRESERVATION FOUNDATION, SOCIETY OF THE FOURARTS, FLAGLER MUSEUM,
CHAMBER OF COMMERCE) & CHARITABLE ORGANIZATIONS/ACTIVITIES. I HAVE A STRONG
RESPECT FOR & APPRECIATION OF FOR THE PRESERVATION OF P.B. ARCHITECTURAL HERITAGE

2. How many meetings of the Architectural Commission have you attended in the last year? 1

3. If you have served on any boards/commissions/committees in the Town of Palm Beach or elsewhere, please list them and include details such as length of service, attendance record, etc.

HISTORICAL SOCIETY OF P.B.C. 2006 - PRESENT CURRENTLY CHAIRMAN
BOYS & GIRLS CLUBS OF P.B.C. 2007 - PRESENT. EXECUTIVE COMMITTEE

4. Please indicate if there are any periods of time for which you will be unavailable for meetings.

NONE

5. Do you have any personal experience with requesting approvals from the Town's Architectural Commission? (Please explain)

I HAVE WORKED AS AN ARCHITECT, DOING PROJECTS IN P.B. FOR
OVER 35 YEARS. A SUBSTANTIAL PORTION OF MY WORK (OVER
130 PROJECTS) HAVE BEEN IN PALM BEACH

6. Are you a member of any of the following organizations? (Check all that apply)

- ☒ Palm Beach Chamber of Commerce
☒ Palm Beach Civic Association
☐ Citizens' Association of Palm Beach

- ☒ Preservation Foundation of Palm Beach
☐ North End Property Owners Association
☐ Neighborhood Alliance of Palm Beach
☐ Other SOCIETY OF THE FOUR ARTS

7. Present occupation. ARCHITECT No. of years. 27

Employer. KIRCHHOFF & ASSOCIATES ARCHITECTS

8. Past occupation(s). INTERN ARCHITECT No. of years. 11

Employer(s). SELF 1992-PRESENT, LINDLEY HOFFMAN 1985-1992
SCHWARTZ & TWIMMY 1983-1985

9. Are you currently a Registered Architect in the State of Florida? ☒ Yes ☐ No

Are you currently a Registered Architect in another state? ☒ Yes ☐ No
If So, in which state are you currently registered? NEW YORK

10. Do you have a degree in, or have you taken courses in, any of the following fields of study: (Check all that are applicable)

- | | |
|---|---|
| ☒ Architecture | ☒ History |
| ☒ Landscape Architecture/Design | ☒ Design |
| ☒ Architectural History | ☒ Building Construction |

11. Please provide details regarding your educational background.

BACH OF ARCHITECTURE (PROFESSIONAL 5 YEAR DEGREE)
UNIV. OF MIAMI 1981

12. Why do you feel that you are qualified to serve on the Town's Architectural Commission? (Attach additional page if necessary)

I HAVE BEEN A STUDENT OF CLASSICAL DESIGN PRINCIPALS
BOTH IN MY FORMAL EDUCATION AND CONTINUING PRACTICE SINCE. DOING
RESIDENTIAL ARCHITECTURE IN P.B. FOR ^{SO} LONG, AS I UNDERSTAND
THE ZONING CODE, AS WELL AS THE DESIGN PRINCIPALS OF SITE
PLANNING, MASSING, BALANCE, SCALE AND DETAIL.

13. To enable Town Council to consider potential conflicts of interest, please provide the following information regarding family members who live and/or work in the Town of Palm Beach, including your spouse, parents, siblings or children.

Family Member Name	Relationship	Address	Occupation	Employer
NONE				

14. Have you ever been convicted of a crime or pled guilty or nolo contendere to a crime other than minor traffic violations? no

15. If you are currently serving on a Town board, commission, or committee, please identify it in the space below and check the box that indicates you will resign from that position if you are appointed to the position you are seeking in this application.

☐ I will resign from the _____ if I am appointed to the position I am seeking in this application.
board/commission/committee

16. In the event you are applying to be a Regular Member of ARCOM and you are not successful, will you accept appointment as an Alternate Member of ARCOM should the Town Council wish to appoint you as an Alternate Member?

☐ Yes ☐ No

The following information is needed to facilitate Town reporting requirements in Florida Statute 760.80. Please check one in each category.

RACE

- ☐ African American ☐ Native American
☐ Asian American ☒ Caucasian
☐ Hispanic American ☐ Not known

GENDER

☒ Male ☐ Female

PHYSICALLY DISABLED

☐ Yes ☒ No

I hereby certify that I have read the sections of the Town Code of Ordinances for the particular board/commission/committee that I have selected above and have noted the description of the board/commission/committee and its members' duties, and further I have read the regulations concerning absences and conflicts of interests. I certify the information given by me is true and complete to the best of my knowledge and belief. I understand that any falsification of material facts will be grounds for rejection of this application or dismissal after appointment.

SIGNATURE: *J M Kerschhoff* DATE: Feb 18, 2021

Please provide a copy of BOTH SIDES of your Palm Beach County Voter Registration card, which shows your Town of Palm Beach address, with your application.

Please note that Board/Commission applications will expire on December 15 of each year.

ARCHITECTURAL COMMISSION (ARCOM)

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TOWN OF PALM BEACH

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Jeffery W. Smith

241 Sanford Ave., Palm Beach

Name: _____
241 Sanford Ave., Palm BeachResidence Address: _____
561-655-0908Mailing Address: _____
jeff@smitharchitecturalgroup.comHome Telephone: _____
561-832-0202

E-mail Address: _____

Work Telephone: _____

I am a registered voter of the Town of Palm Beach _____ (please initial) PGG

Appointment to ARCOM requires the applicant a registered voter in the Town of Palm Beach. Please attach a copy of BOTH SIDES of your Voter Registration card with your application. Failure to provide the copy of the required voter registration card shall be grounds for rejection of the application.

1. Why are you interested in serving on the Architectural Commission? (Please explain; attach additional pages if necessary)
I am interested in preserving the architectural traditions of the Town of Palm Beach as well as working with residents and their architects to find appropriate solutions for new construction. I will judge projects on their appropriate mass and

scale which have become some of the most important design criteria that make a project successful in our Town.

4

2. How many meetings of the Architectural Commission have you attended in the last year? _____

3. If you have served on any boards/commissions/committees in the Town of Palm Beach or elsewhere, please list them and include details such as length of service, attendance record, etc.

ARCOM 1984-1993 and 2006-2012. Landmarks Preservation Commission 1995-2000. Town of Palm Beach

Building Board of Adjustments and Appeals 1985-2009. Underground Utilities Task Force 2015 -2020,
ARCOM 2020 - PRESENT

4. Please indicate if there are any periods of time for which you will be unavailable for meetings.

Nothing that I am aware of at this time

5. Do you have any personal experience with requesting approvals from the Town's Architectural Commission? (Please explain)

I have been a practicing architect in the Town of Palm Beach for 37 years.

6. Are you a member of any of the following organizations? (Check all that apply)

- | | |
|--|---|
| ☒ Palm Beach Chamber of Commerce | ☒ Preservation Foundation of Palm Beach |
| ☒ Palm Beach Civic Association | ☐ North End Property Owners Association |
| ☐ Citizens' Association of Palm Beach | ☐ Neighborhood Alliance of Palm Beach |
| | ☐ Other _____ |

7. Present occupation. Architect No. of years. 37
Employer. Smith Architectural Group, Inc.

8. Past occupation(s). None No. of years. _____
Employer(s). _____

9. Are you currently a Registered Architect in the State of Florida? ☒ Yes ☐ No

Are you currently a Registered Architect in another state? ☒ Yes ☐ No
If So, in which state are you currently registered? NY, LA, CO, IL, TX, GA, DC, MA

10. Do you have a degree in, or have you taken courses in, any of the following fields of study: (Check all that are applicable)

- | | |
|---|---|
| ☒ Architecture | ☒ History |
| ☐ Landscape Architecture/Design | ☒ Design |
| ☒ Architectural History | ☒ Building Construction |

11. Please provide details regarding your educational background.

Bachelor of Architecture 1980 Louisiana State University

12. Why do you feel that you are qualified to serve on the Town's Architectural Commission? (Attach additional page if necessary)

I believe that my education as a registered architect in the State of Florida and eight other states, the fact that I have

lived in the Town of Palm Beach for 50 years, and that I have previously served on the Architectural Commission for a combined 15 years

as well as 5 years on the Landmark Preservation Commission uniquely qualifies me to serve on the Architectural Commission.

13. To enable Town Council to consider potential conflicts of interest, please provide the following information regarding family members who live and/or work in the Town of Palm Beach, including your spouse, parents, siblings or children.

Family Member Name	Relationship	Address	Occupation	Employer
Nancy Smith	Wife	241 Sanford Ave.	N/A	N/A
Natalie Smith	Daughter	241 Sanford Ave.	Student	Auburn University

14. Have you ever been convicted of a crime or pled guilty or nolo contendere to a crime other than minor traffic violations? No

15. If you are currently serving on a Town board, commission, or committee, please identify it in the space below and check the box that indicates you will resign from that position if you are appointed to the position you are seeking in this application.

I will resign from the _____ if I am appointed to the position I am seeking in this application.
board/commission/committee

16. In the event you are applying to be a Regular Member of ARCOM and you are not successful, will you accept appointment as an Alternate Member of ARCOM should the Town Council wish to appoint you as an Alternate Member?

☐ Yes ☒ No

The following information is needed to facilitate Town reporting requirements in Florida Statute 760.80. Please check one in each category.

RACE

- ☐ African American ☐ Native American
☐ Asian American ☒ Caucasian
☐ Hispanic American ☐ Not known

GENDER

☒ Male ☐ Female

PHYSICALLY DISABLED

☐ Yes ☒ No

I hereby certify that I have read the sections of the Town Code of Ordinances for the particular board/commission/committee that I have selected above and have noted the description of the board/commission/committee and its members' duties, and further I have read the regulations concerning absences and conflicts of interests. I certify the information given by me is true and complete to the best of my knowledge and belief. I understand that any falsification of material facts will be grounds for rejection of this application or dismissal after appointment.

SIGNATURE: _____ DATE: 2-17-21

Please provide a copy of BOTH SIDES of your Palm Beach County Voter Registration card, which shows your Town of Palm Beach address, with your application.

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JEFFERY W. SMITH, AIA, PERSONAL EXPERIENCE RESUMÉ

POSITION

President, Smith Architectural Group, Inc. 1989
Architect and Planner

EDUCATION

Louisiana State University, Bachelor of Architecture, 1980
University of Miami, School of Architecture, 1976

<u>REGISTRATIONS</u>	Architect:	Florida	#9772
		New York	#026182
		Louisiana	#3391
		Colorado	#306522
		Illinois	#001-018691
		Texas	#18462
		Georgia	#RA011890
		Washington DC	#ARC100644
		Massachusetts	#31076
	National Council of Architectural Registration Boards		#28359

COMMUNITY ACTIVITIES

Member, Town of Palm Beach Architectural Commission 2020-Present
Member of the 2018 Class of AIA Florida Citizen Architect
Chairman, Town of Palm Beach Underground Utilities Task Force, 2015 - 2020
Director, Palm Beach Civic Association, 2017 - Present
Chairman, Town of Palm Beach Architectural Commission, 1988-1993, 2010-2012
Member, Town of Palm Beach Architectural Commission, 1984-1993, 2006-2012
Chairman, Town of Palm Beach Landmarks Preservation Commission, 1995-2000
President, Palm Beach Chapter of the American Institute of Architects, 1989
Member, Palm Beach Chapter of the American Institute of Architects, 1981-Present
Board of Governors, The Historical Society of Palm Beach County, 1998-1999
Trustee, United Way, Town of Palm Beach, 2007-2009
Member, Town of Palm Beach Building Board of Adjustments and Appeals, 1985-2009
Trustee, Preservation Foundation of Palm Beach, 1996-Present
Member, Preservation Foundation of Palm Beach, 1989-Present
Member, National Trust for Historic Preservation, 1989-Present
Member, Florida Trust for Historic Preservation, 1989-Present
Member, Palm Beach County Historical Society
President, Fraternal Order of Police Associates, Palm Beach Lodge #19, 1990
Member, Fraternal Order of Police Associates, Palm Beach Lodge #19, 1990 - 2005
Member, The Institute of Classical Architecture and Art, 2012- Present

Awards

- 2018 AIA Palm Beach Firm of the Year *Recognizing outstanding achievement in design, community services, education and service to the profession*
- 2018 The William J. “Bill” Brooks *Award for Community Service from the Palm Beach Civic Association*
- 2018 The Addison Mizner Medal for *Excellence in Classical and Traditional Architecture, Florida Chapter of the Institute of Classical Architecture and Art, Casa Marius, the residence of Mr. and Mrs. Marion Antonini, Palm Beach*
- 2018 AIA Florida’s 2018 class of Citizen Architects *“You have exemplified civic engagement and helped shape your community through service.”*
- 2017 Florida Trust for Historic Preservation *Award In Recognition of Meritorious Achievement in the Field of Restoration/Rehabilitation for Casa Marius, 920 South Ocean Boulevard, Palm Beach*
- 2016 The Preservation Foundation of Palm Beach, Ballinger Award for *Outstanding Contribution to Palm Beach Heritage through additions and renovations to “Casa Marius”, the residence of Mr. and Mrs. Marion Antonini, Palm Beach*
- 2016 The Addison Mizner Medal for Excellence in Classical and Traditional Architecture, Florida Chapter of the Institute of Classical Architecture and Art, *La Tonteria, the Residence of Mr. and Mrs. James Harpel, Palm Beach*
- 2016 Cast Stone Institute Excellence Award, Residential for *Barnett Residence, Fort Lauderdale*
- 2014 The Preservation Foundation of Palm Beach, Ballinger Award for *Outstanding Contribution to Palm Beach Heritage through additions and renovations to “Pelican Hall”, the residence of Mr. and Mrs. William Tiefel, Palm Beach*
- 2013 The Preservation Foundation of Palm Beach, Ballinger Award for *Outstanding Contribution to Palm Beach Heritage through Restoration and Renovation of “Villa Artemis”, the residence of Mr. and Mrs. E. Llwyd Ecclestone, Palm Beach*
- 2013 The Addison Mizner Medal for Excellence in Classical and Traditional Architecture, Florida Chapter of the Institute of Classical Architecture and Art, *Graff Jewelers, Palm Beach*

- 2012 Palm Beach Chapter of the American Institute of Architects *Excellence Award for the Residence of Mr. and Mrs. Stephen Dattels, Palm Beach*
- 2012 The Addison Mizner Medal for Excellence in Classical and Traditional Architecture, Florida Chapter of The Institute of Classical Architecture and Art, *Flagler Keenan Pavilion at the Henry Morrison Flagler Museum, Palm Beach*
- 2012 The Florida Association of the American Institute of Architects Award of Public Recognition as one of the top 100 buildings in the State of Florida as selected by its citizens in association with the *Florida Architecture: 100 Years 100 Places Competition for "Concha Marina", Jungle Road, Palm Beach*
- 2012 The Preservation Foundation of Palm Beach, Elizabeth L. and John H. Schuler Award for new construction, *Residence of Mr. and Mrs. Jeffrey Marcus, 240 Clarke Avenue, Palm Beach*
- 2010 The Preservation Foundation of Palm Beach, Ballinger Award for *Outstanding Contribution to Palm Beach Heritage through Restoration of "La Tonteria ", the residence of Mr. and Mrs. James Harpel, Palm Beach*
- 2008 Florida Trust for Historic Preservation *Award In Recognition of Outstanding Achievement in the Field of Infill Design the Henry M. Flagler Museum, Palm Beach*
- 2007 The Preservation Foundation of Palm Beach, Elizabeth L. and John H. Schuler Award for new construction *300 North Lake Way, Palm Beach*
- 2007 DCOTA Design Center of the America's Stars of Design 2007 award for *Architecture*
- 2007 Palm Beach Chapter of the American Institute of Architects *Honor Award for Flagler Keenan Pavilion at the Henry Morrison Flagler Museum, Palm Beach*
- 2007 U.S. Trust Tribute to Philanthropists award for *The Henry Morrison Flagler Museum, Palm Beach*
- 2006 Palm Beach Chapter of the American Institute of Architects *Honor Award for Design for "Villa Venezia", Palm Beach*
- 2006 The Associated General Contractor's of America *"Build Florida Award" for the Flagler Keenan Pavilion at the Henry Morrison Flagler Museum, Palm Beach*

- 2005 The Associated General Contractor's of America *"Build Florida Award" for the residence of Mr. and Mrs. Walter Racquet*
- 2004 Palm Beach Chapter of the American Institute of Architects *Honor Award for Design for "Pietra Mar", Naples*
- 2004 Palm Beach Chapter of the American Institute of Architects *Honor Award for Design for Graff Diamonds, Palm Beach*
- 2003 The Preservation Foundation of Palm Beach, Ballinger Award for *Outstanding Contribution to Palm Beach Heritage through Restoration of 220 El Bravo Way, Palm Beach*
- 2003 Palm Beach Chapter of the American Institute of Architects *Honor Award for Design for New York Penthouse, New York*
- 2003 Florida Trust for Historic Preservation *Award In Recognition of Meritorious Achievement in the Field of Restoration/Rehabilitation for 220 El Bravo Way, Palm Beach*
- 2002 Palm Beach Chapter of the American Institute of Architects *Honor Award for Design for "Old Trees", Southampton, New York*
- 2001 Palm Beach Chapter of the American Institute of Architects *Award of Excellence for Historic Restoration for 220 El Bravo Way, Palm Beach*
- 2000 Palm Beach Chapter of the American Institute of Architects *Award of Design Excellence for "Joya del Mar", Palm Beach*
- 1999 The Preservation Foundation of Palm Beach, Ballinger Award for *Outstanding Contribution to Palm Beach Heritage through Restoration of L. Lauder Residence and R. Lauder Residence, Palm Beach*
- 1999 Palm Beach Chapter of the American Institute of Architects *Award for Excellence in Architecture for Casa Bendita, Palm Beach*
- 1999 American Institute of Architects *Award for Excellence in Architecture, State of Florida for "La Follia", Palm Beach*
- 1998 Garden Club of Palm Beach, *Civic Improvement Award For Dedication to Preserving the Architectural Integrity of Palm Beach and Having the Vision to Rescue our Threatened Heritage to be used in Creative Ways*

- 1996 Palm Beach Chapter American Institute of Architects *Award for Excellence in Architecture, “La Follia”, Palm Beach*
- 1995 American Institute of Architects *Award for Excellence in Architecture, State of Florida, Historic Restoration of the Vitale Residence, Palm Beach*
- 1995 The Preservation Foundation of Palm Beach, Ballinger Award for *Outstanding Contribution to Palm Beach Heritage through Restoration of “Casa de Leoni”, Palm Beach*
- 1995 The Preservation Foundation of Palm Beach, Ballinger Award for *Outstanding Contribution to Palm Beach Heritage through Restoration of 319 Brazilian Avenue, Palm Beach*
- 1994 Palm Beach Chapter of the American Institute of Architects *Award for Excellence in Architecture for the Historic Renovation of the Vitale Residence, Grace Trail, Palm Beach*
- 1994 Florida Trust for Historic Preservation *Award for Recognition of Meritorious Achievement in the Field of Residential Restoration for “Villa des Cygnes”, Palm Beach*
- 1994 Florida Trust for Historic Preservation *Award for Recognition of Outstanding Achievement in the Field of Residential Renovation of “Casa de Leoni”, Palm Beach*
- 1993 Palm Beach Chapter of the American Institute of Architects *Merit Award for Outstanding Contribution Towards Architecture Design for the design of Tiffany & Co., Palm Beach*
- 1993 American Institute of Architects *Award for Honor in Design, State of Florida Historic Restoration of “Concha Marina”, Palm Beach*
- 1993 Florida Trust for Historic Preservation *Award for Outstanding Contribution to Preservation in the Field of Residential Restoration and Rehabilitation of an Historic Residential Structure “Concha Marina”, Palm Beach*
- 1992 Florida Trust for Historic Preservation *Award for Meritorious Achievement in the Field of Residential Restoration and Rehabilitation of a Historic Residential Structure, Carriage House, Palm Beach*

- 1991 Florida Trust for Historic Preservation *Award for Outstanding Achievement in the Rehabilitation of an Historic Non-Residential Structure for the Town Hall, Palm Beach*
- 1991 Florida Trust for Historic Preservation *Award for Meritorious Achievement for Compatible New Construction in an Historic Environment for "La Villa dei Sogni", Palm Beach*
- 1991 Palm Beach Chapter of the American Institute of Architects *Certificate of Special Recognition for the design of the Courtyard Room addition, "La Villa dei Sogni", Palm Beach*
- 1990 The Preservation Foundation of Palm Beach, Ballinger *Award for Outstanding Contribution to Palm Beach Heritage through Restoration of "The Vicarage", Palm Beach*
- 1990 Palm Beach Chapter of the American Institute of Architects *Award for Excellence in Architecture for the Restoration of the Palm Beach Town Hall*

TELEVISED

Today's Classic Homes With Mitchell McDaniel, 2001

CNN, 2000 "Palm Beach Architecture – La Folgia and Villa des Cygnes"

HGTV, 2000 "Spanish Architecture"

HGTV, 1997/1998 "Villa des Cygnes"

PUBLICATIONS

BOOKS

The Classical American House, Phillip James Dodd, images Publishing, 2017

Palm Beach Chic, Jennifer Ash Rudick, Vendome Press, 2015

The Art of Classical Details II: An Ideal Collaboration, Phillip James Dodd, images Publishing, 2015

Preservation Foundation of Palm Beach: Elizabeth L. and John H. Schuler Award, 2006 – 2015, Alexander C. Ives, President, Preservation Foundation of Palm Beach, Preservation Foundation of Palm Beach, 2016

Palm Beach Chic: La Follia, Jennifer Ash Rudick, Vendome Press, 2015

Palm Beach People, Harry Benson and Hilary Geary Ross, Powerhouse Books, 2014

The Detailed Interior: Decorating Up Close with Cullman & Kravis, Elissa Cullman and Tracey Pruzan, The Monacelli Press, 2013

Mario Buatta: Fifty Years of American Interior Decorating, Mario Buatta, Rizzoli International Publications, Inc., 2013

The Art of Classical Details: Theory, Design, and Craftsmanship, Phillip James Dodd, images Publishing, 2013

Forever Green, Mario Nievera, Pointed Leaf Press, 2013

Alexa Hampton: The Language of Interior Design, Alexa Hampton, Clarkson Potter, 2010

Foreward: *Maurice Fatio: Palm Beach Architect*, Kim I. Mockler, Acanthus Press, New York, 2010

Bunny Williams' Point of View, Three Decades of Decorating Elegant and Comfortable Houses, Bunny Williams, Stewart, Tabori & Chang, 2007

Palm Beach Splendor, The Architecture of Jeffery W. Smith, Joyce C. Wilson, Rizzoli International Publications, Inc., 2005

Tiffany's Palm Beach, John Loring, Henry R. Abrams, 2005

A Decade of Art and Architecture 1992-2002: With an Introduction by Robert A.M. Stern, The Editors of The Classicist, The Institute of Classical Architecture, 2002

Palm Beach: An Architectural Legacy, Polly Anne Earl, Rizzoli International Publications, Inc., 2002

Villa El Sarmiento, The Story of a House, Caroline Seeböhm, David H. & Julia F. Koch, 2003

Jeffery W. Smith, Resumé
Page Eight

The Southern Garden, Lydia Longshore with the Editors of *Southern Accents*, Bullfinch Press, 2001

Celebration Pattern Book, Celebration, Florida, The Walt Disney Company, 1995

Private Palm Beach, Tropical Style, “Mediterranean Mystique” and “The Vicarage”. Jennifer Ash, Abbeville Press Inc., 1992

PERIODICALS

Palm Beach Life “Buenos recuerdos Revitalized” A multi-year restoration and renovation by homeowners Jane and Craig Omtvedt renewed a landmark Palm Beach house that hadn’t seen a serious update since it was built in 1927. Spring 2020

Modern Luxury Palm Beach “Ageless Beauty” What keeps a vacation home in the family for generations? February 2019

Modern Luxury Palm Beach “Timeless Beauty” Stretching from the Atlantic Ocean to the Intracoastal Waterway, Broadway producer Terry Allen Kramer’s dream home awaits its second act. February 2019

Veranda “Palm Beach Style Now & Forever” Shell Games; From seashell pinks to garden greens, Bunny Williams’s glamorous refresh of a Mediterranean-style villa takes its color cues from the homes lush setting. January-February 2019

Veranda “Palm Beach Style Now & Forever” Original Thinking, Given the rare opportunity to update a fabled 1920s Palm Beach mansion, designer Susan Zises Green deftly preserves the home’s authentic detail while ushering in the sun. January-February 2019

Palm Beach Illustrated Open House, Waterfront Wonder, 1197 North Lake Way, Palm Beach, Florida. September 2017

Veranda The Power of PRESERVATION, Tropical Splendor: The Preservation Foundation of Palm Beach ensures the architectural legacy of the seaside enclave lives on. May-June 2017

Elegant Homes Timeless Appeal By tastefully blending traditional elements with contemporary flourishes, everything old is new again in this historic, century-old Florida home. Fall/Winter 2016

luxe.interiors & design “On View” A Palm Beach home on the water experiences a metamorphosis with fresh furnishings and fabrics and an impressive collection of art
July/August 2016

Ocean Home (10th Anniversary edition) “Art & Soul” August + September 2016

Art & Culture of Palm Beach County (Cultural Council of Palm Beach County) "Artists Share Work, Wisdom as Authors" Winter 2013 Volume 7 issue 2

Florida Design "Gracious and Elegant" Volume 22 Number 4 Winter 2012/2013

Period Homes (2008 Palladio Awards) “Jewelry for the Home” July 2008

Robb Report (Luxury Home Issue) “Top 30 Architects” Summer 2007

House and Garden (Renovation Issue) “The Sun King” February 2007

Palm Beach Cottages & Gardens “Deconstructing Palm Beach” November 2006

Palm Beach Daily News “Homage to Mizner” A winner November 19, 2006

The Palm Beach Post/Residences “Local experts share tips about hiring and working with Architects” February 19, 2006

Architectural Digest “Serenity Found on Biscayne Bay” April 2006

Palm Beach Illustrated “Paradise Found: The Munders’ Epic Romance”
February 2006

Architectural Digest “Looking Homeward” February 2006

Palm Beach Daily News/Grandeur “In a Mediterranean Mood” January 13, 2006

Palm Beach Cottages & Gardens “Splendid-What’s New” January 2006

Panache “Architecture for the Ages” November/December 2005

Florida Design “Palm Beach Splendor” Volume 15 Number 4

Southern Accents “Palm Beach Baroque” Mimi Read. January/February 2005

House & Garden “Defining Moment” September 2004

Vanity Fair “Palm Beach Exclusive” February 2004

Architectural Digest “Eye for Understatement: Photographer Ellen Graham goes Anglo-Indian in Palm Beach” Amanda Vaill, April 2003

Quest “Gardens of Eden” David Patrick Columbia, February 2002

Palm Beach Life “Master of the House” Robert Janjigian, Spring 2002

Boca “At Home with the Smiths—The Architect of Megamansions finds his angle of repose” Joyce C. Wilson January/February 2002

Homestyle “In the Pink” Craig Kellogg. September 2001
August 5, 2001

The New York Times “Palm Beach’s Ultraluxury Market Sizzles” Jon Nordheimer

Forbes.com “Today’s Best Architects” Felicia Paik. June 2001

Town & Country “Villa With a View” Anthony Barzilay Freund, June 2001

Southern Accents “Echoes of Italy” Philip Morris, January/February 2001

House Beautiful “Palm Beach Story” Martin Filler, December 2000

Architectural Digest “Tropical Glamour for Palm Beach—Evelyn and Leonard Lauder Gently Update their Family Retreat” Mitchell Owens, November, 2000

Town & Country “White Glove Contractors” Alexa Yablonski, October 2000

Architectural Digest “Palm Beach Story—Mediterranean Themes for an Oceanfront Villa in Florida” Mitchell Owens, May 2000

Florida Design “A Decade of Florida Design 1900-2000” Summer 2000 Volume 10
Number 2

Boca “Architect’s Casebook” Jeffery W. Smith, May/June 2000

Palm Beach Illustrated “Power House” February 2000

Quest “Livable Luxe” Trey Wegman, February 2000

Florida Caribbean Architect “Award for Excellence 1999 for La Follia, Palm Beach”,
Fall/Winter 1999-2000

Architectural Digest “Florida Formality—A Palm Beach Villa Is Lightened with Breezy
French Grace” Mitchell Owens, December 1999

House and Garden “Beach Plums” William Norwich, December 1999

Palm Beach Illustrated “Kings of the Castles” Daphne Nikolopoulos, December 1999

Robb Report “Palm Beach Grand—At La Follia, Architect Jeffery Smith Mixes Fun with
Formality to Resurrect the Society House Party Era” Barbara Dinerman, October 1999

The New York Times “Trouble in Paradise: The Changing of the Guard” Tracie Rozhon,
March 25, 1999

Quest “The House of Mirth” Kyra Larkin, March 1999

Robb Report “Power Players of Luxury for 1999” Interior Design and Architecture
January 1999

Florida Design “Sandcastles By The Sea—La Follia Epitomizes the Romantic Glamour
of Old Palm Beach” Barbara Marshall, Volume 8 Number 2

Chicago Tribune from the Wall Street Journal “Temples of the Wealthy” Felicia Paik,
May 23, 1998

The Wall Street Journal “The Home Front—When Too Big Isn’t Big Enough” Felicia
Paik, May 1, 1998

W “Terry Town” James Reginato, May 1998

Florida Design “Concha Marina” Barbara Marshall, Volume 6 Number 4

Palm Beach Illustrated “Villa des Cygnes” January 1997

Architectural Digest “Palm Beach Renaissance-An Italianate Villa on the Florida Coast
for Irwin and Terry Kramer” Aileen Mehle, December 1996

Florida Design “Casa Casuarina, Versace’s South Beach Estate” Roberta Klein,
Volume 6 Number 2

Jeffery W. Smith, Resumé
Page Twelve

Florida Design “Artful Living in Palm Beach.” Linda Marx, Volume 6 Number 1

Palm Beach Illustrated “Ballinger Award Winners, Casa de Leoni” January 1996

Florida Design “Artist Tom McKnight’s Palm Beach Home—Renate and Tom McKnight Combine a Love of Color, Travel and Art in Their House” Linda Marx,
Volume 5 Number 4

Florida Architecture “Artistic Fantasy in a Private Domain” 55th Annual Edition, 1995

Florida Design “Concha Marina—Mizner’s Own Palm Beach Estate” Barbara Dinerman,
Volume 4 Number 3

Florida Design “A Palm Beach Palace” Mary Doyle-Kimball, Volume 3 Number 4

Southern Accents “Villa des Cygnes—A Palm Beach Ugly Duckling Becomes a Swan”
Marjorie Klein, September 1991

Metropolitan Home “Making a Jazz-Age Splash” Ziva Freiman, March 1989

TOWN OF PALM BEACH

Town Council Meeting on: March 2, 2021

Section of Agenda

BOARDS AND COMMISSIONS PRESENTATIONS AND APPOINTMENTS

Agenda Title

Appointments to the Landmarks Preservation Commission.

Presenter

Queenester Nieves, CMC, Town Clerk

ATTACHMENTS:

- ▣ **Memorandum Dated February 22, 2021, from Queenester Nieves, CMC, Town Clerk**
- ▣ **Attendance Record**
- ▣ **Status Sheet**
- ▣ **Sample Ballot**
- ▣ **Application - Jacqueline Albarran**
- ▣ **Application - David Brooker**
- ▣ **Application - Brittain Damgard**
- ▣ **Application - Robert Eigelberger**
- ▣ **Application - Page Lee Hufty**
- ▣ **Application - Anne Metzger**
- ▣ **Application - Bridget Moran**
- ▣ **Application - Fernando Wong**

TOWN OF PALM BEACH

Information for Town Council Meeting on March 2, 2021

TO: Mayor and Town Council

VIA: Kirk W. Blouin, Town Manager

FROM: Queenester Nieves, CMC, Town Clerk

RE: Landmarks Preservation Commission Appointment of Regular Members

DATE: February 22, 2021

STAFF RECOMMENDATION

Staff recommends that the Town Council review the attached applications and appoint two (2) regular members to the Landmarks Preservation Commission. These members will be filling the vacancies left by John T. Gannon who is not seeking reappointment and Jacqueline Albarran, the non-resident Architect, who is eligible for re-appointment.

GENERAL INFORMATION

The Town Clerk's office has received one (1) application from **REGULAR MEMBER SEEKING REAPPOINTMENT** from the following:

1. Jacqueline Albarran – 11979 Polo Club Road, Wellington, FL;

The Town Clerk's office has received three (3) applications from **ALTERNATE MEMBERS SEEKING PROMOTION TO REGULAR MEMBERS** from the following:

1. Brittain Damgard – 117 Wells Road, Palm Beach, FL;
2. Anne G. Metzger – 277 Esplanade Way, Palm Beach, FL;
3. Fernando Wong – 2774 S. Ocean Blvd., #105, Palm Beach, FL.

The Town Clerk's office has received four (4) applications seeking **NEW APPOINTMENT** from the following:

1. David Brooker – 127 Root Trail, Palm Beach, FL;
2. Robert T. Eigelberger – 441 N. Lake Way, Palm Beach, FL;
3. Page Lee Hufty – 340 Island Road, Palm Beach, FL;
4. Bridget R. Moran – 257 Dunbar Road, Palm Beach, FL.

cc: Wayne Bergman, Director of Planning, Zoning and Building



**TOWN OF PALM BEACH
LANDMARKS PRESERVATION COMMISSION**

ATTENDANCE RECORD 2020

MEMBERS

EDWARD AUSTIN COONEY
RICHARD RENE SILVIN
JACQUELINE ALBARRAN
PATRICK W. SEGRAVES
JOHN T. GANNON
KIM COLEMAN
SUE PATTERSON
ANNE FAIRFAX

	1/22/2020	2/19/2020	3/18/2020	4/22/2020	5/20/2020	6/17/2020	7/22/2020	8/19/2020	9/16/2020	10/21/2020	11/18/2020	12/16/2020
EDWARD AUSTIN COONEY	P	P	P	P	P	P	P	P	P	P	P	P
RICHARD RENE SILVIN	P	P	E	P	P	P	P	P	P	P	P	P
JACQUELINE ALBARRAN	P	P	P	P	P	P	P	P	P	P	P	P
PATRICK W. SEGRAVES	P	P	E	P	P	P	U	P	P	P	P	P
JOHN T. GANNON	P	P	E	P	P	P	P	P	P	P	P	P
KIM COLEMAN	P	P	E	P	P	P	P	P	P	P	P	P
SUE PATTERSON	P	P	E	P	P	P	P	P	P	P	P	P
ANNE FAIRFAX	#	#	P	P	P	P	P	P	P	P	P	P

ALTERNATE MEMBERS

ANNE METZGER
MARCIA CINI
FERNANDO WONG
BRITTAIN DAMGARD

	1/22/2020	2/19/2020	3/18/2020	4/22/2020	5/20/2020	6/17/2020	7/22/2020	8/19/2020	9/16/2020	10/21/2020	11/18/2020	12/16/2020
ANNE METZGER	P	P	E	P	P	P	P	P	P	P	P	P
MARCIA CINI	P	P	%	%	%	%	%	%	%	%	%	%
FERNANDO WONG	P	P	E	P	P	P	P	P	P	U	P	P
BRITTAIN DAMGARD	#	#	P	P	P	P	P	P	P	P	P	P

LEGEND P=PRESENT

E=EXCUSED

U=UNEXCUSED

X=COMMISSION DID NOT MEET

* Term Expired

% Not Reappointed

Appointed to Commission at 03/10/20 TC Mtg

LANDMARKS PRESERVATION COMMISSION

Next appointment: **March 2, 2021, Town Council meeting**

Openings advertised via news release: **January 27, 2021**

Deadline to submit applications: **Friday, February 19, 2021, by 5:00 p.m.**

Number of openings: **2 regular members**

Applicants

<u>NAME</u>	<u>SEEKING</u>
Jacqueline Albarran (NR Architect)	Reappointment
Brittain Damgard	Promotion to Regular Member
Anne G. Metzger	Promotion to Regular Member
Fernando Wong	Promotion to Regular Member
David Brooker	New Appointment
Robert Eigelberger	New Appointment
Page Lee Hufty	New Appointment
Bridget Moran	New Appointment

Current members and open seats

<u>NAME</u>	<u>TERM EXPIRES</u>
<u>Regular Members</u>	
Richard Rene Silvin (Chair)	March, 2022
Sue Patterson (Vice Chair)	March, 2022
Jacqueline Albarran (NR Architect)	March, 2021
Patrick W. Segraves (Architect)	March, 2023
John T. Gannon	March, 2021
Kim Coleman	March, 2023
Anne Fairfax	March, 2023
<u>Alternate Members</u>	
Anne G. Metzger**	March, 2022
Fernando Wong**	March, 2023
Brittain Damgard**	March, 2023

Highlighted in yellow=term currently expiring/vacant

*=Applied for reappointment

**=Applied for appointment from alternate member to regular member

***=Termed out

BALLOT FOR APPOINTMENT OF **REGULAR** MEMBERS
TO THE **LANDMARKS PRESERVATION COMMISSION**
Town Council Meeting on **March 2, 2021**

Positions to be filled:

 2 Regular Members

Please circle 2 from the list of names appearing below

Regular Member Applying for Reappointment

(Listed alphabetically)

Jacqueline Albarran

Alternate Members Applying for Promotion to Regular Member

(Listed alphabetically)

Brittain Damgard

Anne G. Metzger

Fernando Wong

Others Who Have Submitted Applications

(Listed alphabetically)

David Brooker

Robert T. Eigelberger

Page Lee Hufty

Bridget R. Moran

Signature of Town Council Member: _____
Town Council Member

Feb. 19. 2021 12:53PM

No. 3789 P. 1



TOWN OF PALM BEACH

APPLICATION FOR SERVICE ON

LANDMARKS PRESERVATION COMMISSION

Please complete the application by typing or printing legibly in ink. Applications should be submitted to the Town Clerk (360 South County Road, Palm Beach, FL 33480, via facsimile 561-838-5417, or via e-mail to townclerk@townofpalmbeach.com) no later than 5 p.m., 11 calendar days prior to the Town Council meeting in which the appointment will be considered. Completion of this application requires that applicant has reviewed certain Town documents as noted in this application. To review or obtain a copy of the documents please contact the Town Clerk's Office (561-838-5416). Please feel free to attach any additional background information to this application form. (Please be advised that members of the Landmarks Preservation Commission must file an annual financial disclosure form per State law.)

Name: JACQUELINE ALBARRAN Residence Address: 11979 POLO CLUB RD, WELLINGTON
(FL) FL 33414
 Mailing Address: 324 ROYAL PALM WAY Home Telephone: (561) 346-9892
#227 PALM BCH. FL 33480
 E-mail Address: jackie@jackiealbarran.com Work Telephone: (561) 655-7676
 I am a registered voter of the Town of Palm Beach NA (please initial) JA

Appointment to Landmarks Preservation Commission requires the applicant to be a registered voter in the Town of Palm Beach. Please attach a copy of BOTH SIDES of your Voter Registration card with your application. Failure to provide the copy of the required voter registration card shall be grounds for rejection of the application.

1. Why are you interested in serving on the Landmarks Preservation Commission? (Please explain and attach additional pages if necessary)

HAVING BEEN AN ARCHITECT IN PALM BEACH SINCE 1985, I HAVE HAD
THE PRIVILEGE OF WORKING ON MANY HISTORIC HOMES. I AM CURRENTLY SERVING
ON THE LANDMARK'S PRESERVATION COMMISSION OF THE TOWN OF PALM BEACH &
WOULD LIKE THE OPPORTUNITY TO CONTINUE TO SERVE AS THE "NON-RESIDENT" MEMBER.

2. How many meetings of the Landmarks Preservation Commission have you attended in the last year?

ALL

3. If you have served on any boards/commissions/committees in the Town of Palm Beach or elsewhere, please list them and include details such as length of service, attendance record, etc. SERVED ON LPC BETWEEN 1991-1997 + 1998-2001
AFTER MOVING TO WELLINGTON IN 2001, I WAS REAPPOINTED AS A "NON-RESIDENT."
SERVED FOR 9 MONTHS BEFORE OFFERING MY POSITION TO GENE PANDULA WHEN HE
BECAME A NON-RESIDENT. I RESUMED THIS POSITION IN 2012 AND CONTINUE
TO SERVE AT THIS TIME. I BELIEVE MY ATTENDANCE RECORD IS 100% OR CLOSE.

4. Please indicate if there are any periods of time for which you will be unavailable for meetings.

NONE

5. Have you ever lived in or owned a landmarked home or property? Yes ☐ No ☒ (If so, where?)

Feb. 19. 2021 12:53PM

No. 3789 P. 2

6. If you have not lived in or owned a landmarked property, do you have any experience in dealing with landmarked properties? Please explain.

I HAVE HAD MANY YEARS OF EXPERIENCE
SERVING ON THIS COMMISSION & AS THE ARCHITECT OF MANY LANDMARKED HOMES
IN THE TOWN OF PALM BEACH. I HAVE HAD THE PRIVILEGE OF BEING THE
ARCHITECT FOR THE 2 BOLLINGER AWARD WINNERS FOR 2017.

7. Are you a member of any of the following organizations? (Check all that apply)

- | | |
|---|---|
| ☐ National Trust for Historic Preservation | ☒ Preservation Foundation of Palm Beach |
| ☐ Florida Trust for Historic Preservation | ☐ North End Property Owner's Association |
| ☐ Palm Beach County Historical Society | ☐ Palm Beach Civic Association |
| ☐ Citizens' Association of Palm Beach | ☐ Other Preservation Organization: _____ |

8. Present occupation. ARCHITECT No. of years. APPROX 35 YEARS

Employer.

SELF

9. Past occupation(s). SAME No. of years. N/A

Employer(s).

N/A

10. Do you have a degree in, or have you taken courses in, any of the following fields of study: (Check all that apply)

- | | |
|---|--|
| ☒ Architecture | ☐ History |
| ☒ Design | ☐ Landscape Architecture/Design |
| ☒ Architectural History | ☐ Building Construction |

11. Please provide details regarding your educational background:

DIPLOMA IN DEVELOPMENT PLANNING AT THE UNIVERSITY OF LONDON, GREAT BRITAIN
DIPLOMA IN ARCHITECTURE AT THE UNIVERSITY OF LOS ANGELES, BOGOTA, COLOMBIA
DIPLOME DE LANGUE FRANÇAIS AT ECOLE LE MANIA, LAUSANNE, SWITZERLAND

12. Why do you feel that you are qualified to serve on the Town's Landmarks Preservation Commission (Attach additional page if necessary)

I HAVE HAD MANY YEARS OF EXPERIENCE SERVING ON THIS
COMMISSION AND AS AN ARCHITECT OF MANY LANDMARKED HOMES IN THE
TOWN OF PALM BEACH. I HAVE HAD THE PRIVILEGE OF BEING THE ARCHITECT
FOR THE 2 BOLLINGER AWARD WINNERS FOR 2017

13. To enable Town Council to consider potential conflicts of interest, please provide the following information regarding family members who live and/or work in the Town of Palm Beach, including your spouse, parents, siblings or children.

Family Member Name	Relationship	Address	Occupation	Employer
<u>N/A</u>	<u>N/A</u>	<u>N/A</u>	<u>N/A</u>	<u>N/A</u>

Feb. 19. 2021 12:53PM

No. 3789 P. 3

14. Have you ever been convicted of a crime or pled guilty or nolo contendere to a crime other than minor traffic violations?
NO

15. If you are currently serving on a Town board, commission, or committee, please identify it in the space below and check the box that indicates you will resign from that position if you are appointed to the position you are seeking in this application.

☐ will resign from the N/A if I am appointed to the position I am seeking in this application.
 board/commission/committee

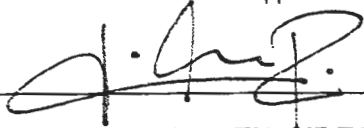
16. In the event you are applying to be a Regular Member of LPC and you are not successful, will you accept appointment as an Alternate Member of LPC should the Town Council wish to appoint you as an Alternate Member?

☐ Yes ☐ No N/A

The following information is needed to facilitate Town reporting requirements in Florida Statute 760.80. Please check one in each category.

RACE☐ African American☐ Native American☐ Asian American☒ Caucasian☒ Hispanic American☐ Other**GENDER**☐ Male☒ Female**PHYSICALLY DISABLED**☐ Yes☒ No

I hereby certify that I have read the sections of the Town Code of Ordinances for the particular board/commission/committee that I have selected above and have noted the description of the board/commission/committee and its members' duties, and further I have read the regulations concerning absences and conflicts of interests. I certify the information given by me is true and complete to the best of my knowledge and belief. I understand that any falsification of material facts will be grounds for rejection of this application or dismissal after appointment.

SIGNATURE: DATE: 2/19/2021

Please provide a copy of BOTH SIDES of your Palm Beach County Voter Registration card, which shows your Town of Palm Beach address, with your application.

Please note that Board/Commission applications will expire on December 15 of each year.

LANDMARKS PRESERVATION COMMISSION

(LPC) - The LPC safeguards the Town's historic and cultural resources through its landmarked structures and historic districts. This State of Florida Certified Commission reviews and approves structural and landscape modifications to Designated structures and properties. The LPC is comprised of seven regular and three alternate members, who are registered voters of the Town of Palm Beach and appointed by the Town Council, and who have, to the highest extent practicable, a special knowledge of and a known interest in landmarks preservation. One commissioner may be a non-resident of the Town who possesses specific knowledge or skills directly related to the preservation of historic structures or property. At least two members, but not more than three members, shall be registered architects in the State of Florida. In the event that there are, in the discretion of the Town Council, no bona fide applicants who are registered architects in the State of Florida, the Town may solicit and appoint architects registered outside the State of Florida to fill one of the architect seats. Members are appointed for three-year terms and no member may serve more than two consecutive terms, although a member may be eligible for reappointment upon the lapse of nine months after the expiration of the member's second consecutive three-year term. Although an alternate member may not serve more than two three-year terms as an alternate, an alternate member may be appointed to serve as a regular member of the commission and, in the event of such appointment, shall be entitled to serve two full three-years terms thereafter.



TOWN OF PALM BEACH

APPLICATION FOR SERVICE ON

LANDMARKS PRESERVATION COMMISSION

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Name: David Brooker Residence Address: 127 Root Trail; Palm Beach
 Mailing Address: PO Box 2347; Palm Beach, FL 33480 Home Telephone: 202-494-2646
 E-mail Address: brookerde@gmail.com Work Telephone: _____

I am a registered voter of the Town of Palm Beach DB (please initial) PGG

Appointment to Landmarks Preservation Commission requires the applicant to be a registered voter in the Town of Palm Beach. Please attach a copy of BOTH SIDES of your Voter Registration card with your application. Failure to provide the copy of the required voter registration card shall be grounds for rejection of the application.

1. Why are you interested in serving on the Landmarks Preservation Commission? (Please explain and attach additional pages if necessary)

As a homeowner that has built & renovated non-historic homes & two that are historic I am able to bring to the commission a balance & understanding of preservation & the need for modern conveniences. All - virtually.

2. How many meetings of the Landmarks Preservation Commission have you attended in the last year? _____

3. If you have served on any boards/commissions/committees in the Town of Palm Beach or elsewhere, please list them and include details such as length of service, attendance record, etc.

N/A

4. Please indicate if there are any periods of time for which you will be unavailable for meetings.

Nothing specifically but there will be work meetings that are scheduled that would be out of my control that could make me unavailable for a specific date.

5. Have you ever lived in or owned a landmarked home or property? Yes ☒ No ☐ (If so, where?) Washington, DC

6. If you have not lived in or owned a landmarked property, do you have any experience in dealing with landmarked properties? Please explain.

N/A

7. Are you a member of any of the following organizations? (Check all that apply)

- | | |
|---|---|
| ☐ National Trust for Historic Preservation | ☒ Preservation Foundation of Palm Beach |
| ☐ Florida Trust for Historic Preservation | ☐ North End Property Owner's Association |
| ☐ Palm Beach County Historical Society | ☐ Palm Beach Civic Association |
| ☐ Citizens' Association of Palm Beach | ☐ Other Preservation Organization: _____ |

8. Present occupation. _____ No. of years. 24

Employer. Managing Director, Prudential Financial

9. Past occupation(s). _____ No. of years. _____

Employer(s). _____

10. Do you have a degree in, or have you taken courses in, any of the following fields of study: (Check all that apply)

- | | |
|--|--|
| ☐ Architecture | ☐ History |
| ☐ Design | ☐ Landscape Architecture/Design |
| ☐ Architectural History | ☐ Building Construction |

11. Please provide details regarding your educational background:

BSBA Georgetown University

12. Why do you feel that you are qualified to serve on the Town's Landmarks Preservation Commission (Attach additional page if necessary)

My wife & I have built and renovated several condominiums & homes over the past 25 years including a historic project in Washington, DC & currently in palm beach. I have a deep appreciation for architecture & construction albeit not formally trained in either profession.

13. To enable Town Council to consider potential conflicts of interest, please provide the following information regarding family members who live and/or work in the Town of Palm Beach, including your spouse, parents, siblings or children.

Family Member Name	Relationship	Address	Occupation	Employer
Cathy Brooker	Wife	127 Root Trail	SVP Finance	Sirius XM

14. Have you ever been convicted of a crime or pled guilty or nolo contendere to a crime other than minor traffic violations?
_____ No

15. If you are currently serving on a Town board, commission, or committee, please identify it in the space below and check the box that indicates you will resign from that position if you are appointed to the position you are seeking in this application.
☐ will resign from the _____ if I am appointed to the position I am seeking in this application.
board/commission/committee

16. In the event you are applying to be a Regular Member of LPC and you are not successful, will you accept appointment as an Alternate Member of LPC should the Town Council wish to appoint you as an Alternate Member?

☒ Yes

☐ No

The following information is needed to facilitate Town reporting requirements in Florida Statute 760.80. Please check one in each category.

RACE

GENDER

☐ African American

☐ Native American

☒ Male

☐ Female

☐ Asian American

☒ Caucasian

PHYSICALLY DISABLED

☐ Hispanic American

☐ Other

☐ Yes

☒ No

I hereby certify that I have read the sections of the Town Code of Ordinances for the particular board/commission/committee that I have selected above and have noted the description of the board/commission/committee and its members' duties, and further I have read the regulations concerning absences and conflicts of interests. I certify the information given by me is true and complete to the best of my knowledge and belief. I understand that any falsification of material facts will be grounds for rejection of this application or dismissal after appointment.

SIGNATURE: _____

DATE: 1-27-21

Please provide a copy of BOTH SIDES of your Palm Beach County Voter Registration card, which shows your Town of Palm Beach address, with your application.

Please note that Board/Commission applications will expire on December 15 of each year.

LANDMARKS PRESERVATION COMMISSION

(LPC) - The LPC safeguards the Town's historic and cultural resources through its landmarked structures and historic districts. This State of Florida Certified Commission reviews and approves structural and landscape modifications to Designated structures and properties. The LPC is comprised of seven regular and three alternate members, who are registered voters of the Town of Palm Beach and appointed by the Town Council, and who have, to the highest extent practicable, a special knowledge of and a known interest in landmarks preservation. One commissioner may be a non-resident of the Town who possesses specific knowledge or skills directly related to the preservation of historic structures or property. At least two members, but not more than three members, shall be registered architects in the State of Florida. In the event that there are, in the discretion of the Town Council, no bona fide applicants who are registered architects in the State of Florida, the Town may solicit and appoint architects registered outside the State of Florida to fill one of the architect seats. Members are appointed for three-year terms and no member may serve more than two consecutive terms, although a member may be eligible for reappointment upon the lapse of nine months after the expiration of the member's second consecutive three-year term. Although an alternate member may not serve more than two three-year terms as an alternate, an alternate member may be appointed to serve as a regular member of the commission and, in the event of such appointment, shall be entitled to serve two full three-years terms thereafter.



TOWN OF PALM BEACH

APPLICATION FOR SERVICE ON

LANDMARKS PRESERVATION COMMISSION

Please complete the application by typing or printing legibly in ink. Applications should be submitted to the Town Clerk (360 South County Road, Palm Beach, FL 33480, via facsimile 561-838-5417, or via e-mail to townclerk@townofpalmbeach.com) no later than 5 p.m., 11 calendar days prior to the Town Council meeting in which the appointment will be considered. Completion of this application requires that applicant has reviewed certain Town documents as noted in this application. To review or obtain a copy of the documents please contact the Town Clerk's Office (561-838-5416). Please feel free to attach any additional background information to this application form. (Please be advised that members of the Landmarks Preservation Commission must file an annual financial disclosure form per State law.)

Name: BRITTAIN B. DAMGARD Residence Address: 117 Wells Rd Palm Beach

Mailing Address: 117 Wells Rd Home Telephone: 561 659 6653

E-mail Address: brittainbarden@gmail.com Work Telephone: 202 256 6344

I am a registered voter of the Town of Palm Beach yes (please initial) BBD 

Appointment to Landmarks Preservation Commission requires the applicant to be a registered voter in the Town of Palm Beach. Please attach a copy of BOTH SIDES of your Voter Registration card with your application. Failure to provide the copy of the required voter registration card shall be grounds for rejection of the application.

1. Why are you interested in serving on the Landmarks Preservation Commission? (Please explain and attach additional pages if necessary)

I have been serving as an alternate on the Landmarks Preservation Commission for the past year and would like to become a regular member.
Continued on separate page

2. How many meetings of the Landmarks Preservation Commission have you attended in the last year? 12

3. If you have served on any boards/commissions/committees in the Town of Palm Beach or elsewhere, please list them and include details such as length of service, attendance record, etc.

alternate member of Landmarks Preservation Commission in Palm Beach 2020-21. My attendance has been perfect.

4. Please indicate if there are any periods of time for which you will be unavailable for meetings.

NONE

5. Have you ever lived in or owned a landmarked home or property? Yes ☒ No ☐ (If so, where?)

Hopevale in Newport, RI and 3130 Washington Rd in West Palm Beach

1 cont'd

I have lived in Palm Beach part or full time most of my life. I have seen it change dramatically over the years. I am hoping that the Landmarks and Preservation Commission can continue to save as many of the fine original properties, which have made our town so unique. In Palm Beach, I have always loved looking at real estate and have seen so many houses. I think I am knowledgeable with a good eye for detail and good taste and have been an asset to the commission.

6. If you have not lived in or owned a landmarked property, do you have any experience in dealing with landmarked properties? Please explain.

I served on the board of the Preservation Society of Newport County which has 12 properties. I also chaired the Marble House, one of their properties.

7. Are you a member of any of the following organizations? (Check all that apply)

- | | |
|---|--|
| ☐ National Trust for Historic Preservation | ☒ Preservation Foundation of Palm Beach |
| ☐ Florida Trust for Historic Preservation | ☐ North End Property Owner's Association |
| ☐ Palm Beach County Historical Society | ☒ Palm Beach Civic Association |
| ☐ Citizens' Association of Palm Beach | ☒ Other Preservation Organization: <u>PSNC</u> |

8. Present occupation. retired No. of years. 12 years

Employer.

Former co-owner of family manufacturing business 30 years
Owner of retail business in Washington, DC 10 years

9. Past occupation(s). I still have a design business, Bardmar Interiors 30 years No. of years. 30 years
Employer(s).

10. Do you have a degree in, or have you taken courses in, any of the following fields of study: (Check all that apply)

- | | |
|--|--|
| ☐ Architecture | ☐ History |
| ☒ Design | ☐ Landscape Architecture/Design |
| ☐ Architectural History | ☐ Building Construction |

11. Please provide details regarding your educational background:

I received a BA in Political Science from George Washington Univ. I minored in Art History. I have taken courses in architectural history

12. Why do you feel that you are qualified to serve on the Town's Landmarks Preservation Commission (Attach additional page if necessary)

I feel that I have had a life long interest in houses and preservation.
(Continued on separate pages)

13. To enable Town Council to consider potential conflicts of interest, please provide the following information regarding family members who live and/or work in the Town of Palm Beach, including your spouse, parents, siblings or children.

Family Member Name	Relationship	Address	Occupation	Employer
John Damgard	husband	117 Wells Rd	retired	
Merrilyn Barden	sister	Casa Bendita	retired	
Piper Quinn	Nephew	Via Las Palmas	restaurateur	

Mary Brittain Cheatham - daughter - S. Flager WPB

12 cont'd

My parents, Olive and Oliver Bardes came to Palm Beach in 1950. They rented houses for several years and then built their first home on Everglades Island in 1953. There were only a few houses on the island at that time. A few years later they built our house at 555 Island Drive. It was designed by Bill Johnson, who at that time was a partner of Marion Syms Wyeth. I continued to live in that home after my parents died with my stepfather Walter Kiebach. After Walter passed away, I totally redid the house with the help of Tom Kirchoff, as architect, and Mario Neviera as landscape architect. I lived there until last June, 2019. Our family had a long history on Everglades Island. Two years ago, wanting a smaller home, we bought a wonderful John Volk house at 117 Wells Road. Another project for me - this time Caroline Forrest was the architect. We remained true to John Volk's plan, but once again it went down to the studs on the inside. The garden was old and overgrown so we took everything out and started over. Mario Neviera created a beautiful plan, which is now complete with all tropical and native plants and trees. I had the pleasure of picking out all of the trees and helping to place them.

I have owned and lived in an historic house In Newport, RI. In 1983 we bought a beautiful Georgian house built in 1899. It was designed by Peabody and Stearns from Boston and is named Hopedene. Hopedene had been left to the Preservation Society of Newport County, but not endowed. At the time the Preservation Society was happy to have a young couple buy it and save it from a developer. We did put covenants on it so it would be preserved forever. I served on the board of the Preservation Society of Newport County for twelve years. I was a member the Preservation Landscape Committee twice and now am still on the Breakers Landscape Restoration Committee in Newport, RI. While on that board I also was the "house Mother" for Marble House which was the home of William Vanderbilt.

I have totally restored six homes in my lifetime Including two In Palm Beach and a landmarked house in West Palm on Washington Road. In 1989, I extensively restored another in Middleburg, Va. This time it was a Swedish house. Besides redoing the house, I built a courtyard garden and a nursery. Later back in Washington I worked on two other beautiful homes. One Georgian brick in Kalorama and the other a Pennsylvania field stone. That was my favorite home and had a magical garden. After a few trips to Japan, I also created a moss garden there. I was a member of the Garden Club of America for many years and learned so much from all those talented women. I also became a Master Gardener. With all of those houses, I was intimately involved with the design, the construction and completion of both house and gardens. I have the ability to read blue prints and understand the construction process. I was hands on for all of those renovations. While modernizing those houses, I continually adhered to their architectural integrity.

I have been so fortunate to have the opportunity to redo and live in so many beautiful homes. In hindsight, I wish I had formally studied architecture or landscape design, but over these many years I have learned on the job and from the many experts with whom I worked.

For the last twenty years, I have been on the board of the Blair House Restoration Fund. It consists of three connecting town houses and totals 70,000 square feet - larger than the White House. The Blair House is the guest home for visiting heads of state while visiting the President and is across the street from the White House. Our small board deals with the maintenance and decoration of this historical house, its contents and collections. I have been on the decorating committee for all those years and we have redone so many of the rooms that were originally decorated by Mario Buatta and Mark Hampton. I was also responsible for redoing the Curio

Room and the display of our Victorian glass collection. I was also part of a very small group spearheading our new Blair House Book which was published a few years ago. I also serve on the Nominating Committee at the Blair House Restoration Fund.

I have lived much of my life in this wonderful town and have been here permanently for the last thirteen years. I love Palm Beach and hope that I can now give of my time to help preserve it. Besides my husband, John Damgard, a daughter, Mary Brittain Cheatham, I have a sister, Merrilyn Bardes and nephew, Piper Quinn who also love and live in Palm Beach. I am keenly interested in architecture of all types, but most appreciative of the amazing group of architects who have made Palm Beach one of the most beautiful towns in America.

Having now spent a year as an alternate member of the Landmarks Preservation Commission, I have learned its inner working from the other commissioners. It has enhanced my passion for preservation. I have so enjoyed visiting homes that are on our agendas and have tried diligently to immerse myself in the process. I have attended all the meetings and do feel that I am making a contribution. I would very much like to become a regular member.

14. Have you ever been convicted of a crime or pled guilty or nolo contendere to a crime other than minor traffic violations?

NO

15. If you are currently serving on a Town board, commission, or committee, please identify it in the space below and check the box that indicates you will resign from that position if you are appointed to the position you are seeking in this application.

☐ will resign from the _____ if I am appointed to the position I am seeking in this application.
board/commission/committee

16. In the event you are applying to be a Regular Member of LPC and you are not successful, will you accept appointment as an Alternate Member of LPC should the Town Council wish to appoint you as an Alternate Member?

☒ Yes ☐ No

The following information is needed to facilitate Town reporting requirements in Florida Statute 760.80. Please check one in each category.

RACE

☐ African American

☐ Native American

☐ Asian American

☒ Caucasian

☐ Hispanic American

☐ Other

GENDER

☐ Male

☒ Female

PHYSICALLY DISABLED

☐ Yes

☒ No

I hereby certify that I have read the sections of the Town Code of Ordinances for the particular board/commission/committee that I have selected above and have noted the description of the board/commission/committee and its members' duties, and further I have read the regulations concerning absences and conflicts of interests. I certify the information given by me is true and complete to the best of my knowledge and belief. I understand that any falsification of material facts will be grounds for rejection of this application or dismissal after appointment.

SIGNATURE:

Brittain B. Damgard

DATE:

2/17/2021

Please provide a copy of BOTH SIDES of your Palm Beach County Voter Registration card, which shows your Town of Palm Beach address, with your application.

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LANDMARKS PRESERVATION COMMISSION

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TOWN OF PALM BEACH

APPLICATION FOR SERVICE ON

RECEIVED

LANDMARKS PRESERVATION COMMISSION

Please complete the application by typing or printing legibly in ink. Applications should be submitted to the Town Clerk (360 South County Road, Palm Beach, FL 33480, via facsimile 561-838-5417, or via e-mail to townclerk@townofpalmbeach.com) no later than 5 p.m., 11 calendar days prior to the Town Council meeting in which the appointment will be considered. Completion of this application requires that applicant has reviewed certain Town documents as noted in this application. To review or obtain a copy of the documents please contact the Town Clerk's Office (561-838-5416). Please feel free to attach any additional background information to this application form. (Please be advised that members of the Landmarks Preservation Commission must file an annual financial disclosure form per State law.)

Name: ROBERT T. EIGELBERGER Residence Address: 441 NORTH LAKE WAY

Mailing Address: 441 NORTH LAKE WAY Home Telephone: 561.371.0075

E-mail Address: RTECPB@GMAIL.COM CELL 561.371.7181
Work Telephone: 561.371.7181

I am a registered voter of the Town of Palm Beach [Signature] (please initial) [Signature]

Appointment to Landmarks Preservation Commission requires the applicant to be a registered voter in the Town of Palm Beach. Please attach a copy of BOTH SIDES of your Voter Registration card with your application. Failure to provide the copy of the required voter registration card shall be grounds for rejection of the application.

1. Why are you interested in serving on the Landmarks Preservation Commission? (Please explain and attach additional pages if necessary)

AS BEING THE PREVIOUS CHAIRMAN OF THE L.P.C. OVER FOUR DIFFERENT TERMS AND A RESIDENT OF THE TOWN OF PALM BEACH SINCE 1978, I AM EXTREMELY INTERESTED IN PRESERVING THE HISTORICALLY SIGNIFICANT BUILDINGS IN PALM BEACH.

2. How many meetings of the Landmarks Preservation Commission have you attended in the last year? DUE TO COVID IT HAS BEEN VERY DIFFICULT TO ATTEND MEETINGS.

3. If you have served on any boards/commissions/committees in the Town of Palm Beach or elsewhere, please list them and include details such as length of service, attendance record, etc.

FOUNDING MEMBER OF LANDMARK PRESERVATION AND CHAIRMAN BOARD MEMBER OF MOUNTS BOTANICAL OVER 25 YRS

BOARD MEMBER OF ANN WATSON SCULPTURE MUSEUM FOUNDER AND CHAIRMAN OF THE BOARD OF GENTLEMEN OF THE GARDEN

4. Please indicate if there are any periods of time for which you will be unavailable for meetings.

N/A

5. Have you ever lived in or owned a landmarked home or property? Yes ☒ No ☐ (If so, where?)

WARDEN HOUSE - NATIONAL REGISTER OF HISTORICAL PROPERTIES BIENESTAR - 151 GRACE TRAIL - LOCAL LANDMARK

6. If you have not lived in or owned a landmarked property, do you have any experience in dealing with landmarked properties? Please explain.

N/A

7. Are you a member of any of the following organizations? (Check all that apply)

- ☒ National Trust for Historic Preservation
☒ Florida Trust for Historic Preservation
☒ Palm Beach County Historical Society
☐ Citizens' Association of Palm Beach

- ☒ Preservation Foundation of Palm Beach
☐ North End Property Owner's Association
☒ Palm Beach Civic Association
☐ Other Preservation Organization: AMERICAN HORTICULTURAL SOCIETY

8. Present occupation. RETIRED

No. of years. 50
GARDEN CLUB OF P.B.
FARCHILD TROPICAL GDN.
FLAGLER MUSEUM

Employer.

9. Past occupation(s). FINANCE, REAL ESTATE, HISTORIC RESTORATION

No. of years. 50

Employer(s).

SELF

10. Do you have a degree in, or have you taken courses in, any of the following fields of study: (Check all that apply)

- ☒ Architecture
☒ Design
☒ Architectural History

- ☒ History
☒ Landscape Architecture/Design
☒ Building Construction

11. Please provide details regarding your educational background:

B.S. BUSINESS ADMINISTRATION & B.S. FINANCE

12. Why do you feel that you are qualified to serve on the Town's Landmarks Preservation Commission (Attach additional page if necessary)

I HAVE SERVED ON THE COMMISSION FOR 20 YEARS.

I AM WELL VERSED IN THE ORDINANCES INVOLVED IN LANDMARK PRESERVATION.

13. To enable Town Council to consider potential conflicts of interest, please provide the following information regarding family members who live and/or work in the Town of Palm Beach, including your spouse, parents, siblings or children.

Family Member Name	Relationship	Address	Occupation	Employer
SUSAN PHIPPS MARIE COCHRAN	WIFE	441 N. LAKEWAY	RETIRED	
MR. & MRS JOHN COCHRAN	STEP CHILDREN	20 MIDDLE RD	SELF	

14. Have you ever been convicted of a crime or pled guilty or nolo contendere to a crime other than minor traffic violations?
NEVER

15. If you are currently serving on a Town board, commission, or committee, please identify it in the space below and check the box that indicates you will resign from that position if you are appointed to the position you are seeking in this application.
☐ will resign from the N/A if I am appointed to the position I am seeking in this application.
board/commission/committee

16. In the event you are applying to be a Regular Member of LPC and you are not successful, will you accept appointment as an Alternate Member of LPC should the Town Council wish to appoint you as an Alternate Member?

☐ Yes

☒ No

The following information is needed to facilitate Town reporting requirements in Florida Statute 760.80. Please check one in each category.

RACE

☐ African American

☐ Native American

☐ Asian American

☒ Caucasian

☐ Hispanic American

☐ Other

GENDER

☒ Male

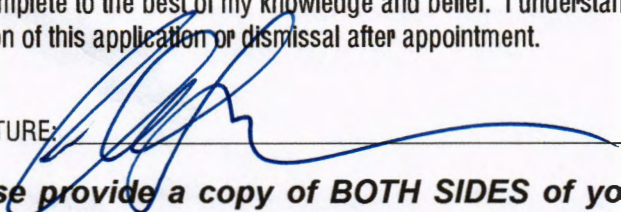
☐ Female

PHYSICALLY DISABLED

☐ Yes

☒ No

I hereby certify that I have read the sections of the Town Code of Ordinances for the particular board/commission/committee that I have selected above and have noted the description of the board/commission/committee and its members' duties, and further I have read the regulations concerning absences and conflicts of interests. I certify the information given by me is true and complete to the best of my knowledge and belief. I understand that any falsification of material facts will be grounds for rejection of this application or dismissal after appointment.

SIGNATURE: 

DATE: 02/19/2024

Please provide a copy of BOTH SIDES of your Palm Beach County Voter Registration card, which shows your Town of Palm Beach address, with your application.

Please note that Board/Commission applications will expire on December 15 of each year.

LANDMARKS PRESERVATION COMMISSION

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TOWN OF PALM BEACH

APPLICATION FOR SERVICE ON

LANDMARKS PRESERVATION COMMISSION

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Name: PAGE LEE HUFTY Residence Address: 340 ISLAND RD

Mailing Address: SAME Home Telephone: 561-723-6228

E-mail Address: PAGLEE@MAC.COM Work Telephone: _____

I am a registered voter of the Town of Palm Beach PLH (please initial) PGG

Appointment to Landmarks Preservation Commission requires the applicant to be a registered voter in the Town of Palm Beach. Please attach a copy of BOTH SIDES of your Voter Registration card with your application. Failure to provide the copy of the required voter registration card shall be grounds for rejection of the application.

1. Why are you interested in serving on the Landmarks Preservation Commission? (Please explain and attach additional pages if necessary)

paper attached I served as LPC Commissioner from 2014-2019
I have lived here 72 years and am a source of historical knowledge, served on 2008 Charette for RPP O

2. How many meetings of the Landmarks Preservation Commission have you attended in the last year? RPP O

3. If you have served on any boards/commissions/committees in the Town of Palm Beach or elsewhere, please list them and include details such as length of service, attendance record, etc.

LPC 2014-2019
Town of P.B. Comprehensive plan committee & charette 2008

4. Please indicate if there are any periods of time for which you will be unavailable for meetings.

Some Summer months

5. Have you ever lived in or owned a landmarked home or property? Yes ☒ No ☐ (If so, where?)

Washington, D.C Lake Placid, FL.

6. If you have not lived in or owned a landmarked property, do you have any experience in dealing with landmarked properties? Please explain.

7. Are you a member of any of the following organizations? (Check all that apply)

- | | |
|---|---|
| ☐ National Trust for Historic Preservation | ☒ Preservation Foundation of Palm Beach |
| ☐ Florida Trust for Historic Preservation | ☐ North End Property Owner's Association |
| ☐ Palm Beach County Historical Society | ☐ Palm Beach Civic Association |
| ☐ Citizens' Association of Palm Beach | ☐ Other Preservation Organization: _____ |

8. Present occupation. retired No. of years. _____

Employer. _____

9. Past occupation(s). architectural drafting, public policy, radio-TV, fund raising, design, marketing No. of years. 50

Employer(s). _____

10. Do you have a degree in, or have you taken courses in, any of the following fields of study: (Check all that apply)

- | | |
|---|---|
| ☒ Architecture | ☒ History |
| ☒ Design | ☒ Landscape Architecture/Design |
| ☒ Architectural History | ☐ Building Construction |

11. Please provide details regarding your educational background:

BA STANFORD UNIVERSITY 1969

12. Why do you feel that you are qualified to serve on the Town's Landmarks Preservation Commission (Attach additional page if necessary)

additional pages attached

13. To enable Town Council to consider potential conflicts of interest, please provide the following information regarding family members who live and/or work in the Town of Palm Beach, including your spouse, parents, siblings or children.

Family Member Name	Relationship	Address	Occupation	Employer
Alex Griswold	son	161 MAIN ST.	real estate owner	SELF
Benji Griswold	son	TCRS VIDAR	founder of Bluewater worldwide	SELF

14. Have you ever been convicted of a crime or pled guilty or nolo contendere to a crime other than minor traffic violations?

No

15. If you are currently serving on a Town board, commission, or committee, please identify it in the space below and check the box that indicates you will resign from that position if you are appointed to the position you are seeking in this application.

☐ will resign from the _____ if I am appointed to the position I am seeking in this application.
board/commission/committee

16. In the event you are applying to be a Regular Member of LPC and you are not successful, will you accept appointment as an Alternate Member of LPC should the Town Council wish to appoint you as an Alternate Member?

☐ Yes

☒ No

The following information is needed to facilitate Town reporting requirements in Florida Statute 760.80. Please check one in each category.

RACE

☐ African American

☐ Native American

☐ Asian American

☒ Caucasian

☐ Hispanic American

☐ Other

GENDER

☐ Male

☒ Female

PHYSICALLY DISABLED

☒ Yes

☐ No

I hereby certify that I have read the sections of the Town Code of Ordinances for the particular board/commission/committee that I have selected above and have noted the description of the board/commission/committee and its members' duties, and further I have read the regulations concerning absences and conflicts of interests. I certify the information given by me is true and complete to the best of my knowledge and belief. I understand that any falsification of material facts will be grounds for rejection of this application or dismissal after appointment.

SIGNATURE: _____

R. R. R.

DATE: _____

2/18/21

Please provide a copy of BOTH SIDES of your Palm Beach County Voter Registration card, which shows your Town of Palm Beach address, with your application.

Please note that Board/Commission applications will expire on December 15 of each year.

LANDMARKS PRESERVATION COMMISSION

(LPC) - The LPC safeguards the Town's historic and cultural resources through its landmarked structures and historic districts. This State of Florida Certified Commission reviews and approves structural and landscape modifications to Designated structures and properties. The LPC is comprised of seven regular and three alternate members, who are registered voters of the Town of Palm Beach and appointed by the Town Council, and who have, to the highest extent practicable, a special knowledge of and a known interest in landmarks preservation. One commissioner may be a non-resident of the Town who possesses specific knowledge or skills directly related to the preservation of historic structures or property. At least two members, but not more than three members, shall be registered architects in the State of Florida. In the event that there are, in the discretion of the Town Council, no bona fide applicants who are registered architects in the State of Florida, the Town may solicit and appoint architects registered outside the State of Florida to fill one of the architect seats. Members are appointed for three-year terms and no member may serve more than two consecutive terms, although a member may be eligible for reappointment upon the lapse of nine months after the expiration of the member's second consecutive three-year term. Although an alternate member may not serve more than two three-year terms as an alternate, an alternate member may be appointed to serve as a regular member of the commission and, in the event of such appointment, shall be entitled to serve two full three-years terms thereafter.

I am Page Lee Hufty. I don't know whether to start at the beginning or the end: so I will go from both ends and skip the middle.

I was born in Palm Beach. And raised here. When my parents moved here in 1936, they fell in love with the architecture of Maurice Fatio. They immediately commissioned him to design not only their house here, but their home on their farm in Maryland. I was lucky grow up in these homes. Early in my life, architecture and gardens became my passion. And the architecture and gardens of Palm Beach are imbedded in my soul.

At Stanford University, which is one of HH Richardson's most inspired works, we lived and breathed great architecture. He was a pioneer figure in the development of an indigenous, modern American style of architecture. . Additionally, the grounds at Stanford University were designed by Frederick Law Olmsted.

At Stanford, I minored in the history of art and architecture. After graduation from Stanford, I attended the Corcoran Museum School of Fine Arts, in Washington DC and The Maryland Art Institute in Baltimore. . Additionally, I trained as an architectural draftsman in 1972.

In Washington, I worked with John Carl Warnecke (the architect of JFK's grave), on the wrap up of the historic Lafayette Park project in front of the White

House, while I lived in the landmarked gatehouse of Hillandale.

I returned to Palm Beach to raise my boys and I have been lucky enough to live here ever since.

My family's Archbold Biological Station in Central Florida has at its core a major historic building built by the Roeblings of suspension bridge fame. It is a National Historic Landmarked property.

I served on the Board of the Hoover Institution at Stanford University. The Tower of which was modeled on the Salamanca Cathedral Tower. We were involved in considerable restoration, as the sandstone was deteriorating.

I was also a principle involved in the saving from development and then the restoration of Rancho Del Cielo, Ronald Reagan's ranch in the Pacific Coast range of California, and we built a museum in Santa Barbara for the Ranch.

I have been fortunate enough to build 2 houses from the ground up, and love architectural drawings and plans

In 2008 I served on the Treasure Coast Regional Planning Council's steering committee to put together a comprehensive plan for the whole Royal Poinciana Area. We ran the charrette which involved all residents of Palm Beach and produced the

Citizen's Master Plan. The plan still stands as an interesting concept and could be revisited.

At our stunning and historic Bethesda-By-The-Sea, I started the Art, Architecture, History and Conservation Committee and was Chairman.

Additionally I started a conservation committee that turned a local golf course into an Audubon Sanctuary Golf Course.

Finally I am involved with the Congress for the New Urbanism. Their philosophy is that cities and towns should be shaped by physically defined public spaces and community institutions. That are framed by architecture and landscape design that celebrate local history, climate, ecology and building practices. Fortunately that was the design concept of Palm Beach and one of the reasons for its success.

I served as a Landmarks and Preservation Commissioner from 2014-2019.

Palm Beach is a town with an incredibly rich architectural and civic history that should be respected with civic sensitivity.

.



TOWN OF PALM BEACH

APPLICATION FOR SERVICE ON

LANDMARKS PRESERVATION COMMISSION

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Name: Anne G. Metzger Residence Address: 277 Esplanade Way
Mailing Address: Palm Beach, FL 33480 Home Telephone: 561-842-0224
E-mail Address: annegm44@gmail.com cell Work Telephone: 561-236-3446

I am a registered voter of the Town of Palm Beach AGM (please initial) [Signature]

Appointment to Landmarks Preservation Commission requires the applicant to be a registered voter in the Town of Palm Beach. Please attach a copy of BOTH SIDES of your Voter Registration card with your application. Failure to provide the copy of the required voter registration card shall be grounds for rejection of the application.

1. Why are you interested in serving on the Landmarks Preservation Commission? (Please explain and attach additional pages if necessary)

I am delighted to serve on LPC now as an Alternate and I would like to be a Regular member. Serving on LPC is fascinating. My education and experience help me preserve the continuing legacy of our Town's beautiful Landmarks.

2. How many meetings of the Landmarks Preservation Commission have you attended in the last year? 12

3. If you have served on any boards/commissions/committees in the Town of Palm Beach or elsewhere, please list them and include details such as length of service, attendance record, etc.

Palm Beach Day Academy, 30+ years trustee (missed only 1 meeting), currently serving on PBDA 2021 Centennial Committee.

4. Please indicate if there are any periods of time for which you will be unavailable for meetings.

I plan to be available year-round.

5. Have you ever lived in or owned a landmarked home or property? Yes ☒ No ☐ (If so, where?)
1971, American Museum Bath, England, in Freshford Manor, England National Trust List

6. If you have not lived in or owned a landmarked property, do you have any experience in dealing with landmarked properties? Please explain.

I have substantial experience in the preservation of Landmarked properties. It is very fulfilling to work with owners and architects to sustain integrity of design from the past and blend them with current owners lifestyle choices.

7. Are you a member of any of the following organizations? (Check all that apply)

- | | |
|--|---|
| ☐ National Trust for Historic Preservation | ☒ Preservation Foundation of Palm Beach |
| ☐ Florida Trust for Historic Preservation | ☐ North End Property Owner's Association |
| ☒ Palm Beach County Historical Society | ☒ Palm Beach Civic Association |
| ☐ Citizens' Association of Palm Beach | ☐ Other Preservation Organization: _____ |

8. Present occupation. _____ No. of years. _____

Employer. _____

9. Past occupation(s). Worked with Helen Cluett No. of years. 3

Employer(s). Christie's, Palm Beach

10. Do you have a degree in, or have you taken courses in, any of the following fields of study: (Check all that apply)

- | | |
|---|---|
| ☐ Architecture | ☒ History |
| ☐ Design | ☒ Landscape Architecture/Design |
| ☒ Architectural History | ☐ Building Construction |

11. Please provide details regarding your educational background:

University of Pennsylvania, BA American Civilization ; American Museum Bath England

Summer Internship; Florida Atlantic University, MA Education 2000.

12. Why do you feel that you are qualified to serve on the Town's Landmarks Preservation Commission (Attach additional page if necessary)

I feel I am well qualified to serve because of my known interest and a special knowledge of historic preservation and years of enthusiastic involvement with our Town. I have a useful perspective, adding voice with my fellow LPC Commissioners and the Town Council to blend the past with the future.

13. To enable Town Council to consider potential conflicts of interest, please provide the following information regarding family members who live and/or work in the Town of Palm Beach, including your spouse, parents, siblings or children.

Family Member Name	Relationship	Address	Occupation	Employer
J. William Metzger	Husband	277 Esplanade Way	Media	Self

* Supplement ↓

I am pleased that in 11/2020 I encouraged the owners of 167 Clarendon to move ahead with Landmarking their beautiful 1937 Howard Major Georgian Revival house by extensive conversation with both owners. A win-win for all!

14. Have you ever been convicted of a crime or pled guilty or nolo contendere to a crime other than minor traffic violations?

NO

15. If you are currently serving on a Town board, commission, or committee, please identify it in the space below and check the box that indicates you will resign from that position if you are appointed to the position you are seeking in this application.

☐ will resign from the N/A if I am appointed to the position I am seeking in this application.
board/commission/committee

16. In the event you are applying to be a Regular Member of LPC and you are not successful, will you ~~accept~~ ^{continue to} ~~appointment~~ as an Alternate Member of LPC should the Town Council wish to appoint you as an Alternate Member?

☒ Yes

☐ No

I am currently an Alternate member of LPC.

The following information is needed to facilitate Town reporting requirements in Florida Statute 760.80. Please check one in each category.

RACE

☐ African American

☐ Asian American

☐ Hispanic American

GENDER

☐ Native American

☒ Caucasian

☐ Other

☐ Male

☒ Female

PHYSICALLY DISABLED

☐ Yes

☒ No

I hereby certify that I have read the sections of the Town Code of Ordinances for the particular board/commission/committee that I have selected above and have noted the description of the board/commission/committee and its members' duties, and further I have read the regulations concerning absences and conflicts of interests. I certify the information given by me is true and complete to the best of my knowledge and belief. I understand that any falsification of material facts will be grounds for rejection of this application or dismissal after appointment.

SIGNATURE: Aime Grant Metzger

DATE: 2/18/2021

Please provide a copy of BOTH SIDES of your Palm Beach County Voter Registration card, which shows your Town of Palm Beach address, with your application.

Please note that Board/Commission applications will expire on December 15 of each year.

LANDMARKS PRESERVATION COMMISSION

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RECEIVED

By gayle at 8:34 am, Feb 10, 2021



TOWN OF PALM BEACH

APPLICATION FOR SERVICE ON

LANDMARKS PRESERVATION COMMISSION

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Name: Bridget R. Moran Residence Address: 257 Dunbar Road, Palm Beach
Mailing Address: same Home Telephone: Cell (561)346-1574
E-mail Address: PBGIDGE@YAHOO.COM Work Telephone: _____

I am a registered voter of the Town of Palm Beach BRM (please initial) PGG

Appointment to Landmarks Preservation Commission requires the applicant to be a registered voter in the Town of Palm Beach. Please attach a copy of BOTH SIDES of your Voter Registration card with your application. Failure to provide the copy of the required voter registration card shall be grounds for rejection of the application.

1. Why are you interested in serving on the Landmarks Preservation Commission? (Please explain and attach additional pages if necessary)

Please see attached

2. How many meetings of the Landmarks Preservation Commission have you attended in the last year? _____

3. If you have served on any boards/commissions/committees in the Town of Palm Beach or elsewhere, please list them and include details such as length of service, attendance record, etc.

First Bank of the Palm Beaches, Board member 2-3 yrs

Town of Palm Beach United Way, Board member (4yrs), and Allocation Committee Co-Chair (2yrs)

my attendance record was excellent on above boards

4. Please indicate if there are any periods of time for which you will be unavailable for meetings.

I spend a few months of summer in New York. I don't see a problem traveling back to Florida to attend these meetings if necessary.

5. Have you ever lived in or owned a landmarked home or property? Yes ☐ No ☒ (If so, where?)

6. If you have not lived in or owned a landmarked property, do you have any experience in dealing with landmarked properties? Please explain.

I do not have any experience.

7. Are you a member of any of the following organizations? (Check all that apply)

- | | |
|---|---|
| ☐ National Trust for Historic Preservation | ☒ Preservation Foundation of Palm Beach |
| ☐ Florida Trust for Historic Preservation | ☐ North End Property Owner's Association |
| ☐ Palm Beach County Historical Society | ☒ Palm Beach Civic Association |
| ☐ Citizens' Association of Palm Beach | ☐ Other Preservation Organization: _____ |

8. Present occupation. home maker No. of years. 30+

Employer.

9. Past occupation(s). Buyer No. of years. 5

Employer(s).

Dorson Sports, Inc.

10. Do you have a degree in, or have you taken courses in, any of the following fields of study: (Check all that apply)

- | | |
|--|--|
| ☐ Architecture | ☐ History |
| ☐ Design | ☐ Landscape Architecture/Design |
| ☐ Architectural History | ☐ Building Construction |

11. Please provide details regarding your educational background:

BS in marketing and management, Siena College

12. Why do you feel that you are qualified to serve on the Town's Landmarks Preservation Commission (Attach additional page if necessary)

please see attached

13. To enable Town Council to consider potential conflicts of interest, please provide the following information regarding family members who live and/or work in the Town of Palm Beach, including your spouse, parents, siblings or children.

Family Member Name	Relationship	Address	Occupation	Employer
Tim	spouse	257 Dunbar	retired	

14. Have you ever been convicted of a crime or pled guilty or nolo contendere to a crime other than minor traffic violations?
_____ No

15. If you are currently serving on a Town board, commission, or committee, please identify it in the space below and check the box that indicates you will resign from that position if you are appointed to the position you are seeking in this application.
☐ will resign from the _____ if I am appointed to the position I am seeking in this application.
board/commission/committee

16. In the event you are applying to be a Regular Member of LPC and you are not successful, will you accept appointment as an Alternate Member of LPC should the Town Council wish to appoint you as an Alternate Member?

☒ Yes ☐ No

The following information is needed to facilitate Town reporting requirements in Florida Statute 760.80. Please check one in each category.

RACE

☐ African American

☐ Asian American

☐ Hispanic American

☐ Native American

☐ Caucasian

☐ Other

GENDER

☐ Male

PHYSICALLY DISABLED

☐ Yes

☒ Female

☒ No

I hereby certify that I have read the sections of the Town Code of Ordinances for the particular board/commission/committee that I have selected above and have noted the description of the board/commission/committee and its members' duties, and further I have read the regulations concerning absences and conflicts of interests. I certify the information given by me is true and complete to the best of my knowledge and belief. I understand that any falsification of material facts will be grounds for rejection of this application or dismissal after appointment.

SIGNATURE: BR Moran

DATE: 2/9/2021

Please provide a copy of BOTH SIDES of your Palm Beach County Voter Registration card, which shows your Town of Palm Beach address, with your application.

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Bridget Moran – attachment Landmarks Preservation Commission Application

1. Why are you interested in serving on the Landmarks Preservation Commission?

I'm interested in serving on the Landmarks Preservation Commission because I'd like to be more involved in the community. Palm Beach has been a great place to live and raise a family and I'd like the opportunity to give back.

What makes me particularly interested in joining Landmarks is a tour my mother took me on. We were wintering here in town and she came down from New York for a visit. She had attended Rosarian Academy but hadn't been back to the area since. It was now around 1997, I'm guessing, and we went for a drive. I remember how happy she was to see Mar-A-Lago still there, although it was a club now, she told me stories of how Mrs. Post would invite the Rosarian girls for tea. We also drove by the Paramount, which was no longer a theater and took a tour of Whitehall which was now a museum. We also had to make a special trip to Rosarian to see the main building before it was torn down (she really loved the chance to see it one last time).

Prior to this tour, I believe I had taken Palm Beach's beauty for granted. Since then, my appreciation for the Palm Beach's beauty has grown as well as my understanding of the importance of preserving that which makes it unique for future generations to enjoy.

12. Why do you feel that you are qualified to serve on the Town's Landmarks Preservation Commission (Attach additional page if necessary)

I feel what qualifies me most to serve on the LPC is my love for the town. I've called Palm Beach home for more than 20 years. I am very interested in the town's future as well as its past.

While considering submitting my application to the LPC, in addition to listening to its meetings, I watched the TOPB Historic District Symposium from 12/4/19 and listened to the Feedback audio from 12/15/19. I also reviewed the 2009 Landmark Manuel (Jane S. Day & The Preservation Foundation). I have also screened several of the Preservation Foundation's Landmarks Discovered videos. In an effort to see more clearly and gain an understanding of how LPC works, I've also attended via zoom the recent Town Council and ARCOM meetings.

In addition to having a great love and respect for Palm Beach, I can offer what I believe to be my reasonable sense of judgement, attention to detail and appreciation for living by the rules.

**RECEIVED**

By gayle at 4:01 pm, Jan 28, 2021

TOWN OF PALM BEACH

APPLICATION FOR SERVICE ON

LANDMARKS PRESERVATION COMMISSION

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Name: Fernando WongResidence Address: 2774 South Ocean Blvd. #105 Palm Beach, FL 33480Mailing Address: 320 Pine Street, West Palm Beach FL 33407Home Telephone: 3053210546E-mail Address: tim@fernandowongold.comWork Telephone: 5615150213I am a registered voter of the Town of Palm Beach FW (please initial)

Appointment to Landmarks Preservation Commission requires the applicant to be a registered voter in the Town of Palm Beach. Please attach a copy of BOTH SIDES of your Voter Registration card with your application. Failure to provide the copy of the required voter registration card shall be grounds for rejection of the application.

1. Why are you interested in serving on the Landmarks Preservation Commission? (Please explain and attach additional pages if necessary)

I am presently an alternate member and would like to be a regular commissioner.

2. How many meetings of the Landmarks Preservation Commission have you attended in the last year? All

3. If you have served on any boards/commissions/committees in the Town of Palm Beach or elsewhere, please list them and include details such as length of service, attendance record, etc.

4. Please indicate if there are any periods of time for which you will be unavailable for meetings.

None

5. Have you ever lived in or owned a landmarked home or property? Yes ☐ No ☒ (If so, where?)

6. If you have not lived in or owned a landmarked property, do you have any experience in dealing with landmarked properties? Please explain.

7. Are you a member of any of the following organizations? (Check all that apply)

- | | |
|--|---|
| ☒ National Trust for Historic Preservation | ☒ Preservation Foundation of Palm Beach |
| ☐ Florida Trust for Historic Preservation | ☐ North End Property Owner's Association |
| ☒ Palm Beach County Historical Society | ☒ Palm Beach Civic Association |
| ☐ Citizens' Association of Palm Beach | ☐ Other Preservation Organization: <u>ICAA</u> |

8. Present occupation. Own A Landscape Architecture Firm No. of years. 15
Employer.

9. Past occupation(s). _____ No. of years. _____
Employer(s).

10. Do you have a degree in, or have you taken courses in, any of the following fields of study: (Check all that apply)

- | | |
|--|---|
| ☒ Architecture | ☐ History |
| ☒ Design | ☒ Landscape Architecture/Design |
| ☐ Architectural History | ☐ Building Construction |

11. Please provide details regarding your educational background:

University of Panama

12. Why do you feel that you are qualified to serve on the Town's Landmarks Preservation Commission (Attach additional page if necessary)

13. To enable Town Council to consider potential conflicts of interest, please provide the following information regarding family members who live and/or work in the Town of Palm Beach, including your spouse, parents, siblings or children.

Family Member Name	Relationship	Address	Occupation	Employer
Tim Johnson	Husband	2774 South Ocean Blvd #105 Palm Beach 33480	CEO	Fernando Wong Outdoor Living Design

14. Have you ever been convicted of a crime or pled guilty or nolo contendere to a crime other than minor traffic violations?
_____ No

15. If you are currently serving on a Town board, commission, or committee, please identify it in the space below and check the box that indicates you will resign from that position if you are appointed to the position you are seeking in this application.
☐ will resign from the _____ if I am appointed to the position I am seeking in this application.
board/commission/committee

16. In the event you are applying to be a Regular Member of LPC and you are not successful, will you accept appointment as an Alternate Member of LPC should the Town Council wish to appoint you as an Alternate Member?

☒ Yes ☐ No

The following information is needed to facilitate Town reporting requirements in Florida Statute 760.80. Please check one in each category.

RACE

☐ African American

☒ Asian American

☒ Hispanic American

☐ Native American

☐ Caucasian

☐ Other

GENDER

☒ Male

☐ Female

PHYSICALLY DISABLED

☒ Yes

☐ No

I hereby certify that I have read the sections of the Town Code of Ordinances for the particular board/commission/committee that I have selected above and have noted the description of the board/commission/committee and its members' duties, and further I have read the regulations concerning absences and conflicts of interests. I certify the information given by me is true and complete to the best of my knowledge and belief. I understand that any falsification of material facts will be grounds for rejection of this application or dismissal after appointment.

SIGNATURE: _____

DATE: 1/27/2021

Please provide a copy of BOTH SIDES of your Palm Beach County Voter Registration card, which shows your Town of Palm Beach address, with your application.

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TOWN OF PALM BEACH

Town Council Meeting on: March 2, 2021

Section of Agenda

BOARDS AND COMMISSIONS PRESENTATIONS AND APPOINTMENTS

Agenda Title

Appointments to the Planning and Zoning Commission.

Presenter

Queenester Nieves, CMC, Town Clerk

ATTACHMENTS:

- ▣ **Memorandum Dated February 22, 2021, from Queenester Nieves, CMC, Town Clerk**
- ▣ **Attendance Record**
- ▣ **Status Sheet**
- ▣ **Sample Ballot**
- ▣ **Application - Karen Butler**
- ▣ **Application - Nicki McDonald**
- ▣ **Application - John J. Tatooles**

TOWN OF PALM BEACH

Information for Town Council Meeting on March 2, 2021

TO: Mayor and Town Council

VIA: Kirk W. Blouin, Town Manager

FROM: Queenester Nieves, CMC, Town Clerk

RE: Planning and Zoning Commission Appointment of Alternate Members

DATE: February 22, 2021

STAFF RECOMMENDATION

Staff recommends that the Town Council review the attached applications and appoint two (2) alternate members to the Planning and Zoning Commission. These members will be filling the alternate member vacancies currently open on the Commission.

GENERAL INFORMATION

The Town Clerk's office has received three (3) applications seeking **NEW APPOINTMENT** from the following:

1. Karen Butler – 389 S. Lake Drive, Palm Beach, FL;
2. Nicki McDonald – 234 Merrain Road, Palm Beach, FL;
3. John J. Tatooles – 122 Ocean View Road, Palm Beach, FL.

cc: Wayne Bergman, Director of Planning, Zoning and Building



TOWN OF PALM BEACH PLANNING & ZONING COMMISSION

ATTENDANCE RECORD 2020

MEMBERS	1/21/2020	2/18/2020	3/17/2020	4/21/2020	5/19/2020	6/16/2020	7/21/2020	8/18/2020	9/15/2020	10/20/2020	11/17/2020	12/15/2020
Martin I. Klein, Chair	X		X	X	X	P	P	P	P	X	P	P
Michael Ainslie, Vice Chairman	X	X	X	X	X	P	P	P	P	**	**	**
Carol LeCates	X	X	X	X	X	P	P	P	P	X	P	P
Rick Pollock	X	X	X	X	X	P	P	P	P	X	P	P
Michael Spaziani	X	X	X	X	X	P	P	P	P	X	P	P
Richard Kleid	X	X	X	X	*	P	P	P	P	X	P	P
Eric Christu	X	X	%	%	%	%	%	%	%	%	%	%
Richard Sammons										*	P	E
Marilyn Beutenmuller										*	P	
Jorge Sanchez										*		
ALTERNATE MEMBERS												
Eric Christu	X	X	X	X	*	*	*	*	*	*	*	*
Ronald Berk	X	X	X	X	X	P	P	P	P	**	**	**
Marilyn Beutenmuller	X	X	X	X	X	P	P	P	P	*	*	*
Jorge Sanchez					\$	P	P	P	P	*	*	*
William Gilbane										\$	P	P

LEGEND P=PRESENT
E=EXCUSED
U=UNEXCUSED
X=COMMISSION DID NOT MEET
\$ - Appointed to Commission
R= Resigned
&= Term Expired
* = Promoted to Regular Member
% - Appointed to a different Commission
** = Did not reappoint

PLANNING AND ZONING COMMISSION

Next appointment: **March 2, 2021, Town Council meeting**

Openings advertised via news release: **January 27, 2021**

Deadline to submit applications: **Friday, February 19, 2021, by 5:00 p.m.**

Number of openings: **2 alternate members**

Applicants

<u>NAME</u>	<u>SEEKING</u>
John J. Tatoes	New Appointment
Karen Butler	New Appointment
Nicki McDonald	New Appointment

Current members and open seats

<u>NAME</u>	<u>TERM EXPIRES</u>
<u>Regular Members</u>	
Michael L. Ainslie (Chair)	September, 2021
Richard M. Kleid (Vice Chair)	September, 2021
Rick Pollock	September, 2023
Michael Vincent John Spaziani	September, 2022
Eric Christu	September, 2022
Marilyn N. Beuttenmuller	September, 2023
Jorge Sanchez	September, 2023
<u>Alternate Members</u>	
William J. Gilbane	September, 2023
Vacant	September, 2024
Vacant	September, 2024

Highlighted in yellow=term currently expiring/vacant

*=Applied for reappointment

**=Applied for appointment from alternate member to regular member

***=Termed out

TOWN OF PALM BEACH

Information for Town Council Meeting on March 2, 2021

TO: Mayor and Town Council

VIA: Kirk W. Blouin, Town Manager

FROM: Queenester Nieves, CMC, Town Clerk

RE: Planning and Zoning Commission Appointment of Alternate Members

DATE: February 22, 2021

STAFF RECOMMENDATION

Staff recommends that the Town Council review the attached applications and appoint two (2) alternate members to the Planning and Zoning Commission. These members will be filling the alternate member vacancies currently open on the Commission.

GENERAL INFORMATION

The Town Clerk's office has received three (3) applications seeking **NEW APPOINTMENT** from the following:

1. Karen Butler – 389 S. Lake Drive, Palm Beach, FL;
2. Nicki McDonald – 234 Merrain Road, Palm Beach, FL;
3. John J. Tatooles – 122 Ocean View Road, Palm Beach, FL.

cc: Wayne Bergman, Director of Planning, Zoning and Building

**RECEIVED**

By gayle at 8:06 am, Feb 19, 2021

TOWN OF PALM BEACH

APPLICATION FOR SERVICE ON

PLANNING AND ZONING COMMISSION

Please complete the application by typing or printing legibly in ink. Applications should be submitted to the Town Clerk (360 South County Road, Palm Beach, FL 33480, via facsimile 561-838-5417, or via e-mail to townclerk@townofpalmbeach.com) no later than 5 p.m., 11 calendar days prior to the Town Council meeting in which the appointment will be considered. Completion of this application requires that applicant has reviewed certain Town documents as noted in this application. To review or obtain a copy of the documents please contact the Town Clerk's Office (561-838-5416). Please feel free to attach any additional background information to this application form. (Please be advised that members of the Planning and Zoning Commission must file an annual financial disclosure form per State law.)

Name: KAREN BUTLER Residence Address: 389 S. LAKE DR.
Mailing Address: 389 S. Lake Dr. Palm Beach, FL 33480 Home Telephone: 561-507-5509
E-mail Address: buttermj@aol.com Work Telephone: 312-560-8710

I am a registered voter of the Town of Palm Beach BBB (please initial) PGG
Appointment to Planning and Zoning Commission requires the applicant to be a registered voter in the Town of Palm Beach. Please attach a copy of BOTH SIDES of your Voter Registration card with your application. Failure to provide the copy of the required voter registration card shall be grounds for rejection of the application.

1. Why are you interested in serving on the Planning and Zoning Commission? (Please explain and attach additional pages if necessary) Desire to make a contribution to Town of Palm Beach.
As a real estate developer and former public official
I feel I have much to offer the Town in serving on the
P & Z Commission.

2. How many meetings of the Planning and Zoning Commission have you attended in the last year? 7-8, over past
few years
3. If you have served on any boards/commissions/committees in the Town of Palm Beach or elsewhere, please list them and include details such as length of service, attendance record, etc. N/A

4. Are you willing and available to attend meetings of the Planning and Zoning Commission as described below?

- | | | |
|---|---|-----------------------------|
| A. Meetings which last a full day (9:30 a.m. to 5:00 p.m., or even later)? | Yes ☒ | No ☐ |
| B. Meetings on consecutive dates? | Yes ☒ | No ☐ |
| C. Meetings which might be scheduled for multiple dates within the same month | Yes ☒ | No ☐ |
| D. Meetings scheduled year-round | Yes ☒ | No ☐ |

5. Please indicate if there are any periods of time for which you will be unavailable for meetings.

6. Do you have any experience in requesting comprehensive plan amendments or zoning approvals from the Town of Palm Beach or other jurisdictions? (Please explain. Attach additional pages if necessary)

real estate development/redevelopment projects including Times Square NY, NY; Glenview Naval Air Station, IL; Clackamaw Town Center, Portland, OR; and Riverside, CA - Galleria at Tyler Mall.

7. Are you a member of any of the following organizations? (Check all that apply)

- ☒ Palm Beach Chamber of Commerce
☒ Palm Beach Civic Association
☐ Citizens' Association of Palm Beach

- ☒ Preservation Foundation of Palm Beach
☐ North End Property Owners Association
☐ Other

8. Present occupation: Real Estate Development and Finance No. of years: 10 + yrs

Employer: Self - Great Harbor Advisors (consulting)

9. Past occupation(s): Real Estate Development and Finance No. of years: 30 yrs

Employer(s): Jones Lang LaSalle, General Growth Properties, Mesiron Financial, Chemical Bank, and BNY Mellon (resume attached). N.Y. State Urban Development Corp.

10. Do you have a degree in, or have you taken courses in, any of the following fields of study: (Check as many as are applicable)

- ☒ Architecture
☒ Landscape Architecture/Design
☒ Law

- ☒ History
☒ Social Sciences
☒ Urban and Regional Planning
☒ Building Construction and/or Development

☒ Geography

11. Please provide details regarding your educational background:

Smith College BA. - Northampton, MA.
Kent School (High School) - Kent, CT.

12. Why do you feel that you are qualified to serve on the Town's Planning and Zoning Commission? (Attach additional page if necessary)

Resume attached.
40 years of real estate development and finance experience with Fortune 500 companies and State of N.Y. (Times Square - public official) collaborating and leading teams to success in developing more than 5 million sq. ft. of commercial and residential space. Have worked in 31 states on numerous projects.

13. To enable Town Council to consider potential conflicts of interest, please provide the following information regarding family members who live and/or work in the Town of Palm Beach, including your spouse, parents, siblings or children.

Family Member Name	Relationship	Address	Occupation	Employer
Grace Martin	Mother	309 S. Lake Dr.	Retired	

14. Have you ever been convicted of a crime or pled guilty or nolo contendere to a crime other than minor traffic violations?
No

15. If you are currently serving on a Town board, commission, or committee, please identify it in the space below and check the box that indicates you will resign from that position if you are appointed to the position you are seeking in this application.
☐ I will resign from the _____ if I am appointed to the position I am seeking in this application.
 board/committee/commission

16. In the event you are applying to be a Regular Member of Planning and Zoning Commission and you are not successful, will you accept appointment as an Alternate Member of the Commission should the Town Council wish to appoint you as an Alternate Member? ☒ Yes ☐ No

The following information is needed to facilitate Town reporting requirements in Florida Statute 760.80. Please check one in each category.

RACE

- ☐ African American ☐ Native American
☐ Asian American ☒ Caucasian
☐ Hispanic American ☐ Not known

GENDER

- ☐ Male ☒ Female

PHYSICALLY DISABLED

- ☐ Yes ☒ No

I hereby certify that I have read the sections of the Town Code of Ordinances for the particular board/commission/committee that I have selected above and have noted the description of the board/commission/committee and its members' duties, and further I have read the regulations concerning absences and conflicts of interests. I certify the information given by me is true and complete to the best of my knowledge and belief. I understand that any falsification of material facts will be grounds for rejection of this application or dismissal after appointment.

SIGNATURE: W. S. Butler DATE: 2/18/21

Please provide a copy of BOTH SIDES of your Palm Beach County Voter Registration card, which shows your Town of Palm Beach address, with your application.

Please note that Commission applications will expire on December 15 of each year.

PLANNING AND ZONING COMMISSION

The Planning and Zoning Commission acts in an advisory capacity to the Town Council in all matters relating to municipal planning and development. The Commission is required to follow the concepts and contents of the Town's comprehensive land use plan in all planning, zoning and development related deliberations and decisions. The Commission shall also have such powers and duties as may be prescribed by Ordinance. The members of the Commission must be registered voters in the Town of Palm Beach. The seven regular members serve for terms of three years. Three alternate members of the Zoning Commission may be appointed by the Town Council who serve when called upon by the Chair of the Commission in the absence of any regular member.

BIOGRAPHY

Karen S. Butler

Managing Member

Great Harbor Advisors LLC



Current Responsibilities

Karen Butler, Managing Member of Great Harbor Advisors LLC in Palm Beach, FL, focuses on business development and service delivery for the firm's clients. Ms. Butler is a real estate developer and financier who has closed more than \$5 billion in real estate transactions during her career. She has led teams on large and mid-sized development and redevelopment projects, bank group loan restructurings, TIF (Tax Increment Finance) transactions, and project financings for both public and private sector clients.

Experience

Karen has extensive experience in the acquisition, financing, and development of real estate, particularly in managing complex credits, lending, workouts, liquidations, underwriting, and project management. She served previously as Managing Director at Jones Lang LaSalle. A former banker (Chemical and Bank of New York), public official (Times Square Redevelopment Corporation, a subsidiary of the NY State Urban Development Corporation) and real estate developer (General Growth Properties and Mesirow Stein Real Estate in Chicago), Karen has financed all property types and restructured companies in or near bankruptcy. She has also served as a project manager for the \$2 billion redevelopment of Times Square totaling 7 million square feet, team leader for regional shopping mall redevelopments on both the east and west coasts and as development advisor for the \$1 billion redevelopment of the former Glenview Naval Air Station, (The Glen in Glenview, IL), an award winning New Community totaling 5 million square feet on Chicago's North Shore.

Education and Affiliations

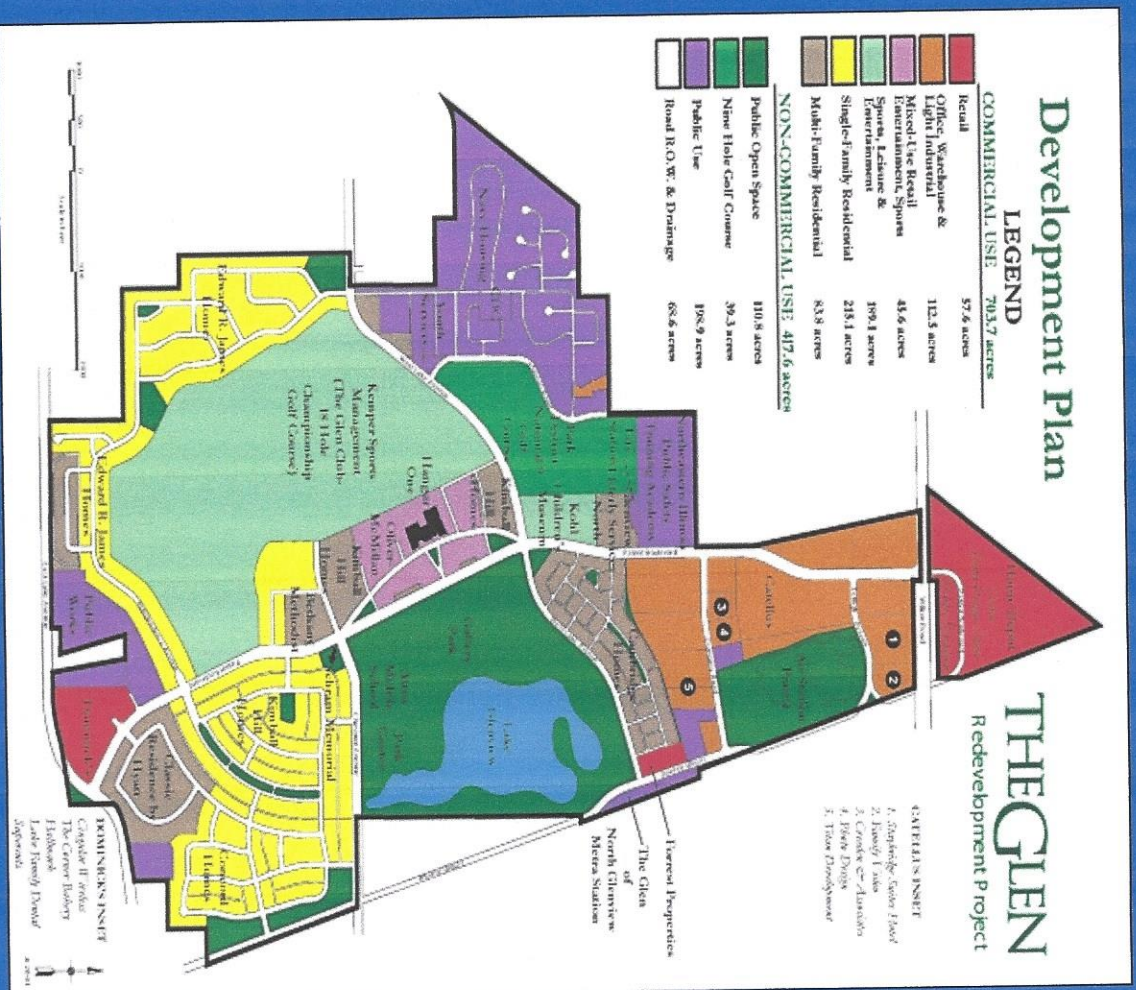
Karen's professional affiliations include the Urban Land Institute (ULI), American Bankers Association, International Council of Shopping Centers (ICSC), Real Estate Board of New York, Metropolitan Planning Council of Chicago, and the Association for a Better New York. She is a frequent guest lecturer in venues such as the Office of the Secretary of Defense, the Association of Defense Communities (formerly NAID and now ADC), ULI, ICSC and several university business schools. She graduated from Smith College with a Bachelor of Arts degree.

Great Harbor Advisors LLC
389 South Lake Drive
Palm Beach, FL 33480

P: 561.507.5509
C: 312.560.8710

Large Land TIF Case Study The Glen, Glenview, IL

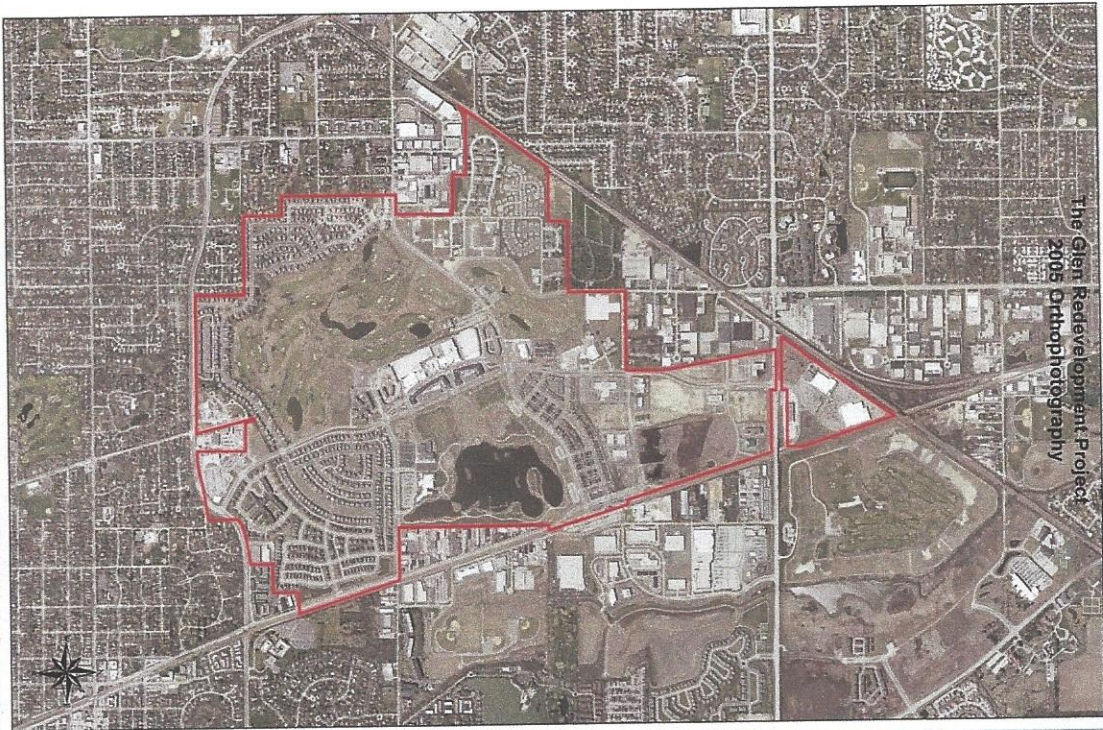
- City as Master Developer - former Naval Air Base, 1,100 acre site
- 1,500 homes, 1MM s.f. retail, 1MM s.f. office
- Innovative Joint Public/Private Team
- Funded with TIF - \$500MM (including \$200MM infrastructure – main stem), 4,000 permanent jobs and 5,000 construction jobs created.
- Shortened entitlement process from 12mos. – 3 mos. Changed governance
- Public land sale / Negotiated Bid process



DEPAUL UNIVERSITY

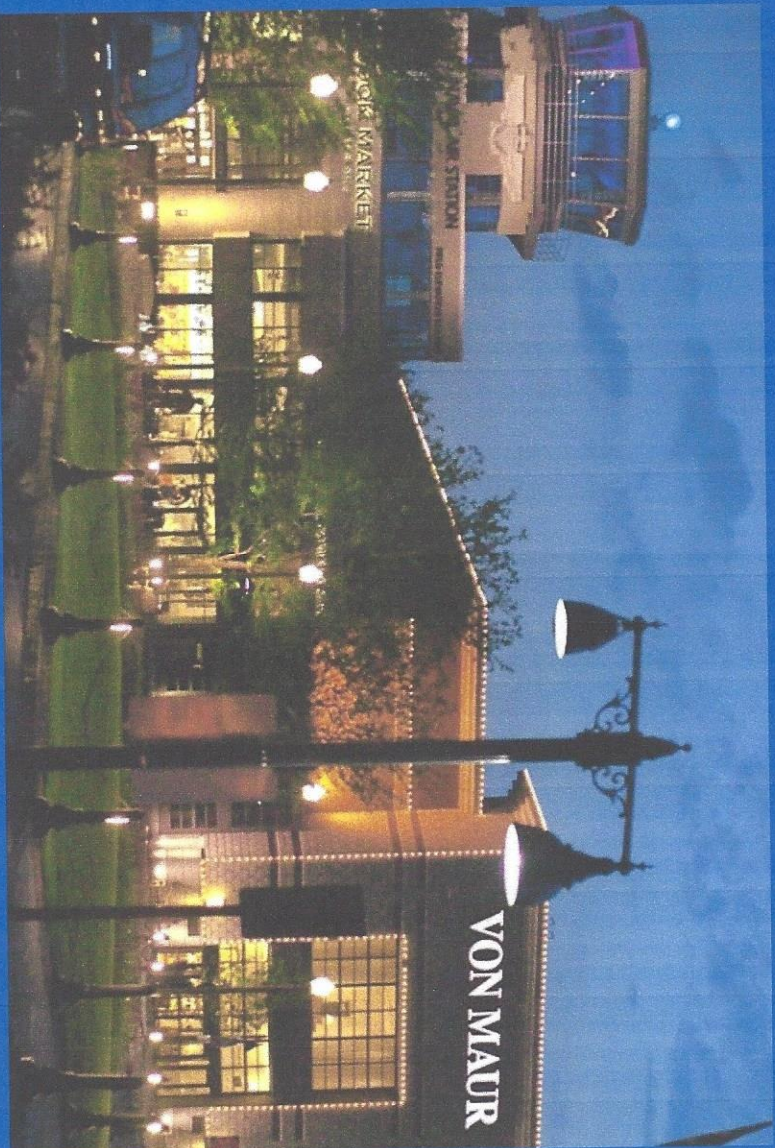
GREAT HARBOR ADVISORS

The Glen, Glenview, IL



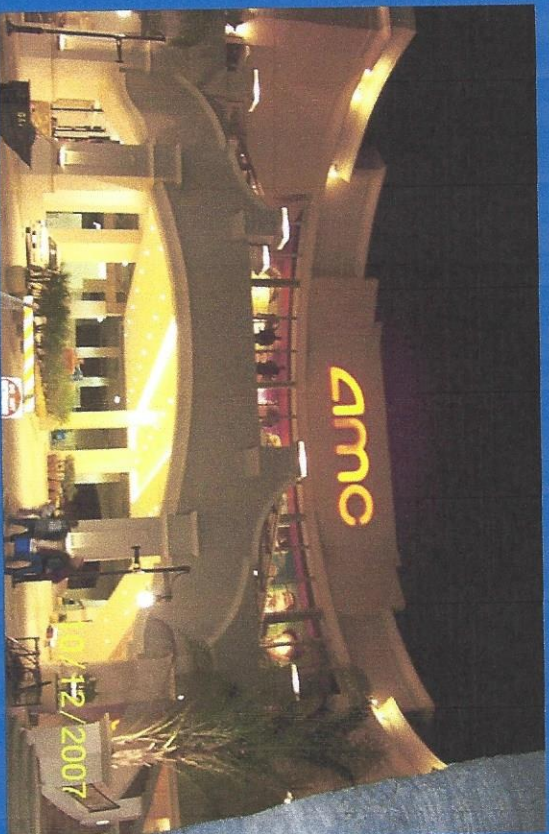
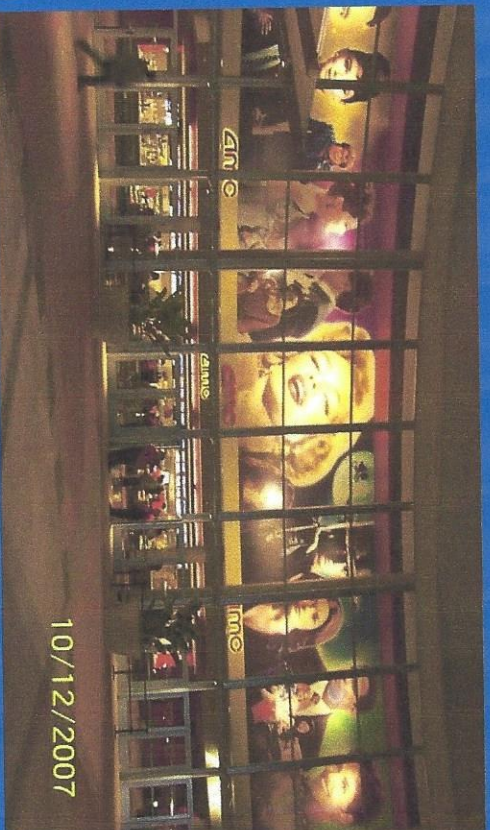
The Glen Town Center Glenview, IL

- 425 MSF Retail
230 Rental Apartments
- \$77MM TIF Incentive,
45% of total cost
- Public Bid with Design
Guidelines, Development
Agreement, Purchase and
Sale Agreement
18 months to do deal
3 months to entitle
- Open book negotiations



Deal Terms: Galleria at Tyler, Riverside, CA (cont'd)

- Sales growth assumption of 4% – tied to C.P.I., mall averaged 8% over 9 years prior to bond issue
- 30 year Muni Bonds – Tax-Exempt, AAA-rated
- Dept. Stores indemnified against special taxes on expansion – pass on to mall shops
- Sale lease back of public improvements with maintenance – repurchase parking deck in 30 years at FMV (Fair Market Value, per MAI appraisal)

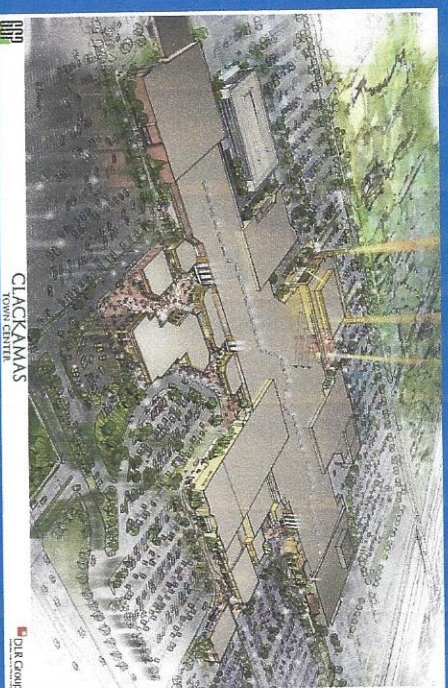
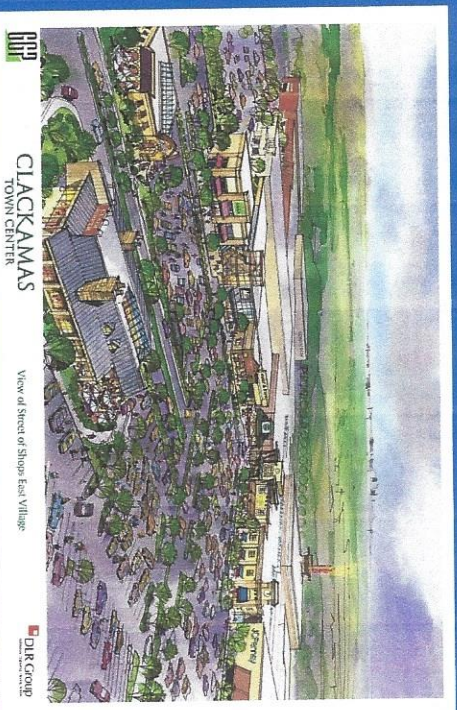


DEPAUL UNIVERSITY

GREAT HARBOR ADVISORS

Deal Terms: Clackamas Town Center, OR (cont'd.)

- Monterey Avenue widening
- Department stores indemnified from extra levy
- \$1 MM property taxes on new stores, passed on to mall shops
- Cash or private placement bonds
- Clackamas County funded \$26MM out of \$143 MM total cost, 18% County share / 82% private developer
- 300 MSF Lifestyle Expansion with 40 new stores incl. 20 screen theater, 600 permanent jobs, 1,650 construction jobs, opened November 2007

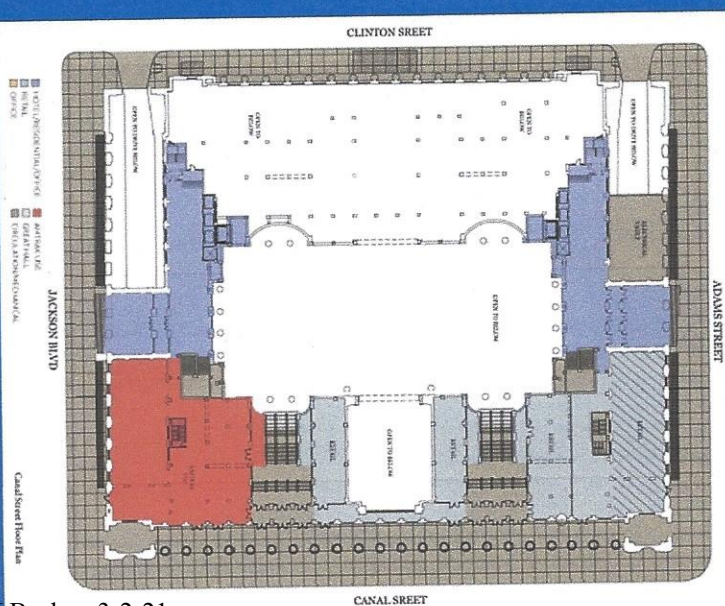
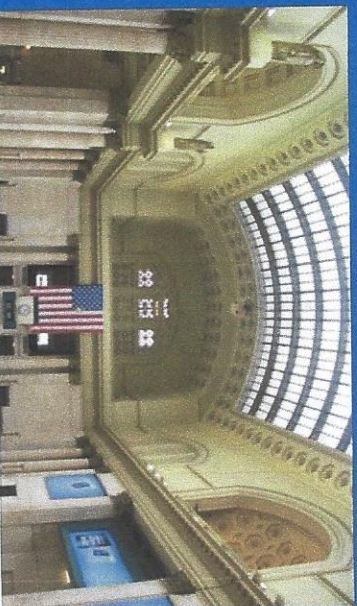


DEPAUL UNIVERSITY

GREAT HARBOR ADVISORS

CHICAGO UNION STATION, Chicago, IL: A Mixed Use Opportunity Requiring Multi-Layered Assistance

- Challenging mixed use rehab studied, opportunities for hotel or rental residential with retail refreshed including new media and new Amtrak offices
- Phase in project over time: focus on street and Great Hall retail plus Head House rehab, add new 500 msf tower as "pop-top" later
- Deploy TIF and Historic Tax Credits for 10-Story, 500 MSF Head House Rehab as Phase 1; then add "pop-top" office tower as Phase 2--at market rates, with or without subsidy
- Results: Stabilize a landmark and create 5,000 construction jobs and 1900 permanent jobs for total project including new office tower



KAREN S. BUTLER
389 South Lake Drive
Palm Beach, FL 33480
Home: (561) 507-5509
Cell: (312) 560-8710
buttermj@aol.com

SUMMARY

Real estate and finance executive with international Fortune 500 and domestic companies with high level accountability for business development, real estate development, service delivery, and profitability. Extensive experience in the acquisition, financing, development and sale of commercial and residential real estate. Demonstrated ability to develop strategies for and manage diversified portfolios of properties and loans, plus land development and commercial multi-million dollar redevelopment projects (Times Square New York-\$2 billion; Glenview Naval Station-\$1 billion.) Background also includes managing complex credits, lending, workouts, liquidations, underwriting, and project management.

PROFESSIONAL EXPERIENCE

GREAT HARBOR ADVISORS LLC, CHICAGO, IL AND PALM BEACH, FL

2011 to Present

Managing Member

Formed this consulting firm to advise private and public sector clients on their real estate in the Midwest and domestically. Advise clients on real estate finance, asset management and development, asset repositioning, acquisitions, dispositions, joint-venture structuring, loan restructurings, tax increment finance and creation of strategies for assets and portfolios. Assignments include mixed-use properties, residential, retail and land assets.

JONES LANG LASALLE (JLL), CHICAGO, IL

2009 - 2010

Managing Director

Responsible for business development and execution in the Public Institutions Group of JLL, to expand advisory assignments in the Midwest Region and domestically.

- Developed a pipeline of potential advisory assignments with fees in excess of \$3 MM.
- Advised the FDIC on the sale of a \$300 mm land portfolio in 15 states, with approximately 200 assets.
- Expanded the Public Institutions Group's network of contacts in the Midwest Region and domestically plus advised senior management on strategies for growth of new business development in the State and Local Markets.
- Executed an advisory assignment for the Metropolitan Pier and Exposition Authority (MPEA) of Chicago, including leasing and repositioning of its retail space at Navy Pier.
- Conducted study of mixed use redevelopment and financing options for the landmark 500 MSF Chicago Union Station owned by AMTRAK including the Great Hall and Head House.
- Mentored and trained Analysts, Associates and Vice Presidents in development and execution of advisory assignments.

GENERAL GROWTH PROPERTIES (GGP), CHICAGO, IL

2002 - 2008

Senior Director Development and Finance

Senior Director Development

Joined the Western Region Development Group of GGP, a REIT based in Chicago responsible for a portfolio of 2-13 regional malls. Managed multi-disciplinary teams for each project, including redevelopments and the Public Finance Program.

- Redeveloped Clackamas Town Center, Portland Oregon, adding 250 net MSF in three open-air villages, renovating the mall interior and bringing Light Rail (Tri-Met, Portland) to this 1.3mm s.f. regional mall.

- Executed \$144 mm Clackamas project with Tax Increment Finance proceeds (TIF) representing 19% of total project cost.
- Redeveloped 1.1MM s.f. Galleria at Tyler Mall, Riverside, CA with TIF proceeds (23% of \$91mm total project cost), expanding mall with a 135 MSF entertainment center and elevating an existing parking deck.
- Both Clackamas and Tyler TIF transactions were structured similar to construction loans, with Clackamas County, OR funding of \$27MM cash and Riverside, CA funding of \$21MM AAA-rated revenue bonds.
- Leased two theater complexes (AMC and Century) totaling 165 MSF.
- Launched and responsible for GGP's Public Finance Program nationally, a \$500MM - \$1B capital-raising program for development projects and green operating improvements.

MESIROW FINANCIAL (MF), CHICAGO, IL

1995 - 2002

Managing Director, Senior Vice President, Vice President – Mesirow Stein Real Estate, Inc.

Joined MF to lead a team of twelve private and public sector professionals as Development Advisor to the Village of Glenview, IL in redeveloping Glenview Naval Air Station (GNAS) a \$1B, 1,100-acre new community.

Created and implemented a land development company for redeveloping GNAS. Selected private sector staff, established corporate governance and all policies and procedures to manage a multi-disciplinary team to acquire and develop this 1,100-acre site, located 18 miles north of Chicago.

- Acquired the land from the U.S. government at no cost. Led the creation of a master plan designed by Skidmore, Owings and Merrill with input from private developers, community groups and private citizens. Pre-marketed the property to local and national developers and REITS.
- Developed proformas and financial reporting procedures and established a Tax Increment Finance District to finance \$150MM of infrastructure improvements, plus other costs totaling \$450MM.
- Produced a Request for Proposals package inviting private developers to bid. Received 57 bids on 700 developable acres, with multiple bids on each of 21 mixed-use parcels in July 1998.
- Established a Transaction Policy Committee consisting of Village and MF officials to review and approve all transactions pre-qualified purchasers.
- Negotiated and closed the sale on 95% of all parcels. Pre-qualified all purchasers by analyzing their financial capability, designs for GNAS, development expertise and experience.
- Created substantial value that generated approximately \$200MM in land sales, \$500MM in new property taxes over 20 years and \$1B of private investment in this new community including 1,500 dwelling units, 2MM square feet of commercial and retail space and an 18-hole championship golf course. The project also generated 6,000 new jobs.

Additionally, cross-sold investment banking and insurance services on behalf of MF and procured other real estate assignments. Responsible for financing and sale of properties owned, developed or acquired by MF.

CHEMICAL BANKING CORPORATION (CBC), NEW YORK, NY

1989 – 1995

Vice President – Real Estate Finance Group and Banking and Corporate Finance Group

Transferred to Chemical Securities, Inc. Chicago from New York in July 1994 with responsibility for portfolio management of \$750MM in corporate loans. Activities in Chemical Real Estate Finance Group (New York) included:

- Managing complex credits that resulted in \$250MM reduced loan loss exposure (cash recoveries).
- Developing strategic workout plans for \$1B in commercial real estate loans.
- Implementing directly or with bank creditor groups recapitalization or liquidation programs.
- Liquidation of assets in CB.REEF, a direct investment managed pension fund of CBC. Completed final distribution of proceeds to investors.
- Restructured debt of Olympia & York USA, Canada and Canary Wharf (London); Rockefeller Center Properties, Inc. (a REIT); Gracie Square Hospital; Rowe Development Co., B.F. Saul REIT and Saul Centers, Inc. REIT.
- Evaluated acquisition of CBC headquarters building at 277 Park Avenue and alternatives.

- Trained and developed credit analysts, A.V.P.'s and V.P.'s.

THE BANK OF NEW YORK (BNY), NEW YORK, NY

1984 – 1988

Vice President, Assistant Vice President and Assistant Treasurer

Served as a team leader for Tri-State Region in the Real Estate Lending Division. Underwrote and managed a \$1B mortgage portfolio of commercial, multi-family and mixed-use properties. Responsibilities also included:

- Loan syndications of \$500MM.
- Loan restructurings totaling \$300MM.
- Completed BNY credit training program while maintaining line responsibilities.

NEW YORK STATE URBAN DEVELOPMENT CORPORATION (UDC), NEW YORK, NY

1979 - 1984

Project Manager, Assistant Vice President, Assistant Public Information Officer

Project manager of \$2B Times Square Redevelopment Corp. (UDC Subsidiary). Assisted in structuring the Request for Proposals for development of 13-acre site around Times Square to contain 7MM square feet of mixed-use development. Created redevelopment plan, tax-based financing structure and land condemnation/tenant relocation program for 80 parcels. Conducted land transfer via ground-lease bid process, analyzed and negotiated bids. Managerial responsibility included supervision of an intradepartmental team as first deputy to the President and Chief Executive Officer.

GOVERNOR HUGH CAREY RE-ELECTION COMMITTEE, NEW YORK, NY

1978 – 1979

Co-Director Communications

EDUCATION

Bachelor of Arts, Smith College, Northampton, MA

BUSINESS AFFILIATIONS

AWARDS

- | | |
|--|--|
| <ul style="list-style-type: none"> • Urban Land Institute (ULI) • International Council of Shopping Centers (ICSC) • Metropolitan Planning Council, Chicago | <ul style="list-style-type: none"> • ULI - Top 10 Projects in the Americas, 2007, The Glen, Glenview, IL • ICSC - Best Mall Expansion, 2008, Clackamas Town Center, Happy Valley, OR |
|--|--|

PROFESSIONAL DEVELOPMENT & LICENSES

Licensed Real Estate Salesperson, IL 1997 – 2005
 General Securities Registered Representative (Series 7) 1994 – 2005
 Uniform Securities Agent (Series 63) 1994 – 2005

GUEST LECTURER

Kellogg Business School, Northwestern University
 University of Chicago Graham School
 DePaul University Business School
 Office of Secretary of Defense
 International Economic Development Council



TOWN OF PALM BEACH

APPLICATION FOR SERVICE ON

PLANNING AND ZONING COMMISSION

Please complete the application by typing or printing legibly in ink. Applications should be submitted to the Town Clerk (360 South County Road, Palm Beach, FL 33480, via facsimile 561-838-5417, or via e-mail to townclerk@townofpalmbeach.com) no later than 5 p.m., 11 calendar days prior to the Town Council meeting in which the appointment will be considered. Completion of this application requires that applicant has reviewed certain Town documents as noted in this application. To review or obtain a copy of the documents please contact the Town Clerk's Office (561-838-5416). Please feel free to attach any additional background information to this application form. (Please be advised that members of the Planning and Zoning Commission must file an annual financial disclosure form per State law.)

Name: Nicki McDonald Residence Address: 234 Merrain RD - P.B.
Mailing Address: 234 Merrain Rd Home Telephone: cell 917.880.4030
palm beach, FL. 33480
E-mail Address: NICKIMCDONALD.COM Work Telephone: "

I am a registered voter of the Town of Palm Beach AT (please initial)

Appointment to Planning and Zoning Commission requires the applicant to be a registered voter in the Town of Palm Beach. Please attach a copy of BOTH SIDES of your Voter Registration card with your application. Failure to provide the copy of the required voter registration card shall be grounds for rejection of the application.

1. Why are you interested in serving on the Planning and Zoning Commission? (Please explain and attach additional pages if necessary)

see attached

2. How many meetings of the Planning and Zoning Commission have you attended in the last year? Listened to all Audio

3. If you have served on any boards/commissions/committees in the Town of Palm Beach or elsewhere, please list them and include details such as length of service, attendance record, etc.

President of The Board of Lake Towers Condominium - 5 yrs
Underground Utilities Task Force - 2 terms (ends may 1, 2021)
Palm Beach Civic Association Director - Health and Community Committees.

4. Are you willing and available to attend meetings of the Planning and Zoning Commission as described below?

- A. Meetings which last a full day (9:30 a.m. to 5:00 p.m., or even later)?
B. Meetings on consecutive dates?
C. Meetings which might be scheduled for multiple dates within the same month
D. Meetings scheduled year-round

Yes	☒	No	☐
Yes	☒	No	☐
Yes	☒	No	☐
Yes	☒	No	☐

Have attended all meetings for all Committees.

With exception of 2 units MTR for family reasons.

5. Please indicate if there are any periods of time for which you will be unavailable for meetings.

6. Do you have any experience in requesting comprehensive plan amendments or zoning approvals from the Town of Palm Beach or other jurisdictions? (Please explain. Attach additional pages if necessary)

7. Are you a member of any of the following organizations? (Check all that apply)

- ☒ Palm Beach Chamber of Commerce
☒ Palm Beach Civic Association
☐ Citizens' Association of Palm Beach

- ☒ Preservation Foundation of Palm Beach
☐ North End Property Owners Association
☐ Other _____

8. Present occupation. _____ No. of years. _____

Employer. _____

9. Past occupation(s). Gold trading operation - J.P. Morgan - 1 yr No. of years. _____
Director mens Merchandising - Ralph

Employer(s). Interior Design - Nicki McDonald Lauren - 6 yrs
Director of Admissions - St. Thomas More Nursery School - NYC. 6 yrs

10. Do you have a degree in, or have you taken courses in, any of the following fields of study: (Check as many as are applicable)

- ☐ Architecture ☐ Social Sciences ☐ Geography
☐ Landscape Architecture/Design ☒ Urban and Regional Planning
☐ Law ☐ Building Construction and/or Development

11. Please provide details regarding your educational background:

PARSONS SCHOOL OF DESIGN - A.I.D. '87
CORNELL UNIVERSITY - B.S. Urban Planning and Economics '82
HARVARD UNIVERSITY - Summer program in Urban Planning '80
LONDON School of Economics - FALL '80

12. Why do you feel that you are qualified to serve on the Town's Planning and Zoning Commission? (Attach additional page if necessary)

See attached

13. To enable Town Council to consider potential conflicts of interest, please provide the following information regarding family members who live and/or work in the Town of Palm Beach, including your spouse, parents, siblings or children.

Family Member Name	Relationship	Address	Occupation	Employer
DAVID McDONALD	husband	234 Merrain RD	ON Investment Advisory Committee	

14. Have you ever been convicted of a crime or pled guilty or nolo contendere to a crime other than minor traffic violations?

NO.

15. If you are currently serving on a Town board, commission, or committee, please identify it in the space below and check the box that indicates you will resign from that position if you are appointed to the position you are seeking in this application.

☒ I will resign from the UTIF if I am appointed to the position I am seeking in this application.
board/committee/commission

16. In the event you are applying to be a Regular Member of Planning and Zoning Commission and you are not successful, will you accept appointment as an Alternate Member of the Commission should the Town Council wish to appoint you as an Alternate Member? ☒ Yes ☐ No

The following information is needed to facilitate Town reporting requirements in Florida Statute 760.80. Please check one in each category.

RACE

- ☐ African American ☐ Native American
☐ Asian American ☒ Caucasian
☐ Hispanic American ☐ Not known

GENDER

- ☐ Male ☒ Female

PHYSICALLY DISABLED

- ☐ Yes ☒ No

I hereby certify that I have read the sections of the Town Code of Ordinances for the particular board/commission/committee that I have selected above and have noted the description of the board/commission/committee and its members' duties, and further I have read the regulations concerning absences and conflicts of interests. I certify the information given by me is true and complete to the best of my knowledge and belief. I understand that any falsification of material facts will be grounds for rejection of this application or dismissal after appointment.

SIGNATURE: Nicki McDonald DATE: 2/19/21

Please provide a copy of BOTH SIDES of your Palm Beach County Voter Registration card, which shows your Town of Palm Beach address, with your application.

Please note that Commission applications will expire on December 15 of each year.

PLANNING AND ZONING COMMISSION

The Planning and Zoning Commission acts in an advisory capacity to the Town Council in all matters relating to municipal planning and development. The Commission is required to follow the concepts and contents of the Town's comprehensive land use plan in all planning, zoning and development related deliberations and decisions. The Commission shall also have such powers and duties as may be prescribed by Ordinance. The members of the Commission must be registered voters in the Town of Palm Beach. The seven regular members serve for terms of three years. Three alternate members of the Zoning Commission may be appointed by the Town Council who serve when called upon by the Chair of the Commission in the absence of any regular member.

1. Why are you interested in serving on Planning and Zoning?

I find many of the current issues being discussed, such as the implementation of conservation districts to try and preserve some of the single story houses, the ground elevation issues that arise with new builds and FEMA requirements, sea level rise, outdoor seating during and post Covid, and the upcoming retail study, all fascinating and important to the town.

If the Retail Study gets underway, it sounds like it would be hugely beneficial to have much more community input pre-study. I enjoy being “boots on the ground” and if needed, talking to community members/retailers.....or whatever else is helpful in gathering/sharing our community’s long term vision.

I know the Planning and Zoning Codes need updating, with less technical language, and the the end goal of streamlining the process for contractors etc. Having renovated a house ourselves, and hearing our contractor joyously say that things that took months, were now taking a week, (when Josh Martin had joined) made me understand the roadblocks and time delays that could be more efficient.

12. Why do you feel you are qualified to serve on the Town’s Planning and Zoning Commission?

As President of Lake Towers Condominium for four years, I helped implement the first private underground utilities project in Palm Beach for our building. I then went on to serve on the town’s Underground Utilities Task Force (UUTF) for the past four years, with my term limit now coming to an end.

When I became President of Lake Towers, I inherited an already initiated underground utilities project, but one that was only on paper. I had to do a deep and quick dive to understand all that was related to the project. I became very interested in the process, had worked with town staff and Burkhardt Construction, and applied for an open seat on the UUTF, which I was elected to. Upon joining the UUTF, there was much more to learn. It was certainly a listen, learn, and ask a million questions at first, but then I feel that I became a valuable member of the Task Force. I was the only member that was consistently working in the field (on the North end) with Town Staff on problem areas for easement acquisition (pre-Covid). Working together, Steve Stern and I were able to secure the easements and eliminate all the the chicanes we set out to. I also attended almost all of the Coffee with the Crew meetings, and felt very much “on the ground” working with town staff and Burkhardt Construction. I like being “hands on” and hope their might be an opportunity for this as part of Planning and Zoning Commission.

While I have listened to many of the past “audio” meetings, and am up to date on the current issues, if elected, I will go back further in time on the audio meetings for more history. I know I have a lot to learn, but will put in the time and effort to do so.

Interestingly, my major at Cornell University was Urban Planning, with a minor in Economics. Although I went to work for JP Morgan, and then my career took many paths that were not Urban Planning related, it has always been interesting to me and I would love the opportunity to put it to use and serve as an alternate, (and then hopefully as a full voting member) on Planning and Zoning.



TOWN OF PALM BEACH

APPLICATION FOR SERVICE ON

PLANNING AND ZONING COMMISSION

Please complete the application by typing or printing legibly in ink. Applications should be submitted to the Town Clerk (360 South County Road, Palm Beach, FL 33480, via facsimile 561-838-5417, or via e-mail to townclerk@townofpalmbeach.com) no later than 5 p.m., 11 calendar days prior to the Town Council meeting in which the appointment will be considered. Completion of this application requires that applicant has reviewed certain Town documents as noted in this application. To review or obtain a copy of the documents please contact the Town Clerk's Office (561-838-5416). Please feel free to attach any additional background information to this application form. (Please be advised that members of the Planning and Zoning Commission must file an annual financial disclosure form per State law.)

Name: John J. Tatooles

Residence Address: 122 Ocean View Road, PB, FL 33480

Mailing Address: _____

Home Telephone: 561-629-5279

E-mail Address: jjt5959@gmail.com

Work Telephone: cell 312-485-5252

I am a registered voter of the Town of Palm Beach JJT (please initial) One

Appointment to Planning and Zoning Commission requires the applicant to be a registered voter in the Town of Palm Beach. Please attach a copy of BOTH SIDES of your Voter Registration card with your application. Failure to provide the copy of the required voter registration card shall be grounds for rejection of the application.

1. Why are you interested in serving on the Planning and Zoning Commission? (Please explain and attach additional pages if necessary)

I have been a resident of the Town for 16 years and a full time resident for almost 6 years. I am interested in serving on the

commission as it studies and provides guidance for the future of the Town. With so much change occurring so quickly, thoughtful planning and zoning

is vital to the future of our community.

2. How many meetings of the Planning and Zoning Commission have you attended in the last year? prior to Covid approx 2-3 per year

3. If you have served on any boards/commissions/committees in the Town of Palm Beach or elsewhere, please list them and include details such as length of service, attendance record, etc.

Currently am a Board Member of the Palm Beach Island Hospice Foundation, going into my second year. I have attended all meetings.

Currently am on the Town Of Palm Beach United Way Allocation Committee for Health Care. This is my second year and attended all meetings.

Was a Board Member and Chair of Board Recruitment for Vital Bridges in Chicago for over 6 years and attended almost all meetings.

4. Are you willing and available to attend meetings of the Planning and Zoning Commission as described below?

- A. Meetings which last a full day (9:30 a.m. to 5:00 p.m., or even later)?
- B. Meetings on consecutive dates?
- C. Meetings which might be scheduled for multiple dates within the same month
- D. Meetings scheduled year-round

Yes	☒	No	☐
Yes	☒	No	☐
Yes	☒	No	☐
Yes	☒	No	☐

5. Please indicate if there are any periods of time for which you will be unavailable for meetings.

None, I am a full time resident.

6. Do you have any experience in requesting comprehensive plan amendments or zoning approvals from the Town of Palm Beach or other jurisdictions? (Please explain. Attach additional pages if necessary)

Yes. Most recently, as an attorney, worked on the assemblage of almost 300 acres of farm land and rezoning into an environmentally conscious world class museum campus.

worked on a personal family project of the rezoning and development of vacant land into a successful town home project.

7. Are you a member of any of the following organizations? (Check all that apply)

- | | |
|--|---|
| ☒ Palm Beach Chamber of Commerce | ☒ Preservation Foundation of Palm Beach |
| ☐ Palm Beach Civic Association | ☐ North End Property Owners Association |
| ☐ Citizens' Association of Palm Beach | ☒ Other <u>PB Historical Society</u> |

8. Present occupation. attorney No. of years. 35

Employer.

Hogan, Marren, Babbo & Rose, Ltd., Chicago, Illinois (i have worked remotely for the past 5 years)

9. Past occupation(s). _____ No. of years. _____

Employer(s).

10. Do you have a degree in, or have you taken courses in, any of the following fields of study: (Check as many as are applicable)

- | | | |
|--|--|---|
| ☐ Architecture | ☒ Social Sciences | ☒ Geography |
| ☐ Landscape Architecture/Design | ☐ Urban and Regional Planning | |
| ☒ Law | ☒ Building Construction and/or Development | |

11. Please provide details regarding your educational background:

DePauw University, Greencastle, IN, BA 1981, Washington and Lee University, Lexington, VA, JD, 1984,

New York University, New York, New York, LLM 1985, University of Chicago, Chicago, Illinois Basic Program (non-degreed certificated

classical studies program)

12. Why do you feel that you are qualified to serve on the Town's Planning and Zoning Commission? (Attach additional page if necessary)

I hope that my training as an attorney has taught me skill sets to listen, learn and provide guidance. I have a deep affection for

this community and would like to be a part of planning for the future, with a respect for its history.

I have applied to serve on this Committee before, and would be happy to begin in an alternate position.

13. To enable Town Council to consider potential conflicts of interest, please provide the following information regarding family members who live and/or work in the Town of Palm Beach, including your spouse, parents, siblings or children.

Family Member Name	Relationship	Address	Occupation	Employer

14. Have you ever been convicted of a crime or pled guilty or nolo contendere to a crime other than minor traffic violations?

NO

15. If you are currently serving on a Town board, commission, or committee, please identify it in the space below and check the box that indicates you will resign from that position if you are appointed to the position you are seeking in this application.

☒ I will resign from the N/A if I am appointed to the position I am seeking in this application.
board/committee/commission

16. In the event you are applying to be a Regular Member of Planning and Zoning Commission and you are not successful, will you accept appointment as an Alternate Member of the Commission should the Town Council wish to appoint you as an Alternate Member? ☒ Yes ☐ No

The following information is needed to facilitate Town reporting requirements in Florida Statute 760.80. Please check one in each category.

RACE

- ☐ African American ☐ Native American
☐ Asian American ☒ Caucasian
☐ Hispanic American ☐ Not known

GENDER

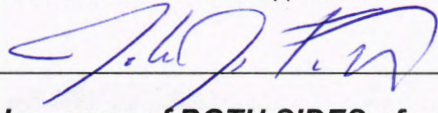
☒ Male ☐ Female

PHYSICALLY DISABLED

☐ Yes ☒ No

I hereby certify that I have read the sections of the Town Code of Ordinances for the particular board/commission/committee that I have selected above and have noted the description of the board/commission/committee and its members' duties, and further I have read the regulations concerning absences and conflicts of interests. I certify the information given by me is true and complete to the best of my knowledge and belief. I understand that any falsification of material facts will be grounds for rejection of this application or dismissal after appointment.

SIGNATURE: _____



DATE: _____

January 5, 2021

Please provide a copy of BOTH SIDES of your Palm Beach County Voter Registration card, which shows your Town of Palm Beach address, with your application.

Please note that Commission applications will expire on December 15 of each year.

PLANNING AND ZONING COMMISSION

The Planning and Zoning Commission acts in an advisory capacity to the Town Council in all matters relating to municipal planning and development. The Commission is required to follow the concepts and contents of the Town's comprehensive land use plan in all planning, zoning and development related deliberations and decisions. The Commission shall also have such powers and duties as may be prescribed by Ordinance. The members of the Commission must be registered voters in the Town of Palm Beach. The seven regular members serve for terms of three years. Three alternate members of the Zoning Commission may be appointed by the Town Council who serve when called upon by the Chair of the Commission in the absence of any regular member.

TOWN OF PALM BEACH

Town Council Meeting on: March 2, 2021

Section of Agenda

BOARDS AND COMMISSIONS PRESENTATIONS AND APPOINTMENTS

Agenda Title

Appointments to the Retirement Board of Trustees.

Presenter

Queenester Nieves, CMC, Town Clerk

ATTACHMENTS:

- ▣ **Memorandum Dated February 22, 2021, from Queenester Nieves, CMC, Town Clerk**
- ▣ **Attendance Record**
- ▣ **Status Sheet**
- ▣ **Sample Ballot**
- ▣ **Application - Michael J. Masse**
- ▣ **Application - Daniel Stanton**

TOWN OF PALM BEACH

Information for Town Council Meeting on March 2, 2021

TO: Mayor and Town Council

VIA: Kirk W. Blouin, Town Manager

FROM: Queenester Nieves, CMC, Town Clerk

RE: Retirement Board of Trustees Appointment of Regular Member

DATE: February 22, 2021

STAFF RECOMMENDATION

Staff recommends that the Town Council review the attached applications and appoint one (1) regular member to the Retirement Board of Trustees. This member will be filling the expired term of Daniel Stanton who is eligible for reappointment.

GENERAL INFORMATION

The Town Clerk's office has received one (1) application seeking **REAPPOINTMENT** from the following:

1. Daniel Stanton – 1100 North Lake Way, Palm Beach, FL.

The Town Clerk's office has received one (1) application seeking **NEW APPOINTMENT** from the following:

1. Michael J. Masse – 2778 S. Ocean Blvd., #203S, Palm Beach, FL;

cc: Wayne Bergman, Director of Planning, Zoning and Building

TOWN OF PALM BEACH ATTENDANCE RECORD 2018-2020
RETIREMENT SYSTEM BOARD

MEMBERS	3/2/2018	5/18/2018	8/24/2018	11/13/18-S	12/7/2018	3/15/2019	5/6/2019 Special Meeting	5/17/2019	8/16/2019	12/6/2019	3/13/2020	5/8/2020	8/21/2020	12/4/2020
---------	----------	-----------	-----------	------------	-----------	-----------	-----------------------------	-----------	-----------	-----------	-----------	----------	-----------	-----------

Goldsmith	P	P	P	P	P	P	P	P	P	P	P	P	N/A	N/A
Kaufman	P	P	P	P	P	P	P	E	P	P	P	P	P	P
Madison	P	E	P	P	P	P	P	P	P	E	P	P	P	P
Wilkinson	P	P	P	E	P	P	E	P	P	P	P	P	P	P
Mike Marx	P	P	P	P	P	E	E	P	P	E	P	P	P	P
Daniel Stanton	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Tom Parker	N/A	N/A	N/A	N/A	N/A	N/A	P	P	P	P	P	P	P	P
C. Edward Carter	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Jane Le Clairche	N/A	N/A	P	P	P	P	P	P	P	P	P	P	P	P
David Lambert	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	P

Legend: S=Special Meeting, P=Present, E-Excused, U=Unexcused, A=Absence pending classification as excused or unexcused

Allowed 2 unexcused absences per 12 month period
Special Meetings are not subject to the attendance policy

Mr. Goldstein resigned from the Board effective June 2020
Mr. Lambert was appointed effective September 2020

RETIREMENT BOARD OF TRUSTEES

Next appointment: **March 2, 2021, Town Council meeting**

Openings advertised via news release: **January 28, 2021**

Deadline to submit applications: **Friday, February 19, 2021, by 5:00 p.m.**

Number of openings: **1 Resident Member**

Applicants

<u>NAME</u>	<u>SEEKING</u>
Daniel Stanton	Reappointment
Michael J. Masse	New Appointment

Current members and open seats

<u>NAME</u>	<u>TERM EXPIRES</u>
<u>Resident Members</u>	
C. Edward Carter	March, 2023
Bradford D. Kaufman	March, 2022
David G. Lambert	March, 2023
Thomas Parker	March, 2022
Daniel Stanton	March, 2021
<u>Employee Members</u>	
Daniel Wilkinson (Police)	March, 2022
Michael Marx (Fire)	March, 2023
Brett Madison (General)	March, 2021
Jane Le Clainche (Ex-officio)	

Highlighted in yellow=term currently expiring/vacant

*=Applied for reappointment

**=Applied for appointment from alternate member to regular member

***=Termed out

BALLOT FOR APPOINTMENT OF **REGULAR** MEMBER
TO THE **RETIREMENT BOARD OF TRUSTEES**
Town Council Meeting on **March 2, 2021**

Positions to be filled:

 1 Regular Member

Please circle 1 from the list of names appearing below

Regular Member Applying for Reappointment

(Listed alphabetically)

Daniel Stanton

Others Who Have Submitted Applications

(Listed alphabetically)

Michael J. Masse

Signature of Town Council Member: _____

Town Council Member



TOWN OF PALM BEACH

APPLICATION FOR SERVICE ON

RETIREMENT BOARD OF TRUSTEES

Please complete the application by typing or printing legibly in ink. Applications should be submitted to the Town Clerk (360 South County Road, Palm Beach, FL 33480, via facsimile 561-838-5417, or via e-mail to townclerk@townofpalmbeach.com) no later than 5 p.m., 11 calendar days prior to the Town Council meeting in which the appointment will be considered. Completion of this application requires that applicant has reviewed certain Town documents as noted in this application. To review or obtain a copy of the documents please contact the Town Clerk's Office (561-838-5416). Please feel free to attach any additional background information to this application form. (Please be advised that members of the Retirement Board of Trustees must file an annual financial disclosure form per Florida State law).

Name: MICHAEL J. MASSE Residence Address: 2778 S. OCEAN BLVD #203 S

Mailing Address: SAME Home Telephone: (703) 795-4975

E-mail Address: MICHAEL.J.MASSE@GMAIL.COM Work Telephone: _____

I am a resident of the Town of Palm Beach (B) (please initial) (signature)

Please attach proof of Town of Palm Beach residency. Failure to attach proof of residency shall be grounds to reject your application. Proof of residency shall be either a copy of your Florida Driver's License matching the address of your residence as shown on this application, a copy of a utility bill in your name at the residence address shown on this application, or by providing an original, fully executed and notarized Declaration of Domicile with this application.

1. Why do you wish to be appointed as a member of the Retirement Board of Trustees? (Please use additional pages if necessary.)

I HAVE EXTENSIVE TRAINING AND EXPERIENCE AS A PENSION TRUSTEE.
I HAVE ALWAYS SOUGHT TO SUPPORT MY COMMUNITIES THROUGH PUBLIC
SERVICE. I WOULD WELCOME THIS OPPORTUNITY HERE IN PALM BEACH.

2. Please identify how many meetings of the a Town Retirement Board you have attended in the past two (2) years.

☒ 0 ☐ 1 ☐ 2 ☐ 3 ☐ 4+

3. If you have served on any boards/commissions/committees in the Town of Palm Beach or elsewhere, please list them and include details such as length of service, attendance record, etc.

TEACHERS FEDERAL CREDIT UNION - TRUSTEE - PENSION FUND 2020 - PRESENT
NYS TEACHERS RETIREMENT SYSTEM, V.P./TRUSTEE 2009 - 2019
OTHERS AS NOTED ON ATTACHED RESUME.

4. Please indicate if there are any periods of time for which you will be unavailable for meetings.

5. Please indicate if you are a member of any of the organizations listed below. (Check all that apply)

- | | |
|--|--|
| ☐ Palm Beach Chamber of Commerce | ☐ Preservation Foundation of Palm Beach |
| ☐ Palm Beach Civic Association | ☐ North End Property Owners Association |
| ☐ Citizens' Association of Palm Beach | ☐ Other _____ |

6. Present occupation: RETIRED No. of years. 12/17 TO PRESENT
Employer: _____

7. Past occupation(s): SENIOR VICE PRESIDENT No. of years. 15
Employer(s): * HSBC BANK USA, N.A.
* 40+ YEARS OF BANKING - HSBC & JPMORGANCHASE

8. Please provide details regarding your educational background:
MASTERS OF PUBLIC ADMINISTRATION - MAXWELL SCHOOL - SYRACUSE UNIVERSITY
MASTER OF BUSINESS ADMINISTRATION - RIDER UNIVERSITY
BACHELOR OF SCIENCE, HIGH HONORS - ROCHESTER INSTITUTE OF TECHNOLOGY

9. To enable Town Council to consider potential conflicts of interest, please provide the following information regarding family members who live and/or work in the Town of Palm Beach, including your spouse, parents, siblings, or children.

Family Member Name	Relationship	Address	Occupation	Employer
SHERI MASSE	SPOUSE	SAME	RETIRED	

10. Have you ever been convicted of a crime or pled guilty or nolo contendere to a crime other than minor traffic violations? NO

11. If you are currently serving on a Town board, commission, or committee, please identify it in the space below and check the box that indicates you will resign from that position if you are appointed to the position you are seeking in this application.

☐ I will resign from the _____ if I am appointed to the position I am seeking in this application.

The following information is needed to facilitate Town reporting requirements in Florida Statute 760.80. Please check one in each category.

RACE

- | | |
|--|---|
| ☐ African American | ☐ Native American |
| ☐ Asian American | ☒ Caucasian |
| ☐ Hispanic American | ☐ Not Known |

GENDER

☒ Male ☐ Female

PHYSICALLY DISABLED

☐ Yes ☐ No

I hereby certify that I have read the sections of the Town Code of Ordinances for the particular board/commission/committee that I have selected above and have noted the description of the board/commission/committee and its members' duties, and further I have read the regulations concerning absences and conflicts of interests. I certify the information given by me is true and complete to the best of my knowledge and belief. I understand that any falsification of material facts will be grounds for rejection of this application or dismissal after appointment.

SIGNATURE: _____

MICHAEL J. MASSE

DATE: _____

2/9/2021

Please attach proof of Town of Palm Beach residency (as listed on page 1) with this application.

Please note that Board/Commission applications will expire on December 15 of each year.

RETIREMENT BOARD OF TRUSTEES

The Retirement Board of Trustees consists of nine members as follows:

One employee who is a member of benefit group general or benefit group lifeguard.

One employee who is a member of benefit group firefighter.

One employee who is a member of benefit group police officer.

Five residents of the Town

The Town Manager

The Retirement Board of Trustees acts in a fiduciary capacity for the Town's retirement funds and in an advisory capacity to the Town Council on matters relating to the administration of the Town's various retirement plans. Trustees other than the Town Manager or Acting Town Manager shall serve three-year terms, and may succeed themselves in office. The Retirement Board of Trustees will meet at least quarterly and on occasion, specially called meetings.

Michael J. Masse

Palm Beach FL and Alexandria VA • 703-795-4974 • michael.j.masse@gmail.com
linkedin.com/in/michaeljmasse/

SENIOR LEVEL BANKING EXECUTIVE

Recognized as a successful leader and team builder with broad range of banking experience, including commercial credit, middle market banking, public banking, and retail banking. Gifted Communicator and teambuilder known for creative problem solving. HSBC CEO Award Winner.

EXPERIENCE

HSBC Bank USA, N.A.

December 2005 – December 2019

US Head of Government & Institutional Banking, Senior Vice President (May 2013 – Dec 2019)

Led Team of Embassy Bankers managing high risk commercial accounts for Foreign Embassy, Consulates and Missions in Washington DC, New York City, Miami, and Los Angeles.

- Attended Global Risk Management Program in Hong Kong September 2015.
- Satisfactory OCC examination of business line 2019.

Commercial Executive, Senior Vice President Municipal Banking (March 2012 – April 2013)

Led team of middle-market commercial lenders in Syracuse, Albany, and Southern Tier of New York

- Managed Public Banking HSBC Bank USA, oversight of municipal business in New York State and other US markets, including New York City and Long Island.

CNY Retail District Executive, SVP Municipal Banking (March 2010 – March 2012)

Directed HSBC Retail Banking and Wealth Management in CNY from Elmira Binghamton north to Canadian Border, 52 retail branches with 400 + employees.

- Led HSBC Municipal Banking Business overseeing team of 15 covering New York State and adjacent markets – provided consultative services for HSBC west coast municipal business.

Senior Vice President/Municipal Banking (December 2005 – March 2010)

Established and led Public Banking business as part of bank's overall drive to increase deposits. Charged with all aspects of establishing business including planning, structuring, marketing, recruiting, and leading Public Banking team.

- Awarded 'The CEO Award for HSBC North America' – 2008. Delivered 5-year financial plan in 3 years, achieving deliverables ahead of plan.
- Attended PFS Business Leaders Program – December 2009.
- Attended Senior Management Sales & Leadership Development program in Hong Kong June 2007.

EDUCATION

Master of Public Administration - Maxwell School of Citizenship, Syracuse University, Syracuse, New York

Master of Business Administration – Rider University, Lawrenceville, New Jersey

Bachelor of Science, High Honors – Rochester Institute of Technology, Rochester, New York

PROFESSIONAL LICENSES

Series 7 Securities License

Series 63 Securities License

Certified Anti-Money Laundering Specialist (ACAMS)

} LAPSED AT 12/19 RETIRED.

BOARD EXPERIENCE

Teachers Federal Credit Union – Board Member Pension Plan – (January 2020 – Present)

New York State Teachers Retirement System Board Member (2009 - 2019)

New York State School Boards Association Treasurer/Board of Directors (January 2004 – December 2013)

Fayetteville-Manlius Board of Education Member and Past President, Legislative Liaison

New York State Commissioner of Education’s Blue-Ribbon Panel on Public School Leadership



TOWN OF PALM BEACH

APPLICATION FOR SERVICE ON

RETIREMENT BOARD OF TRUSTEES

Please complete the application by typing or printing legibly in ink. Applications should be submitted to the Town Clerk (360 South County Road, Palm Beach, FL 33480, via facsimile 561-838-5417, or via e-mail to townclerk@townofpalmbeach.com) no later than 5 p.m., 11 calendar days prior to the Town Council meeting in which the appointment will be considered. Completion of this application requires that applicant has reviewed certain Town documents as noted in this application. To review or obtain a copy of the documents please contact the Town Clerk's Office (561-838-5416). Please feel free to attach any additional background information to this application form. (Please be advised that members of the Retirement Board of Trustees must file an annual financial disclosure form per Florida State law).

Name: Daniel Stanton Residence Address: 1100 North Lake Way Palm Beach

Mailing Address: Same Home Telephone: 561-214-5202

E-mail Address: danielstanton@mac.com Work Telephone: N/A

I am a resident of the Town of Palm Beach DWS (please initial)

Please attach proof of Town of Palm Beach residency. Failure to attach proof of residency shall be grounds to reject your application. Proof of residency shall be either a copy of your Florida Driver's License matching the address of your residence as shown on this application, a copy of a utility bill in your name at the residence address shown on this application, or by providing an original, fully executed and notarized Declaration of Domicile with this application.

1. Why do you wish to be appointed as a member of the Retirement Board of Trustees? (Please use additional pages if necessary.)

I am currently the Chair of the Retirement Board and have been for several years.

2. Please identify how many meetings of the a Town Retirement Board you have attended in the past two (2) years.

☐ 0 ☐ 1 ☐ 2 ☐ 3 ☒ 4+

3. If you have served on any boards/commissions/committees in the Town of Palm Beach or elsewhere, please list them and include details such as length of service, attendance record, etc.

4. Please indicate if there are any periods of time for which you will be unavailable for meetings.

I have never missed a meeting in the past 5-6 years

5. Please indicate if you are a member of any of the organizations listed below. (Check all that apply)

- | | |
|--|--|
| ☐ Palm Beach Chamber of Commerce | ☐ Preservation Foundation of Palm Beach |
| ☒ Palm Beach Civic Association | ☐ North End Property Owners Association |
| ☐ Citizens' Association of Palm Beach | ☐ Other _____ |

6. Present occupation: Retired No. of years. _____
Employer: _____

7. Past occupation(s): Partner-Goldman, Sachs & Co. No. of years. 20+
Employer(s): _____

8. Please provide details regarding your educational background:

Canisius College BS-1979

Columbia Graduate School of Business-1981

9. To enable Town Council to consider potential conflicts of interest, please provide the following information regarding family members who live and/or work in the Town of Palm Beach, including your spouse, parents, siblings, or children.

Family Member Name	Relationship	Address	Occupation	Employer
Mary Stanton	Wife	Same	None	None

10. Have you ever been convicted of a crime or pled guilty or nolo contendere to a crime other than minor traffic violations? NO

11. If you are currently serving on a Town board, commission, or committee, please identify it in the space below and check the box that indicates you will resign from that position if you are appointed to the position you are seeking in this application.

☐ I will resign from the _____ if I am appointed to the position I am seeking in this application.

The following information is needed to facilitate Town reporting requirements in Florida Statute 760.80. Please check one in each category.

RACE

- | | |
|--|---|
| ☐ African American | ☐ Native American |
| ☐ Asian American | ☒ Caucasian |
| ☐ Hispanic American | ☐ Not Known |

GENDER

☒ Male ☐ Female

PHYSICALLY DISABLED

☐ Yes ☒ No

I hereby certify that I have read the sections of the Town Code of Ordinances for the particular board/commission/committee that I have selected above and have noted the description of the board/commission/committee and its members' duties, and further I have read the regulations concerning absences and conflicts of interests. I certify the information given by me is true and complete to the best of my knowledge and belief. I understand that any falsification of material facts will be grounds for rejection of this application or dismissal after appointment.

SIGNATURE: _____



DATE: 2/3/21

Please attach proof of Town of Palm Beach residency (as listed on page 1) with this application.

Please note that Board/Commission applications will expire on December 15 of each year.

RETIREMENT BOARD OF TRUSTEES

The Retirement Board of Trustees consists of nine members as follows:

One employee who is a member of benefit group general or benefit group lifeguard.

One employee who is a member of benefit group firefighter.

One employee who is a member of benefit group police officer.

Five residents of the Town

The Town Manager

The Retirement Board of Trustees acts in a fiduciary capacity for the Town's retirement funds and in an advisory capacity to the Town Council on matters relating to the administration of the Town's various retirement plans. Trustees other than the Town Manager or Acting Town Manager shall serve three-year terms, and may succeed themselves in office. The Retirement Board of Trustees will meet at least quarterly and on occasion, specially called meetings.

TOWN OF PALM BEACH

Town Council Meeting on: March 2, 2021

Section of Agenda Minutes

Agenda Title
Town Council Meeting Minutes
Queenester Nieves, CMC, Town Clerk

- a. February 9, 2021, Town Council Meeting Minutes - *Deferred to the April 13, 2021 Town Council Meeting.*
- b. February 10, 2021, Town Council Development Review Meeting Minutes - *Deferred to the April 13, 2021 Town Council Meeting.*
- c. February 11, 2021, Special Town Council Meeting Minutes

Presenter

ATTACHMENTS:

- ▣ **c. February 11, 2021, Special Town Council Meeting Minutes**



TOWN OF PALM BEACH

Town Clerk's Office

MINUTES OF THE SPECIAL TOWN COUNCIL MEETING HELD ON THURSDAY, FEBRUARY 11, 2021

I. CALL TO ORDER AND ROLL CALL

The Special Town Council Meeting of Thursday, February 11, 2021 was called to order at 9:30 a.m. On roll call, all council members were found to be present.

II. PLEDGE OF ALLEGIANCE

Council President Zeidman led the Pledge of Allegiance.

III. APPROVAL OF AGENDA

Motion was made by Council President Pro Tem Lindsay and seconded by Council Member Crampton to approve the agenda. On roll call, the Motion passed unanimously.

IV. COMMUNICATIONS FROM CITIZENS – 3 MINUTE LIMIT

There were no comments from citizens.

V. REGULAR AGENDA

- A. **RESOLUTION NO. 026-2021** A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County Florida, Providing For the Issuance of its General Obligation Bonds (Underground Utility Project) Series 2021 in a Principal Amount of Not to Exceed \$18,000,000 for the Purpose of Financing or Refinancing a Portion of the Cost of the Underground Utility Project and Paying Costs of Issuance; Providing for Registration Through a Book-Entry System; Approving the Forms and Authorizing the Use of a Preliminary Official Statement, Official Notice of Sale and Summary Notice of Sale in Connection with the Public Sale of the Bonds; Authorizing the Execution and Delivery of a Final Official Statement; Authorizing the Town Manager and Director of Finance to Determine Certain Details of the Bonds Within the Parameters Set Forth Herein; Authorizing the Delegated Award of the Bonds; Providing Covenants As To Continuing Disclosure; Authorizing All Proper Officials To Do All Things Necessary in Connection with the Issuance, Sale and Delivery of the Bonds; and Providing an Effective Date.
Jane Le Clainche, Director of Finance

Director of Finance, Jane Le Clainche, introduced Jay Glover of PFM, the Town Financial Advisor, who gave a presentation regarding the issuance of the bonds.

Jay Glover, PFM, the Town's Financial Advisor, presented a historical summary of the financing history of the Underground Utility Project and highlighted the following funding sources:

- Assessment Prepayments
- Annual Assessment collections
- Commercial Paper
- GO Bonds
- Voter Approved Sales tax
- Grants
- Interest Earnings

He gave an overview of the \$22,650,000 Commercial Paper Revenue Note which was issued in July, 2017 and the \$56,040,000 GO Bonds that were issued in October, 2018 at a cost of 3.64%. He further stated that in December, 2020 the Town Council directed the preparation of additional GO Bonds to provide additional funding for the project.

Mr. Glover stated that interest rates were at near historically low levels and with the Town's AAA credit rating the Town will be able to borrow at a very low rate. He referred to the credit ratings from Moody's and S&P. He stated that the Town had collected special assessment prepayments of approximately \$6.5M and an estimated \$400K remaining assessments will be collected annually to pay the debt service. He mentioned that these were preliminary amounts as the Town is still processing payments and therefore these could change but the final numbers will be re-run in the assessment model. Mentioned the estimated revenue can support \$8.2M of additional project costs at a rate of 1.83%. Mr. Glover stated with the 2018 and 2021 Bond issuances, the estimated annual debt service will be \$3.8M.

Jane Le Clainche, Director of Finance, presented the cash flow projection with the prepaid assessments and 2021 Bond. She stated that the long-term deficit will be about \$2M more than anticipated.

Jay Glover gave the following financing timeline:

- December 8, 2020: Town Council direction to move forward
- December/January: Prepayment option for assessment payers, preparation of financing documents and credit rating requests
- February 11, 2021: Approval of Bond Resolution
- February 23, 2021: Competitive Sale of Bonds (interest rates locked)
- March 18, 2021: Closing/Receipt of Funds

Mr. Glover recommended the Town move forward with issuance of the Bonds as interest rates were at or near very low rates. He stated that the Resolution being considered had a 4% maximum interest rate.

Mr. Rick Miller, of Locke, Lord, the Town's Bond Counsel, spoke regarding limitations on the Bonds.

Council President Zeidman read Resolution No. 026-2021 by title into the Record.

Motion was made by Council Member Crampton and seconded by Council Member Moore to approve Resolution No. 026-2021. On roll call, the Motion passed unanimously.

VI. ANY OTHER MATTERS

Council President Zeidman stated that she was requesting approval for a COVID-19 workshop to be held sometime in March with Drs. Alonso, Dodson and Schepke as participants. The Town Council approved the request for the workshop.

VII. ADJOURNMENT

The Special Town Council Meeting of February 11, 2021 was adjourned at 9:56 a.m.

APPROVED:

Margaret A. Zeidman, Town Council President

ATTEST:

Queenester Nieves, CMC, Town Clerk

Date

TOWN OF PALM BEACH

Town Council Meeting on: March 2, 2021

Section of Agenda

Minutes

Agenda Title

Approval of Major Matters Considered by the Architectural Review Commission at its Meeting of February 24, 2021.

Presenter

Wayne Bergman, Director of Planning, Zoning and Building

ATTACHMENTS:

- **Memorandum Dated February 23, 2021 from Wayne Bergman, Director of Planning, Zoning and Building**

TOWN OF PALM BEACH

Information for Town Council Meeting on: March 2, 2021

To: Mayor and Town Council

Via: Kirk Blouin, Town Manager

From: Wayne Bergman, Director of Planning, Zoning & Building

Re: Approval of the Architectural Commission Meeting Action Minutes of February 24, 2021

Date: February 23, 2021

STAFF RECOMMENDATION

Staff recommends that the Town Council approve the major items that were approved by ARCOM at the regularly scheduled meeting of February 24, 2021.

BOARD OR COMMISSION RECOMMENDATION

The Architectural Commission recommends that the Town Council approve the major items that were considered at the regularly scheduled meeting of February 24, 2021.

GENERAL INFORMATION

These minutes are submitted to the Town Council for approval pursuant to Chapter 18-177 of the Town of Palm Beach Code of Ordinances.

Please note – due to the close proximity of the ARCOM and Town Council meetings, the ARCOM minutes will be placed in the backup folders for review.

Attachment

kmc

TOWN OF PALM BEACH

Town Council Meeting on: March 2, 2021

Section of Agenda

Resolutions

Agenda Title

RESOLUTION NO. 027-2021 A Resolution Of The Town Council Of The Town Of Palm Beach, Palm Beach County, Florida, Approving The Award Of ITB No. 2021-07 To Rio-Bak Corporation For Dune Restoration - Truck Haul In The Amount Of \$1,765,374 And Establish A Project Budget Of \$1,900,000.

Town staff recommends that Town Council approve both Weeks Marine, Inc. and Rio-Bak Corporation to perform construction related services outside of the Town Code of Ordinances restrictions for construction dates, hours, and noise levels for activities on the beach and in the Lake Worth Lagoon related to construction of the 2021 Phipps Ocean Park Beach Nourishment and Dune Restoration Projects.

Presenter

Dean Mealy, Purchasing Manager

ATTACHMENTS:

- ▣ **Memorandum Dated February 11, 2021, from Dean Mealy, Purchasing Manager**
- ▣ **Resolution No. 027-2021**
- ▣ **Bid Tab**
- ▣ **Scope of Solicitation**

TOWN OF PALM BEACH

Information for Town Council Meeting on: March 2, 2021

TO: Mayor and Town Council

VIA: Kirk W. Blouin, Town Manager

VIA: Jane Le Clainche, CPA Finance Director

FROM: Dean Mealy, CPPO Town Purchasing Manager

RE: Resolution to Approve the Award of ITB No. 2021-07 to Rio-Bak Corporation for Dune Restoration – Truck Haul in the Amount of \$1,765,374 and Establish a Project Budget of \$1,900,000; Resolution No, 027-2021

DATE: 11 February 2021

STAFF RECOMMENDATION

Town staff recommends that Town Council approve Resolution No. 027-2021 awarding ITB No. 2021-07 for Dune Restoration, Truck Haul to Rio-Bak in the amount of \$1,765,374 and establish a project budget of \$1,900,000. In addition, Town staff recommends that Town Council approve both Weeks Marine, Inc. and Rio-Bak Corporation to perform construction related services outside of the Town Code of Ordinances restrictions for construction dates, hours, and noise levels for activities on the beach and in the Lake Worth Lagoon related to construction of the 2021 Phipps Ocean Park Beach Nourishment and Dune Restoration Projects.

GENERAL INFORMATION

The shoreline within portions of Reaches 3, 4, 7, and 8 were impacted by hurricanes Matthew (2016) and Irma (2017). Town staff worked closely with FEMA in order to have these project areas included within the associated declared disasters in order to receive FEMA funding participation to perform dune repairs from those hurricanes. FEMA-participated projects are to be completed within 18-months of the declared disaster. Town staff was able to secure time extensions for the work to be completed prior to May 1, 2021.

This project will be funded as follows;

- Approximately \$500,000 will be funded by the Town of South Palm Beach
- FEMA will reimburse seventy-five percent of the remaining balance
- The remaining twenty-five percent will be funded by the Town Coastal Program

A portion of the dune restoration work is to be constructed within the Town of South Palm Beach. An interlocal agreement between the Town of Palm Beach and the Town of South Palm Beach will be considered by Town Council which will enable the Town of South Palm Beach to 100% fund the portion of work to be constructed in Reach 9. Town Council of the Town of South Palm Beach has approved said interlocal agreement.

In order to complete construction, staff requests waivers of the following sections of the Town Code of Ordinances:

Section 42-198 – prohibits operation of equipment or machinery during winter, Sundays, and legal holidays (commencing on December 1 and ending May 1).

Section 42-199 – prohibits work between 5:00pm and 8:00am.

Sections 42-226 through 229 – regulates noise, equipment operation, and work hours and the standard Town requirement to “stand down for the season”.

PROCUREMENT METHODOLOGY

Town Purchasing issued an ITB for the award of a firm for Dune Restoration. The solicitation was issued to the following:

- DemandStar 186 Firms Noticed
- Palm Beach Post
- Town E-Bidding 21 firms of which five firms that were contacted directly to notice of issued solicitation
- Two firms submitted a comprehensive price proposal which were responsive and responsible to the scope of work.

FUNDING/FISCAL IMPACT

Funding for the Award of Resolution No. 027-2021 will be as follows:

- Approximately \$500,000 will be funded by the Town of South Palm Beach
- FEMA will reimburse seventy-five percent of the remaining balance
- The remaining twenty-five percent will be funded by the Town Coastal Program

PUBLIC WORKS REVIEW

This item has been reviewed by the Public Works and approved as recommended.

TOWN ATTORNEY REVIEW

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

Attachments

cc: Paul Brazil, P.E., Public Works Director
Patricia Strayer, P.E., Town Engineer
Robert Weber, Coastal Program Manager
Duke Basha, Assistant Purchasing Manager
Eric Shibley, CPPB, Senior Buyer

RESOLUTION NO. 027-2021

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF
PALM BEACH, PALM BEACH COUNTY, FLORIDA,
APPROVING THE AWARD OF ITB NO. 2021-07 TO RIO-BAK
CORPORATION FOR DUNE RESTORATION-TRUCK HAUL IN
THE AMOUNT OF \$1,765,374 AND ESTABLISH A PROJECT
BUDGET OF \$1,900,000.**

NOW, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF PALM BEACH,
PALM BEACH COUNTY, FLORIDA, as follows:

Section 1. The Town Council of the Town of Palm Beach hereby approves Resolution No. 027-2021, awarding ITB No. 2021-07 for Dune Restoration - Truck Haul to Rio-Bak in the amount of \$1,765,374 and establish a project budget of \$1,900,000.

Section 2. Town staff recommends that Town Council approve both Weeks Marine, Inc. and Rio-Bak Corporation to perform construction related services outside of the Town Code of Ordinances restrictions for construction dates, hours, and noise levels for activities on the beach and in the Lake Worth Lagoon related to construction of the 2021 Phipps Ocean Park Beach Nourishment and Dune Restoration Projects.

Section 3. The Town Manager is hereby authorized to execute this purchase order on behalf of the Town of Palm Beach for these improvements. .

PASSED AND ADOPTED in a regular, adjourned session of the Town Council of the Town of Palm Beach assembled this 2nd day of March, 2021.

Gail L. Coniglio, Mayor

ATTEST:

Queenester Nieves, CMC, Town Clerk



TOWN OF PALM BEACH

Bid No. 2021-07
Dune Restoration - Truck Haul

Line	DESCRIPTION	COMPANY NAME:		Ferreira Construction		RIO-BAK CORPORATION	
		QTY	UNIT	UNIT AMOUNT	TOTAL AMOUNT	UNIT AMOUNT	TOTAL AMOUNT
1	General Conditions	1	LS	\$100,000.00	\$100,000.00	\$113,800.00	\$113,800.00
2	Site Prep/Staging & Access Area(s)	1	LS	\$115,740.35	\$115,740.35	\$151,341.00	\$151,341.00
3	Sand Excavation/ Transport/ Placement – Reach 3	12000	CY	\$26.45	\$317,400.00	\$19.35	\$232,200.00
4	Sand Excavation/ Transport/ Placement – Reach 4	15000	CY	\$25.20	\$378,000.00	\$17.50	\$262,500.00
5	Sand Excavation/ Transport/ Placement – Reach 7	15000	CY	\$10.50	\$157,500.00	\$8.50	\$127,500.00
6	Sand Excavation/ Transport/ Placement – Reach 8	23297	CY	\$24.95	\$581,260.15	\$17.50	\$407,697.50
7	Sand Excavation/ Transport/ Placement – Reach 9	20000	CY	\$24.80	\$496,000.00	\$20.50	\$410,000.00
8	Traffic Maintenance/MOT	1	LS	\$25,000.00	\$25,000.00	\$19,700.00	\$19,700.00
9	Beach Tilling	1	LS	\$31,353.40	\$31,353.40	\$25,015.00	\$25,015.00
10	Performance and Payment Bond	1	LS	\$13,851.00	\$13,851.00	\$15,620.00	\$15,620.00
TOTAL BID AMOUNT:					\$2,216,104.90	\$1,765,373.50	

Solicitation summary (6092)

Details

Reference number:

Procedure: Sealed without Preselection

Description:

INTRODUCTION

The Town of Palm Beach is seeking competitive bids for the excavation, transport and placement of 85,297 cubic yards of beach quality sand from a designated beach berm sand stockpile area in the vicinity of Phipps Ocean Park to 5 separate dune placement areas as depicted in the Construction Bid Documents. The sand stockpile will be established in conjunction with a planned Phipps beach nourishment project currently under construction. Sand from an offshore borrow area will be stockpiled by others for use by the Contractor as an elevated beach berm feature. Transport of sand will be by truck along S.R. A1A. Excavation and placement shall be by mechanical means. All material shall be handled and placed in accordance with the project Plans, Specifications, and Quality Assurance/Quality Control (QA/QC) procedures.

PRE-BID CONFERENCE

A "NON-MANDATORY" pre-bid meeting will be held on:

Date/Time: January 5, 2020 at 10:00 AM.

*****This pre-proposal meeting will be conducted via virtual conference. Directions to join are as follows*****

Attendance is strongly encouraged as this will be the only forum to seek clarification from Town staff.

You can go here to attend the meeting: <https://global.gotomeeting.com/join/881224709>

You can also dial in using your phone.

United States: +1 (312) 757-3121

Access Code: 881-224-709

SITE VISIT:

A "NON-MANDATORY" Site Visit will be held on:

Date/Time: January 5, 2020 at 2:00 PM.

LOCATION: Phipps Ocean Park

BID OPENING:

A "NON-MANDATORY" public bid opening will be held on:

Date/Time: January 22, 2020 at 2:00 PM.

*****This bid opening will be conducted via virtual conference. Directions to join are as follows*****

You can go here to attend the meeting: <https://global.gotomeeting.com/join/570742101>

You can also dial in using your phone.

United States: +1 (408) 650-3123

Access Code: 570-742-101

QUESTION DEADLINE

The deadline for questions is seven (7) CALENDAR DAYS before the end of the Offer Phase (due date). Questions should be submitted through this software platform using the Question & Answer feature. The Town may provide written addenda up to five (5) calendar days before the date fixed for receiving the bid proposals.

DESIGNATED PROCUREMENT REPRESENTATIVE

The Designated Procurement Representatives for this Solicitation is: Eric Shibley, Buyer email: eshibley@townofpalmbeach.com Direct phone: (561) 227-7009 All communications regarding this solicitation shall be handled only by Town Purchasing Representatives.

ASSISTANCE & SUPPORT

Attached below is a file titled 'Getting Started in Negometrix - Supplier Guide'. Suppliers may also contact the Negometrix support desk at the number provide

NEGOMETRIX SUPPORT CONTACT

(Technical) Assistance (Mon - Fri: 8 am to 6 pm) Negometrix Service Desk Telephone: (724) 888-5294

Awarded supplier(s)

- RIO-BAK CORPORATION (RIO-BAK CORPORATION)

Offers/Applications from suppliers

- **Suppliers** (Number of suppliers: 22)
 - BIDPRIME
 - Participant since : Jan 13 2021 8:36:30 AM
 - CONTINENTAL HEAVY CIVIL CORP
 - Participant since : Jan 12 2021 1:09:57 PM
 - Siboney Contracting Co.
 - Participant since : Jan 10 2021 8:54:41 AM
 - Ahtna Marine and Construction
 - Participant since : Jan 8 2021 3:53:12 PM
 - michelle collier
 - Participant since : Jan 8 2021 8:59:48 AM
 - Touchdown Logistics LLC
 - Participant since : Jan 7 2021 2:20:00 PM
 - Florida Aggregate Sales, Inc.
 - Participant since : Jan 7 2021 10:19:11 AM
 - Ferreira Construction Southern Division Co., Inc.
 - Participant since : Jan 7 2021 5:56:00 AM
 - Construct Connect
 - Participant since : Jan 6 2021 9:16:45 AM
 - Cardno, Inc.
 - Participant since : Jan 4 2021 11:56:36 AM
 - Removed on : Jan 5 2021 10:46:03 AM
 - Coastal Systems International, Inc.
 - Participant since : Jan 4 2021 10:49:27 AM
 - Town Demo
 - Participant since : Jan 4 2021 9:17:03 AM
 - Stillwater Construction
 - Participant since : Jan 2 2021 9:43:45 PM
 - Aftermath Disaster Recovery, Inc.
 - Participant since : Dec 31 2020 12:13:33 PM
 - Earth Tech Enterprises, Inc.
 - Participant since : Dec 31 2020 11:47:55 AM
 - JT Ruby Contracting Inc
 - Participant since : Dec 30 2020 5:00:59 PM
 - RIO-BAK CORPORATION
 - Participant since : Dec 28 2020 11:10:13 AM
 - TSI Disaster Recovery
 - Participant since : Dec 28 2020 9:16:34 AM
 - AUSTIN TUPLER TRUCKING, INC.
 - Participant since : Dec 24 2020 9:22:44 AM

- Stewart Materials, LLC
 - Participant since : Dec 24 2020 6:25:57 AM
- Habana Excavating Inc
 - Participant since : Dec 23 2020 6:18:19 PM
- Eastman Aggregate Enterprises LLC
 - Participant since : Dec 23 2020 2:37:35 PM
- **Offer phase** (Number of offers in phase: 2)
 - RIO-BAK CORPORATION (RIO-BAK CORPORATION) Time and date of submitting: Jan 22 2021 10:39:31 AM
 - Ferreira Construction Southern Division Co., Inc. (Ferreira Construction Southern Division Co., Inc.) Time and date of submitting: Jan 22 2021 12:14:01 PM
- **Evaluation** (Number of offers in phase: 2)
 - RIO-BAK CORPORATION (RIO-BAK CORPORATION)
 - Ferreira Construction Southern Division Co., Inc. (Ferreira Construction Southern Division Co., Inc.)
- **Awarding** (Number of offers in phase: 1)
 - RIO-BAK CORPORATION (RIO-BAK CORPORATION)

Schedule

Name	Type	Start date	End date	Responsible person
Creation date	Date	Dec 22 2020 12:05 PM	—	Solicitations Palm Beach
Preparation	Phase	Dec 22 2020 12:05 PM	Dec 23 2020 1:00 PM	
Offer phase	Phase	Dec 23 2020 1:00 PM	Jan 22 2021 2:00 PM	
Evaluation	Phase	Jan 22 2021 2:00 PM	Apr 7 2021 8:00 AM	
Award phase	Date	Apr 7 2021 8:00 AM	—	

Results

- **Offer phase** (Dec 23 2020 - Jan 22 2021)

Result		Knockouts	unanswered question(s)	Uploads missed	Incomplete evaluations	Unanswered buyer questions	Price	Phase
Rank	Name							
1	RIO-BAK CORPORATION	-	-	-	-	-	\$1,765,373.50	Yes
2	Ferreira Construction Southern Division Co., Inc.	-	-	1	-	-	\$2,216,104.90	Yes

- **Evaluation**

Result		Knockouts	unanswered question(s)	Uploads missed	Incomplete evaluations	Unanswered buyer questions	Price	Phase
Rank	Name							
1	RIO-BAK CORPORATION	-	-	-	-	-	\$1,765,373.50	Yes
2	Ferreira Construction Southern Division Co., Inc.	-	-	1	-	-	\$2,216,104.90	No

- **Awarding**

Result		Knockouts	unanswered question(s)	Uploads missed	Incomplete evaluations	Unanswered buyer questions	Price
Rank	Name						
1	RIO-BAK CORPORATION	-	-	-	-	-	\$1,765,373.50

Contracts

There are no contracts added

Comments

No comments

TOWN OF PALM BEACH

Town Council Meeting on: March 2, 2021

Section of Agenda

Resolutions

Agenda Title

RESOLUTION NO. 028-2021 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving a Purchase Order to Applied Technology & Management, Inc., in the Amount of \$208,292.40 for Coastal Engineering and Turbidity Monitoring Services for 2021 Phipps Ocean Park Beach Nourishment, and Dune Restoration Projects and Establishing a Task Budget of \$229,000.

Presenter

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

ATTACHMENTS:

- ▣ **Memorandum dated February 17, 2021, from H. Paul Brazil, P.E., Director of Public Works**
- ▣ **Resolution No.028-2021**
- ▣ **ATM Proposal**
- ▣ **Olin Hydrographic Proposal**

TOWN OF PALM BEACH

Information for Town Council Meeting on: March 2, 2021

TO: Mayor and Town Council

VIA: Kirk W. Blouin, Town Manager

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

RE: Approve a Purchase Order for Coastal Engineering and Turbidity Monitoring Services for 2021 Phipps Ocean Park Beach Nourishment and Dune Restoration Projects
Resolution No. 028-2021

DATE: February 18, 2021

STAFF RECOMMENDATION

Town staff recommends that Town Council approve Resolution No. 028-2021, approving a purchase order for Coastal Engineering and Turbidity Monitoring Services to Applied Technology & Management, Inc. (ATM), for 2021 Phipps Ocean Park Beach Nourishment and Dune Restoration Projects in the amount of \$208,292.40, and establish a task budget of \$229,000.

GENERAL INFORMATION

Town Council awarded a purchase order to ATM in 2019 in preparation for the Phipps Ocean Park Beach Nourishment project that was initially planned for construction as a bid alternate for the U.S. Army Corps of Engineers (Corps) Federal Mid-Town project. Due to sea turtle nesting season, the schedule did not allow for the Corps to complete the Phipps and dune projects following Mid-Town in 2020. The project was re-bid by the Town as a stand-alone project and expanded to include dunes in both Reaches 3 and 4. Due to modifications to the 2019 project scope, additional authorization is required to provide sufficient engineering and construction support including turbidity monitoring for the revised 2021 project.

ATM has provided a proposal, dated February 16, 2021, to provide the necessary professional engineering and turbidity services to the Town for \$208,292.40 in support of the 2021 Phipps Ocean Park Beach Nourishment and Dune Restoration Projects. Given the late start to the nourishment project largely due to the continued discussions with representatives from the Sloan's Curve condominiums at 2000 and 2100 South Ocean Boulevard, it is anticipated that all the dune restoration areas in Reaches 3, 4, 7, 8 and 9 cannot be completed before May 1, 2021. For this reason, it is expected that some of the dune restoration areas will need to be completed after November 1st following the 2021 sea turtle nesting season. The ATM proposal includes a Task 3 which would cover the professional services necessary to complete the construction observations for dune restoration work that may need to occur in late 2021/early 2022.

FUNDING/FISCAL IMPACT

Sufficient funds exist in the Coastal Protection Fund to accommodate the construction phase services cost.

PURCHASING REVIEW

This item has been reviewed by the Purchasing Division and approved as recommended.

TOWN ATTORNEY REVIEW

This resolution has been reviewed and approved by the Town Attorney for legal form and sufficiency.

Attachments

cc: Shore Protection Board
 Jane Struder, Director of Finance
 Patricia Strayer, P.E., Town Engineer
 Robert Weber, Coastal Program Manager
 Dean Mealy, Purchasing Manager

RESOLUTION NO. 028-2021

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING A PURCHASE ORDER TO APPLIED TECHNOLOGY & MANAGEMENT, INC., IN THE AMOUNT OF \$208,292.40 FOR COASTAL ENGINEERING AND TURBIDITY MONITORING SERVICES FOR 2021 PHIPPS OCEAN PARK BEACH NOURISHMENT AND DUNE RESTORATION PROJECTS AND ESTABLISHING A TASK BUDGET OF \$229,000.

* * * * *

BE IT RESOLVED BY THE TOWN COUNCIL of the Town of Palm Beach, Palm Beach County, Florida as follows:

Section 1. The Town Council of the Town of Palm Beach hereby approves a purchase order to Applied Technology & Management, Inc., in an amount of \$208,292.40 for Coastal Engineering and Turbidity Monitoring Services for 2021 Phipps Ocean Park Beach Nourishment and Dune Restoration Projects and establishing a task budget of \$229,000.

Section 2. The Town Manager is hereby authorized to execute a purchase order on behalf of the Town of Palm Beach for these services, and is authorized to approve additional tasks, as necessary, within the budget.

Section 3. The Town Manager, or his designee, is hereby authorized to take such further actions as may be necessary to effectuate the completion of said project, including any necessary change order work as recommended by the Public Works Director.

PASSED AND ADOPTED in a regular adjourned session of Town Council of the Town of Palm Beach this 2nd day of March, 2021.

Gail L. Coniglio, Mayor

ATTEST:

Queenester Nieves, CMC, Town Clerk

Work Proposal

Town of Palm Beach

Applied Technology & Management

Consulting Services For:

Coastal Engineering and Turbidity Monitoring Services for 2021 Phipps Ocean Park Beach Nourishment and Dune Restoration Projects

2/16/2021

This Work Order, when executed, shall be incorporated in and become an integral part of the Agreement for Professional Services between the Town of Palm Beach, Florida (Town), and Applied Technology & Management (ATM), to be executed, hereafter referred to as the Agreement.

Project Background

This proposal provides additional consulting services in support of the planned 2021 Phipps Ocean Park Beach Nourishment and Dune Restoration Projects. Authorization for construction support was authorized by previous task order for this project under the assumption that it would be constructed in 2020 as an add on to the Federal Mid-Town Nourishment Project utilizing the same borrow source. The schedule did not allow for the Phipps project to be completed in 2020 and the project was re-bid as a stand alone project by the Town for construction in 2021. In addition to the nourishment the original project included construction of a sand stockpile for dune construction in Reaches 8 and 9. For the 2021 construction project the extent of dune construction was expanded to include Reaches 7, 3 and 4.

Given the significant modifications to the original project scope, additional authorization is required to provide sufficient engineering and construction observation support for the revised 2021 construction event. This authorization includes the additional of turbidity monitoring which was originally assumed for the 2020 construction to be conducted by the dredge contractor but is not included in the Town's contractor bid for the 2021 effort.

Specific Tasks are delineated within the following Scope of Services:

SCOPE OF SERVICES

Task 1: Construction Turbidity Monitoring

ATM will direct construction turbidity monitoring as required by State and Federal project permits for the 2021 Phipps Nourishment Project. This effort will be supported by Olin Hydrographic Solutions, Inc. (OHS) as a sub-contractor to ATM, who will be primarily responsible for data collection and reporting. ATM will coordinate turbidity monitoring by OHS with the project team and will provide independent QA/QC and oversight of the monitoring effort. Their proposal for this effort is attached and is included by reference.

Under this task the ATM team will provide staff, equipment and vessels required to complete permit required construction turbidity monitoring as delineated in the FDEP Beach Management Agreement (Appendix D – Project Specific Monitoring and Protection Conditions; Subsection G). This effort includes the active monitoring of turbidity, generation of required monitoring documentation and coordination as required with Town staff, regulatory agencies and the dredging contractor.

The budget is based on an assumed 60 days of active construction and 20 days standby time.

Task 1. Deliverables: The ATM Team will provide the Town with the following Task deliverables:

- Permit required documentation of monitoring events
- Tabularized results of turbidity measurements
- Maps of turbidity measurement locations relative to dredge and discharge locations

(Note: data will be submitted directly to the FDEP JCP Compliance Officer on a timely basis as required by project permit conditions)

Task 2: Additional Construction Administration and Observation – 2021 Phipps Nourishment Project

ATM will provide additional project administration and observation to support project conformance with the plans and specifications, project permit and conditions of the construction contract.

Task 2.1: Engineering Observation and Administration

ATM will provide engineering construction support services on an as needed basis as required for Project Certification and as directed by the Town. ATM will provide construction observation through daily on-site review of construction progress with the Contractor and Town. On-site visits will be conducted based on construction progress by the Contractor and in consultation with the Town. ATM will observe the construction with regard the Contractor's compliance to the contract plans and specifications and regulatory permit conditions. ATM will notify the Town and construction Contractor of any observed deficiencies. ATM will provide on-site coordination with

the Contractor and Town as part of this task. During the construction process ATM will provide administrative support on an as-needed basis including Contractor coordination and review of Contractor invoices. Upon notification from the Contractor of completion of construction, ATM will coordinate a site inspection and develop a punch-list for the Contractor to complete prior to a recommendation for final payment. ATM will coordinate with the Town and Contractor as necessary to address field changes, payment requests, punch list completion, and permit-required submittals to the regulatory agencies.

Task 2.1 Deliverables:

- 1) Project documentation as required including regulatory submittals.

Task 3: Dune Construction Additional Support

ATM will provide additional support for dune construction in Reaches 7, 3 and 4 in conjunction with construction in Reaches 8 and 9. Additional sand will be stockpiled for this effort as part of the 2021 Phipps Nourishment Project.

Subtasks include:

Task 3.1: Dune Construction Additional Support

ATM will provide additional engineering construction support services to accommodate the construction of dunes within Reaches 7, 3 and 4 utilizing sand from the Phipps Nourishment Project dredge operations. Efforts will be conducted in conjunction with dune construction in Reaches 8 and 9.

Task 3.1 Deliverables:

- 1) A Daily observation report will be prepared by the on-site construction representative. This will be submitted to the Town electronically within 24 hours of the observations (these may be combined with Phipps project reporting as appropriate).
- 2) ATM will provide brief summary reports of project progress to the Town on a weekly basis. Additional documents will be prepared and submitted to the Town as appropriate during construction (these may be combined with Phipps project reporting as appropriate).
- 3) ATM will provide the Town with copies of permit-required regulatory agency submittals.
- 4) ATM will provide the Town with a recommendation for payment associated with Contractor invoice submittals.

Task 3.5: Project Review and Certification

ATM will prepare Project Certification documentation for submittal to the FDEP and USACE for the Reach 7, 3 and 4 project segments. This will include development of signed and sealed

Project Certifications for both the FDEP and USACE. Project performance monitoring as required by project permit will be conducted under annual monitoring efforts beyond this scope.

Task 3.5 Deliverables:

- 1) USACE project certification
- 2) FDEP project certification
- 3) Any additional correspondence or documentation as required.

FEES

A summary of project Fees by Task is provided in Table 1 below. *Invoicing shall be on a time and materials basis not to exceed the total task budget outlined herein consistent with the Agreement.*

TABLE 1

Proposal Fees by Task

	Task Description and Breakdown	ATM Total Labor	Sub-consultant*	Internal Direct Expenses*	Total Task Budget
Task 1	Construction Turbidity Monitoring				
1.1	Turbidity Monitoring and Reporting	\$6,020.00	\$96,000.00		\$102,020.00
	Total Cost - Task 1	\$6,020.00	\$96,000.00	\$0.00	\$102,020.00
Task 2	Additional Construction Administration and Observation				
2.1	Engineering Observation and Administration	\$61,000.00		\$610.00	\$61,610.00
	Total Cost - Task 2	\$61,000.00	\$0.00	\$610.00	\$61,610.00
Task 3	Dune Construction Additional Support				
3.1	Engineering Observation and Administration	\$29,520.00		\$295.20	\$29,815.20
3.2	Project Review and Certification	\$12,720.00		\$2,127.20	\$14,847.20
	Total Cost - Task 3	\$42,240.00	\$0.00	\$2,422.40	\$44,662.40
	Total Task Order Costs	\$109,260.00	\$96,000.00	\$3,032.40	\$208,292.40

SCHEDULE

ATM can initiate services immediately upon receipt of Notice to Proceed (NTP). It is noted that execution of this Scope of Services is contingent on actions by others, particularly the construction contractor.

The following schedule is assumed.

TASK	ESTIMATED COMPLETION
Task 1: Turbidity Monitoring and Reporting	Turbidity monitoring will be conducted during active construction of the 2021 Phipps Nourishment Project and will be completed in conjunction with this project.
Task 2: Additional Construction Administration and Observation	Active Construction will be completed by May 1, 2021. Site Remediation to be completed by June 1, 2021. Project Certification to be completed within 90 days of project completion.
Task 3: Dune Construction Additional Support	Active Construction to be completed by May 1, 2021 unless the dredge schedule does not allow for completion. In this case the contractor will mobilize after November 1, 2021 and the project will be completed by May 1, 2022.

Should you have any questions regarding this proposal, please feel free to contact me at your convenience.

Sincerely,

Applied Technology & Management, Inc.



Michael G. Jenkins, Ph.D., P.E.
Coastal Engineering Principal

February 12, 2021

P210212A R1

Applied Technology & Management

2047 Vista Parkway, Ste. 101
West Palm Beach, FL 33411

Dear Mr. Jenkins

RE: TURBIDITY MONITORING – PHIPPS NOURISHMENT TURBIDITY MONITORING

Olin Hydrographic Solutions, Inc. (Olin Hydrographic) is pleased to provide this proposal relative to the Turbidity Monitoring for the above-mentioned project. Olin Hydrographic Solutions has performed the exact scope for numerous successful similar beach nourishment support projects.

PART I – TURBIDITY MONITORING

Turbidity Monitoring: Olin Hydrographic will supply all supervision, labor, and equipment necessary to perform turbidity monitoring during the ongoing dredging project. Specifically, all collection, testing and reporting will be provided as described in the specifications contained within the DEP permit requirements supplied for the project as they pertain to Turbidity Monitoring. Samples will be obtained by one of OHS's enclosed 24' Aluminum Monark vessels or aerial drone (UAV). Olin Hydrographic will utilize a LaMotte 2020 E Turbidity Gauge with a grab sampler to analyze each sample. It is expected that samples will be required every 4 hours daily during daylight hours while the dredging project is underway. Daily reports will be forward to the engineer of record as required in the specs.

Day rate Fees and equipment for Part I services are.....\$1,500/day

Standby day Fees for Part I services are.....\$ 300/ day

Note: Standby days are for consecutive no dredge days due to mechanical or weather issues where the OHS staff member is notified and can demobilize from the site. This fee is to cover the housing and boat dockage.

GENERAL

Schedule: Part I will commence immediately following our Authorization to Proceed from the Client.

Fees: This fee proposal is valid for 60 days. Olin Hydrographic will invoice the Client for Parts I on a percent complete basis. Invoices are to be paid within thirty (30) days of receipt of payment by the Client.

OHS staff look forward working with you through the successful implementation of this project. Please return an executed copy of this agreement to us which will serve as our Authorization to Proceed. Should you have any questions regarding this proposal, please contact me at (305) 619 2800.

Sincerely,

OLIN HYDROGRAPHIC SOLUTIONS, INC.



David Olin, P.E.
President

SIGNED: _____ DATE: _____
Applied Technology & Management

TOWN OF PALM BEACH

Town Council Meeting on: March 2, 2021

Section of Agenda

Resolutions

Agenda Title

RESOLUTION NO. 029-2021 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving a Retroactive Purchase Order to Glasgow Equipment Services Inc. in the Amount of \$28,625 for Repairs to the Par 3 Fuel Tank and Approve \$14,000 for the Remaining Years of the Contract.

The repair of \$28,625 and the previous awards since 2019 cumulatively in the amount of \$44,122 now exceeds the \$65,000 award authority of the Town Manager. The contract has additional two years before rebidding. As such, an additional allocation of \$14,000 is required to support the remaining two years.

Presenter

Dean Mealy, Purchasing Manager

ATTACHMENTS:

- ▣ **Memorandum Dated February 18, 2021, from Dean Mealy, Purchasing Manager**
- ▣ **Resolution No. 029-2021**

TOWN OF PALM BEACH

Information for Town Council Meeting on: March 2, 2021

TO: Mayor and Town Council

VIA: Kirk W. Blouin, Town Manager

VIA: Jane Le Clainche, CPA Finance Director

FROM: Dean Mealy, CPPO Town Purchasing Manager

RE: Resolution to Approve a Retroactive Purchase Order to Glasgow Equipment Services Inc. for Repairs to Par 3 Fuel Tank Repairs, **Resolution No. 029-2021**

DATE: 18 February 2021

STAFF RECOMMENDATION

Town staff recommends that Town Council approve Resolution No, 029-2021 to approve a retroactive Purchase Order to Glasgow Equipment Services, Inc. in the amount of \$28,625.00 for repairs to the Par3 fuel tank.

GENERAL INFORMATION

Glasgow Equipment Services, Inc. was engaged from an awarded contract, derived from RFB 06-2020, On Call Repairs – Gas Pumps, to address a failed fuel tank at the Par 3. A determination had to be made if any fuel contaminated effected the ground water table. The review found no leak and a determination was made to repair the tank in lieu of a complete tank replacement.

The reason that this purchase order for \$28,625.00 being presented to Town Council is the cumulative value of purchase orders to Glasgow Equipment Services, Inc. prior to this award was valued at \$44,122.00. With the additional amount of \$28,625.00 it will now exceed the Town Manager's award authority of \$65,000.

Furthermore, Town intends to renew the maintenance contract with Glasgow for another two years for the bid life of the contract, and anticipates up to \$7,000.00 annually for FY22 and FY23.

FUNDING/FISCAL IMPACT

Funding for the repair will be from multiple operating accounts.

TOWN ATTORNEY REVIEW

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

Attachments

cc: Paul Brazil, P.E., Public Works Director
Jason Debrincat, P.E., Senior Project Engineer
Duke Basha, Assistant Purchasing Manager
Eric Shibley, CPPB, Senior Purchasing Manager

RESOLUTION NO. 029-2021

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF
PALM BEACH, PALM BEACH COUNTY, FLORIDA,
APPROVING A RETROACTIVE PURCHASE ORDER TO
GLASGOW EQUIPMENT SERVICES INC. IN THE AMOUNT
OF \$28,625 FOR REPAIRS TO THE PAR 3 FUEL TANK AND
APPROVE \$14,000 FOR THE REMAINING YEARS OF THE
CONTRACT.**

NOW, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF PALM BEACH,
PALM BEACH COUNTY, FLORIDA, as follows:

Section 1. The Town Council of the Town of Palm Beach hereby approves Resolution No. 029-2021 to approve a retro-active Purchase Order to Glasgow Equipment Services, Inc. in the amount of \$28,625.00 for repairs to the Par3 fuel tank and approve \$14,000 for the remaining two years of the contract.

Section 2. The Town Manager is hereby authorized to execute this purchase order on behalf of the Town of Palm Beach for these improvements. .

PASSED AND ADOPTED in a regular, adjourned session of the Town Council of the Town of Palm Beach assembled this 2nd day of March, 2021.

Gail L. Coniglio, Mayor

ATTEST:

Queenester Nieves, CMC, Town Clerk

TOWN OF PALM BEACH

Town Council Meeting on: March 2, 2021

Section of Agenda

Consent - Other

Agenda Title

Promotion of Current Alternate Members on the Shore Protection Board and Recreation Advisory Commission to Regular Member Status.

Presenter

Jay Boodheshwar, Deputy Town Manager

ATTACHMENTS:

- ▣ **Memorandum Dated February 23, 2021, from Jay Boodheshwar, Deputy Town Manager**

TOWN OF PALM BEACH

Information for Town Council Meeting on: March 2, 2021

To: Mayor and Town Council

Via: Kirk Blouin, Town Manager

From: Jay Boodheshwar, Deputy Town Manager

Re: Promotion of Current Alternate Members on the Shore Protection Board and Recreation Advisory Commission to Regular Member Status

Date: February 23, 2021

STAFF RECOMMENDATION

Staff recommends that Town Council approve the promotion of current alternate members of the Shore Protection Board and Recreation Advisory Commission to regular member status.

GENERAL INFORMATION

At the February 9, 2021, Town Council meeting, Ordinances 02-2021 and 03-2021 were adopted on second reading. Said ordinances amended the Town Code to eliminate the 3 alternate positions on the Shore Protection Board and Recreation Advisory Commission, thus reducing the make-up of the board and commission to 7 regular members only. To comply with these newly adopted ordinances, staff is recommending the promotion of current alternate members on both of these bodies to regular member status. The details are below.

Shore Protection Board

- There are currently two (2) vacant regular member positions on this board, which were created with the term expirations of Llwyd Ecclestone Jr. and Lewis Katz.
- Staff is recommending that current alternate members Vladimir Rapoport and Erick Reickert be promoted to fill these regular member vacancies, effective immediately. The expiration of their terms would remain December 2022.
- The other current regular members of this board are Chairman Kane Baker (term expires 12-21), James Gavigan (term expires 12-21), Reuben Johnson (term expires 12-21), Melissa Ceriale (term expires 12-22), and Warren Belmar (term expires 12-21).

Recreation Advisory Commission

- There is currently one (1) vacant regular member position, which was created due to the mid-term resignation of Amy Bahl. Staff is recommending that current alternate member Pamela McIver be promoted to fill this regular member vacancy, effective immediately. The expiration of Mrs. McIver term would remain April 2022.

- Two (2) additional regular member vacancies will be created in April with the term expirations of Alex Woodfield and Ellen Howe, both who would have served the maximum of the two consecutive terms permitted by code. Applications are currently being accepted to fill these positions and will be presented to Town Council at the April 13, 2021, meeting. One of the applicants will be Peter Harris, who will finish up his term as an alternate member of the commission on April 1, 2021.
- The other current regular members of this commission are Chairman Nicholas Coniglio (term expires 4-23), Grier Pressly (term expire 4-22), Leslie Wyrzes (term expires 4-22), and Kristen Schonwald-Vila (term expires 4-23).

cc: Recreation Advisory Commission
Shore Protection Board
Paul Brazil, Director of Public Works
Carolyn Stone, Director of Business Development and Operations

TOWN OF PALM BEACH

Town Council Meeting on: March 2, 2021

Section of Agenda

Consent - Other

Agenda Title

Accept Donation from the Palm Beach Police & Fire Foundation and Approve the Transfer of Funds from the Town's Equipment Replacement Fund Contingency and Designate the Funds for the Replacement and Renovation of the Police Department Firearms Range in the FY21 Budget

Presenter

Nicholas Caristo, Chief of Police

ATTACHMENTS:

- ▢ **Memorandum dated February 11, 2021, from Nicholas Caristo, Chief of Police**
- ▢ **Letter dated January, 26, 2021, from The Palm Beach Police & Fire Foundation**
- ▢ **Administrative Procedure 1-08-8 Town Donations Policy**

TOWN OF PALM BEACH

Information for Town Council Meeting on: March 2, 2021

To: Mayor and Town Council

Via: Kirk W. Blouin, Town Manager

From: Nicholas Caristo, Chief of Police

Re: Accept Donation from the Palm Beach Police & Fire Foundation and Approve the Transfer of Funds from the Town's Equipment Replacement Fund Contingency and Designate the Funds for the Replacement and Renovation of the Police Department Firearms Range in the FY21 Budget

Date: February 11, 2021

STAFF RECOMMENDATION

Staff recommends the Town Council accept a donation of \$228,000 from the Palm Beach Police & Fire Foundation (PBPF), and approve the transfer of \$30,000 from the Town's Equipment Replacement Fund Contingency and designate the funds for the replacement of the Police Department's Firearms Range target retrieval system in the FY21 budget. The purpose of the donation and the request for contingency funds is to fund the purchase of equipment and/or other services for the renovation of the Palm Beach Police Department's Firearms Range, as deemed appropriate and necessary by the Chief of Police and the Town Manager in accordance with the Town's Purchasing Procedures.

GENERAL INFORMATION

The Palm Beach Police Department continues to benefit from the generosity of the residents and businesses of the Town of Palm Beach. The Palm Beach Police Department's aging Firearms Range and associated equipment has presented a need that the Palm Beach Police & Fire Foundation has generously offered to fulfill. The approximate cost of the Firearms Range renovation is \$258,000 based on initial quotes. The Town has previously set aside, through depreciation, \$30,000 in the Equipment Replacement Fund for the replacement of the range target retrieval system (Asset #40966500). The PBPF has offered to provide through a donation (Attachment A) the remainder of the funds necessary to complete the range renovation. The PBPF requested that the funds be utilized, as deemed appropriate and necessary by the Chief of Police and the Town Manager, on equipment and/or services required for the renovation of the Palm Beach Police Department's Firearms Range.

The value of the donation is in excess of \$25,000, therefore, per own Administrative Procedure No. 1-08-08 (Attachment B), any donation with a value over \$25,000, which is not included in the Town's budget, must be approved by Town Council.

FUNDING/FISCAL IMPACT

The donation will be forwarded to the Finance Department for deposit in the Palm Beach Police Department's donation account. The Finance Department will additionally authorize the use of Equipment Replacement Contingency funds for fixed asset #40966500. Equipment and/or other services purchased for this project will be obtained in accordance with established Purchasing Procedures.

NC:wmr

Attachment

cc: Jane Le Clainche, Director of Finance
Dean Mealy, Purchasing Manager



THE PALM BEACH POLICE & FIRE FOUNDATION

RECEIVED

JAN 29 2021

Palm Beach Police Dept.
Chief of Police

John F. Scarpa
Chairman, CEO &
Co-Founder

Timothy Moran
President & Co-Founder

David S. Mack
Vice President

Michael A. Belisle
1st Vice President

Gerald Frank
Secretary/Treasurer

Annie Falk
Assistant Secretary/Treasurer

Howard B. Bernick

E. Llwyd Ecclestone

Mark E. Freitas

Jeff Greene

Lawrence Herbert

Joel H. Kassewitz

Michele Kessler

William I. Koch

Jeffrey A. Marcus

Joel M. Pashcow

John W.S. Preston

Thomas C. Quick

Matthew K. Smith

January 26, 2021

Luitenant Will Rothrock
Palm Beach Police Department
345 South County Road
Palm Beach, FL 33480

Dear Lieutenant Rothrock,

As per our conversation today, the Palm Beach Police & Fire Foundation is willing to get involved in the rebuilding of the Palm Beach Police Department Shooting Range.

As discussed, the budget for the project is to be \$258,000.00. I was informed by Chief Caristo that he was going to request \$30,000.00 from the depreciation fund to use towards this project. To expedite this project, after receiving approval from the Town Council, the Foundation will be forwarding you a check in the amount of \$128,236.00 to cover the cost of equipment, etc.

The balance of \$108,000.00 will be paid as the project progresses.

If you have any further questions, please contact me on my cell phone.

Regards,

Tim Moran
President & Co-Founder

CC: John F. Scarpa
Michael Belisle
Town Manager Kirk Blouin
Chief of Police Nicholas Caristo



TOWN OF PALM BEACH

Administrative Procedures

TOWN DONATIONS PROCEDURES

Procedure No.:.....1-08-8

Effective Date:..... September 25, 2008

Revision to Procedure No.:..... 1-08-5

APPROVED:

Peter B. Elwell, Town Manager

OBJECTIVE:

To formally establish clear procedures for implementation of the donations policy adopted by the Town Council at the January 8, 2008 Town Council meeting.

RESPONSIBILITY:

Department directors and/or the Town Manager shall be responsible for the implementation of this procedure. The Finance Director shall be responsible for ensuring completion of those actions required of the Finance Department. Town Council is responsible for approving certain donations as described below.

DEFINITIONS:

Donation:	May refer to either money or items. (Donations of food are exempted from this policy.)
Town budget:	Refers to the Town Council adopted budget, the Equipment Replacement Program, or the approved five-year Capital Improvement Program
Department director:	May also refer to his or her designee
Town Manager:	May also refer to his or her designee

POLICY:

Donations with a value over \$25,000, which are not included in the Town budget or the Council-approved Capital Improvement Program (CIP) or Equipment Replacement Fund (ERF), must be individually approved by Town Council. All other donations require administrative approval under the following guidelines:

- Donations of any value, which are of or for items included in the Town budget, are subject to the approval of the department director or Town Manager, as appropriate.

- Donations of money are accepted so long as items bought with the donated money follow the same guidelines as those of a donated item.
- Donations of items with a value of \$25,000 or less, which are not included in the Town budget, may be approved by the department director if there will be no future maintenance or replacement cost, but are subject to the approval of the Town Manager if there could or would be future maintenance or replacement cost.

The department director or Town Manager may seek Town Council approval of any donation which they determine should be subject to Town Council review.

PROCEDURE:

- Donations of cash or gift cards will not be accepted, with the exception of gift certificates or cards donated to the Recreation Department for the use as program prizes. Said certificates or cards will be subject to appropriate cash handling and tracking procedures to insure accountability.
- Departments must follow the Town's formal written purchasing procedures when using donation funding to buy an item.
- If the Town receives a donation for an item in the ERF that is not scheduled for purchase until a future date, the department shall use the donation when the next available purchase for such item occurs in the ERF. Acceleration of such purchases is allowed only upon the advance written approval of the Town Manager.
- All donations shall be reported to the Finance Department for processing and recording.
- The Finance Department will administer a central database, which shall record the date of every donation, name and address of donor, purpose of the donation and the amount of the donation. Departments should submit such information to the Finance Department the same business day the donation is received.

CONSIDERATIONS:

When determining whether to accept a donation, the department director and/or Town Manager should consider whether the public, professional or community benefit is clear. The Town should also

avoid any impression that a private entity might receive a favor, naming rights, or any other quid pro quo consideration from the Town or a Town official in exchange for the donation.

TOWN OF PALM BEACH

Town Council Meeting on: March 2, 2021

Section of Agenda

Consent - Other

Agenda Title

Request by the City of West Palm Beach for Town Sponsorship in the Amount of \$12,000 for the City's 4th on Flagler Event.

Presenter

Kirk W. Blouin, Town Manager

ATTACHMENTS:

- ▣ **Memorandum dated February 16, 2021, from Kirk Blouin Town Manager**
- ▣ **4th on Flagler Sponsorship Request**
- ▣ **4th on Flagler Sponsorship Benefits**

TOWN OF PALM BEACH

Information for Town Council Meeting on: March 2, 2020

To: Mayor and Town Council

From: Kirk Blouin, Town Manager

Re: Request by the City of West Palm Beach for Town Sponsorship in the Amount of \$12,000 for the City's 4th on Flagler Event

Date: February 16, 2021

GENERAL INFORMATION

The City of West Palm Beach is requesting the Town serve as an official sponsor of their 4th on Flagler July 4th Celebration. The attached letter dated February 16, 2021, from Cinde Martin, Marketing Consultant for the City of West Palm Beach, letter identifies benefits of sponsorship.

The Town has previously sponsored this event, including last year for \$12,000. Last year's event was a special program, Project CommUNITY Fireworks from Home, airing the fireworks live on WPBF 25 News. WPBF 25 News has agreed to air the fireworks live again this year, in the event the City's 4th on Flagler July 4th Celebration not be an in-person celebration.

FUNDING/FISCAL IMPACT

If Town sponsorship of the 4th on Flagler event is approved by the Town Council, the \$12,000 cost for this sponsorship will be expended from the FY2021 General Fund Contingency Account.

Attachments

KB:nt

cc: Jane LeClainche, Director of Finance



"The Capital City of the Palm Beaches"

February 16, 2021

Mr. Kirk Blouin
Town of Palm Beach
Correspondence via e-mail

Dear Mr. Blouin,

I hope this letter finds you well during these challenging times. On behalf of the City of West Palm Beach, we are grateful for The Town of Palm Beach's support for the City of West Palm Beach's 4th of July celebration for so many years. Thank You.

Last year's event was quite different, but very successful with the special program, Project CommUNITY Fireworks from Home, airing the fireworks (which we shot off from an undisclosed location) live on WPBF 25 News.

While we are hoping for an in-person celebration this year, it is simply too soon to tell. Fortunately, WPBF 25 has offered to again air the fireworks show live (we would shoot them off again from undisclosed location) for all to enjoy should we not be able to be on Flagler Drive again. And, we are even discussing the potential of both a live show on Flagler Drive and a special TV Program.

We are respectfully requesting the Town of Palm Beach serve as a sponsor again and donate \$ 12,000.00 to the event. As you know, we serve as the County's largest Fireworks display on the 4th of July and we are confident this year will be no different.

I've attached an outline of the benefits you will continue to receive as a 4th on Flagler partner and/or a Project CommUNITY Fireworks from Home. Please contact me if you have questions or require more information. We look forward to working with you on the City of West Palm Beach's 4th of July celebration!

Sincerely,

Cinde A. Martin
Marketing Consultant

"An Equal Opportunity Employer"



OFFICIAL SPONSORSHIP
Town of Palm Beach

SUNDAY, JULY 4, 2021

Attendance approximately 120,000+

Join the City of West Palm Beach for South Florida's largest and best Fourth of July Celebration. This year's celebration will mark 4th on Flagler's 34th year! We are so proud that 4th on Flagler has become the largest, free community celebration in Palm Beach County. This year, if we are able to gather on Flagler Drive, we will be celebrating West Palm Beach in a BIG way. We invite the Town of Palm Beach to join us in providing this community service for all residents.

The celebration is heavily promoted on television – we are again working with WPBF-TV 25 again and we welcome our radio partners, Hubbard Radio which includes 97.9 WRMF, New Country 103.1, SUNNY 107.9, PARTY 96.3, News Talk 850 WFTL, Fox Sports 640 South Florida and X 102.3 with The Palm Beach Post supplying our print ads. With two stages, a kids area, an art area, delicious food and drink, and of course the grand star – the fireworks – this event is slated for good ole' Americana fun!

Benefits include:

- Right to a Corporate Display Areas; one (1) 10x10 tent on Flagler Drive
- Media Recognition
 - Corporate Inclusion in select print ads to run in The Palm Beach Post
 - Corporate Inclusion in select radio ads to run on Hubbard Radio West Palm Beach
- Website Inclusion
- Collateral Inclusion on 4th on Flagler Collateral
- Prominent Signage at Event; Inclusion on all Sponsor Boards
- VIP Ticket Package for Event
 - 1 VIP Parking Pass
 - 14 Tickets to the VIP Hospitality Area
- Right to pre and post event promotions (with City's prior approval)
- First right of refusal

PACKAGE VALUE - \$ 20+K ANNUALLY



CITY OF WEST PALM BEACH FIREWORKS BROADCAST LIVE

SUNDAY, JULY 4, 2021 9 PM BROADCAST

- In the event we cannot gather on July 4th

This year, as we celebrate America's birthday on July 4th, we are coming together to show how we care about our community and to celebrate and our City's past and current strength, resilience, and endurance!

While a pandemic may eliminate our ability to gather on Flagler Drive, it won't dampen our spirits. The highlight of the celebration will be a special LIVE Broadcast on WPBF 25, the local ABC affiliate. This live, news, 30-minute broadcast will showcase the City's history and feature great local stories and then the fireworks will be shot off live from two-undisclosed locations. WPBF 25 will broadcast the fireworks show live!

This year, we may need to again encourage everyone to POP (Party On the Porch) and stay home to watch the show. West Palm Beach and Palm Beach residents will be directed to look to the sky for the City's spectacular Independence Day Fireworks from porches, yards, and balconies. If, they can't seem them, they simply tune in to WPBF 25 for the live show simulcast to music being broadcast on all Hubbard West Palm Beach Radio Stations.

The entire campaign will still be promoted heavily, beginning June 14th via:

- 500+ radio commercials running on the seven Hubbard WPB stations
 - 97.9 WRMF
 - SUNNY 107.9
 - X 102.3
 - New Country 103.1
 - PARTY 96.3
 - FOX Sports 640 South Florida
 - NewsTalk 850 WFTL
- 500+ live liners and station imaging promos running on the seven Hubbard WPB Stations
- Quarter page ads in The Palm Beach Post
- Quarter page ads in The Palm Beach Daily News
- Commercials on WPBF 25

- Collateral pieces including poster and direct mail cards
- WPB TV 18 campaign
- Email Blasts
- Digital Promotion
- Social Media Posts
- City Website
- Event Signage in Downtown West Palm Beach and Northwood Village

In addition, we will have the support and cross promotion from the following partners

- West Palm Beach Community Redevelopment Agency
- Northwood Village
- NW Historic Neighborhood
- WPB Downtown Development Authority
- Discover the Palm Beaches
- Visit Palm Beach
- Mandel Public Library
- West Palm Beach Magazine
- Cultural Council for Palm Beach County

We are asking the Town of Palm Beach to consider honoring this historic partnership and helping us underwrite this unique event that our community NEEDS!

Benefits include:

- Media Recognition
 - Logo Inclusion in all print ads to run in The Palm Beach Post & Palm Beach Daily News
 - Name Inclusion in select radio ads to run on Hubbard Radio West Palm Beach
 - Logo inclusion in TV Live Broadcast
- Logo Website Inclusion
- Logo Inclusion on July 4th Collateral
- Logo Inclusion on all Event Signage
- Right to pre and post event promotions (with City's prior approval)
- First right of refusal

TOWN OF PALM BEACH

Town Council Meeting on: March 2, 2021

Section of Agenda

Board/Commission Annual Report

Agenda Title

Annual Report of the Landmarks Preservation Commission.

Presenter

Richard Rene Silvin, Chair

ATTACHMENTS:

- ▣ **Memorandum Dated February 22, 2021 from Wayne Bergman, Director of Planning, Zoning and Building**
- ▣ **2020 Annual Report of the Landmarks Preservation Commission**

TOWN OF PALM BEACH

Information for Town Council Meeting on: March 3, 2021

To: Mayor and Town Council

From: Wayne Bergman, Director of Planning, Zoning and Building

Re: Annual Report - Landmarks Preservation Commission

Date: February 22, 2021

STAFF RECOMMENDATION

Staff recommends that the Town Council hear the presentation of the Annual Report for 2020 by Richard Rene Silvin, the Chairman of the Landmarks Preservation Commission (LPC).

GENERAL INFORMATION

Attached is a summary of the activities of the Landmarks Preservation Commission for the past year. Richard Rene Silvin, the Chairman of the Landmarks Preservation Commission, is prepared to address the Town Council with additional comments regarding the Commission's activities, and to answer any questions.

Attachment

KC

cc: Richard Rene Silvin, Chairman, Landmarks Preservation Commission
Members, Landmark Preservation Commission

Landmarks Preservation Commission (LPC) – Annual Report 2020

The Commission held twelve (12) regularly scheduled meetings in 2020 and had an average attendance rate of 93%, with a total of 8 absences for the year (6 excused and 2 unexcused).

The Commission reviewed thirty-three (33) Certificates of Appropriateness (C.O.A.), including C.O.A.'s for 130 Barton Avenue, 323 Chilean Avenue, 100 El Bravo Way, 270 El Vedado, 800 S. County Road, and 238 Phipps Plaza.

Five (5) new properties were placed “under consideration” for Landmarking by the Commission during 2020. These five properties include 127 Root Trail, 100 El Bravo Way, 224 Colonial Lane, 256 Orange Grove Road, and 1250 N. Ocean Blvd.

The Commission was able to conduct five new designation hearings prior to the end of the year. Recommended for Landmarking and ratified by the Town Council are 272 Queens Lane, 242 Jungle Road, 167 Clarendon Avenue, and 215 El Bravo Way. Not recommended for landmark designation was 255 Seaspray Avenue.

Designation hearings for a number of properties were deferred until the Fall of 2021 due to Covid-19 pandemic and the requests by some owners to have the meetings in-person again.

Two (2) tax abatement projects were reviewed by the Commission during the year. These two tax abatement projects were ratified by the Town Council and forwarded to Palm Beach County and to the Tax Appraiser's office for implementation: The Everglades Club Phase IV Kitchen Renovation at 350 Worth Avenue and the White Elephant Hotel at 280 Sunset Avenue.

The Commission eliminated their practice of performing informal reviews of zoning applications. Now the LPC makes a recommendation to the Town Council of the formal review of the projects.

On behalf of the Commission, staff (in consultation with the LPC Chairman) conducted 138 reviews of minor projects and revisions to approved projects, and approved 120 of those applications. This represents a 2% increase in applications over last year.

Finally, the LPC worked closely with the Town Council and with staff on the following issues:

- 1) The adoption and implementation of the new Historically Significant Building program, which resulted in the preservation of 4 homes over the last year; and
- 2) Creation of the new Arcom and LPC Project Guide, which clearly defines for applicants the LPC projects that require C.O.A.'s and those that can be administratively approved; and
- 3) The completion and review of the 10-Year Historic Site Survey, performed over the past two years, by ESI; and
- 4) The preliminary review of landmark incentives.
- 5) Establishment of and hiring for the Historic Preservation Planner position to conduct design review, oversee LPC and ARCOM, and contribute to implementation of long-term planning goals.

Commissioners remain enthusiastic and engaged in their volunteer service to the Town, and look forward to the continued preservation of our heritage.

TOWN OF PALM BEACH

Town Council Meeting on: March 2, 2021

Section of Agenda

Committee Reports

Agenda Title

Report of the Business and Administrative Committee Meeting Held on Tuesday, January 26, 2021.

Presenter

Lew Crampton, Chair

ATTACHMENTS:

- ▣ **January 26, 2021, Business and Administrative Committee Meeting Report**



TOWN OF PALM BEACH

Town Clerk's Office

REPORT OF THE BUSINESS AND ADMINISTRATIVE COMMITTEE MEETING HELD ON TUESDAY, JANUARY 26, 2021

COMMUNITY INPUT SESSION REGARDING PARKING IN THE WORTH AVENUE TO ROYAL PALM WAY BUSINESS AREA

I. CALL TO ORDER AND ROLL CALL

The Business and Administrative Committee Meeting was called to order at 9:30 a.m. On roll call, all committee members were found to be present.

II. PLEDGE OF ALLEGIANCE

Chair Crampton led the Pledge of Allegiance.

III. APPROVAL OF AGENDA

Motion to approve the agenda was made by Committee Member Moore and seconded by Chair Crampton. On roll call the Motion passed unanimously.

IV. REGULAR AGENDA

Chair Crampton gave a few opening comments and reiterated that the Committee's role is to make recommendations to the Town Council. He stated that this was the third hearing to review parking issues in Town, as they had already dealt with Royal Poinciana Way and South County Road, today's meeting will be regarding Worth Avenue. He mentioned the backup material provided by staff and stated that they would be viewed in the context of residents' needs and convenience and also in the context of businesses in the area.

Member Moore again stated that the recommendations from the Committee will be taken to Town Council for further discussion as the Committee does not make any decisions. She stated that she looked forward to a robust and vibrant discussion today regarding parking in the Worth Avenue District. She was notified by Deputy Town Manager Jay Boodheshwar that there were 26 participants on the meeting call.

Chair Crampton stated that the Committee does expect to make some recommendations to the Council at the February meeting. He reminded all that the committee had already made recommendations regarding shared parking and underground lots. Chair Crampton stated that the Committee intended to produce useful results after these meetings. Compromises might be

made, but benefits would be expected to accrue to residents, businesses and the Town.

A. Recap of Preliminary Regulation Options Related to Parking in the Worth Avenue to Royal Palm Way Business Area

Jay Boodheshwar, Deputy Town Manager

Jay Boodheshwar, Deputy Town Manager gave an historical overview of the past meetings, starting with November last year with a review of all the existing parking regulations in the Town's commercial areas. It was agreed at that time to break the main commercial areas into three (3) areas: County Road corridor, Royal Poinciana Way area and Worth Avenue. No action has been taken at this time. Mr. Boodheshwar spoke regarding the Retail Strategy Consultant selection process.

B. Community Input Related to Existing and/or Potential Parking Regulations in the Worth Avenue to Royal Palm Way Business Area

Mr. Boodheshwar explained that the Worth Avenue business area included all roads, east, west, north and south between Hammond Avenue to Royal Palm Way, which overlaps with the South County Road business area. He presented several spreadsheets highlighting preliminary recommendations for commercial streets in the area, on-street regulations, number of parking spaces, current regulations, and potential regulation changes. He mentioned the following areas which are being recommended for metered parking and/or increased parking rates:

Australian Ave (100 block) South side
Brazilian Ave (100 block) North and South sides
Chilean Ave (100 block) North and South sides
Cocoanut Row (200 and 400 blocks)
Hammon Ave (100 block) North and South sides
Peruvian Ave (100 block) North and South sides
Royal Palm Way (100 block) North and South sides
S. County Rd (200 block) East and West sides
S. County Rd (300 block) East and West sides
S. County Rd (400 block) East side
Worth Ave (100 block) North and South sides
Worth Ave (200 block) North and South sides
Worth Ave (300 block) North and South sides
Worth Ave (400 block) North side

Chair Crampton commented that the numbers being shown on the charts were the result of aerial surveys of parking and data searches of parking enforcement. Results of these surveys, will be available for review by the February 19th meeting.

Mr. Boodheshwar mentioned that S. Lake Drive (300 block), the west side is being recommended for Marina parking only; and Brazilian Ave (200 block), Hammon Ave,

Cocoanut Row and Hibiscus Ave are being recommended for placard parking. He showed aerial maps of the areas for the paid and placard parking programs.

Member Moore inquired about employees parking in front of the stores to which Mr. Boodheshwar responded that the store owners would be better able to respond to that question. He deferred to Ben Alma, Parking/Code Enforcement Manager, who reported that from November 1 to date, 317 parking citations were issued in the Worth Avenue area. He then explained that some of their resources had to be redeployed to assist with COVID-19 vaccination traffic and the former President being in Town. He mentioned that he had spoken with several business owners who informed him that parking is used as an incentive for their employees – high-end salesperson gets a privileged parking spot in the parking lot and the person who sells the least will have to park on the street. Some business owners have one employee who moves the cars every hour and if they receive a ticket, the cost is split between all the staff or it is paid from tips if they are tipped employees.

Chair Crampton commented that the Town was trying to promote turnover in the parking spaces. He suggested getting the number of employees from each business owner on Worth Avenue and mentioned that the Town was open to getting a sequestered area for employees as a first step towards resolving the situation. Co-operation with the Worth Avenue Association is a must for this project to succeed.

C. Committee Discussion and Q & A with Staff and Meeting Participants

The following residents spoke:

Dr. Richard Lynn, President of Palm Beach Midtown Business Association and husband of Salon Margrit's owner. He reported that he had spoken with Josh Martin of the Frisbee Group, that had recently purchased several buildings on S. County Road. The group now owns the parking lot which was previously owned by the Bank. He stated that the Group was committed to meeting with the Committee and working with the Association. He mentioned that in some areas patrons just need to park for 5 or 10 minutes to pick up food orders.

Mr. Boodheshwar added that recommendation would be made to have the first 30 or 60 minutes free on the parking meters.

Jane Holzer spoke regarding the valet service on Worth Avenue and stated that they didn't want parking meters there. She also spoke about ownership changes on the Avenue.

Mr. Boodheshwar suggested two dates for the next Committee meeting of which February 19, 2021 at 9:30 a.m. was selected.

Kristin Fries, President of Worth Avenue Association and Manager of Bottega Venetta spoke regarding the parking challenges on the Avenue and offered assistance from the

Association in obtaining the total number of employees and spaces available for employees to purchase in the Apollo parking.

Mr. Boodheshwar announced that the public may send thoughts/comments to Chair Crampton at lcrampton@townofpalmbeach.com, Member Moore at dmoore@townofpalmbeach.com or to himself at jboodheshwar@townofpalmbeach.com.

V. ANY OTHER MATTERS - None

VI. ADJOURNMENT

The Business and Administrative Committee meeting of Tuesday, January 26, 2021, was adjourned at 10:40 a.m.

APPROVED:

Lewis S.W. Crampton, Chair

ATTEST:

Queenester Nieves, CMC, Town Clerk

Date

TOWN OF PALM BEACH

Town Council Meeting on: March 2, 2021

Section of Agenda

Regular Agenda - Old Business

Agenda Title

COVID-19 Update

Kirk W. Blouin, Town Manager

TIME CERTAIN: 10:30 AM

a. Report on COVID-19 Infections, Hospitalizations and Vaccines

Darrel Donatto, Fire Rescue Chief

b. Compliance with Emergency Order and Mandates

Nicholas Caristo, Police Chief

c. Discussion About Town-Wide Curfew

d. RESOLUTION NO. 030-2021 A Resolution Of The Town Council Of The Town Of Palm Beach, Palm Beach County, Florida Concurring With The Request Of The Town's Chief Of Police, To Extend The Chief's Declaration Of The Existence Of A State Of Emergency Within The Corporate Limits Of The Town To April 13, 2021, Unless Earlier Terminated By The Chief Of Police, At Which Time The Town Council Will Address The Need For Any Extension Of The Declaration Of Emergency; Providing For An Effective Date.

Time Certain

10:30 AM

Presenter

ATTACHMENTS:

▣ **d. Resolution No. 030-2021**

RESOLUTION NO. 030-2021

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA CONCURRING WITH THE REQUEST OF THE TOWN'S CHIEF OF POLICE, TO EXTEND THE CHIEF'S DECLARATION OF THE EXISTENCE OF A STATE OF EMERGENCY WITHIN THE CORPORATE LIMITS OF THE TOWN TO APRIL 13, 2021, UNLESS EARLIER TERMINATED BY THE CHIEF OF POLICE, AT WHICH TIME THE TOWN COUNCIL WILL ADDRESS THE NEED FOR ANY EXTENSION OF THE DECLARATION OF EMERGENCY; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, 2019 Novel Coronavirus Disease (COVID-19) is a severe, acute respiratory illness that can spread among humans through respiratory transmission and presents with symptoms similar to those of influenza; and

WHEREAS, the World Health Organization (WHO) has declared a pandemic related to COVID-19; and

WHEREAS, the Center for Disease Control and Prevention (CDC) has declared the potential public health threat posed by COVID-19 as "high", both in the United States and throughout the world; and

WHEREAS, on March 1, 2020, Governor Ron DeSantis issued Executive Order 20-51, declaring that appropriate measures to control the spread of COVID-19 in the State of Florida are necessary, and therefore directed that a Public Health Emergency be declared in the State of Florida; and

WHEREAS, on March 9, 2020, Governor Ron DeSantis issued Executive Order 20-52, declaring a State of Emergency in the State of Florida regarding the COVID-19 pandemic; and

WHEREAS, the President of the United States has declared a State of Emergency for the Country to address the public health threat to the United States of America as a result of COVID-19; and

WHEREAS, a threat of impact from COVID-19 exists throughout the corporate limits of the Town of Palm Beach and elsewhere; and

WHEREAS, COVID-19 poses a danger to life and the economic well-being of Palm Beach residents; and

WHEREAS, the Chief of Police of the Town of Palm Beach, pursuant to the authority of Section 58-41 of the Town Code of Ordinances, has declared a state of emergency exists within the corporate boundaries of the Town; and

WHEREAS Florida Statute Section 870.042 provides that the designated official, in this case the Chief of Police, has the authority to exercise the emergency powers conferred in Sections 870.041 through 870.047 of the Florida Statutes; and

WHEREAS, Section 870.047, Florida Statutes, provides for the duration and termination of a State of Emergency and provides that the emergency declaration shall terminate at the end of the period of seventy-two (72) consecutive hours unless prior to the end of the seventy-two (72) hour period, the declaration of emergency has been terminated; and

WHEREAS, any extension of the seventy-two (72) hour time limit must be accomplished by request from the public official and the concurrence of the Town Council by duly enacted resolution in regular or special session; and

WHEREAS, the Town Council approved Resolution No. 122-2020 on November 10, 2020, granting the Chief of Police's request that the seventy-two (72) hour time limit be extended to December 8, 2020; and

WHEREAS, the Town Council approved Resolution No. 145-2020 on December 8, 2020, granting the Chief of Police's request that the declaration of emergency be extended to January 12, 2021; and

WHEREAS, the Town Council approved Resolution No. 008-2021 on January 12, 2021, granting the Chief of Police's request that the declaration of emergency be extended to February 9, 2021; and

WHEREAS, the Town Council approved Resolution No. 021-2021 on February 9, 2021, granting the Chief of Police's request that the declaration of emergency be extended to March 2, 2021; and

WHEREAS, the Chief of Police has requested that the time limit for the declaration of emergency be extended again to April 13, 2021, unless earlier terminated by the Chief of Police.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY FLORIDA, AS FOLLOWS:

Section 1. The request of the Chief of Police to further extend the time period for the declaration of emergency is hereby granted.

Section 2. The declaration of emergency shall remain in effect until March 2, 2021, unless earlier terminated by the Chief of Police, at which time the Town Council will address the need for any extension of the declaration of the emergency.

Section 3. During this period of time, the Chief of Police has the authority to extend or amend any of the emergency measures declared in the initial declaration of emergency as provided by the terms of Florida Statute Section 870.045.

Section 4. This resolution shall take effect upon execution. A copy of this Resolution shall be filed in the office of the Town Clerk and delivered to the appropriate news media and by posting

on the Town's website.

PASSED AND ADOPTED in a regular, adjourned session of the Town Council of the Town of Palm Beach assembled this 2nd day of March, 2021.

Gail L. Coniglio, Mayor

ATTEST:

Queenester Nieves, CMC, Town Clerk

TOWN OF PALM BEACH

Town Council Meeting on: March 2, 2021

Section of Agenda

Regular Agenda - Old Business

Agenda Title

Town-wide Undergrounding Project

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

a. Review of Project and Dashboard, Summary of Project Status

b. RESOLUTION NO. 031-2021 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving the Award of Guaranteed Maximum Price to Burkhardt Construction Inc., for Phase 4 South Part-1 and the Watermain Replacement on South Lake Drive in the Amount of \$1,252,588 and Establish a Project Budget in the Amount of \$1,440,470.

Dean Mealy, Purchasing Manager

c. RESOLUTION NO. 032-2021 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving a Purchase Order to Kimley-Horn and Associates, Inc. in the Amount of \$49,838.17 and a Project Budget of \$53,000 for Phase 4 South Part-1 Construction Phase Services for Town-Wide Undergrounding of Utilities and South Lake Avenue Watermain Replacement.

Presenter

ATTACHMENTS:

- ▣ **a. Review of Project and Dashboard, Summary of Project Status**
- ▣ **b. Memorandum dated February 22, 2021, from Dean Mealy, CPPO, Purchasing Manager**
- ▣ **b. Resolution No. 031-2021**
- ▣ **b. RFQ No. 2019-03**
- ▣ **b. Final GMP**
- c. Memorandum Dated February 22, 2021, from H. Paul Brazil, P.E.,**

- ▣ **Director of Public Works**
- ▣ **c. Resolution No. 032-2021**
- ▣ **c. Kimley Horn Proposal**

TOWN OF PALM BEACH

Information for Town Council Meeting on: March 2, 2021

TO: Mayor & Town Council

VIA: Kirk W. Blouin, Town Manager

VIA: Paul Brazil, Public Works Director

FROM: Patricia Strayer, Town Engineer

RE: Utility Undergrounding Project Status Report

DATE: February 22, 2021

I. COMMUNICATIONS:

A. Community Meetings:

Coffee with the Crew meetings are postponed until further notice.

B. Significant Postal Mail or E-mail

None

II. PROGRESS SUMMARY:

Overall Town-wide Construction Progress. Seven (7) of 15 construction zones are either complete or in progress/funded for construction, inclusive of Phases 1N, 1S, 2N, 2S, 3N, 3S & 4N.

A. Construction Progress:

Phase 1 North:

From the Inlet south to Onondaga Ave.

- Complete, March 30, 2019

Phase 1 South:

From southern Town limits north to Sloan's Curve.

- Complete, April 3, 2020

Phase 2 North Construction:

From Esplanade Way to Ocean Terrace.

- Complete, October 29, 2020

Phase 2 South Construction:

From Sloan's Curve to the intersection of S. Ocean Blvd & S. County Road

- Phase 2 South, the project is 40% complete.
- Drilling continues with FPL equipment being set. Currently drilled up to Mar-A-Lago and will continue drilling north of this construction zone, the crews are now contacting properties along N. Ocean Blvd and the side streets.

Phase 3 North Construction:

From Osceola Way to the north-side of La Puerta Way

- Phase 3 North, the project is 88% complete.
- FPL energizing and conversions are in progress.
- ATT & Comcast are waiting for FPL to energize the underground utilities to complete their work.

Phase 3 South:

From S. Ocean Blvd & S. County Road to the alleyway south of Worth Ave.

- Phase 3 South construction is just initiated and is 4% complete.
- Town continues to pursue remaining outstanding easements.
- Two (2) chicanes have been resolved and eliminated.

Phase 4 North:

From south-side of La Puerta Way to north-side of List Road.

- Construction for Phase 4 North is just initiating.
- Phase 4 North construction is just initiated and is 6% complete.
- All chicanes have been eliminated.
- All easements have been granted.

Phase 4 South:

From Peruvian Ave. north to Royal Palm Way & the Town Docks.

- Design is 72% complete.
- 55 of 63 easements are recorded or verbally approved.
- Easement acquisition is behind schedule – Master Plan start was May 2020.
- Sample transformer deployment completed in the right-of-way (utility strip) adjacent to 134 Australian Ave.
- Planning mass mailing of right of way locations in Phase 4 South.

Phase 5 North:

From Country Club Road to Southland Road.

- Design is 62% complete and falling behind schedule due to slow easement acquisition progress.
- 43 of 95 easements are recorded or verbally approved.
- Start of Construction planned for September 2021, originally May 2021.

Phase 5 South:

From South Lake Drive/Hibiscus Ave. & Peruvian Ave./Royal Palm Way, properties between the intracoastal waterway and the Atlantic Ocean & from Royal Palm Way to Seaspray Ave.

- Design is 60% complete and falling behind schedule due to slow easement acquisition progress.
- 48 of 76 easements are recorded or verbally approved.
- Start of construction planned for September 2021, originally May 2021.

Phase 6 North:

From Chateaux Drive & Kawama Lane to the south-side of Plantation Road.

- Design is 25% complete and on schedule.
- Easement acquisition has started, December 2020. Three (3) of 68 easements have been verbally approved.

Phase 6 South:

Seaspray Ave. to the south of Royal Poinciana Way.

- Design is 23% complete and on schedule.
- Easement acquisition has started, Dec 2020. Four (4) of 86 easements have been verbally approved.

Phase 7 North:

Palm Beach Country Club north to the south side of List Road.

- Design is 9% complete and on schedule.
- Easement acquisition has not started.

Phase 7 South:

Atlantic Ave. north to Via Los Incas & Sanford Ave.

- Design is 9% complete and on schedule.
- Easement acquisition has not started.

Phase 8:

Royal Poinciana Way north to Everglade Ave.

- Design is 6% complete and on schedule.
- Easement acquisition has not started.

III. FINANCIAL SUMMARY:

A. FEMA Grant Update:

- On January 15, 2021, the required 4th Quarter Report was filed with FL DEM, along with the Milestones and Activities Report.
- On January 29, 2021, the consultant (LaConte Engineering) notified FEMA that the Town of Palm Beach intended to request Sub-Recipient Management Costs (SRMC) for grant-related activities. This request is in the process of being completed and will be submitted to the Town Manager for execution. The SRMC entitles the town to up to 5% of the total cost of the project for grant-related work.
- The Town is waiting for the amendment/modification to the contract for the previously approved Period of Performance time extension.

FL DEM - Approved our request on November 24, 2020.

B. Project Budget Summary:

There are no significant changes since the last report. Updates include processing of vendor pay applications for design, direct material purchases, and work performed in active phases. The full underground utility project financial report is provided within your backup package with the summary page attached.

cc: Jane LeClainche, Finance Director
Kevin Schanen, Kimley-Horn & Associates

Underground Utility Project Budget
Project Financial Summary
February 28, 2021

Expenditures	Original OPC	Dec 2019 OPC	Budget	Actual	% Expended
Phase 1	\$ 12,620,000	\$ 12,910,000	\$ 12,824,617	\$ 12,886,095	100.5%
Phase 2	\$ 9,170,000	\$ 13,470,000	\$ 12,907,271	\$ 7,968,661	61.7%
Phase 3	\$ 10,910,000	\$ 15,400,000	\$ 16,016,430	\$ 6,706,766	41.9%
Phase 4	\$ 10,370,000	\$ 15,220,000	\$ 6,873,781	\$ 1,352,166	19.7%
Phase 5 (Includes \$8.5 Million FEMA Grant Offset)	\$ 14,090,000	\$ 11,694,645	\$ 1,698,543	\$ 918,316	54.1%
Phase 6	\$ 16,820,000	\$ 20,800,000	\$ 1,885,264	\$ 487,982	25.9%
Phase 7	\$ 11,730,000	\$ 15,910,000	\$ 1,583,331	\$ 199,390	12.6%
Phase 8	\$ 12,300,000	\$ 14,500,000	\$ 1,378,643	\$ 103,815	7.5%
Total Project Costs To Date	\$ 98,010,000	\$ 119,904,645	\$ 55,167,881	\$ 30,623,191	55.5%
Other Costs Associated Directly with the Project (Page 8)	\$ 570,000	\$ 980,414	\$ 980,414	\$ 928,901	94.7%
Grand Total of Costs Related to Project	\$ 98,580,000	\$ 120,885,059	\$ 56,148,295	\$ 31,552,092	56.2%
Debt Service and Related Debt Issuance Costs (Page 8)			\$ 9,497,200	\$ 8,011,039	84.4%
Total Other Costs Outside Underground Budget (Page 8)			\$ 1,343,876	\$ 2,160,621	160.8%
Grand Total of All Costs Related to the Project	\$ 98,580,000	\$ 120,885,059	\$ 57,492,171	\$ 33,712,713	58.6%

Total Project Budget - Opinion of cost for construction	\$ 120,885,059
% Budgeted/Encumbered To Date Project Costs	46.45%
% Spent to Date - Project Costs	26.10%

Project Revenues Received

Revenues	Budget	Actual	% of Budget
Revenues			
Prepaid Assessments	\$ -	\$ 18,307,361	0.0%
Assessment Revenue	\$ 17,580,000	\$ 16,493,781	93.8%
Commercial Paper	\$ -	\$ -	0.0%
Town Owned Property Prepaid Assessments	\$ 2,797,291	\$ 2,797,291	100.0%
Interest on Assessment Escrow	\$ -	\$ 396,389	0.0%
Interest	\$ 1,312,000	\$ 2,337,870	178.2%
GO Bond Proceeds	\$ 60,500,000	\$ 60,499,897	100.0%
1 Cent Sales Tax	\$ 5,000,000	\$ 2,166,667	43.3%
FPL		\$ 450,246	0.0%
FEMA Grant	\$ 8,500,000	\$ -	0.0%
Other			
Kevin McGann - CO #9	\$ -	\$ 34,900	0.0%
Donations - Civic Association	\$ 49,250	\$ 49,250	100.0%
Transfer from (307) Fund CIP	\$ 760,200	\$ 760,200	100.0%
Transfer from (001) General Fund - PM Salary	\$ 574,450	\$ 464,450	80.9%
Total Project Revenues	\$ 97,073,191	\$ 104,758,302	107.9%

Underground Utility Project Budget
Phase 1 Project Costs
February 28, 2021

	Original OPC	Dec 2019 OPC	Budget	Actual	% Expended
Project Engineering					
Task 2.1 - Detailed Design North End	590,000		472,063	472,063	100.0%
Task 2.2 - Detailed Design South End	740,000		619,411	619,411	100.0%
Task 2.3 - Permitting Assistance			17,790	17,790	100.0%
Task 2.4 - Bid Phase Assistance			42,166	42,166	100.0%
Task 2.5 - Meetings - Design Phase			125,399	125,383	100.0%
Subtotal Design Phase	\$ 1,330,000	\$ 1,280,000	\$ 1,276,829	\$ 1,276,813	100.0%
Construction Costs					
Phase 1 North Construction					
Preconstruction			\$ 19,720	19,720	100.0%
Burkhardt Construction			\$ 3,598,144	3,598,144	100.0%
Street Light Conversion			\$ 26,273	113,399	431.6%
Change Order for AT&T and Comcast Conduit			\$ 371,201	371,201	100.0%
Other Change orders			\$ 130,415	130,415	100.0%
Utility Design Costs			\$ 15,595	15,595	100.0%
Utility Construction Costs (FPL, Comcast, AT&T)			\$ 476,776	483,548	101.4%
Construction Engineering (KH)			\$ 230,532	205,818	89.3%
	\$ 4,210,000	\$ 4,930,000	\$ 4,868,657	\$ 4,937,840	101.4%
Phase 1 South Construction					
Preconstruction			\$ 22,200	22,200	100.0%
Whiting Turner Construction			\$ 4,450,977	4,450,977	100.0%
Change Order for AT&T and Comcast Conduit			\$ 125,147	125,147	100.0%
Other Approved Change Orders			\$ 12,749	12,749	100.0%
Utility Design Costs			\$ 33,013	33,013	100.0%
Utility Construction Costs (FPL, Comcast, AT&T)			\$ 1,374,193	1,362,028	99.1%
Construction Engineering (KH)			\$ 316,498	316,396	100.0%
	\$ 6,800,000	\$ 6,350,000	\$ 6,334,777	\$ 6,322,510	99.8%
Easement Recording Fees			\$ 740	740	100.0%
Legal Costs/Easement Acquisition - Jones Foster	\$ 280,000	\$ 350,000	\$ 301,359	\$ 306,723	101.8%
Legal Sketch and Description - Easements			34,000	33,215	97.7%
Easement Abandonment			\$ 8,256	8,256	100.0%
Total Phase 1 Costs	\$ 12,620,000	\$ 12,910,000	\$ 12,824,617	\$ 12,886,095	100.5%

Underground Utility Project Budget
Phase 2 Project Costs
February 28, 2021

	Original OPC	Dec 2019 OPC	Budget	Actual	% Expended
Phase 2 Design					
Kimley Horn					
Task 1.1 Phase 2 North Design	335,000		\$ 281,304	\$ 281,304	100.0%
Task 1.2 Phase 2 South Design	400,000		\$ 335,353	\$ 335,353	100.0%
Task 1.3 Permitting Assistance North and South			\$ 12,674	\$ 12,674	100.0%
Task 1.4 Bid Phase Assistance North and South			\$ 40,565	\$ 40,565	100.0%
Task 1.6 Meetings North and South			\$ 136,617	\$ 129,348	94.7%
Total Phase 2 Design	\$ 735,000	\$ 807,000	\$ 806,513	\$ 799,244	99.1%
Construction Costs					
Phase 2 North Construction					
Preconstruction			\$ 35,000	31,970	91.3%
Burkhardt Construction			\$ 4,015,865	3,961,886	98.7%
Approved Change Orders			\$ -	-	
FPL Design Cost			\$ 11,759	1,350	11.5%
ATT Design Cost			\$ 5,000	\$ 5,000	100.0%
Comcast Design Cost				\$ 4,582	
Utility Costs (FPL, Comcast, AT&T)			\$ 496,307	\$ 496,307	100.0%
FPL - Additional Vista Switches				\$ 54,938	
Street Light Conversion			\$ 19,186	\$ 19,186	100.0%
Construction Engineering (KH)			\$ 248,121	\$ 243,146	98.0%
Total Phase 2 North Construction	3,800,000	5,020,000	\$ 4,831,238	\$ 4,818,365	99.7%
Phase 2 South Construction	-				
Preconstruction			\$ 35,000	33,400	95.4%
Burkhardt Construction			\$ 6,494,596	1,746,879	26.9%
Approved Change Orders			\$ -		
FPL Design Cost			\$ 13,330	14,200	106.5%
ATT Design Cost			\$ 5,000	\$ 5,000	100.0%
Comcast Design Cost			\$ 5,000	\$ 4,582	91.6%
Utility Costs (FPL, Comcast, AT&T)			\$ 200,000	\$ 123,948	62.0%
Street Light Conversion			\$ 20,000	\$ 19,268	96.3%
Construction Engineering (KH)	-		\$ 282,973	\$ 190,684	67.4%
Total Phase 2 South Construction	4,435,000	7,424,000	\$ 7,055,899	\$ 2,137,961	30.3%
Easement Acquisition/Abandonment	200,000	219,000			
<i>Kimley Horn Easement Assistance</i>					
Task 1.5 Easement Assistance North			\$ 64,936	\$ 64,935	100.0%
Task 1.5 Easement Assistance South			\$ 77,466	\$ 77,467	100.0%
<i>Surveys</i>					
Task 1.7 Legal Sketch North			\$ 14,020	\$ 14,020	100.0%
Task 1.7 Legal Sketch South			\$ 21,725	\$ 19,659	90.5%
Advertising				\$ 1,101	
Jones Foster - Legal			\$ 25,000	\$ 23,933	95.7%
Postage			\$ -	\$ 491	
Recording Costs			\$ 3,605	\$ 2,990	82.9%
Easement Abandonment			\$ 6,870	\$ 8,495	123.7%
Total Easement Acquisition Costs	200,000	219,000	\$ 213,622	\$ 213,091	99.8%
Total Phase 2 Costs	\$ 9,170,000	\$ 13,470,000	\$ 12,907,271	\$ 7,968,661	61.7%

Underground Utility Project Budget
Phase 3 Project Costs
February 28, 2021

	Original OPC	Dec 2019 OPC	Budget	Actual	% Expended
Phase 3 Design					
Kimley Horn					
Task 1.1 Phase 3 North Design	\$ 325,000		\$ 280,189	\$ 280,189	100.0%
Task 1.2 Phase 3 South Design	\$ 535,000		\$ 486,333	\$ 486,323	100.0%
Task 1.3 Permitting Assistance			\$ 13,739	\$ 13,739	100.0%
Task 1.4 Bid Phase Assistance			\$ 36,834	\$ 36,834	100.0%
Task 1.5 Meetings			\$ 77,411	\$ 76,626	99.0%
Total Phase 3 Design	\$ 860,000	\$ 895,000	\$ 894,505	\$ 893,710	99.9%
Construction Costs					
Phase 3 North Construction	\$ 3,700,000	\$ 5,300,000			
Preconstruction			\$ 24,580	\$ 24,580	100.0%
Construction - Burkhardt			\$ 4,042,171	\$ 3,624,525	89.7%
Approved Change Orders					
FPL Design Cost			\$ 12,850	\$ 1,350	10.5%
ATT Design Cost			\$ 5,000	\$ 5,000	100.0%
Comcast Design Cost			\$ 3,128	\$ 3,128	100.0%
FPL Construction			\$ 87,101	\$ 87,101	100.0%
Street Light Conversion			\$ 4,249	\$ 4,249	100.0%
Utility Costs (Comcast & ATT)			\$ 409,387	\$ 409,387	100.0%
Construction Engineering (KH)			\$ 236,976	\$ 214,118	90.4%
Daniella Construction - Nightingale/LaPuerta - Townwide portion			\$ 243,470	\$ 243,470	100.0%
FPL Nightingale/LaPuerta - Townwide Portion			\$ 74,900	\$ 74,900	100.0%
Comcast Nightingale/LaPuerta - Townwide Portion			\$ 8,885	\$ 8,885	100.0%
AT&T Nightingale/LaPuerta Townwide Portion			\$ 30,555	\$ 30,555	100.0%
Total Phase 3 North Construction	\$ 3,700,000	\$ 5,300,000	\$ 5,183,252	\$ 4,731,247	91.3%
Phase 3 South Construction	\$ 6,090,000	\$ 8,875,000			
Preconstruction					
Construction			\$ 8,029,385	133,750	1.7%
Approved Change Orders					
FPL Construction			\$ 562,000	562,905	100.2%
FPL Design Cost			\$ 11,359	6,950	61.2%
FPL - 101 El Brillo				10,875	
ATT Design and Construction Cost			\$ 425,000	5,000	1.2%
Comcast Design and Construction Cost			\$ 195,128	3,128	1.6%
Construction Engineering (KH)			\$ 322,540	14,837	4.6%
Total Phase 3 South Construction	\$ 6,090,000	\$ 8,875,000	\$ 9,545,412	\$ 737,445	7.7%
Easement Acquisition/Abandonment	\$ 260,000	\$ 330,000			
<i>Kimley Horn Easement Assistance</i>					
Task 1 Easement Assistance North and South			\$ 273,390	\$ 270,913	99.1%
Legal Advertising				\$ 1,076	
Easement Amendment			\$ 49,285	\$ 47,163	95.7%
<i>Surveys</i>					
Task Legal Sketch South			\$ 37,436		0.0%
Jones Foster - Legal			\$ 25,000	\$ 21,018	84.1%
Recording Costs				\$ 4,194	
Easement Abandonment			\$ 8,150	\$ 1,244	
Total Easement Acquisition Costs	\$ 260,000	\$ 330,000	\$ 393,261	\$ 344,364	87.6%
Total Phase 3 Costs	\$10,910,000	\$15,400,000	\$ 16,016,430	\$ 6,706,766	41.9%

Underground Utility Project Budget
Phase 4 Project Costs
February 28, 2021

	Original OPC	Dec 2019 OPC	Budget	Actual	% Expended
Phase 4 Design					
Kimley Horn					
Task 1.1 Phase 4 North Design	\$ 402,000		\$ 312,317	312,317	100.0%
Task 1.2 Phase 4 South Design	\$ 413,000		\$ 451,284	394,874	87.5%
Task 1.3 Permitting Assistance			\$ 14,468	-	0.0%
Task 1.4 Bid Phase Assistance			\$ 37,899	18,950	50.0%
Task 1.6 Meetings			\$ 77,911	77,383	99.3%
Total Phase 4 Design	\$ 815,000	\$ 894,000	\$ 893,879	803,523	89.9%
Construction Costs					
Phase 4 North Construction	4,605,000	6,275,000			
Preconstruction			\$ 22,270	22,270	
Construction			\$ 5,043,010		
Approved Change Orders					
FPL BCE			\$ 91,543	91,543	
FPL Design Cost			\$ 12,757		
ATT Design Cost				5,000	
Comcast Design Cost				3,128	
Utility Costs (FPL, Comcast, AT&T)					
Construction Engineering (KH)			\$ 324,309	3,620	1.1%
Total Phase 4 North Construction	\$ 4,605,000	\$ 6,275,000	\$ 5,493,889	125,560	2.3%
Phase 4 South Construction	4,710,000	7,640,000			
Preconstruction			\$ 22,270	22,270	100.0%
Construction					
Approved Change Orders					
FPL Design Cost			\$ 13,160	1,350	10.3%
ATT Design Cost				5,000	
Comcast Design Cost				3,128	
Utility Costs (FPL, Comcast, AT&T)					
Construction Engineering (KH)					
Total Phase 4 South Construction	\$ 4,710,000	\$ 7,640,000	\$ 35,430	31,748	89.6%
Easement Acquisition/Abandonment	\$ 240,000	\$ 411,000			
<i>Kimley Horn Easement Assistance</i>					
Easement Assistance (KH)			\$ 280,270	280,254	100.0%
Easement Assistance (KH) -- Switches			\$ 67,747	65,041	96.0%
Easement Assistance (KH)			\$ 59,369	8,188	13.8%
<i>Surveys</i>					
Legal Sketch			\$ 38,230	33,947	88.8%
Legal Sketch - Switches			\$ 4,967		
Jones Foster - Legal					
Recording Costs				3,905	
Easement Abandonment					
Total Easement Acquisition Costs	\$ 240,000	\$ 411,000	\$ 450,583	391,335	86.9%
Total Phase 4 Costs	\$ 10,370,000	\$ 15,220,000	\$ 6,873,781	1,352,166	19.7%

Underground Utility Project Budget
Phase 5 Project Costs
February 28, 2021

	Original OPC	Dec 2019 OPC	Budget	Actual	% Expended
Phase 5					
Kimley Horn					
Task 1.1 Phase 5 North Design	\$ 520,000		\$ 454,210	\$ 249,816	55.0%
Task 1.2 Phase 5 South Design	\$ 600,000		\$ 606,951	\$ 303,476	50.0%
Task 1.3 Permitting Assistance North/South			\$ 17,100		0.0%
Task 1.4 Bid Phase Assistance North/South			\$ 37,899		0.0%
Task 1.6 Meetings North/South			\$ 77,911	\$ 71,629	91.9%
Total Phase 5 Design	\$ 1,120,000	\$ 1,195,000	\$ 1,194,071	\$ 624,920	52.3%
Construction Costs					
Phase 5 North Construction	\$ 5,890,000	\$ 8,055,000			
Preconstruction			\$ 59,100		
Construction					
Utility Costs (FPL, Comcast, AT&T)					
AT&T Design			\$ 5,000	5,000	100.0%
FPL Design Costs			\$ 16,223	17,573	108.3%
Construction Engineering (KH)					
Total Phase 5 North Construction	\$ 5,890,000	\$ 8,055,000	\$ 80,323	\$ 22,573	28.1%
Phase 5 South Construction	\$ 6,750,000	\$ 10,545,000			
Preconstruction			\$ 59,100		
Construction					
Utility Costs (FPL, Comcast, AT&T)					
AT&T Design			\$ 5,000	5,000	100.0%
FPL Design Costs			\$ 19,283	20,633	107.0%
Construction Engineering (KH)					
Total Phase 5 South Construction	\$ 6,750,000	\$ 10,545,000	\$ 83,383	\$ 25,633	30.7%
Easement Acquisition/Abandonment	\$ 330,000	\$ 365,000			
<i>Kimley Horn Easement Assistance</i>					
<i>Easement Assistance</i>			\$ 218,600	\$ 177,774	81.3%
<i>Easement Assistance</i>			\$ 81,086	\$ 55,954	69.0%
<i>Surveys</i>					
<i>Legal Sketch</i>			\$ 41,080	\$ 10,816	26.3%
<i>Jones Foster - Legal</i>					
<i>Recording Costs</i>				\$ 646	
<i>Easement Abandonment</i>				\$ -	
Total Easement Acquisition Costs	\$ 330,000	\$ 365,000	\$ 340,766	\$ 245,190	72.0%
FEMA Grant		\$ (8,465,355)			
Total Phase 5 Costs	\$14,090,000	\$11,694,645	\$ 1,698,543	\$ 918,316	54.1%

Underground Utility Project Budget
Phase 6 Project Costs
February 28, 2021

	OPC	Dec 2019 OPC	Budget	Actual	% Expended
Phase 6 Design					
Kimley Horn					
Task 1.1 Phase 6 North Design	\$ 420,000		\$ 475,019	\$ 152,006	32.0%
Task 1.2 Phase 6 South Design	\$ 940,000		\$ 826,551	\$ 264,496	32.0%
Task 1.3 Permitting Assistance North/South			\$ 17,694		0.0%
Task 1.4 Bid Phase Assistance North/South			\$ 35,938		0.0%
Task 1.6 Meetings North			\$ 84,791	\$ 15,854	18.7%
Total Phase 6 Design	\$ 1,360,000	\$ 1,440,000	\$ 1,439,993	\$ 432,356	30.0%
Utility and Construction Costs					
Phase 6 North Construction	\$ 4,790,000	\$ 6,615,000			
Preconstruction					
Construction					
Approved Change Orders					
FPL Design Cost			\$ 15,868	15,868	100.0%
ATT Design Cost					
Comcast Design Cost					
Utility Costs (FPL, Comcast, AT&T)					
Construction Engineering (KH)					
Total Phase 6 North Construction	\$ 4,790,000	\$ 6,615,000	\$ 15,868	\$ 15,868	100.0%
Phase 6 South Construction	\$ 10,270,000	\$ 12,298,000			
Preconstruction					
Construction					
Approved Change Orders					
FPL Design Cost			\$ 19,394	19,394	100.0%
ATT Design Cost					
Comcast Design Cost					
Utility Costs (FPL, Comcast, AT&T)					
Construction Engineering (KH)					
Total Phase 6 South Construction	\$ 10,270,000	\$ 12,298,000	\$ 19,394	\$ 19,394	100.0%
Easement Acquisition/Abandonment	\$ 400,000	\$ 447,000			
<i>Kimley Horn Easement Assistance</i>					
Easement Assistance			\$ 351,594	\$ 19,539	5.6%
<i>Surveys</i>					
Legal Sketch			\$ 58,415	\$ 403	0.7%
Jones Foster - Legal					
Recording Costs				\$ 422	
Easement Abandonment				\$ -	
Total Easement Acquisition Costs	\$ 400,000	\$ 447,000	\$ 410,009	\$ 20,364	5.0%
Total Phase 6 Costs	\$ 16,820,000	\$ 20,800,000	\$ 1,885,264	\$ 487,982	25.9%

Underground Utility Project Budget
Phase 7 Project Costs
February 28, 2021

	OPC	Dec 2019 OPC	Budget	Actual	% Expended
Phase 7 Design					
Kimley Horn					
Task 1.1 Phase 7 North Design	\$ 450,000		\$ 492,488	\$ 118,197	24.0%
Task 1.2 Phase 7 South Design	\$ 480,000		\$ 630,830	\$ 75,700	12.0%
Task 1.3 Bid Phase Assistance North and South			\$ 35,938		0.0%
Task 1.4 Meetings North and South			\$ 77,616	\$ 519	0.7%
Total Phase 7 Design	\$ 930,000	\$ 1,237,000	\$ 1,236,872	\$ 194,416	15.7%
Utility and Construction Costs					
Phase 7 North Construction	\$ 5,140,000	\$ 7,005,000			
Preconstruction					
Construction					
Approved Change Orders					
FPL Design Cost					
ATT Design Cost					
Comcast Design Cost					
Utility Costs (FPL, Comcast, AT&T)					
Construction Engineering (KH)					
Total Phase 7 North Construction	\$ 5,140,000	\$ 7,005,000	\$ -	\$ -	0.0%
Phase 7 South Construction	\$ 5,380,000	\$ 7,320,000			
Preconstruction					
Construction					
Approved Change Orders					
FPL Design Cost					
ATT Design Cost					
Comcast Design Cost					
Utility Costs (FPL, Comcast, AT&T)					
Construction Engineering (KH)					
Total Phase 7 South Construction	\$ 5,380,000	\$ 7,320,000	\$ -	\$ -	0.0%
Easement Acquisition/Abandonment	\$ 280,000	\$ 348,000			
<i>Kimley Horn Easement Assistance</i>					
Easement Assistance			\$ 346,459	\$ 4,724	1.4%
Surveys					
Legal Sketch					
Jones Foster - Legal					
American Acquisition Group					
Temp Services					
Recording Costs				\$ 250	
Total Easement Acquisition Costs	\$ 280,000	\$ 348,000	\$ 346,459	\$ 4,974	1.4%
Total Phase 7 Costs	\$ 11,730,000	\$ 15,910,000	\$ 1,583,331	\$ 199,390	12.6%

Underground Utility Project Budget
Phase 8 Project Costs
February 28, 2021

	OPC	Dec 2019 OPC	Budget	Actual	% Expended
Phase 8 Design					
Kimley Horn					
Task 1.1 Phase 8 Design	\$ 1,010,000	\$ 1,151,000	\$ 1,029,017	\$ 102,902	10.0%
Task 1.2 Permitting Assistance			\$ 17,694		0.0%
Task 1.3 Bid Phase Assistance			\$ 14,430		0.0%
Task 1.4 Meetings			\$ 89,778	\$ 346	0.4%
Total Phase 8 Design	\$ 1,010,000	\$ 1,151,000	\$ 1,150,919	\$ 103,248	9.0%
Utility and Construction Costs					
Phase 8 Construction	\$ 10,990,000	\$ 13,107,000			
Preconstruction					
Construction					
Approved Change Orders					
FPL Design Cost					
ATT Design Cost					
Comcast Design Cost					
Utility Costs (FPL, Comcast, AT&T)					
Construction Engineering (KH)					
Total Phase 8 North Construction	\$ 10,990,000	\$ 13,107,000	\$ -	\$ -	0.0%
Easement Acquisition/Abandonment	\$ 300,000	\$ 242,000			
<i>Kimley Horn Easement Assistance</i>					
Easement Assistance			\$ 227,724	\$ 533	0.2%
Surveys					
Legal Sketch					
Jones Foster - Legal					
American Acquisition Group					
Temp Services					
Recording Costs				\$ 34	
Total Easement Acquisition Costs	\$ 300,000	\$ 242,000	\$ 227,724	\$ 567	0.2%
Total Phase 8 Costs	\$ 12,300,000	\$ 14,500,000	\$ 1,378,643	\$ 103,815	7.5%

Underground Utility Project Budget
Other Project Costs
February 28, 2021

Master Plan	Budget	Actual	% Expended
Task 1.1 - Data Collection & GIS Base Mapping	\$ 88,021	\$ 88,021	100.0%
Tash 1.1a Data Collection for Future Communications	\$ 23,511	\$ 23,511	100.0%
Task 1.2 - Conceptual Design and Master Plan	\$ 161,756	\$ 161,756	100.0%
Task 1.3 - Project Sequencing and Phasing	\$ 31,244	\$ 31,244	100.0%
Task 1.4 - Assessment of Traffic Impacts	\$ 77,660	\$ 77,660	100.0%
Task 1.5 - Project Delivery Methods	\$ 17,448	\$ 17,448	100.0%
Task 1.6 - Master Plan Document	\$ 45,053	\$ 45,053	100.0%
Task 1.7 - Meetings Master Planning Phase	\$ 113,135	\$ 113,123	100.0%
Task 1.8 - Master Plan Second Half	\$ 40,067	\$ 40,067	100.0%
Subtotal Master Planning	\$ 597,895	\$ 597,883	100.0%
Comcast Preplanning - Master Plan		\$ 12,015	
Community Outreach	\$ 282,519	\$ 219,003	77.5%
Peer Review Study - Patterson & Dewar (\$50,000 Offsetting Revenue)	\$ 100,000	\$ 100,000	100.0%
Total Other Project Costs	\$ 980,414	\$ 928,901	94.7%

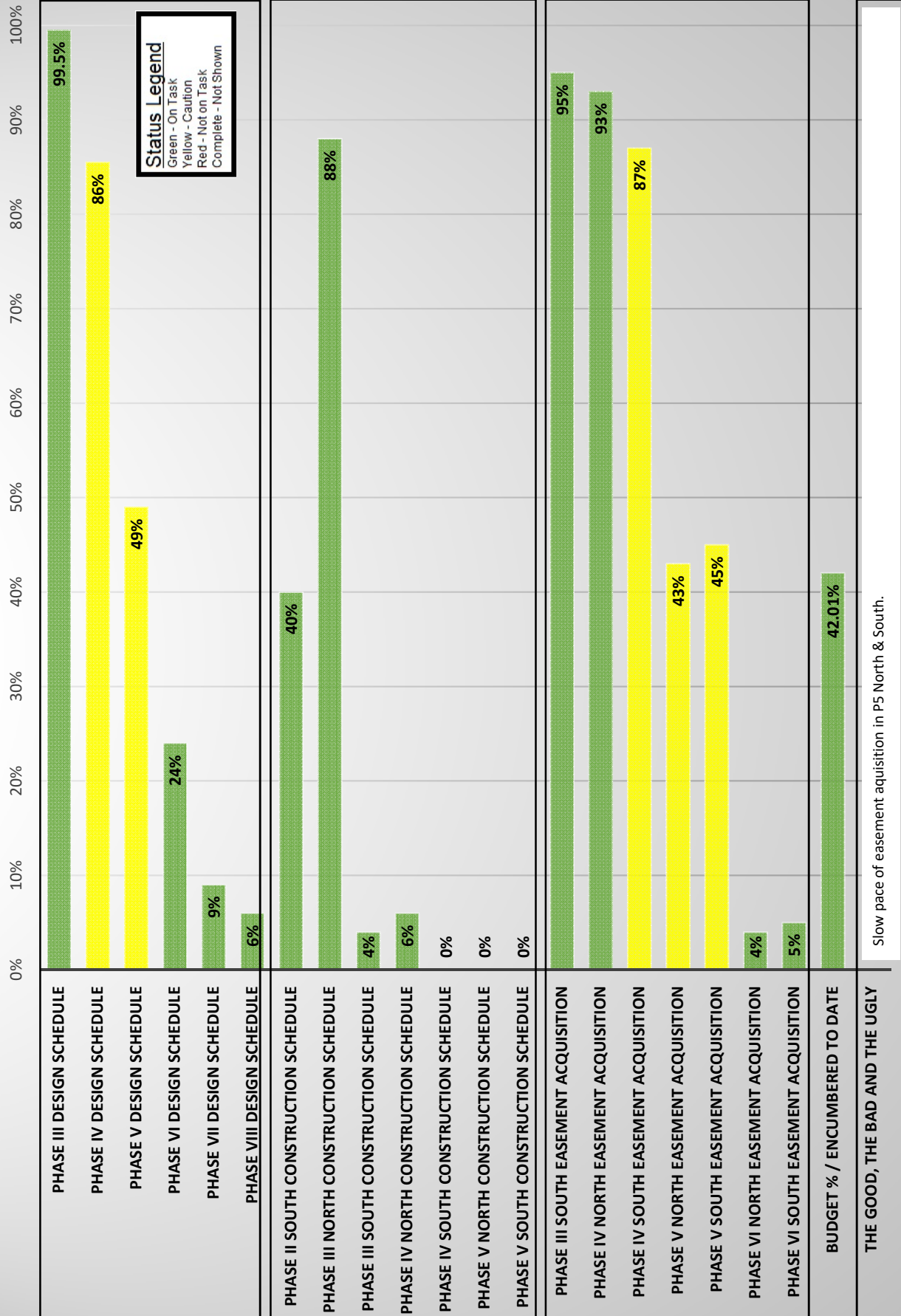
Debt Service and Related Debt Issuance Costs

	Budget	Actual	% Expended
Commercial Paper Issuance Cost		\$ 195,366	
Commercial Paper Fees		\$ 52,252	
Commercial Paper Interest		\$ 243,096	
GO Bond Closing Costs		\$ 488,271	
GO Bond Debt Service	\$ 9,497,200	\$ 7,032,056	74.0%
Total Debt Service and Related Debt Issuance Costs	\$ 9,497,200	\$ 8,011,039	84.4%

Related Costs Outside of the Underground Project Budget

	Budget	Actual	% Expended
Costs paid from (307) Fund CIP			
Underground City of Lake Worth Section			
Project Design	\$ 25,231	\$ 24,430	96.8%
Project Construction	\$ 351,081	\$ 346,124	98.6%
Project Construction Engineering	\$ 11,607	\$ 12,849	110.7%
Utility Cost (FPL, Comcast, AT&T)	\$ 134,333	\$ 127,531	94.9%
Project Meeting Attendance	\$ 3,334	\$ 2,914	87.4%
Total Lake Worth Section	\$ 525,586	\$ 513,847	97.8%
Ibis Way PGD Improvements	\$ 14,583	\$ 14,583	100.0%
General Fund Costs			
Goldmacher v TPB Legal and Other Costs		\$ 183,701	
Kosberg v TPB Legal and Other Costs		\$ 590,621	
PBT Real Estate v TPB		\$ 159,408	
Gardner, Bist Bowden, Bush (Shef Wright)		\$ 24,799	
Temp Services - Easement acquisition	\$ 80,000	\$ 75,841	94.8%
Project Manager -Pay and benefits	\$ 599,707	\$ 490,877	81.9%
Telecommunications Consultant	\$ 89,000	\$ 83,210	93.5%
Peter Brandt (Contract Negotiations)	\$ 35,000	\$ 23,735	67.8%
Total Related Costs Outside of the Budget	\$ 1,343,876	\$ 2,160,621	160.8%

Town of Palm Beach - Underground Utility Project Dashboard - February 2021



TOWN OF PALM BEACH

Information for Town Council Meeting on: March 2, 2021

TO: Mayor and Town Council

VIA: Kirk W. Blouin, Town Manager

VIA: Jane Le Clainche, CPA Finance Director

FROM: Dean Mealy, CPPO Town Purchasing Manager

RE: A Resolution to Approve the Award of GMP to Burkhardt Construction Inc. for Phase 4 South Part-1 Undergrounding Project and the Watermain Replacement on South Lake Drive in the Amount of \$1,252,588 and Establish a Project Budget in the Amount of \$1,440,470.
Resolution No. 031-2021

DATE: February 22, 2021

STAFF RECOMMENDATION

Town staff recommends that Town Council approve Resolution No. 031-2021 awarding a GMP to Burkhardt Construction, Inc. for Phase 4 South Part-1 and the Watermain Replacement on South Lake Drive in the Amount of \$1,252,588 and, establish a Project Budget in the Amount of \$1,440,470.

WHY THIS ACTION IS REQUIRED NOW

Town staff has broken out the watermain replacement and undergrounding work on Lake Drive as Part-1 of the Phase 4 South undergrounding project in an effort to complete this work prior to the opening of the marina.

GENERAL INFORMATION

The Town of Palm Beach selected Burkhardt Construction, Inc. (BCI) as the Construction Manager at Risk for the Phase 4 South Undergrounding Conversion Project. On February 15, BCI submitted a Guaranteed Maximum Price (GMP) for Part-1 of the Phase 4 South project. The GMP received included costs for the Phase 4 South undergrounding conduits and chicanes on South Lake Avenue and the watermain replacement on South Lake Avenue. The watermain replacement is being funded through the replace and repair fund through the City of West Palm Beach. Because these two (2) projects share a similar project area, there are cost and schedule efficiency gains in constructing them simultaneously under a single project. This approach is similar to that taken for the infrastructure improvements that were constructed during other phases of the Town-wide Undergrounding Program.

Kimley-Horn reviewed the GMP to identify any abnormalities with the various bid items, CMAR costs, and Exceptions and Clarifications submitted by BCI. The watermain replacement came in under the engineers' opinion of cost. The installation of undergrounding rates were held the same as Phase 4 North and the work is being performed by C R Dunn. Utilizing C R Dunn for this portion of Phase 4 South also provides cost efficiency because C R Dunn is also performing the FPL work at the marina.

PROCUREMENT METHODOLOGY

Town Purchasing exercised language from the previous award solicitation which permitted extending additional phases to Burkhardt. Town Purchasing, Town Engineering, and Kimley-Horn reviewed the proposed GMP. Negotiations resulted in an additional cost savings to the Town in the amount of \$6,619.

FUNDING/FISCAL IMPACT

Funding for the undergrounding will be from the Town-wide Undergrounding Fund and the Watermain replacement will be from the City of West Palm Beach R&R fund.

PUBLIC WORKS REVIEW

This item has been reviewed by Public Works and approved as recommended.

TOWN ATTORNEY REVIEW

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

Attachments

cc: Paul Brazil, P.E. Public Works Director
Patricia Strayer, P.E., Town Engineer

RESOLUTION NO. 031-2021

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING THE AWARD OF GUARANTEED MAXIMUM PRICE TO BURKHARDT CONSTRUCTION INC., FOR PHASE 4 SOUTH PART-1 AND THE WATERMAIN REPLACEMENT ON SOUTH LAKE DRIVE IN THE AMOUNT OF \$1,252,588 AND ESTABLISH A PROJECT BUDGET IN THE AMOUNT OF \$1,440,470.

NOW, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA, as follows:

Section 1. The Town Council of the Town of Palm Beach hereby approves the Award of Guaranteed Maximum Price to Burkhardt Construction Inc. for Phase 4 South Part-1 and the Watermain Replacement on South Lake Drive in the Amount of \$1,252,588 and establish a Project Budget in the Amount of \$1,440,470.

Section 2. Town staff recommends that Town Council approve Burkhardt Construction, Inc. to perform construction related services outside of the Town Code of Ordinances restrictions for construction dates, hours, and noise levels for activities for Phase 4 South Part-1 and the Watermain Replacement on South Lake Drive.

Section 3. The Town Manager is hereby authorized to execute this purchase order on behalf of the Town of Palm Beach for these improvements. .

PASSED AND ADOPTED in a regular, adjourned session of the Town Council of the Town of Palm Beach assembled this 2nd day of March, 2021.

Gail L. Coniglio, Mayor

ATTEST:

Queenester Nieves, CMC, Town Clerk

TOWN OF PALM BEACH



RFQ No. 2019-03

TOWN-WIDE OVERHEAD UTILITY UNDERGROUNDING PHASE 2 & 3 - SOUTH

CONSTRUCTION MANAGER AT RISK

Event	Date
Date RFQ Issued	10-14-18
Mandatory Pre-Proposal Conference	10-24-18 at 10:00AM
Due date for bidder questions	Until ten (10) days prior to the submittal date
Due date for bidder responses	Until seven (7) days prior to the submittal date
ITB Due Date	11-14-18 at 2:00PM
Estimated Start Date	January 2019

BID CONTACT:

Dean Mealy, II CPPO

No phone inquiries will be accepted. All correspondence shall be directed to the purchasing division via email to solicitations@TownofPalmBeach.com or Fax (561) 835-4688.

Purchasing Division

* * * * *

Finance Department

*TOWN OF PALM BEACH * 951 OKEECHOBEE ROAD * WEST PALM BEACH *
*FLORIDA * 33401*



TOWN OF PALM BEACH

RFQ No. 2019-03

TOWN-WIDE OVERHEAD UTILITY UNDERGROUNDING PHASE 2 & 3- SOUTH

Construction Manager at Risk

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ACH Authorization Form	Attachment "C"



TOWN OF PALM BEACH

Advertisement

RFQ No. 2019-03

TOWN-WIDE OVERHEAD UTILITY UNDERGROUNDING PHASE 2 & 3 - SOUTH Construction Manager at Risk Services

Proposals will be received for TOWN-WIDE OVERHEAD UTILITY UNDERGROUNDING PHASE 2 & 3-SOUTH – Construction Manager at Risk Services by the Town of Palm Beach at the Office of the Purchasing Division, 951 Okeechobee Road, Suite D, West Palm Beach, Florida 33401, **until 2:00 P.M. on November 14, 2018.**

The Town of Palm Beach is soliciting proposals from a qualified Construction Manager at Risk to furnish all work, necessary permits, and construction supervision to construct conduit, pull boxes, service wire, paving improvements, grading improvements, drainage, utilities, water-mains, restoration, and any other items as depicted on the plans and in the technical specifications to provide a complete and functional system. Contractor shall be responsible for coordinating with all franchise utility owners and/or stake holders to include but not limited to: Town of Palm Beach, Florida Power and Light, ATT, Comcast, Florida Public Utilities, and the City of West Palm Beach (Water).

The Construction Manager at Risk shall be awarded for Phase 2 & 3 with option to renew the contract for up to two additional phases. Each construction phase has an anticipate duration of 18-24 months. Option for renewal will only be exercised upon written agreement and with all original terms and conditions.

Time is of the essence and any proposal received after **2:00 p.m., November 14, 2018**, whether by mail or otherwise, will be returned unopened. Proposers are responsible for ensuring that their proposal is received in the Purchasing Office by the deadline indicated.

A **Mandatory Pre-Proposal Conference** will be held at **10:00 a.m., October 24, 2018**, at the Public Works Complex – Meeting Room, 951 Okeechobee Road, West Palm Beach, Florida 33401. Attendance is required as this will be the only forum to seek clarification from Town staff.

An **original and seven (7) copies with one (1) electronic copy (USB flash drive)** of the proposal shall be submitted in sealed envelopes/packages addressed to Dean Mealy II, Purchasing Manager, Town of Palm Beach, Florida, and marked **"RFQ No. 2019-03 – Town-Wide Overhead Utility Undergrounding Phase 2 & 3- South – Construction Manager at Risk Services."** Proposers desiring information for use in preparing proposals may obtain the RFQ requirements by visiting the Town's website at www.townofpalmbeach.com, (click "Doing Business," click "Bids & Requests for Proposals" and follow the instructions). For further information, contact the Purchasing Office, 951 Okeechobee Road, Suite D, West Palm Beach, Florida 33401, Telephone (561) 838-5406.

Dean Mealy, II CPPO
Town Purchasing Manager

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October 21, 2018



TOWN OF PALM BEACH
RFQ No. 2019-03
TOWN-WIDE OVERHEAD UTILITY UNDERGROUNDING
PHASE 2 & 3- SOUTH
Construction Manager at Risk Services

PART I
PROPOSAL TERMS AND CONDITIONS

1-1 INTRODUCTION: The Town of Palm Beach, Florida is soliciting Requests for Qualifications (RFQ) for a Construction Manager at Risk for TOWN-WIDE OVERHEAD UTILITY UNDERGROUNDING PROJECT. The Project Limits for Phase II South are from Sloan's Curve north to South County Road Intersection and for Phase III South, from South County Road Intersection north to Worth Avenue. Conceptual drawings, graphic files of project areas and traffic requirements can be accessed and downloaded through the following Dropbox location:

<https://www.dropbox.com/sh/apcshpa38hyopzi/AAAh4CG2sRhXfSqH1IT0TKJla?dl=0>

1-2 PROPOSAL SUBMISSION: The Town must receive all proposals by **2:00 p.m., November 14, 2018**. The proposals shall be submitted at the following address:

TOWN OF PALM BEACH
Purchasing Office
951 Okeechobee Road Suite "D"
West Palm Beach, Florida 33401

To facilitate processing, please clearly mark the outside of the proposal package as follows: "**RFQ No. 2019-03 – Town-Wide Overhead Utility Undergrounding Phase 2 & 3- South – Construction Manager at Risk Services.**"

This package shall also include the Proposer's return address.

Proposers may withdraw their proposals by notifying the Town in writing at any time prior to the deadline for proposal submittal. After the deadline, the proposal will constitute an irrevocable offer for a period of six (6) months. Once opened, proposals become a record of the Town and will not be returned to the Proposer.

The Town cautions Proposers to assure actual delivery of mailed or hand-delivered proposals directly to the Town's Purchasing Division at 951 Okeechobee Road, Suite "D", West Palm Beach, Florida 33401, prior to the deadline set for receiving proposals. Telephone confirmation of timely receipt of the proposal may be made by calling (561) 838-5406, before proposal closing time. Any proposal received after the established deadline **will not** be considered and will be returned unopened to the Proposer(s).

A **Mandatory Pre-Proposal Conference** will be held at **10:00 a.m., October 24, 2018**, at the Public Works Complex – Meeting Room located at 951 Okeechobee Road, West Palm Beach, FL 33401. Attendance is required as this will be the only forum to seek clarification from Town staff.

1-3 NUMBER OF COPIES: Proposers shall submit an **original and seven (7) copies** with **one (1) electronic copy (USB flash drive)** of the proposal in a sealed, opaque package marked

as noted above. The Proposer will be responsible for timely delivery, whether by personal delivery, US Mail or any other delivery medium.

1-4 DEVELOPMENT COSTS: Neither the Town nor its representatives shall be liable for any expenses incurred in connection with preparation of a response to this Request for Proposal. Proposers should prepare their proposals simply and economically, providing a straightforward and concise description of the Proposer's ability to meet the requirements of the RFQ.

1-5 CLARIFICATIONS: Interested Proposers may submit inquiries about the proposal to the Town's Purchasing Division, by email to solicitations@townofpalmbeach.com or by facsimile at (561) 835-4688. The Purchasing Division is located at 951 Okeechobee Road, Suite "D", West Palm Beach, FL 33401.

The Purchasing Division will receive written requests for clarification concerning the meaning or interpretations of the RFQ, **until ten (10) days** prior to the submittal date.

All Proposers are expected to carefully examine the proposal documents. Any ambiguities or inconsistencies should be brought to the attention of the Town through written communication until **ten (10) days** prior to the submittal date. No employee of the Town is authorized to interpret any portion of this RFQ or give information as to the requirements of the RFQ in addition to what is contained in the written RFQ document.

Town personnel are authorized only to direct the attention of prospective Proposers to various portions of the RFQ so that they may read and interpret such for themselves.

1-6 ADDENDA: The Town may record its response to inquiries and any supplemental instructions in the form of written addenda. The Town may provide written addenda up to **seven (7) calendar days** before the date fixed for receiving the proposals. Proposers may contact the Town to ascertain whether any addenda have been issued. Failure to do so could result in an unresponsive proposal. Any oral explanation given before the RFQ opening will not be binding.

1-7 CONTRACT AWARDS: The Town anticipates entering into an Agreement with the Proposer who submits the proposal judged by the Town to be most advantageous.

The Town reserves the right to accept or reject any or all proposals, with or without cause, to waive technicalities or to accept the proposal which, in its sole judgment, best serves the interest of the Town, or to award a contract to the next most qualified proposal if the successful proposal does not execute a contract within one-hundred and twenty (120) days after the award of the proposal.

The Proposer understands that this RFQ does not constitute an offer or an Agreement with the Proposer. An offer or Agreement shall not be deemed to exist and is not binding until proposals are reviewed, accepted by appointed staff, the best proposal has been identified, approved by the appropriate level of authority within the Town and executed by all parties.

Any proposal may be withdrawn until the date and time set above for the submission of the proposals. Any proposal not so withdrawn shall constitute an irrevocable offer for a period of six (6) months to provide to the Town the services set forth in this Request for Proposals.

The Town reserves the right to reject all proposals, to abandon the project and/or to solicit and re-advertise for other proposals.

1-8 CONTRACTUAL AGREEMENT: This RFQ shall be included and incorporated in the final award. The order of contractual precedence will be the Contract document, original Terms and Conditions, and proposal response. Any and all legal action necessary to enforce the award will be held in Palm Beach County and the contractual obligations will be interpreted according to the laws of Florida. **Any additional contract or agreement requested for consideration by the Proposer must be attached and enclosed as part of the proposal.**

The contract shall be awarded for Phase 2 & 3 South with the option to renew the contract for up to two (2) additional phases of the Master Plan (Phases 4 and 5). Each construction phase has an anticipated duration of up to 18-24 months. Option for renewal will only be exercised upon written mutual agreement and with all original terms and conditions. Guaranteed Maximum Price (GMP) shall be developed and negotiated per each phase separately. Any renewals will be subject to appropriation of funds by the Town Council.

1-9 PRESS RELEASES: The Proposer shall obtain the prior approval of the Town Manager's Office of all news releases or other publicity pertaining to this RFQ, the service, or project to which it relates.

1-10 FAMILIARITY WITH LAWS: The proposer is assumed to be familiar with all federal, state and local laws, ordinances, rules and regulations that may in any manner affect the work. The failure to familiarize himself with applicable laws will in no way relieve him from responsibility.

1-11 PERMITS, TAXES, LICENSES: The successful proposer(s) shall, at his own expense, obtain all necessary permits, pay all licenses, fees and taxes, required to comply with all local ordinances, state and federal laws, rules and regulations applicable to business to be carried out under the contract. Proposers, both corporate and individual must be fully licensed and certified in the State of Florida at the time of RFQ submittal. The proposal of any Proposer that is not fully licensed and certified shall be rejected.

1-12 INSURANCE: The contractor shall provide at its own cost and expense during the life of the contract, the following insurance coverages to the Town of Palm Beach (30) thirty business days prior to the commencement of any work. All contractors including any independent contractors and subcontractors utilized must comply with these requirements. All insurance policies shall be issued by companies authorized to do business under the laws of the State of Florida. The insurance shall be evidenced by certificates and/or policies to include premiums as determined by the Town of Palm Beach. It shall be an affirmative obligation upon the Service Provider to advise the Town's Risk Manager at fax no. Fax (561) 835-4688, e-mail risk@townofpalmbeach.com, 360 S. County Road, Palm Beach, FL 33480 within 24 hours or the next business day of cancellation, non-renewal or modification of any stipulated insurance and failure to do so shall be construed to be a breach of this agreement/contract. The Town of Palm Beach reserves the right to require additional insurance coverages and limits based upon the particular service or change order requested by the contractor.

If the contractor maintains higher limits than the minimums shown below, the Town requires and shall be entitled to coverage for the higher limits maintained by the contractor.

Comprehensive General Liability Insurance coverage with limits of liability not less than \$5,000,000 Each Occurrence/\$10,000,000 Aggregate or a per project aggregate of \$5,000,000. The Certificate of Insurance shall indicate an Occurrence Basis. The Town of Palm Beach shall be endorsed as an additional insured under the General Liability including Completed Operations coverage. Products & completed operations coverage to be provided for a minimum of 10 years from the date of possession by owner or completion of contract. A waiver of subrogation shall be in the favor of the Town. The contractor's General Liability coverage shall be primary and non-contributory.

For policies written on a Claims-made basis, service provider shall maintain a retroactive date prior to or equal to the effective date of the contract. In the event the policy is canceled, non-renewed, switched to an occurrence form or there is a change in retroactive date, or any other event triggering the right to purchase a Supplemental Extended Reporting Period (SERP) during the life of this contract, the service provider shall agree to purchase a SERP with a minimum reporting period of not less than three (3) years. Coverage is to apply on a primary basis.

This insurance shall indicate on the certificate of insurance the following coverages:

- a. Premises-Operation
- b. Independent Contractor and Subcontractors
- c. Products and Completed Operations
- d. Broad Form Contractual

Contractors Pollution Liability coverage may be required depending on scope of services.

Professional Liability. Architects and engineers must maintain professional liability or equivalent errors & omissions liability with limit of not less than \$1,000,000 per occurrence. For policies written on a claims made basis, architect or engineer shall maintain a retroactive date prior to or equal to the effective date of this contract. In the event the policy is canceled, non-renewed, switched to an occurrence form or there is a change in retroactive date, architect or engineer must purchase an extended reporting period rider during the life of this contract of not less than 3 years. Coverage is to apply on a primary basis.

Business Auto Liability coverage for any auto (all owned, hired, and non-owned autos) with limits not less than \$1,000,000 each occurrence combined single limit each accident.

Workers' Compensation coverage with statutory limits pursuant to Florida State Statute 440. Should the scope of work performed by contractor qualify its employee for benefits under federal workers' compensation statute (example, U.S. Longshore & Harbor Workers Act or Merchant Marine act), proof of appropriate federal act coverage must be provided. A waiver of subrogation must be provided.

Employers Liability coverage with limits not less than \$100,000 for each accident, \$100,000 disease (each employee) and \$500,000 disease (policy limit).

If Builder's Risk coverage is required, the Town shall obtain the coverage through their insurance agent at 100% of the estimated completion value. The contractor shall provide a completed Builder's Risk application, which will be provided by the Town's insurance agent, in addition to the following:

1. Draw schedule or construction timeline
2. Breakdown of Hard costs (from GMP), if applicable vs. Soft costs
3. Diagram or plot plan
4. Geo/Soil testing report

The above information and Builder's Risk application must be provided to the Risk Manager at least 30 days in advance of commencement of any work in order for the Builder's Risk policy to be obtained. The cost of the Builder's Risk policy shall be included as a line item in the project budget by the Public Works Department.

If any of the property or casualty insurance requirements are not complied with at their renewal dates, payments to the Contractor will be withheld until those requirements have been met or at the option of the Town, the Town may pay the renewal premium and withhold such payments for any monies due the contractor.

All property losses shall be payable to and adjusted with the Town.

In the event that claims in excess of the insured amounts provided herein are filed by reason of any operations under the contract, the amount excess of such claims or any portion thereof may be withheld from any payment due or to become due the Contractor until such time the Contractor shall furnish such additional security covering such claims as may be determined by the Town of Palm Beach.

All policies and certificates of insurance of the Contractor shall contain the following clauses:

1. Insurers shall have no right of recovery or subrogation against the Town (including its agents, officers, past and present employees, elected officials and representatives), it, being the intention of the parties, the insurance policy in effect shall protect both parties and be the primary coverage and non-contributory for any and all losses covered by the above described insurance.
2. The clause "other insurance provisions" in a policy in which the Town is endorsed as an additional insured shall not apply to the Town, its agents, officials, past and present employees, elected officials and representatives if these provisions conflict with or otherwise limit the obligations of the contractor under the terms of this agreement.
3. Insurance companies issuing the policy or policies shall have no recourse against the Town, (including its agents, officers, past and present of any premiums or assessments under any form of policy.
4. Any and all deductibles or self-insured retentions in the above described insurance policy shall be assumed by and be for the account of and at the sole risk of the contractor. The amount of the deductible or self-insured retention must be accepted by the Town Manager.

Umbrella or Excess Liability is required up to the minimum limit of liability if the limits of liability shown on the Certificate of Insurance under General Liability do not meet the minimum limit of liability as required.

Damage to Persons or Property:

The Contractor shall at all times guard against damage or loss to the property of the Town of Palm Beach, other contractors, and other parties including, without limitation, Town residents and the general public, and shall be responsible for repairing, replacing or

otherwise satisfying in full all claims for loss or damage which may be claimed to have been caused during the contract performance ("Contractor Damage Claims"). The Contractor Damage Claims shall be settled directly by the Contractor within fourteen (14) business days of receipt of the claim or shall be submitted to the Contractor's insurance carrier(s) within five (5) business days from receipt of claim being filed with the Contractor and in the event, the insurance carrier determines liability on the Contractor, the claim for such damage shall be paid within thirty (30) days of such determination by the contractor's insurance carrier.

Claims status shall be an item which is placed on every agenda for the periodic progress meetings between the Project Engineer/Project Manager and the Contractor. In addition, Contractor shall provide the Town with a written status report for any new or outstanding Contractor Damage Claims submitted with every pay request. The name, title, phone number, e-mail address and mailing address of the Contractor's representative responsible for handling Contractor Damage Claims shall also be provided with every pay request. Should there be no new or outstanding Contractor Damage Claims the contractor shall state the same in the required written status report.

The Town may withhold payment, or make such deductions as the Town deems necessary or appropriate, to insure prompt reimbursement, repair or replacement of loss or damage to persons or property in the settlement of Contractor Damage Claims resulting from the actions of Contractor, Contractor's subcontractors, sub subcontractors, from material men and suppliers of any tier and their employees and agents.

The responsibility for all damages to person or property arising out of or on account of the Work done under this Contract shall rest on the Contractor and the Contractor shall indemnify the Town and others as provided by the provisions of paragraph 1-12 herein.

The foregoing provisions of this paragraph are for protection of the Town are not intended to, and shall not inure to the benefit of any actual or alleged claimant or any other party, or obligate the Town to repair, replace or make reimbursement any alleged such damage or to adjust, settle or pay any Contract Damage Claims or other claims that are the obligation of the Contractor under this Contract.

1-13 INDEMNIFICATION: To the fullest extent allowed by law the Contractor shall protect, defend, reimburse, indemnify and hold harmless the Town of Palm Beach, and the Town's officers, agents, employees free and harmless from and against any and all claims, losses, penalties, damages, settlements, costs, charges, attorneys or other professional fees, or other expenses or liabilities of every kind and character arising out of or relating to any and all claims, liens, demands, obligations, actions, proceedings, cause or causes of action of very kind and character in connection with, or arising directly or indirectly out of or related to this Contract and the Work performed hereunder. Without limiting the generality of the foregoing, Contractor's Indemnity shall include all claims, damages, losses, or expense arising out of or related to personal injury, death, damages to property, defects in materials or workmanship, actual or alleged infringement of any patent, trademark, copyright, proprietary information, or applications of any thereof, or of any other tangible or intangible personal or property right, or any actual or alleged violation of any applicable statute, ordinance, administrative order, rule or regulation, or order of any court. Contractor agrees to investigate, respond, adjust and provide a defense for, all and any such claims, demands and actions at Contractor's sole expense and agrees to bear and remain liable for all such other costs and expenses relating thereto, even if such claim is

groundless, false or fraudulent. Notwithstanding the foregoing, Contractor's Indemnity shall not extend to liability for damages to persons or property to the extent such damage was caused by any act, omission, or default of the Town, or by the Town's officers, agents and employees.

Contractor acknowledges and agrees that TOWN would not enter into a contract without this indemnification of TOWN by Contractor, and that TOWN'S entering into a contract shall constitute good and sufficient consideration for this indemnification. These provisions shall survive the expiration or earlier termination of the Contract. Nothing in this Contract shall be construed to affect in any way the TOWN'S rights, privileges, and immunities as set forth in Florida Statute 768.28.

1-14 SELLING, TRANSFERRING OR ASSIGNING CONTRACT: No contract awarded for the services in this proposal shall be sold, transferred or assigned without the prior written approval of the Town.

1-15 INDEPENDENT CONTRACTOR: The successful proposer shall be considered an independent contractor. Professional services provided by the Proposer shall be by employees of the Proposer and subject to supervision by the Proposer, and not as officers, employees, or agents of the Town. Personnel policies, tax responsibilities, social security and health insurance, employee benefits, purchasing policies and other similar administrative procedures applicable to services rendered shall be those of the proposer.

1-16 ADDITION OR DELETION OF SERVICES: The Town reserves the right to add to the services specified, or to delete any portion of the scope of services at any time.

1-17 RECORDS: The Proposer(s) shall maintain during the term of the contract all books of account, receipt invoices, reports and records in accordance with generally accepted accounting practices. The Proposer(s) shall maintain and make available such records and files for the duration of the contract and retain them for a period of three (3) years beyond the last day of the contract term.

1-18 INVOICES: The Proposer may submit invoices at the completion and approval of each task or for partial completion of each task on a pro rata basis. However, requests for payment shall not be made more frequently than on a monthly basis. Each invoice shall designate the nature of work performed and be accompanied by records fully detailing the amounts stated on the invoice. Invoice payment shall be subject to the satisfactory completion and acceptance of the work following verification by Town personnel. Invoices shall be paid by the Town within thirty (30) days of receipt of the invoice, except for items questioned. The Town shall notify the Proposer of any items questioned. The Proposer(s) shall prepare verification data for the amount claimed and provide complete cooperation during such investigation of any areas in the invoice subject to question.

1-19 TERMINATION BY THE OWNER FOR CAUSE: The Town may terminate this Contract in the event:

- a. Contractor fails or refuses to prosecute the Work or any severable part, with the diligence that will insure its completion within the time specified in this Contract;
- b. Contractor fails or refuses to prosecute the Work on any severable part, with the diligence that will insure its completion within the time specified in construction schedules and related

- milestones issued in conjunction with this Contract;
- c. Contractor fails to complete the Work within the time specified in this Contract;
- d. Contractor fails to deliver the supplies or perform the services required of the Contractor under this Contract within the time specified in this Contract;
- e. Contractor fails or refuses to provide sufficient properly skilled workmen or tradesmen;
- f. Contractor refused or fails to supply materials, equipment or services meeting the requirements of this Contract;
- g. Contractor fails to make payments for materials, labor or services to subcontractors, sub subcontractors, suppliers or material men of any tier in accordance with such agreements that may exist among them;
- h. Contractor violates laws, ordinances, rules, regulations of any governmental authority having jurisdiction;
- i. Contractor materially breaches any of the provisions of this Contract.

When any single or combination of the above causes exist such cause(s) have not been cured after seven (7) days written demand by the Town, the Town may, with full reservation of, and without prejudice to any other right or remedy the Town may have, upon giving Contractor and the surety five (5) days written notice, terminate the Contract. Thereupon the Town shall immediately be entitled to possession of the worksite and all supplies, materials, equipment thereon and to finish the Work by reasonable means the Town shall decide in its discretion. No payments shall be due the Contractor until the Work is fully and finally completed. Contractor and Contractor's surety shall be charged with all costs and expenses of completing the Work (the "Cost to Complete") including without limitation: costs of repairing, replacing or re-mediating improperly performed work; completing portions of the Work left undone on the Contractor's termination; architectural, engineering and other professional fees and costs incurred as a result of Contractor's termination and in connection with completing the Work; liquidated damages at the rate specified herein until Completion is achieved; any other loss, claim or damage incurred by the Town by reason of Contractor's default. If the unpaid portion of the Contractor's Bid (the "Unpaid Bid Amount") is greater than the Cost to Complete, the Cost to Complete shall be subtracted from the Unpaid Bid Amount and the difference shall be paid to Contractor within sixty (60) days from completion of the Work. If the Cost to Complete exceeds the Unpaid Bid Amount, the Unpaid Bid Amount shall be subtracted from the cost to complete and Contractor shall be indebted to and shall pay to the Town that difference. The rights and remedies reserved to the Town in this paragraph are without waiver of and are in addition to any other rights and remedies provided by law or under this Contract to the Town.

1-20 TERMINATION FOR CONVENIENCE:

- A. The Town of Palm Beach may terminate performance of work under this contract in whole or in part (the "Work Terminated") if the Town determines that such termination is in the Town's best interest. The Town shall terminate by delivering to the Contractor a Notice of Termination, specifying the extent of the Work Terminated and the effective date.
- B. After receipt of a Notice of Termination, a Contractor shall immediately proceed with the following obligations, regardless of any delay in determining or adjusting any amounts due under this clause:
 - 1. Stop work as specified in the notice.
 - 2. Place no further subcontracts or orders for materials, services, or facilities, except

as necessary to complete any portion of this Contract not encompassed in the Work Terminated.

3. Terminate all subcontracts to the extent they relate to the Work Terminated. To the fullest extent practicable, cancel all outstanding purchase orders, contracts and delivery of materials, supplies and equipment related to the Work Terminated.
4. If requested by the Town in writing, assign to the Town, all right, title and interest of the Contractor under the subcontracts terminated. Such Assignment shall not include assumption of Contractor's obligations or liabilities under a subcontract. The Town shall have the right (but not the obligation) to assume the Contractor's obligations under any subcontracts assigned. Neither this paragraph or any assignment of subcontracts shall constitute the Town's assumption of Contractor's or other obligations under any such subcontract absent a written document executed by the Town and the subcontractor in which the Town expressly acknowledges an assumption of Contractor's obligations, and then only to the extent specified. In no event will the Town assume any obligation of the Contractor under the subcontracts that arise out of or relate to Contractor's default prior to such assignment.
5. With the approval of the Purchasing Agent, settle all outstanding liabilities and settlement proposals arising from the termination of subcontracts.
6. As directed by the Town, transfer title and deliver to the Town (a) the fabricated or un-fabricated parts, work in process, completed work, supplies, and other materials produced or acquired for the Work Terminated, and (b) the completed or partially completed plans, drawings, information, and other property that, if the Work Terminated had been completed, would be required to be furnished to the Town.
7. Complete performance of the work not terminated.
8. Take any action that may be necessary, or that the Town may direct, for the protection and preservation of the property related to this contract that is in the possession of the Contractor and in which the Town has or may acquire an interest.

C. The Early Termination Claim shall be strictly limited to payment for those portions of the Work, including Contractor's reasonable profit therefore, properly performed prior to the Town's Termination for Convenience, and for work performed by Contractor under subparagraph B.8 above for protection and preservation of the property described therein. The Early Termination Claim shall not include, and Contractor shall not be entitled to claim or recover, Contractor's other direct or indirect costs, losses or damage of whatsoever nature by reason of the Early Termination including, but without limitation:

1. Lost profit for Work not to be performed by Contractor by reason of the Town's Termination for Convenience;
2. The cost of the Work not to be performed by Contractor by reason of the Town's Termination for Convenience;
3. Contractor's demobilization costs;
4. Home office overhead;
5. Effect on other contracts and subcontracts including without limitation, those with subcontractors, sub subcontractors, suppliers and material men of any tier or any claims by them arising out of or relating to the impact of the Termination for Convenience on their contracted relations;
6. Lost opportunities or other actual/prospective contracts;

7. Lower or lost productivity;
8. Costs or damages claimed by subcontractors, sub subcontractors, material men or suppliers of any tier arising or in any way related to their respective contracts with Contractor or one another, or arising or related in any manner to the Termination for Convenience.

The Town's Termination for Convenience shall be without waiver or prejudice to, all of the Town's claims, rights and remedies arising out of or related to any default, breach of contract, damages or other claims the Town may have against Contractor, or Contractor's subcontractors, material men and suppliers of any tier, or any other person or entity at the time of Early Termination, or arising thereafter.

Contractor hereby acknowledges acceptance of the risk and cost of the foregoing and acknowledges and agrees to the foregoing limitation on Contractor's claims or damages arising out of, or relating to, an Early Termination by the Town.

- D. After termination, the Contractor shall submit an Early Termination Claim to the Town. The Contractor shall submit the Early Termination Claim, but no later than 60 days from the effective date of termination unless extended in writing by the Town. If the Contractor fails to submit the Early Termination Claim within the time allowed, the Town may determine, on the basis of information available, the amount, if any, due the Contractor because of the Early Termination and shall pay the amount so determined to Contractor.
- E. Subject to Paragraph D. above, the Contractor and the Town may agree upon the whole or any part of the amount to be paid because of the Early Termination. However, this amount may not exceed the total price as reduced by the amount of payments previously made and the contract price of work not terminated. This Contract shall be amended accordingly, and the Contractor shall be paid the agreed amount.
- F. If the Contractor and the Town fail to agree on the payment because of Early Termination of work, the Town shall pay the Contractor the amounts, if any, determined by the Town to be due the Contractor as a result of the terminated work.
- G. If the termination is partial, the Contractor may file a proposal with the Town for an equitable adjustment of the price of the continued portion of the contract.

1-21 TERMINATION BY THE CONTRACTOR: In the event the Town has not made a Progress Payment or the Final Payment within the time stated in the Contract Documents, the Contractor may terminate this Contract if the Town fails or refuses to make such payment after ten (10) days written notice to the Engineer and the Town.

If, through any cause, the Proposer(s) shall fail to fulfill in a timely and proper manner, its obligations under the contract, or if the Proposer(s) shall violate any of the provisions of the contract, the Town may upon written notice to the Proposer(s) terminate the right of the Proposer(s) to proceed under the contract and may hold the Proposer(s) liable for any damages caused to the Town by reason of such default and termination. In the event of such termination, any completed services performed by the Proposer(s) under the contract shall, at the option of the Town, become the Town's property and the Proposer(s) shall be entitled to receive equitable compensation for any work completed to the satisfaction of the Town. The Proposer(s), however,

shall not thereby be relieved of liability to the Town for damages sustained by the Town by reason of any breach of the contract by the Proposer(s), and the Town may withhold any payments to the Proposers(s) for the purpose of setoff until such time as the amount of damages due the Town from the Proposer(s) is determined. The Proposer(s) shall not be held liable for damages solely for reasons of delay if the delay is due to causes beyond its control and without its fault or negligence, but this shall not prevent the Town from terminating the contract because of such delay.

1-22 PROPOSAL CONTENTS: All material submitted becomes the property of the Town of Palm Beach. The Town has the right to use any or all ideas presented in any reply to this RFQ. Selection or rejection of the proposal does not affect this right.

1-23 NON-DISCRIMINATION: There shall be no discrimination as to race, sex, color, age, creed, national origin, or disability by the Proposer(s) in the operations conducted under the contract.

1-24 DRUG-FREE WORKPLACE: Preference shall be given to businesses with Drug-Free Work Place (DFW) programs. Whenever two or more proposals which are equal with respect to price, quality, and service are received by the TOWN for the procurement of commodities or contractual services, a proposal received from a business that completes the attached DFW form certifying that it is a DFW shall be given preference in the award process.

1-25 PALM BEACH COUNTY INSPECTOR GENERAL: The contractor is aware that the Inspector General of Palm Beach County has the authority to investigate and audit matters relating to the negotiation and performance of any contracts resulting from this solicitation, and in furtherance thereof may demand and obtain records and testimony from the contractor and its subcontractors and lower tier subcontractors. The contractor understands and agrees that in addition to all other remedies and consequences provided by law, the failure of the contractor or its subcontractors or lower tier subcontractors to fully cooperate with the Inspector General when requested may be deemed by the municipality to be a material breach of this contract justifying its termination.

1-26 PUBLIC ENTITY CRIMES: In accordance with Florida Statute 287.133, no award will be made to any person or affiliate identified on the Department of Management Services' "Convicted Vendor List". This list is defined as consisting of persons and affiliates who are disqualified from public contracting and the purchasing process because they have been found guilty of a public entity crime. A "person" or "affiliate" includes any natural person or any entity, including predecessor or successor entities or an entity under the control of any natural person who is active in its management and who has been convicted of a public entity crime.

A person or affiliate who has been placed on the convicted vendor list following a conviction for a public entity crime may not submit a bid, proposal or reply on a contract to provide any goods or services to a public entity; may not submit a bid, proposal or reply on a contract with a public entity for the construction or repair of a public building or public work; may not submit bids, proposals, or replies on leases of real property to a public entity; may not be awarded or perform work as a contractor, supplier, subcontractor or proposer under a contract with any public entity; and may not transact business with any public entity in excess of the threshold amount provided in Section 287.017, for CATEGORY TWO for a period of 36 months following the date of being placed on the convicted vendor list.

By signing and submitting the Bid documents, the submitting firm, i.e. "person" or "affiliate", attests that they have not been placed on the "Convicted Vendor List" or have been found guilty of a public entity crime.

1-27 NON-COLLUSION: Proposer certifies that their Proposal is made without prior understanding, agreement, or connection with any corporation, firm or person submitting a Proposal for the same materials, services, supplies, or equipment and is in all respects fair and without collusion or fraud.

1-28 CONFLICT OF INTEREST: The award hereunder is subject to provisions of State Statutes, Palm Beach County and Town Ordinances. All Proposers must disclose with their Proposal the name of any officer, director, or agent who is also an employee of the Town of Palm Beach. Further, all Proposers must disclose the name of any Town employee who owns, directly or indirectly, an interest in the Proposer's firm or any of its branches.

1-29 CODE OF ETHICS: If any Proposer violates or is a party to a violation of the code of ethics of the Town of Palm Beach, Palm Beach County or the State of Florida with respect to this proposal, such Proposer may be disqualified from performing the work described in this proposal or from furnishing the goods or services for which the proposal is submitted and shall be further disqualified from submitting any future proposals for work, goods or services for the Town of Palm Beach. The link for further information regarding the Palm Beach County Commission on Ethics is: <http://www.palmbeachcountyethics.com/ordinances-codes.htm>.

1-30 LOBBYING PROHIBITED: Proposers are not to contact or lobby any Town personnel related or involved with this Request for Qualifications.

All oral or written inquiries are to be directed to the Purchasing Division as instructed herein. Any violation of this condition may result in rejection and/or disqualification of the Proposer.

Refer to Palm Beach County Registration Ordinance – Effective April 2, 2012 for further information: <http://www.palmbeachcountyethics.com/ordinances-codes.htm>.

1-31 CONE OF SILENCE: The Cone of Silence is a prohibition on any communication, except for written correspondence, regarding a particular request for proposal, request for qualification, bid or any other competitive solicitation between:

- (1) Any person or person's representative seeking an award from such competitive solicitation; and
- (2) Any County commissioner or commissioner's staff, any member of a local governing body or the member's staff, a mayor or chief executive officer that is not a member of a local governing body or the mayor or chief executive officer's staff, or any employee authorized to act on behalf of the commission or local governing body to award a particular contract.

For the purposes of this section, a person's representative shall include but not be limited to the person's employee, partner, officer, director, proposer, lobbyist, or any actual or potential subcontractor or proposer of the person.

The cone of silence shall be in effect as of the issuance of this RFQ and until award by Town Council. The cone of silence applies to any person or person's representative who responds to a particular request for proposal, request for qualification, bid or any other competitive solicitation, and shall remain in effect until such response is either rejected by the county or municipality as applicable or withdrawn by the person or person's representative. Each request for proposal, request for qualification, bid or any other competitive solicitation shall provide notice of cone of silence requirements and refer to this article.

The provisions of this article shall not apply to oral communications at any public proceeding, including pre-bid conferences, oral presentations before selection committees, contract negotiations during any public meeting, presentations made to the board or local municipal governing body as applicable, and protest hearings. Further, the cone of silence shall not apply to contract negotiations between any employee and the intended awardee, any dispute resolution process following the filing of a protest between the person filing the protest and any employee, or any written correspondence at any time with any employee, county commissioner, member of a local municipal governing body, mayor or advisory board member or selection committee member, unless specifically prohibited by the applicable competitive solicitation process.

The cone of silence shall terminate at the time the board, local municipal governing body, or a county or municipal department authorized to act on behalf of the board or local municipal governing body as applicable, awards or approves a contract, rejects all bids or responses, or otherwise takes action which ends the solicitation process.

For further information refer to <http://www.palmbeachcountyethics.com/ordinances-codes.htm> - Palm Beach County Registration Ordinance – Effective April 2, 2012.

1-32 SCRUTINIZED COMPANIES: By execution of this Agreement, in accordance with the requirements of F.S. 287-135 and F.S. 215.473, Contractor certifies that Contractor is not participating in a boycott of Israel. Contractor further certifies that Contractor is not on the Scrutinized Companies that Boycott Israel list, not on the Scrutinized Companies with Activities in Sudan List, and not on the Scrutinized Companies with Activities in the Iran Petroleum Energy Sector List, or has Contractor been engaged in business operations in Syria. Subject to limited exceptions provided in state law, the Town will not contract for the provision of goods or services with any scrutinized company referred to above. Submitting a false certification shall be deemed a material breach of contract. The Town shall provide notice, in writing, to Contractor of the City's determination concerning the false certification. Contractor shall have five (5) days from receipt of notice to refute the false certification allegation. If such false certification is discovered during the active contract term, Contractor shall have ninety (90) days following receipt of the notice to respond in writing and demonstrate that the determination of false certification was made in error. If Contractor does not demonstrate that the Town's determination of false certification was made in error then the Town shall have the right to terminate the contract and seek civil remedies pursuant to Section 287.135, Florida Statutes, as amended from time to time.

1-33 PUBLIC RECORDS LAW AND EXEMPTIONS: Upon receipt, all response submittals become "public records" and shall be subject to public disclosure consistent with Chapter 119, Florida Statutes. Any firm that intends to assert any materials to be exempted from public disclosure under Chapter 119, Florida Statutes must submit the documents(s) in a separate bound document labeled "Name of Firm, Attachment to Proposal Package, RFQ# - Confidential Matter". The firm must identify the specific statute that authorizes the exemption from the Public Records

Law. Failure to provide this information at the time of submittal may result in a recommendation by the Purchasing Manager that the response is non-responsive.

Any claim of confidentiality on materials that the firm asserts to be exempt and placed elsewhere in the submittal will be considered waived by the firm upon submission, effective after opening.

Please be aware that submitting confidential material may impact full discussion of your submittal by the Selection Committee because the Selection Committee will be unable to talk about the details of the confidential material(s) at the public Selection Committee meeting. Please note that the financial statement exemption provided for in Section 119.071(1) c, Florida Statutes only applies to submittals in response to a solicitation for a "public works" project.

PUBLIC RECORDS LAW: In accordance with Florida Statutes 119.0701, the contractor shall comply with public records laws, specifically to:

(a) Keep and maintain public records that ordinarily and necessarily would be required by the public agency in order to perform the service.

(b) Provide the public with access to public records on the same terms and conditions that the public agency would provide the records and at a cost that does not exceed the cost provided in this chapter or as otherwise provided by law.

(c) Ensure that public records that are exempt or confidential and exempt from public records disclosure requirements are not disclosed except as authorized by law.

(d) Meet all requirements for retaining public records and transfer, at no cost, to the public agency all public records in possession of the contractor upon termination of the contract and destroy any duplicate public records that are exempt or confidential and exempt from public records disclosure requirements. All records stored electronically must be provided to the public agency in a format that is compatible with the information technology systems of the public agency.

A copy of Section 119.0701, Florida Statutes, has been provided to the contractor (attached).

IF THE CONTRACTOR HAS QUESTIONS REGARDING THE APPLICATION OF CHAPTER 119, FLORIDA STATUTES, TO THE CONTRACTOR'S DUTY TO PROVIDE PUBLIC RECORDS RELATING TO THIS CONTRACT, CONTACT THE CUSTODIAN OF PUBLIC RECORDS AT:

Town Clerk, or designee

Phone 561-838-5416

Email records@townofpalmbeach.com

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TOWN OF PALM BEACH
RFQ No. 2019-03
TOWN-WIDE OVERHEAD UTILITY UNDERGROUNDING
PHASE 2 & 3- SOUTH
Construction Manager at Risk Services

PART II
NATURE OF SERVICES

I. INTRODUCTION

The Town of Palm Beach is soliciting proposals from a qualified Construction Manager at Risk for the TOWNWIDE OVERHEAD UTILITY UNDERGROUNDING PROGRAM - PHASE 2 & 3 SOUTH.

Kimley-Horn and Associates, Inc. and their project team have been retained by the Town of Palm Beach to provide design and construction phase services and documents for the Town-wide Overhead Utility Undergrounding project. A summary of the work on the project is provided below. Additional project information including a phase summary map, traffic sequencing map are included with this solicitation.

<https://www.dropbox.com/sh/apcshpa38hyopzi/AAAh4CG2sRhXfSqH1IT0TKJla?dl=0>

Work Summary

The selected Construction Manager at Risk will furnish all work, necessary permits, and construction supervision to fully complete the construction of an overhead to underground utility conversion project for approximately 5 pole-miles of overhead electric, telephone, and cable TV utilities within the Town of Palm Beach. The work will also include site restoration and utility adjustments. Coordination of FPL installed LED light poles and will also be included in this project. FPU will be performing gas main improvements within the limits of these phases during the undergrounding project. The CMAR will be required to coordinate efforts with FPU during construction. Additionally, direct coordination of the work with the Secret Service will need to occur during Presidential visits.

The Construction Manager at Risk will control the schedule of the work performed by his own forces and subcontractors as well as coordinate the schedules and installation activities of the utility owners (FPL, AT&T, and Comcast) and monitor the progress and schedule of the work. The Construction Manager will oversee the work area and provide final restoration of private property areas impacted by the demolition of the existing overhead system upon final completion. Existing local traffic must be maintained in accordance with the Transportation Management Plan guidelines developed for the project. Specific Maintenance of Traffic Plans will be required to be developed by the CMAR based on their plan to execute the project.

II. SCOPE OF WORK

The purpose and intent of this Request for Qualifications is to provide Construction Manager at Risk Services for the following work:

- Provide pre-construction services which include, but are not limited to, defining value engineering opportunities to minimize project costs and work with Town staff and design consultant in the design phase;
- Competitively bid the project to qualified sub-contractors, according to the policies and procedures outlined in the Town's CM at Risk regulations and develop a guaranteed maximum price (GMP) and project schedule;
- Manage the construction of the improvements that constitute the Project;
- Serve as a Lead Member of the project team and coordinate project meetings;
- Provide required records and documentation for the Town.
- Communicate, in conjunction with the Town, to the residents in the project area regarding progress and coordination of the work on private property. This includes one-on-one discussions with property owners, coordination of the service conversion process, attendance at public meetings, and providing information regarding the progress of the work. *The intent is not to have the CM add a subcontractor for public outreach.*
- Manage and coordinate with utility owners (Florida Power and Light, ATT and Comcast)
- Manage and coordinate as needed any underground franchise utilities owners such as: Florida Public Utilities, City of West Palm Beach Water, Palm Beach County, and Florida Department of Transportation that may have work within the the CM's project limits to minimize impact to the schedule.

Preconstruction Phase: The Construction Manager (CMAR) shall function as an agent of the Town, shall be paid a fixed fee for services performed and shall be a part of the design team. The CMAR shall attend selected remaining design team meetings and review construction drawings and specifications. Preconstruction services shall include developing and updating a master construction phase bar chart schedule incorporating estimated construction phase time; constructability review to identify defects, omissions, and recommendations for alternatives value engineering for all phases of the project; prepare a quantity survey and schedule of values for use by sub-trades during bidding; prepare bid packages for the various sub-trades; procure bids from the sub-trades in accordance with Town of Palm Beach Purchasing requirements; prepare design development estimate and the development of a Guaranteed Maximum Price (GMP) for the construction of this project. Method of cost estimating shall be the Quality Survey Method. It is understood that development of the GMP will not occur until the Preconstruction Phase of the work has been completed. The CMAR shall provide written constructability analyses of the Project, including items to be addressed with the Town Consultants such as accessibility, construction methods, assembly, installation, materials handling, expandability, phasing and other construction phase related activities.

Construction Phase: The CMAR shall become the single point of responsibility for performance of the construction contract for the Town. The CMAR shall function in the role as the general contractor providing all necessary services including but not limited to the following:

- a. Prepare an overall Construction Management Plan for the project, including a procurement

plan with a recommended procurement schedule to coordinate and expedite the procurement of materials and equipment;

- b. Recommend contracting strategies for the project;
- c. Should the Construction Manager desire to self-perform any of the portions of the Work, this intention must be clearly conveyed to the Owner prior to the receipt of any other bids for the same scope of work. The Construction Manager shall not self-perform more than 20% of the Work.
- d. Competitively bid subcontract work, in accordance with Town established purchasing procedures, and share the results with the Town and its consultants, manage the bidding process with oversight by the Town for all the construction work, enter into subcontracts and administer such subcontracts with the understanding that the Town has the right to review and reject any subcontractor;
- e. Prepare shop drawings, RFI's and other documents necessary to accomplish the work;
- f. Manage the construction site and provide for the administration and supervision of the project;
- g. Establish and maintain the construction schedule including identifying variances, delays or early completion of tasks, and the maintenance of the schedule;
- h. Develop a system for cost control;
- i. Develop and manage the pay application and change order process, including coordination with the design staff and Town personnel;
- j. Provide the means and methods of construction;
- k. Provide jobsite safety and security;
- l. Provide continuous monitoring and inspection of work to determine progress and conformance with design documents documenting same;
- m. Schedule and coordinate all required inspections with appropriate disciplines including the Town Inspectors;
- n. Maintain written project progress records and provide written reports of project progress and status at least once a month relating to budget, progress payments, change orders, performance and schedule adherence;
- o. Guarantee the quality of construction;
- p. Perform or cause to be performed, all required remedial work identified through the inspection process and at direction of the Town's appointed project manager;
- q. Participate in meetings on the project with the Town and design staff or public individuals

or groups as may be directed by the Town's project manager;

- r. Work in cooperation with the Town's public outreach professionals in keeping those in the work zone informed of construction activities including specific coordination with property owners when work is to occur on private property or when any interruptions in utility service are anticipated;
- s. Develop plan, coordinate, and assist in the start-up testing and certification of any building systems and equipment, replaced and/or affected by the construction;
- t. Provide project close out coordination;
- u. Provide Certificate of Completion and all documents of record to Town staff and/or consultants for archiving;
- v. Provide all other services generally provided by Construction Manager on a project of like magnitude, scope, use, and complexity;
- w. Keep written minutes of all meetings, decisions and discussions pertaining to this project and submit copies of same to the Town and/or Town designees for archiving;
- x. Coordinate the activities and required field work of the electric, cable, telephone and/or other communications service providers as required to facilitate the project.
- y. Coordinate with third party entities which are not under the control of this project, but may be performing work within the project boundaries, such as Florida Public Utilities and private home owners.

III. SCHEDULED COMPLETION DATE

The scheduled completion date will be determined at time of GMP contract. The selected Construction Manager is expected to work with any other contractors working within the vicinity. The Construction Manager shall work around Town observed holidays. Schedules shall be provided indicating the start/completion dates of the overall construction project.

IV. DESIGN DOCUMENTS

The preliminary design plans and technical specifications are being prepared by Kimley- Horn & Associates, Inc.

V. TIME OF COMPLETION AND LIQUIDATED DAMAGES

The construction work to be performed under this project shall commence on the date of Notice to Proceed with such extensions of time as are provided for in the General Terms and Conditions. If said work is not substantially completed by the specified date, the Contractor shall be liable and hereby agrees to pay to the Owner as **liquidated damages, and not as a penalty, the sum of Three Thousand Dollars (\$3,000.00) per calendar day** for each and every day or part of a day thereafter that said work remains incomplete.

VI. PERFORMANCE, PAYMENT AND BID BOND REQUIREMENTS

Within ten (10) business days of the award of the Guaranteed Maximum Price by the Town, the Construction Manager shall furnish a Performance and Payment Bond consisting of:

- a. Performance Bond in the form specified by the Owner;
- b. Labor and Materials Payment Bond in the form specified by the Owner;
- c. Bid Bond of 5% will be required upon approval of GMP Negotiations.

Bond Requirement: The Construction Manager shall furnish bonds in the amount of 100% of the contract amount and shall maintain throughout the duration of the Project until one (1) year after Final Completion and acceptance of the Work as provided in Florida Statutes 255.05 et seq, covering the faithful performance of the Contract and payment of all obligations arising thereunder. Bonds shall be secured by the Construction Manager from a surety company licensed in the State of Florida with a best rating of A Class V or higher according to the most recent edition of the rating guide published by A.M. Best Company.

The successful Construction Manager shall be required to provide Surety Bonds in the amount of 100% of the Contract amount. The required premiums shall be paid for by the successful Contractor and shall be included in the Guaranteed Maximum Price.

In addition to the above minimum qualifications, the Surety Company must meet at least one of the following additional qualifications specified.

The Surety Company shall hold a current certificate of authority as acceptable surety on federal bonds in accordance with the United States Department of Treasury Circular 570, Current Revisions. If the amount of the Bond exceeds the underwriting limitation set forth in the circular, in order to qualify, the net retention of the surety company shall not exceed the underwriting limitation in the circular, and the excess risks must be protected by coinsurance, reinsurance, or other methods in accordance with Treasury Circular 297, revised September 1, 1978 (31 DFR Section 223.10 Section 223.111). Further the surety company shall provide the Owner with evidence satisfactory to the Owner, that such excess risk has been protected in an acceptable manner.

Time of Delivery and Form of Bonds: The Construction Manager shall deliver the required bonds to the Owner within ten (10) business days, after the award of the Guaranteed Maximum Price by the Town of Palm Beach.

The Performance Bond and Labor and Materials Payment Bond shall be written in the amount of the Guaranteed Maximum Price and shall continue in effect for one (1) year after completion and acceptance of the Work. The Bonds shall be dated on or before the Notice to Proceed Date.

The Construction Manager shall require the Attorney-In-Fact who executes the required Bonds on behalf of the Surety to affix thereto a certified and current copy of the Power of Attorney.

Pursuant to the requirements of Chapter 255.05 (1)(s), Florida Statutes, Construction Manager shall ensure that the Bond or Bonds referenced above shall be recorded in the public records of Palm Beach County. Proof of recordation must be submitted to the Town prior to issuance of a purchase order. One (1) set of originals is required.



TOWN OF PALM BEACH
RFQ No. 2019-03
TOWN-WIDE OVERHEAD UTILITY UNDERGROUNDING
PHASE 2 & 3- SOUTH
Construction Manager at Risk Services

PART III
PROPOSAL REQUIREMENTS

1. RULES FOR PROPOSALS

Proposer shall submit **one (1) original and seven (7) copies** on 8 ½ " x 11" paper in a clear, concise format, in English with **one (1) electronic copy (USB flash drive)**. The proposal shall contain tabbed sets of the information required herein to be considered for award. Omission of required data may be cause for disqualification. Any other information thought to be relevant, but not applicable to the enumerated sections, should be provided as an appendix to the proposal. If publications are supplied by a Proposer to respond to a requirement, the response should include reference to the document number and page number. Proposals not providing this reference will be considered to have no reference materials included in the additional documents.

Proposals must be properly signed in ink by the owner/principal having the authority to bind the Proposer to this agreement.

In order to maintain comparability and facilitate the review process, it is strongly recommended that submittals be organized in the manner specified below, with proper section dividers and tabs. The Town reserves the right to reject and not consider any proposal not organized and not containing all the information outlined herein.

The proposal must name all persons or entities interested in the proposal as principals. The proposal must declare that it is made without collusion with any other person or entity submitting a proposal pursuant to this RFQ.

2. ANTICIPATED SCHEDULE

The schedule shown below is provided for general information purposes only. Specific dates have been estimated and may vary as circumstances change.

Advertise for RFQ in Palm Beach Post	October 14, 2018, October 21, 2018
Pre-Proposal Conference	October 24, 2018 at 10:00AM
Submission Deadline - 2:00 P.M.	November 14, 2018
Selection Committee Evaluation Meeting	November 2018
Short List Notification for Oral Interviews	November 2018
Oral Interviews	December 2018
Award of Contract	January 2018

3. SUBMISSION OF PROPOSALS

An original (so marked) and seven (7) copies with one (1) electronic copy (USB flash drive) to include the following shall be submitted for a proposing firm to be considered:

(TAB 1) **Title Page:** This section should minimally show the "Request for Qualifications" project title, project number, the name of the Applicant Firm, address, telephone number, name of contact person and date. The Title Page should also include a complete listing of all companies, if any, that form the Applicant Firm team and their principals.

(TAB 2) **Table of Contents:** The table of contents of the proposal should include a clear and complete identification of the materials submitted by section and page number.

(TAB 3) **Transmittal Letter:** A Transmittal and introduction letter should be included introducing the Company with the corporate name (if applicable), address and telephone number of principal office, number of years in business and size of staff. Include a reproduction of Corporate Charter Registration, if applicable.

This letter will summarize in a brief and concise manner that the Proposer understands the scope of the work to be performed, the commitment to perform the work within the anticipated time period, a statement why the firm believes itself to be best qualified to provide the services, and a statement that the proposal remains in effect for one-hundred and eighty (180) days and a statement acknowledging receipt of each addendum issued by the Town, if any. An authorized agent of the Proposer must sign the Letter of Transmittal indicating the agent's title or authority.

(TAB 4) **Experience of Firm/Past Performance:** This section should include the name and type of firm or organization (corporation, partnership, joint venture, etc.) that will serve as the Applicant Firm, and provide the name of the single-entity responsible for the Project. The history, ownership, organization, and background of the Applicant Firm shall be provided. If the Applicant Firm is a joint venture, the required information shall be submitted for each member of the joint venture firm. Details of the organizational structure of the joint venture shall be given. Include a general statement describing the types of services offered by the firm, location of main and branch offices, number of years in business and number of employees in each department and the location of the office from which this work will be performed.

The firm should demonstrate how it interacts with municipal clients and provides and exchanges information relative to the requirements.

The Applicant Firm should provide examples of projects similar in complexity and value to those stated in the scope of work on behalf of a municipal client. The firm should include the number of Construction Manager at Risk (CMAR) projects completed over the last seven (7) years

List all completed and active projects that Vendor has managed within the past seven years. In addition, list all projected projects that Vendor will be working on in the near future. Projected projects will be defined as a project(s) that Vendor is awarded a contract but the Notice to Proceed has not been issued. Identify any projects that Vendor worked on concurrently. Describe Vendor's approach in managing these projects. Were there or will there be any challenges for any of the listed projects? If so, describe how Vendor dealt or will deal with the projects'

challenges.

Provide a list of at least five (5) client references for which the Applicant firm provides similar services to those outlined in this request for qualifications.

- a. Name and address of client.
- b. The nature of the firm's contract.
- c. The owner's representative's name, addresses, and phone number.
- d. Date contract started and ended.
- e. Scope or nature of contract
- f. Present status of the contract.

Tab 4 will be evaluated based on the criteria listed in section 1 of the Evaluation Criteria Sheet found at the end of the RFQ package

(TAB 5) **Experience/ Ability of Personnel:** This section should present the general and specified project related capability of the staff and indicate the adequate depth and abilities of the organization which it can draw upon as needed. The staff qualifications of management, technical and support staff, should highlight their experience as a construction manager at risk for work similar in complexity and value in the public and private sectors. It is the intent of the Town to insist that those indicated as the Project Team in this RFQ response actually execute the project. Applicant Firm hereby acknowledges that its key assigned employees, along with subcontractors and their key employees included in the RFQ, will be used as part of the basis for selecting Applicant Firm teams. Therefore, changes to Applicant Firms, including any sub-consultants and key employees, will not be allowed except as approved by the Town.

Include a brief resume of key persons to be assigned to the project including, but not limited to:

- a. Name and title
- b. Percentage of time to be assigned full time to this project.
- c. Number of years with this firm
- d. Number of years with other firms.
- e. Experience detailing types of projects and what was the specific project involvement.
- f. Education
- g. Active registration
- h. Other experience and qualifications that is relevant to this project.

(TAB 6) **Project Organization Chart:** A Project organization chart with the sub-consultants and individuals assigned to key project positions identified by name. Show the organization chart as it relates to this project indicating key personnel and their relationship. Attach evidence of licenses and certifications to perform the required services.

(TAB 7) **Sub-Consultants:** Provide names and experience of all sub-consultants to be used by the firm in relation to this project.

Tabs 5 through 7 will be evaluated based on the criteria listed in section 2 of the Evaluation Criteria Sheet found at the end of the RFQ package

(TAB 8) **Insurance Capability:** Provide a statement from the firm's insurance agency confirming total insurance capability of the firm.

(TAB 9) **Technical Approach:** The firm should present their approach to accomplishing the strategies to be implemented in delivering the services outlined in the scope of service for the project.

(TAB 10) **Variations/Exceptions:** Provide a list of services which are not included in the firm's proposal to the required services as outlined in the Scope of Services along with any exceptions or variations to any section of the proposal and explanation.

Tabs 9 and 10 will be evaluated based on the criteria listed in section 3 of the Evaluation Criteria Sheet found at the end of the RFQ package

(TAB 11) **Litigation Statement:** A statement that no litigation or regulatory action has been filed against your firm (s) in the last three (3) years shall be included in the proposal. If an action has been filed against your firm(s) within the last three years, state and describe the litigation or regulatory action filed against your firm and identify the court or agency before which the action was instituted, the applicable case or file number, and the status or disposition for such reported action. Describe all litigation (include the court and location) of any kind involving proposer or proposer's team members within the last five years.

(TAB 12) **Financial Information:** The Town requires an indication of the resources and the necessary working capital available and how it will relate to the Applicant Firm's financial stability through the completion of the project, including bonding capacity for single project and aggregate if applicable. Include 3 years audited or reviewed financial statements, prepared by a C.P.A. including Contractor's latest balance sheet and income statement showing the following items:

1. Current assets, i.e., cash, joint venture account, accounts receivable, notes receivable, accrued income, deposits, materials inventory, and prepaid expenses.
2. Net fixed assets.
3. Other assets.
4. Current liabilities, i.e., accounts payable, notes payable, accrued expenses, provision for income taxes, advances, accrued salaries, and accrued payroll taxes.
5. Other liabilities, i.e., capital, capital stock, authorized and outstanding shares par values, earned surplus, and retained earnings.
6. Name of firm preparing financial statement and date thereof.
7. A Dun and Bradstreet report with agreement to pay for additional reports may be required by the Town if the Proposer is selected as a finalist.

Any claim of confidentiality on financial statements should be asserted at the time

of submittal. Confidential financial statements should be submitted in a separate bound document labeled "Name of Firm, Attachment to Proposal Package, RFQ# - Confidential Matter." The firm must identify the specific statute that authorizes the exemption from the Public Records Law. Please note that the financial statement exemption provided for in Section 119.071(1) c, Florida Statutes only applies to submittals in response to a solicitation for a "public works" project. Failure to provide this information at the time of submittal may result in a recommendation by the Purchasing Manager that the response is non-responsive.

(TAB 13) **List of Professional References:** Provide a list of professional references (commercial or government) that the proposer has supplied services as described herein during the past 24 months. The Town may contact these firms in relation to Proposer's qualifications, financial stability, and experience.

(TAB 14) **RFQ Forms:** This section should include completed and executed copies of the following forms: B-1 Proposal Submission Form, B-2 Proposers Qualifications, B-3 References, B-4 Drug Free Workplace Certification, B-5 List of Proposed Subcontractors.

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TOWN OF PALM BEACH
RFQ No. 2019-03
TOWN-WIDE OVERHEAD UTILITY UNDERGROUNDING
PHASE 2 & 3 - SOUTH
Construction Manager at Risk Services

OTHER CONTRACT REQUIREMENTS

I. SCHEDULED CONTROL SUBSYSTEM

- A. Master Project Schedule – Upon award of the Contract for GMP, the Construction Manager, shall submit a master project schedule utilizing the Primavera Bar Chart Format (PBC) or equivalent, and covering the planning and design completion approvals, construction and Town acceptance of the Project. This schedule will serve as the framework for the subsequent development of all detailed schedules. The master project schedule shall be updated monthly throughout the project.
- B. Within fourteen (14) days after the date of the Town's issuance of a Notice to Proceed, the Construction Manager shall prepare and submit to the Town's Project Manager for initial approval a CPM construction schedule in quadruplicate graphically depicting the activities contemplated to occur as a necessary incident to performance of the work required to complete the project, showing the sequence in which the Construction Manager proposes for each such activity to occur as necessary incident to performance of the work required to complete the project, showing the sequence in which the Construction Manager proposes for each such activity to occur and duration (dates of commencement and completion respectively) of each activity. Initial Approval for the purposes of this provision and any other provisions related to the Construction Manager's responsibility to prepare and submit schedules shall be limited to a determination that the activities, duration and logic are reasonable.

Failure of the Construction Manager to develop and submit a construction schedule as aforesaid shall be sufficient grounds for the Town to find the Construction Manager in material default and certify to the Town that sufficient cause exists to terminate the contract or to withhold any payment.

Following development and submittal of the construction schedule as aforesaid, the Construction Manager shall, at the end of each calendar month occurring thereafter during the period of time required to finally complete the subject project, or at such earlier intervals as circumstances may require, update and/or revise the construction schedule to show the actual progress of the work performed and the occurrence of all events which have affected the progress of performance of the work already performed or will affect the progress of the performance of the work yet to be performed in contrast with the planned progress of performance of such work, as depicted on the original construction schedule and all updates and/or revisions thereto as reflected in the updated and/or revised construction schedule last submitted prior to submittal of each such monthly update and revision. Each such update and/or revision to the construction schedule shall be submitted to the Town in quadruplicate. Failure of the Construction Manager to update, revise and submit the construction schedule as aforesaid shall be sufficient grounds for the Town to find the

Construction Manager in material default and certify that sufficient cause exists to terminate the Contract or to withhold payment to the Construction Manager until a schedule or schedule update acceptable to the Town is submitted.

- C. The Construction Manager shall prepare and incorporate into the schedule data base, at the required intervals, the following schedules:
- (a) Pre-proposal Schedules (Subnetworks): The Construction Manager shall prepare a construction schedule for work encompassed in each proposal package. The schedule shall be sufficiently detailed as to be suitable for inclusion in the proposal package as a framework for contract completion by the successful proposer. It shall show the interrelationships between the work of the successful proposer and that of other Sub Contractors, and shall establish milestones keyed to the overall master schedule.
 - (b) Sub-Contractors Schedules (Subnetworks): Upon the award of each sub-contract, the Construction Manager shall jointly with the Sub-Contractor, develop a schedule which is more detailed than the pre-proposed schedule included in the specifications, taking into account the work schedule of the other Sub-Contractors. The construction schedule shall include as many activities as necessary to make the schedule an effective tool for construction planning and for monitoring the performance of the Sub-Contractor. The construction schedule shall also show pertinent activities for material purchase orders, manpower supply, shop drawing schedules and material delivery schedules.
 - (c) Submittal Review Schedule: The Construction Manager shall indicate appropriate dates by which the Project Manager and/or Engineer must notify the Construction Manager of the outcome of the review and any submittals in order to avoid an extension of the Contract Time, the failure of which will allow at least ten (10) days from receipt to respond to any submittal by Construction Manager.

II. COST CONTROL SUBSYSTEM

The operation of this subsystem shall provide sufficient timely date and detail to permit the Construction Team to control and adjust the project requirements, needs, materials, equipment and systems and the construction site elements so that construction will be completed at a cost which, together with all other project costs, will not exceed the maximum total project budget. Requirements of this subsystem include the following submissions at the following phases of the project:

- (a) Costs at Completion of less than 50% Construction Documents Phase For Each Item Or Proposal Package – Construction Manager as part of its bid has furnished or shall furnish its best costs for labor, materials and services required to complete scope of work pursuant to the existing design (with and without value-engineering) and the completed design.
- (b) Costs at Completion of 100% Construction Documents Phase For Each Item or Proposal Package

- (c) **Guaranteed Maximum Price Costs** – When the Construction Documents are sufficiently complete to establish the scope of work for the project or any portion thereof, Construction Manager shall prepare and submit a cost on the basis of an overall quantitative labor and material take-off.

III. PROJECT ACCOUNTING SUBSYSTEM

The operation of this subsystem shall enable the Construction Team to plan effectively and to monitor and control the funds available for the project, cash flow, change orders, payments and other major financial factors by comparison of budget, estimate, total commitment, amounts invoiced, and amounts payable. This subsystem will be produced and updated monthly and includes the following reports which together will serve as a basic accounting tool and an audit trail. This report will also provide for accounting by roadway block or link, structure and site elements.

- (a) **Costs Status Report** presenting the budget, estimate and base commitment (awarded contracts and purchase orders) for any given contract or budget line item. It shall show approved change orders for each contract which when added to the base commitment will become the total commitment. Pending change orders will also be shown to produce the total estimated probable cost to complete the work.
- (b) **A Payment Status Report** showing the value in place (both current and cumulative), the amount invoiced (both current and cumulative) the retainage, the amount payable (both current and cumulative), and the balance remaining. A summary of this report shall accompany each pay request.
- (c) **A Detailed Status Report** showing the complete activity history of each item in the project accounting structure. It shall include the budget, estimate and base commitment figures for each contract. It shall give the change order history including change order numbers, description, proposed and approved dates, and the proposed and approved dollar amounts. It shall also show all pending or rejected change orders.
- (d) **A Cash Flow Diagram** showing the projected accumulation of cash payments against the project. Cash flow projections shall be generated for anticipated monthly payments as well as cumulative payments.
- (e) **A Job Ledger** shall be maintained as necessary to supplement the operation of the project accounting subsystem. The job ledger will be used to provide construction costs accountability for general conditions work, on-site reimbursable expenses and costs requiring accounting needs.

IV. PROJECT MANUAL

- 1. Upon award of contract, the Construction Manager shall develop a draft Comprehensive Project Manual describing the services set forth in this Contract. This shall provide a plan for the control, direction, coordination and evaluation of work performed throughout the project organization including identification of key personnel, responsibilities of Construction Manager, Town Project Manager and Engineer; work flow diagrams; and

strategy for obtaining proposals for the work. The Project Manual shall be updated as necessary throughout the design, construction and Town acceptance. Five (5) copies of the Project Manual and any updates shall be submitted to the Town and Engineer. In developing the Project Manual, the Construction Manager shall coordinate with the Town and the Engineer.

2. Contents of Project Manual

The Project Manual shall describe in detail the procedures for executing the work and the organizations participating. The Project Manual shall include as a minimum the following sections:

- (a) Project Definition: The known characteristics of the project or subprojects shall be described in general terms which will provide the participants a basic understanding of the project or sub-projects.
- (b) Project Goals: The schedule, budget, physical, technical and other objectives for the project shall be defined.
- (c) Project Strategy: A narrative description of the project delivery methods shall be utilized to accomplish the goals.
- (d) Project Work Plan: A matrix display of the program of work to be performed by the Construction Manager, the Engineer and the Town during each phase of the Project.
- (e) Project Organization: A summary organization chart showing the interrelationships between the Town, the Construction Manager and the Engineer, and other supporting organizations and permitting review agencies. Detailed charts, one each for the Construction Manager, the Engineer, and Town showing organizational elements participating in the project shall be included.
- (f) Responsibility Performance Chart: A detailed matrix showing the specific responsibilities and interrelationships of the Town, the Engineer and Construction Manager. The Responsibility Performance Chart shall indicate major responsibility, and minor responsibility, for each specific task required to deliver the project. The Construction Manager shall develop a similar chart for the personnel within his own organization who are assigned to the Project, and also for the personnel of the Town and the Engineer from data supplied by each.
- (g) Flow Diagrams: These charts shall display the flow of information and the decision process for the review and approval of shop drawings and submittals, progress and change orders.
- (h) Written Procedures: The Construction Manager will provide written procedures for Communications and coordination required between Construction Team members throughout the project. Procedures shall cover such items as correspondence, minutes, reports, inspections, team meetings, technical reviews, design reviews, and other necessary communications.

V. DESIGN REVIEW AND RECOMMENDATIONS

1. Review and Recommendations for Value Engineering: Immediately after award of the Preconstruction Phase contract, the Construction Manager shall familiarize himself thoroughly with the evolving engineering, civil, electrical, communication, street lighting, water, sewer and drainage plans and specifications and shall participate in the development of remaining design from existing drawings furnished by the Town to Completed Drawings. The Construction Manager shall make recommendations with respect to value engineering of systems and materials, and will furnish cost reducing alternatives to assist the Engineer, and Town in evaluating alternative comparisons versus long term cost effects. The evaluation shall provide for any reasonable steps to allow for expedition of construction and early completion of the project. Pertinent information shall be provided as to the availability of materials and labor that will be required. The Construction Manager shall submit to the Town, Permitting Authority and Engineer such comments as may be appropriate concerning construction feasibility and practicality. Any apparent defects in the design, drawings and specifications or other documents shall be called to the Project Manager and the Engineer's attention. The Construction Manager shall prepare an estimate of the construction cost with value-engineering alternates utilizing the unit quantity survey method and making appropriate disclosure for items which may increase construction time but result in lower construction costs.
2. Review Reports and Warranty: Within ten (10) days after receiving the Construction Documents for each phase of the project, the Construction Manager shall perform a specific review thereof, focused upon factors of a nature encompassed on factors set out herein. Promptly after completion of the review, he shall submit to the Project Manager, with copies to the Engineer, a written report covering suggestions or recommendations previously submitted, additional suggestions or recommendations as he may deem appropriate, and all actions taken by the Engineer with respect to same, any comments he may deem to be appropriate with respect to separating the work into separate contracts, alternative materials, and all comments called for under the Design Review and Recommendations.
3. Long Lead Procurements: The Construction Manager shall review the design for the purpose of identifying long lead procurement items (machinery, equipment, materials and supplies). When each item is identified, the Construction Manager shall notify the Sub-Contractors, the Project Manager and the Engineer of the required procurement and schedule. Such information shall be included in the Proposal documents and made a part of all affected sub-contracts. As soon as the drawings are sufficiently complete for purposes of establishing the GMP, the Construction Manager shall prepare invitations for Proposals. The Construction Manager shall keep himself informed of the progress of the respective Sub-Contractors or suppliers, manufacturing or fabricating such items and advise Town Project Manager and Engineer of any problems or prospective delay in delivery.
4. Phased Construction Planning: The Construction Manager shall review the design with the Engineer and make the recommendations to the Town and to the Engineer with respect to dividing the work in such manner as will permit the Construction Manager to take proposals and award separate construction sub-contracts on the current schedule while the design is being completed.

5. Job-Site Facilities: The Construction Manager shall arrange for all job-site facilities necessary to enable the Construction Manager and the Town's representatives and the Engineer to perform their respective duties in the management, inspection and supervision of construction.

The Construction Manager is responsible for proper care and maintenance of all equipment while in his control. At the time of transfer to the Town, the Town may refuse acceptance of the project if the Town determines in its sole discretion that any equipment has not been properly cared for by the Construction Manager or that such acquisition would not otherwise be in the best interest of the Town.

6. Weather Protection: The Construction Manager shall ascertain what temporary enclosures, if any, of building areas should be provided for and may be provided as a practical matter, in order to assure orderly progress of the work in periods when extreme weather conditions are likely to be experienced. He shall submit to the Construction Team his recommendations as to needed requirements of this nature as to the contract or contracts in which they should be included.

VI. MARKET ANALYSIS AND STIMULATION OF PROPOSER INTEREST

The Construction Manager shall monitor conditions in the construction market to identify factors that will or may affect costs and time for completing the Project.

VII. PROJECT REQUIREMENTS:

1. The Construction Manager shall provide for each of the following activities as part of his Construction Phase fee:
 - a. Maintain a log of daily activities, including manpower records, weather delays, major decisions, etc.
 - b. Maintain a roster of companies on the project with names and telephone numbers of key personnel.
 - c. Establish and enforce job rules governing parking, clean-up, use of facilities and worker discipline.
 - d. Provide labor relations management for a harmonious, productive project.
 - e. Provide a safety program for the project to meet OSHA requirements. Monitor for Sub-Contractor compliance without relieving them of responsibilities to perform work in accordance with the best acceptable practice.
 - f. Provide a safety meeting with construction manager staff, subcontractor(s) staff, consultants and sub consultants and Project Manager prior to starting work on existing site.
2. The Construction Manager shall provide personnel and equipment or shall arrange for separate subcontractors to provide each of the following as a direct cost item:
 - a. Schedule the services of independent testing laboratories and provide the necessary testing of materials to ensure conformance to contract requirements.
 - b. The printing and distribution of all required proposal documents and shop drawings, including the sets required by the Permitting Authority's inspectors.

VIII. PROJECT ADMINISTRATION

The Construction Manager shall provide as part of his Construction Phase fee, administrative functions during construction to assure proper documentation, including but not limited to such things as the following:

- A. Job Meetings: Hold weekly progress and coordination meetings to provide for an easy flowing project. Implement procedures and assure timely submittals, expedite processing approvals and return of shop drawings, samples, etc. Coordinate and expedite critical ordering and delivery of materials, work sequences, inspection and testing, labor allocation, etc. Review and coordinate each Sub-Contractor's work. Review and implement revisions to the Schedule. Monitor and promote safety requirements.

In addition, regular project status meetings will be held between the Engineer, Town and Construction Manager either biweekly or monthly, whichever is designated by the Project Manager.

Use the job site meeting as a tool for preplanning of work and enforcing schedules and for procedures, responsibilities, and identification of authority for all to clearly understand.

Identify party or parties responsible for follow up on any problems, delay items or questions and record course for solution. Revisit each pending item at each subsequent meeting until resolution is achieved. Require all present to make any problems or delaying event known to those present for appropriate attention and resolution.

- B. Shop Drawing Submittals/ Approvals: Provide staff to check shop drawings and to implement procedure for submittal and transmittal to the Engineer of such drawings for action, and closely monitor their submittal and approval process.
- C. Material and Equipment Expediting: Provide staff to closely monitor material and equipment deliveries, to the affected Sub-Contractor for fabrication or revision. The Construction Manager shall maintain a suspense control system to promote expeditious handling. He shall request the Engineer to make interpretations of the drawings or specifications requested of him by the Sub-Contractors and shall maintain a suspense control system to promote timely response. He shall advise the Project Manager and Engineer when timely response is not occurring on any of the above.
- D. Payments to Sub-Contractors: Develop and implement a procedure for review, processing and payment of applications by Sub-Contractors for progress and final payments.
- E. Document Interpretation: Refer all questions for interpretation of the documents prepared by the Engineer to the Engineer and Project Manager.
- F. Reports and Project Site Documents: Record the progress of the project. Submit written progress reports to the Town and the Engineer including information on the Sub-Contractors work, and the percentage of completion. Keep a daily log available to the Town, the Engineer and the Permitting Authority inspectors.

- G. Sub-Contractor Progress: Prepare periodic punch lists for Sub-Contractors work including unsatisfactory or incomplete items and schedules for their completion.
- H. Substantial Completion: Ascertain when the work or designated portions thereof are ready for substantial completion inspection. From the list of incomplete or unsatisfactory items, prepare a schedule for their completion indicating completion dates for the Town's review. If the Construction Manager wishes the Engineer and Town to conduct a pre-substantial completion inspection in conjunction with his own forces, the Engineer will prepare the pre-substantial punch list from which the Construction Manager will develop a completion schedule. The Project Manager will issue a certificate of substantial completion when the work on his pre-substantial punch list has been accomplished.
- I. Final Completion: Monitor the Sub-Contractor's performance on the completion of the project and provide notice to the Town and Engineer that the work is ready for final inspection. Secure and transmit to the Town, through the Engineer, all required guarantees, affidavits releases, bonds and waivers, manuals, record drawings, and maintenance books including the Final Completion form.
- J. Start Up: With the Town's personnel direct the checkout of utilities, operations, systems and equipment for readiness and assist in their initial start-up and testing by the trade Sub-Contractors.
- K. Record Drawings:
- (1) During the process of the work, the Construction Manager shall require all Contractors to record on their field sets of drawings the exact locations, as installed, of all conduit, pipe and facilities whether concealed or exposed.
- (2) As-Built Drawings shall be required. Upon completion of the work, this data shall be recorded to scale utilizing the computer-aided design and drafting application (CADD). Two (2) sets of disk files will be furnished to the Construction Manager by the Engineer, but cost shall be borne by the Construction Manager. Each drawing shall be noted "As Built" and shall bear the date and name of the Sub-Contractors that performed the work. Where the work was installed exactly as shown on the contract drawings the sheets shall not be disturbed except as noted above.
- (3) The Construction Manager shall review the completed As-Built drawings and ascertain that all data furnished on the drawings are accurate and truly represent the work as actually installed. When manholes, boxes, underground piping and conduits, inverts, transformers, switch cabinets, pull boxes, etc. are involved as part of the work, the Construction Manager shall furnish true elevations and locations, all properly referenced by using the original bench mark used for the design of this project. The disks shall be submitted to the Project Manager and Engineer when completed, together with two sets of blue-line prints for certification, at the time of final completion.



TOWN OF PALM BEACH
RFQ No. 2019-03
TOWN-WIDE OVERHEAD UTILITY UNDERGROUNDING
PHASE 2 & 3- SOUTH
Construction Manager at Risk Services

PART IV
EVALUATION OF PROPOSALS

1. EVALUATION AND AWARD

The Town will select proposals deemed most qualified based on the submittal criteria. The Selection Committee will rank those Proposers whose proposals are deemed most qualified.

The Town reserves the right to select the proposal which in the opinion and sole discretion of the Town will be in the best interest of and/or most advantageous to the Town. The Town reserves the right to waive any irregularities and technicalities and may at its discretion request re-submittal of proposals.

2. SELECTION PROCESS:

2.1 Interested Applicant Firms shall submit their qualifications and any other information required herein to the Town on or before the date and the time specified. A Selection Committee, consisting of Town personnel, will convene, review and discuss all proposals submitted. The Purchasing Manager or designee will chair the committee.

2.2 Proposer(s) selection and award of contract shall be done in accordance with the State of Florida CCNA (Consultants' Competitive Negotiation Act), and Town policies and procedures. A Selection Committee will review the submittals and select qualified Applicant Firm(s) for the projects based on the selection criteria detailed below. The Applicant Firms will be ranked on their submittals and selection criteria.

2.3 A short list of finalists shall be established based upon the written submissions. Interviews, per State Statute, will be conducted with minimum of three best-ranked firms. These interviews of the finalists shall be used to identify the top-rated Respondent(s). The finalists will be required to present their qualifications to the Selection Committee. After the initial Selection Committee meeting, short listed firms will be notified of the scheduled interview. The Town may utilize an Ordinal Scoring (Best Value Scoring) process for the oral presentation. The Ordinal Scoring will require the Evaluation Committee to assign a composite score rank, based on the Committee's determination of the relative overall value of the Proposer's response. Composite scores will rank responses from 1 (1st place), 2 (2nd place), and so on, for the total number of finalists under consideration. If there is a tie for first place after ordinal scoring, the tied firm with the highest rank from the initial Selection Committee scoring will be recommended.

A copy of the interview materials (hard-copy, DVD, CD or a combination of both) should be given to the Purchasing Manager at the meeting to retain in the Purchasing files.

2.4 The Town is not bound to accept any Submittal Package to the RFQ or further proceed with the process if the Applicant Firms do not meet Town requirements and standards. Further,

the Town reserves the right, at its sole discretion, to:

1. Accept or reject any and all submittals, in whole or in part;
2. Discuss different or additional terms to those included in this RFQ or received in any response;
3. Amend or modify any terms of this RFQ;
4. Reject this RFQ and issue a second RFQ;
5. Request clarification of the information submitted as part of the RFQ; and/or
6. Extend the date for receipt of RFQ's.

3. EVALUATION CRITERIA - The criteria and weights as shown herein shall be utilized in the evaluation of the proposals. The evaluation criteria will be based on 1. Experience of Firm/Past Performance, 2. Experience/Ability of Personnel, 3. Technical Approach, 4. Financial Information, 5. Volume of Work and 6. Other Information. The Selection Committee will evaluate all responsive written proposals to determine which proposals best meet the needs of the Town, based on the evaluation criteria. It is expected that a contract will be executed between both parties for the services as may be necessary.

3.1 Volume of Previous Work

Points will be awarded based upon the percentage of past awards made by the Town. At the closing of the Request for Qualifications the total of all purchase orders issued (for the past three-year period) will be determined for each proposer. The highest proposer total will become the basis for evaluation point distribution.

The point distribution will be as follows:

Proposers whose past awards have totaled less than 5% of the basis will receive 5 points.
Proposers whose past awards have totaled over 5%, but less than 25% will receive 4 points.
Proposers whose past awards have totaled over 25%, but less than 50% will receive 3 points.
Proposers whose past awards have totaled over 50%, but less than 85% will receive 2 points.
Proposers whose past awards have totaled over 85% will receive 1 point.

4. FINAL SELECTION - The Selection Committee will recommend an award to the highest ranked Proposer (with all Finalist Proposers in ranked order). The Town will select the firm that meet the best interests of the Town. The Town shall be the sole judge of its own best interests, the proposals, and the resulting negotiated agreement. The Town's decisions will be final. Upon Selection Committee recommendation, contract negotiations will be initiated with the top ranked firm. If those negotiations are unsuccessful, the Town will formally terminate negotiations with that firm and will commence contract negotiations with the next highest ranked firm, etc. Upon successful contract negotiations with the prevailing firm, the recommendation for award will be presented to Town Council for final approval, and upon confirmation, the remaining firms will be notified that the process has been completed and that they were not selected.

5. CONTRACT - The selected Proposer will be expected to enter into a formal agreement at the time of contract award. The selected Proposer will also be expected to submit a scope of services for the purpose of entering into a formal contract. Scope of services and pricing shall be negotiated and decided prior to award of contract and become part of the contract document at award.



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RFQ No. 2019-03
TOWN-WIDE OVERHEAD UTILITY UNDERGROUNDING
PHASE 2 & 3- SOUTH
Construction Manager at Risk Services

PROPOSAL SUBMISSION FORM

The undersigned Proposer hereby declares that:

1. This Proposal is made in good faith, without collusion or fraud and is fair and competitive in all respects.
2. The Proposer has carefully and to his full satisfaction understands the Scope of Work, Special Terms, General Conditions, technical specifications, certificate of insurance, and form of bonds, if applicable, and Proposer has read all issued addenda issued.
3. Proposer has made a full examination of the site and is familiar with the site conditions that may impact its performance.
4. Upon receipt of a Notice of Intent to Award the Construction Phase contract, the Proposer shall commence obtaining a Performance Bond, Labor and Material Payment Bond, immediately after receiving the Notice of Intent to Award; as such documents will be required prior to execution of a Contract.
5. Proposer understands that the contract time starts on the date of the Notice to Proceed.
6. Proposer furthermore agrees that, in case of failure on his part to execute a Contract and provide all required documents within ten (10) calendar days of receipt of the Contract for execution, unless otherwise extended by the Town, the Town may withdraw the offer and contract with another Proposer and the check, bond, or other security accompanying his Proposal and the money payable thereon, shall become the property of the Town, by forfeit as agreed and liquidated damages.
7. Final completion for construction phase work shall be determined at time of GMP contract.
8. Liquidated damages for construction delay are agreed to be \$500 per calendar day.
9. Proposer shall be responsible for all plan review fees and for all permitting fees and utility service connection fees including those obtained through the Town of Palm Beach Planning, Zoning and Building Department, if any.
10. All debris is to be legally disposed of at a licensed disposal site in accordance with town, state and federal standards.
11. The following officer, director or agent of the Proposer is also an employee of the Town of Palm Beach, if any:

Name

Address

12. The following employee(s) of the Town of Palm Beach, if any, hold either directly or indirectly, an interest in Proposer firm or its affiliates or subsidiaries:

Name

Address

Acknowledgement is hereby made of the following Addenda received since issuance of this Request for proposals:

Addendum No. _____ Dated: _____ Addendum No. _____ Dated: _____

Addendum No. _____ Dated: _____ Addendum No. _____ Dated: _____

Addendum No. _____ Dated: _____ Addendum No. _____ Dated: _____

The hereby undersigned representative submits this proposal and certifies that they are an authorized representative of the Proposer who may legally bind the Proposer:

Date: _____

***SIGNATURE:** _____

Name: _____ **Title:** _____
Printed

Company: _____ **Address:** _____
Legally registered name

City: _____ **State:** _____ **Zip:** _____

Telephone No: _____ **Fax No:** _____ **Federal ID No:** _____

Name of Contact Person: _____

Address: _____

Phone Number: _____ **Fax Number:** _____

Email Address: _____

DUN Number: _____

****Failure to affix signature may result in disqualification of proposal.***



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RFQ No. 2019-03
TOWN-WIDE OVERHEAD UTILITY UNDERGROUNDING
PHASE 2 & 3- SOUTH
Construction Manager at Risk Services

PROPOSERS QUALIFICATIONS

Each proposer must complete the following information and submit with their RFQ in order for the proposal to be considered:

1. Legal Name and Address:

Name: _____

Address: _____

City, State, Zip: _____

Phone/Fax: _____ Email: _____

2. Check One: Corporation () Partnership () Individual ()

3. If Corporation, state: Date of Incorporation: _____ State in which Incorporated: _____

4. If an out-of-state Corporation, currently authorized to do business in Florida, give date of such authorization: _____

5. Name and Title of Principal Officers Date Elected:

6. The Vendor's length of time in business: _____ years

7. The Vendor's length of time (continuous) in business as a service organization in Florida: _____ years

8. All bidders must disclose with their bid the name of any officer, director or agent who is also an employee of the Town. Further, all bidders must disclose the name of any Town employee who owns, directly or indirectly, an interest in the bidder's firm or any of its branches.

Name _____ Percentage of Interest: _____

9. A copy of County and/or Municipal Tax Receipt (Occupational License) in the area of their fixed business location.

10. A current, signed copy of your firm's IRS form W-9.

Note: Information requested herein and submitted by the Proposers will be analyzed by the Town and will be a factor considered in awarding any resulting contract. If there are any terms and/or conditions that are in conflict, the most stringent requirement shall apply.



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PHASE 2 & 3- SOUTH
Construction Manager at Risk Services

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REFERENCES

The following is a list of current and pertinent professional references that the Town can contact in relation to Proposer's qualifications, financial stability, and experience. Failure to furnish this information may be grounds for rejection of the proposal.

1. Name and Address of Firm, City, County, or Agency	Scope of Work:	
	Date(s):	
	Amount:	
	Contact:	
	Telephone No:	
	Email:	
For Town Use Only: Reference Verified: Yes ___ No ___		Comments:

2. Name and Address of Firm, City, County, or Agency	Scope of Work:	
	Date(s):	
	Amount:	
	Contact:	
	Telephone No:	
	Email:	
For Town Use Only: Reference Verified: Yes ___ No ___		Comments:

3. Name and Address of Firm, City, County, or Agency	Scope of Work:	
	Date(s):	
	Amount:	
	Contact:	
	Telephone No:	
	Email:	
For Town Use Only: Reference Verified: Yes ___ No ___		Comments:

4. Name and Address of Firm, City, County, or Agency	Scope of Work:	
	Date(s):	
	Amount:	
	Contact:	
	Telephone No:	
	Email:	
For Town Use Only: Reference Verified: Yes ___ No ___		Comments:

5. Name and Address of Firm, City, County, or Agency	Scope of Work:	
	Date(s):	
	Amount:	
	Contact:	
	Telephone No:	
	Email:	
For Town Use Only: Reference Verified: Yes ___ No ___		Comments:

Company Name: _____



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PHASE 2 & 3- SOUTH
Construction Manager at Risk Services

(B-4)

DRUG-FREE WORK PLACE CERTIFICATION

Whenever two (2) or more bids/proposals, which are equal with respect to price, quality, and service, are received by the Town of Palm Beach for the procurement of commodities or contractual services, a bid/proposal received from a business that certifies that it has implemented a drug-free workplace program shall be given preference in the award process. In order to have a drug-free workplace program, a business shall:

1. Publish a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession or use of controlled substances is prohibited in the workplace and specifying the actions that will be taken against employees for violations of such prohibition.
2. Inform employees about the dangers of drug abuse in the workplace, the business's policy of maintaining a drug-free workplace, any available drug counseling, rehabilitation, and employee assistance programs, and the penalties that may be imposed upon employees for drug abuse violations.
3. Give each employee engaged in providing the commodities or contractual services that are under bid a copy of the statement specified in number (1).
4. In the statement specified in number (1), notify the employees that as a condition for working on the commodities or contractual services that are under bid, the employee will abide by the terms of the statement and will notify the employer of any conviction on or plea of guilty or nolo contendere to any violation of Chapter 893, Florida Statutes or of any controlled substance law of the United States or any singular state, for a violation occurring in the workplace no later than five (5) days after such conviction.
5. Impose a sanction on, or require the satisfactory participation in a drug abuse assistance or rehabilitation program if such is available in the employee's community by any employee who is so convicted.
6. Make a good faith effort to continue to maintain a drug-free workplace through implementation of Section 287.087, Florida Statutes.

This Certification is submitted by _____ the
(Individual's Name)

_____ of _____
(Title/Position with Company/Vendor) **(Name of Company/Vendor)**

Who does hereby certify that said Company/Vendor has implemented a drug-free workplace program, which meets the requirements of Section 287.087, Florida Statutes, which are identified in numbers (1) through (6) above.

Date

Signature



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TOWN OF PALM BEACH
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PHASE 2 & 3- SOUTH
Construction Manager at Risk Services

LIST OF PROPOSED SUBCONTRACTORS

The undersigned Proposer hereby designates, as follows, all major subcontractors whom they propose to utilize for the major areas of work for the project. The bidder is further notified that all subcontractors shall be properly licensed, bondable and shall be required to furnish the Town with a Certificate of Insurance in accordance with the contract general conditions. Failure to furnish this information shall be grounds for rejection of the bidder's proposal. (If no subcontractors are proposed, state "None" on first line below.)

Name and Address of Subcontractor	Scope of Work	License #
1.		
2.		
3.		
4.		
5.		

Signature and Date _____

Title/Company _____



RFQ No. 2019-03
TOWN-WIDE OVERHEAD UTILITY UNDERGROUNDING
PHASE 2- SOUTH
Construction Manager at Risk Services

EVALUATION CRITERIA

Criteria	Weight
<u>Experience of Firm / Past Performance</u> • Success at executing projects where GMP and final construction costs were equal • Success at achieving cost savings and schedule efficiencies • Success at meeting project schedule and budget • Success at executing projects with multiply 3 parties outside of the control of the CMA	30%
<u>Experience/Ability of Personnel</u> • Time with Company • Direct applicable experience to CMAR projects • Project Manager experience and success managing CMAR projects	25%
<u>Technical Approach</u> • Technical approach to achieving multiply bids • Technical approach to using CMAR to achieve lower bids • Technical approach to staying on budget and on schedule • Technical approach to working transparent with client • Technical soundness of the proposal	30%
<u>Financial Information</u> • Annual Report submitted and determined adequate by Town • Financial resources and capabilities • Financial Statement certified by a CPA	5%
<u>Volume of Work</u> • This is evaluated based on previous volume of work with the Town of Palm Beach. Firm with the least amount of previous work will receive the highest possible score	5%
<u>Other</u> • Overall completeness, clarity and quality of proposal • Bonding and Insurance • Communications with property owners within the project area as part of construction team	5%

Town of Palm Beach
Townwide Overhead Utility Undergrounding
Phase 4 - South
South Lake Drive Watermain Replacement and Utility Undergrounding Conduit Installation

Guaranteed Maximum Price

From: **Burkhardt Construction, Inc.**
Attn: Marc Kleisley, Vice President
1400 Alabama Ave.
West Palm Beach, FL 33401
Ph: (561) 659-1400
Fax: (561) 659-1402

Owner: **Town Of Palm Beach**
Public Works & Engineering Dept
951 Old Okeechobee Road
West Palm Beach, FL 33401
Tel: (561) 838-5440
Fax: (561) 835-4691

Engineer: **Kimley-Horn & Associates, Inc.**
Attn: Kevin Schanen, P.E.
1920 Wekiva Way, Suite 200
West Palm Beach, FL. 33411
Ph: (561) 845-0665
Fax: (561) 863-8175

Project: **Townwide Overhead Utility Undergrounding - Phase 4 - South**

Plans: Based On Bid Set Plans/Specifications from Kimley Horn Dated BCI
Received 01-04-2021, "100% Submittal Not For Construction"
Complete Plan Log Attached

Location: Town of Palm Beach

Proposal Date: 2/15/2021, Rev. 2/18/2021

Guaranteed Maximum price for Phase 4 - South - Overhead Utility Undergrounding within the limits of South Lake Drive Watermain	\$ 320,311.21
Guaranteed Maximum price for Phase 4 - South Lake Drive Watermain Replacement	\$ 932,276.03
Total Guaranteed Maximum Price	\$ 1,252,587.24

**Town of Palm Beach
Townwide Overhead Utility Undergrounding
Phase 4 - South
South Lake Drive Watermain Replacement**

Guaranteed Maximum Price

From: **Burkhardt Construction, Inc.**
Attn: Marc Kleisley, Vice President
1400 Alabama Ave.
West Palm Beach, FL 33401
Ph: (561) 659-1400
Fax: (561) 659-1402

Owner: **Town Of Palm Beach**
Public Works & Engineering Dept
951 Old Okeechobee Road
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Tel: (561) 838-5440
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Engineer: **Kimley-Horn & Associates, Inc.**
Attn: Kevin Schanen, P.E.
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West Palm Beach, FL. 33411
Ph: (561) 845-0665
Fax: (561) 863-8175

Project: **Townwide Overhead Utility Undergrounding - Phase 4 - South**

Plans: Based On Bid Set Plans/Specifications from Kimley Horn Dated BCI
Received 01-04-2021, "100% Submittal Not For Construction"
Complete Plan Log Attached

Location: Town of Palm Beach

Proposal Date: 2/15/2021, Rev. 2/18/2021

Direct Construction Costs:	\$ 731,510.00
General Conditions	\$ 76,266.03
Project Management	\$ 65,000.00
Profit	\$ 59,500.00
South Lake Drive Watermain Replacement	\$ 932,276.03

**Town of Palm Beach
Townwide Overhead Utility Undergrounding
Phase 4 - South
Utility Undergrounding Conduit Installation**

Guaranteed Maximum Price

From: **Burkhardt Construction, Inc.**
Attn: Marc Kleisley, Vice President
1400 Alabama Ave.
West Palm Beach, FL 33401
Ph: (561) 659-1400
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Owner: **Town Of Palm Beach**
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Fax: (561) 835-4691

Engineer: **Kimley-Horn & Associates, Inc.**
Attn: Kevin Schanen, P.E.
1920 Wekiva Way, Suite 200
West Palm Beach, FL. 33411
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Project: **Townwide Overhead Utility Undergrounding - Phase 4 - South**

Plans: Based On Bid Set Plans/Specifications from Kimley Horn Dated BCI
Received 01-04-2021, "100% Submittal Not For Construction"
Complete Plan Log Attached

Location: Town of Palm Beach

Proposal Date: 2/15/2021

Direct Construction Costs:	\$ 255,042.49
General Conditions	\$ 22,513.72
Project Management	\$ 22,255.00
Profit	\$ 20,500.00
Phase 4 South - Utility Undergrounding Conduit Installation within the limits of South Lake Drive GMP	\$ 320,311.21

Town of Palm Beach

Townwide Overhead Utility Undergrounding - Phase 4 - South - S. Lake Drive Watermain Replacement
Direct Construction Costs Rev. 2/18/2021

Prepared by Burkhardt Construction, Inc.

LEGEND FOR ABBREVIATIONS			
EA - Each	SF - Square Foot		
E/D - Each Day	SY - Square Yard		
DAY - Daily	TCY - Truck Cubic Yard		
LS - Lump Sum	ALL - Allowance		
ROL - Rolls	NIC - Not in Contract		
LF - Lineal Foot			

Item Description	Quantity	U/M	Unit Price	Amount	Labor	Equipment	Material	Subcontractor	General/Rental	Subtotal
WATERMAIN IMPROVEMENTS Maintenance of Traffic NPDES Set Up / Reporting / And Maintenance Remove Existing Tree Sawcut Pavement At Bump Outs Remove & Dispose Of Existing Pavement At Bump Outs Remove & Dispose Of Existing Curb At Bump Outs Furnish & Install "D" Curb At Bump Outs Excavate +/- 2' Deep / Rem. Excavated Soils / Install Planting Soils At Bump Outs Install Sod At Bump Outs Remove Existing Fire Hydrant Remove Existing Valve Stem & Box / Leave Valve In Place Remove Existing 8 Inch Plug Remove Existing 12 Inch x 2 Inch Tapped Plug Remove Existing Cap Restrain All Joints; Joints Within 81 LF Of Existing Valve Restrain All Joints; Joints Within 58 LF Of Existing Valve Grout Fill Existing 6 Inch Watermain Grout Fill Existing 8 Inch Watermain Furnish & Install Fire Hydrant Assembly Complete Per COWPB Standard Detail P-8. Hydrant Painting To Be Included. Tie Into Existing 12" Watermain / Connect To Existing 12" Gate Valve Furnish & Install 8" DIP Water Main Furnish & Install 8" 22.5 Degree Bend Furnish & Install 8" 45 Degree Bend Furnish & Install 8" x 8" Tee Furnish & Install 8" Gate Valve Including Valve Box, ID Marker, And Concrete Pad As Required Furnish & Install 8" X 6" Tee Furnish & Install 12" X 8" Reducer Tie Into / Connect To Existing 12 Inch Valve Tie Into Existing 8" Gate Valve Furnish & Install 6" DIP Water Main Furnish & Install 6" Gate Valve Including Valve Box, ID Marker, And Concrete Pad As Required Furnish & Install 6" Tapping Sleeve Furnish & Install 6" 45 Degree Bend	1	LS	\$20,720.00	\$			DSE	20,720		20720
	1	LS	\$5,000.00	\$			DSE	5000		5000
	1	EA	\$2,900.00	\$			DSE	2900		2900
	107	LF	\$5.00	\$			DSE	535		535
	306	SF	\$10.00	\$			DSE	3060		3060
	91	LF	\$10.00	\$			DSE	910		910
	111	LF	\$25.00	\$			DSE	2775		2775
	255	SF	\$25.00	\$			DSE	6375		6375
	255	SF	\$3.00	\$			DSE	765		765
	1	EA	\$1,500.00	\$			DSE	1500		1500
	4	EA	\$900.00				DSE			
	2	EA	\$600.00	\$			DSE	1200		1200
	1	EA	\$600.00	\$			DSE	600.00		600
	1	EA	\$600.00	\$			DSE	600.00		600
	1	EA	\$3,368.00	\$			DSE	3,368.00		3368
	3	EA	\$3,184.00	\$			DSE	9552		9552
	158	LF	\$23.00	\$			DSE	3634		3634
	354	LF	\$17.00	\$			DSE	6,018.00		6018
	1	EA	\$5,203.00	\$			DSE	5203		5203
	1	EA	\$5,463.00	\$			DSE	5,463.00		5463
	2,092	LF	\$149.00	\$			DSE	311708		311708
	4	EA	\$771.00	\$			DSE	3084		3084
	28	EA	\$1,382.00	\$			DSE	38696		38696
	4	EA	\$1,185.00	\$			DSE	4740		4740
	13	EA	\$2,587.00	\$			DSE	33,631		33631
	3	EA	\$856.00	\$			DSE	2568		2568
	1	EA	\$930.00	\$			DSE	930		930
	4	EA	\$4,463.00				DSE			
	5	EA	\$2,797.00	\$			DSE	13985		13985
	100	LF	\$127.00	\$			DSE	12700		12700
	5	EA	\$2,009.00	\$			DSE	10045		10045
	1	EA	\$7,358.00	\$			DSE	7,358		7358
	2	EA	\$1,330.00	\$			DSE	2660		2660



	Item Description	Quantity	U/M	Unit Price	Amount	Labor	Equipment	Material	Subcontractor	General/Rental	Subtotal
1	Furnish & Install 6" Tee	1	EA	\$1,142.00	\$			DSE	1142		1142
2	Cut & Cap Existing 6 Inch Watermain	2	EA	\$1,273.00	\$			DSE	2546		2546
3	Furnish & Install 6" Plug In Valve / Abandon Valve In Place	1	EA	\$958.00	\$			DSE	958.00		958
4	F & I 2" Water Service Lines Complete Per COWPB Standard Detail WS-1	175	LF	\$113.00	\$			DSE	19775		19775
5	Connect Water Service Line To Existing Meter	4	EA	\$1,196.00	\$			DSE	4784		4784
6	Furnish & Install 2" Water Service Meter Boxes	4	EA	\$952.00	\$			DSE	3808		3808
7	Furnish & Install 2' x 2' Thrust Collar	1	EA	\$3,267.00	\$			DSE	3,267		3267
8	Pig Launch Option "B" Per COWPB Standard Detail P-6 On Sheet C4.02	1	EA	\$6,998.00	\$			DSE	6998		6998
9	Watermain Sample Points & Bacteriological Testing	7	EA	\$2,127.00	\$			DSE	14889		14889
10	Mill & Resurface Existing Asphalt	5,200	SY	\$14.00	\$			DSE	72800		72800
11	Temp. To Perm. Line Striping	1	LS	\$6,500.00	\$			DSE	6500		6500
12	Restore Existing Concrete Sidewalk / Curb Disturbed To Facilitate Watermain Installation	1	LS	\$25,000.00	\$			DSE	25000		25000
13	Restore Existing Landscaping / Including Irrigation Disturbed To Facilitate Watermain Installation	1	LS	\$15,500.00	\$			DSE	15500		15500
14	Restore Existing Roadway Outside Of Milling & Paving Area To Facilitate Watermain Installation	1	LS	\$14,850.00	\$			DSE	14850		14850
15	Adjust Existing Water Value Box To Grade	10	EA	\$1,021.00	\$			DSE	10210		10210
16	Video Existing Storm System Within Project Limits, Pre & Post Construction	1	LS	\$6,200.00	\$			DSE	6200		6200
17	Furnish & Install Meter (By Others)	BY OTHERS									
South Lake Drive Watermain Replacement Direct Construction Costs					\$731,510.00	Labor	Equipment	Material	Subcontractor	General/Rental	Subtotal
						0	0	0	731510	0	731510

Town of Palm Beach

Phase 4 South - Utility Undergrounding Conduit Installation
within the limits of South Lake Drive Direct Construction Costs

Prepared by Burkhardt Construction, Inc.

LEGEND FOR ABBREVIATIONS		
EA - Each	SF - Square Foot	
E/D - Each Day	SY - Square Yard	
DAY - Daily	TCY - Truck Cubic Yard	
LS - Lump Sum	ALL - Allowance	
ROL - Rolls	NIC - Not in Contract	
LF - Lineal Foot		

Item Description	Quantity	U/M	Unit Price	Amount	Labor	Equipment	Material	Subcontractor	General/Rental	Subtotal	
FPL - ATT - COMCAST OVERHEAD UTILITY UNDERGROUNDING GENERAL REQUIREMENTS (ALLOWANCE) ALLOWANCE FOR SURVEY RE-STAKING OFF DUTY POLICE OFFICERS TEMPORARY STREET LIGHTING UNDERGROUNDING OF FPL - COMCAST - ATT UNDERGROUNDING OF UTILITIES PROPOSED LANDSCAPING AT TRANSFORMERS FPL BINDING COST ESTIMATE AND INSTALLATION FEES COMCAST INSTALLATION FEES ATT INSTALLATION FEES	1	ALL NIC NIC									
				\$255,042.49							
			\$2,500.00	\$ 2,500.00			ALLOW		2500	2500	
		1	LS	\$252,542.49	\$ 252,542.49			CR DUNN	252542.49		252542.49
			NIC								
	BY OTHERS BY OTHERS BY OTHERS										

Townwide Overhead Utility Undergrounding - Phase 4 - South Utility Undergrounding Conduit

Installation within the limits of S Lake Drive - Direct Construction Cost Total

\$255,042.49

002500252542.4902500255042.49



Town of Palm Beach
Townwide Overhead Utility Undergrounding
South Lake Drive Watermain Replacement
GENERAL CONDITIONS

From: **Burkhardt Construction, Inc.**
 Attn: Marc Kleisley, Vice President
 1400 Alabama Ave.
 West Palm Beach, FL 33401
 Ph: (561) 659-1400
 Fax: (561) 659-1402

Owner: **Town Of Palm Beach**
 Public Works & Engineering Dept
 951 Old Okeechobee Road
 West Palm Beach, FL 33401
 Tel: (561) 838-5440
 Fax: (561) 835-4691

Engineer: **Kimley-Horn & Associates, Inc.**
 Attn: Kevin Schanen, P.E.
 1920 Wekiva Way, Suite 200
 West Palm Beach, FL 33411
 Ph: (561) 845-0665
 Fax: (561) 863-8175

Project: **Townwide Overhead Utility Undergrounding - Phase 4 - South**

Plans: Based On Bid Set Plans/Specifications from Kimley Horn Dated BCI Received 01-04-2021, "100% Submittal Not For Construction"
 Complete Plan Log Attached

Location: Town of Palm Beach

Proposal Date: 2/15/2021, Rev. 2/18/2021

Item Description						Amount
BASED ON A 5 MONTH DURATION						
<i>MOBILIZATION (move-in, move-out)</i>						\$0.00
TRANSPORT	\$65.00 /	Hr	x	0		\$0.00
EQUIPMENT	\$35.00 /	Hr.	x	0		\$0.00



PROJECT FIELD OFFICE						\$9,000.00
OFFICE	\$3,500.00 /	mo.	x	0		\$0.00
YARD	\$0.00 /	mo.	x	0		\$0.00
EMPLOYEE PARKING FEES	\$500.00 /	mo.	x	0		\$0.00
WORK PLATFORM FOR YARD	\$200.00 /	mo.	x	0		\$0.00
TEMPORARY FENCING FOR YARD	\$500.00 /	mo.	x	0		\$0.00
CONSTRUCTION YARD LIGHTING	\$0.00 /	mo.	x	0		\$0.00
OFFICE FURNISHINGS	\$500.00 /	mo.	x	0		\$0.00
COMPUTERS	\$300.00 /	mo.	x	0		\$0.00
PROCORE SOFTWARE	\$500.00 /	mo.	x	5		\$2,500.00
SUBMITTAL SOFTWARE	\$500.00 /	ls	x	0		\$0.00
COPY MACHINE	\$350.00 /	mo.	x	0		\$0.00
FAX MACHINE	\$100.00 /	mo.	x	0		\$0.00
INTERNET SERVICE	\$150.00 /	mo.	x	0		\$0.00
CELLULAR TELEPHONE	\$500.00 /	mo.	x	0		\$0.00
TELEPHONE	\$150.00 /	mo.	x	0		\$0.00
FEDERAL EXPRESS MAILINGS	\$100.00 /	mo.	x	0		\$0.00
POSTAGE	\$50.00 /	mo.	x	0		\$0.00
PHOTOGRAPHS						
AERIAL PHOTOS	\$110.00 /	mo.	x	0		\$0.00
JOB PHOTOS	\$50.00 /	wk	x	0		\$0.00
PRE-CONSTRUCTION VIDEO	\$4,000.00 /	ls	x	1		\$4,000.00
PLAN REPRODUCTION COST/PRINTING	\$200.00 /	set	x	0		\$0.00
OFFICE SUPPLIES	\$50.00 /	mo.	x	0		\$0.00
FIRST AID SUPPLIES	\$50.00 /	mo.	x	0		\$0.00
WATER SERVICE	\$35.00 /	mo.	x	0		\$0.00
SANITARY SERVICE	\$50.00 /	mo.	x	0		\$0.00
ELECTRIC SERVICE	\$200.00 /	mo.	x	0		\$0.00
GARBAGE SERVICE	\$25.00 /	mo.	x	0		\$0.00
CONSTRUCTION WATER	\$500.00 /	mo.	x	5		\$2,500.00
JOHN DEERE GATOR (1)	\$500.00 /	mo.	x	0		\$0.00
ICE	\$275.00 /	mo.	x	0		\$0.00
BONDS						\$11,653.45
GENERAL BOND	\$932,276.00		x	1.25%		\$11,653.45
SUBCONTRACTORS BONDS						
PARTNERING INITIATIVES						\$2,500.00
NOTICES, LETTERS, INFORMATION MEETINGS						\$2,500.00
INSURANCE						\$17,491.83
GENERAL INSURANCE	\$920,622.55		x	1.90%		\$17,491.83
Commercial General Liability						
Comprehensive Automobile Liability						
Owner Indemnification						
Professional (Errors/Omissions) Liability						
Excess/Umbrella Liability						
ADD'L INSURED	\$100.00 /	ea.	x	0		\$0.00
ADDED INSURANCES						NOT INCLUDED
Railroad protective Liability Ins.						NOT INCLUDED
Builders Risk Insurance						NOT INCLUDED
Installation Floater						NOT INCLUDED
Flood Insurance						NOT INCLUDED
SUBCONTRACTORS' INSURANCE						INCLUDED IN THEIR DIRECT COSTS
SANITARY SERVICES						\$3,250.00
JOB TOILET (2 ea.)	\$650.00 /	mo.	x	5		\$3,250.00

TESTING COSTS						\$19,982.75
DENSITIES						
PRESSURE						
PROCTORS						
BACTERIOLOGICAL					INCLUDED IN SUBCONTRACTORS PRICE	
CONCRETE CYLINDERS						
ENGINEERING & REPORTING						
TYPING OF INSTALLED LINES					NOT INCLUDED	
FEES						\$0.00
TOPB BUILDING DEPT. PERMIT FEES/REVISION FEES						NONE ANTICIPATED
PERMIT SUBMISSION AND EXPEDITING						BY OTHERS
FDOT GENERAL USE PERMITS						NIC
DEWATERING PERMITS						NO FEE PERMIT
RAILROAD PERMITS						NIC
PALM BEACH COUNTY PERMITS						NIC
CITY OF WEST PALM BEACH PERMITS						NIC
SURVEYING						\$12,388.00
LAYOUT & ASBUILTS		Engenuity Group				\$7,388.00
ALLOWANCE FOR RESTAKING		\$5,000.00 /	LS	x	1	\$5,000.00
& DRAFTING						
SMALL HAND TOOLS/EQUIPMENT RENTAL						\$0.00
ALLOWANCE (GENERAL)						\$0.00
HANDLING, STORAGE, UN-LOADING OF OWNER DIRECT PURCHASE MATERIALS						N/A
GENERAL CONDITIONS TOTAL						\$76,266.03

**Town of Palm Beach
Townwide Overhead Utility Undergrounding
Phase 4 - South
Utility Undergrounding Conduit Installation**

GENERAL CONDITIONS

From: **Burkhardt Construction, Inc.**
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Project: **Townwide Overhead Utility Undergrounding - Phase 4 - South**

Plans: Based On Bid Set Plans/Specifications from Kimley Horn Dated BCI Received
01-04-2021, "100% Submittal Not For Construction"

Complete Plan Log Attached

Location: Town of Palm Beach

Proposal Date: 2/15/2021

Item Description						Amount
BASED ON A 5 MONTH DURATION						
<i>MOBILIZATION (move-in, move-out)</i>						\$0.00
TRANSPORT	\$65.00 /	Hr	x	0		\$0.00
EQUIPMENT	\$35.00 /	Hr.	x	0		\$0.00

PROJECT FIELD OFFICE						\$0.00
OFFICE	\$3,500.00 /	mo.	x	0		\$0.00
YARD	\$0.00 /	mo.	x	0		\$0.00
EMPLOYEE PARKING FEES	\$500.00 /	mo.	x	0		\$0.00
WORK PLATFORM FOR YARD	\$200.00 /	mo.	x	0		\$0.00
TEMPORARY FENCING FOR YARD	\$500.00 /	mo.	x	0		\$0.00
CONSTRUCTION YARD LIGHTING	\$0.00 /	mo.	x	0		\$0.00
OFFICE FURNISHINGS	\$500.00 /	mo.	x	0		\$0.00
COMPUTERS	\$300.00 /	mo.	x	0		\$0.00
PROCORE SOFTWARE	\$750.00 /	mo.	x	0		\$0.00
SUBMITTAL SOFTWARE	\$2,000.00 /	ls	x	0		\$0.00
COPY MACHINE	\$350.00 /	mo.	x	0		\$0.00
FAX MACHINE	\$100.00 /	mo.	x	0		\$0.00
INTERNET SERVICE	\$150.00 /	mo.	x	0		\$0.00
CELLULAR TELEPHONE	\$500.00 /	mo.	x	0		\$0.00
TELEPHONE	\$150.00 /	mo.	x	0		\$0.00
FEDERAL EXPRESS MAILINGS	\$100.00 /	mo.	x	0		\$0.00
POSTAGE	\$50.00 /	mo.	x	0		\$0.00
PHOTOGRAPHS						
AERIAL PHOTOS	\$110.00 /	mo.	x	0		\$0.00
JOB PHOTOS	\$50.00 /	wk	x	0		\$0.00
PRE-CONSTRUCTION VIDEO	\$0.00 /	ls	x	0		\$0.00
PLAN REPRODUCTION COST/PRINTING	\$200.00 /	set	x	0		\$0.00
OFFICE SUPPLIES	\$50.00 /	mo.	x	0		\$0.00
FIRST AID SUPPLIES	\$50.00 /	mo.	x	0		\$0.00
WATER SERVICE	\$35.00 /	mo.	x	0		\$0.00
SANITARY SERVICE	\$50.00 /	mo.	x	0		\$0.00
ELECTRIC SERVICE	\$200.00 /	mo.	x	0		\$0.00
GARBAGE SERVICE	\$25.00 /	mo.	x	0		\$0.00
CONSTRUCTION WATER	\$500.00 /	mo.	x	0		\$0.00
JOHN DEERE GATOR (1)	\$500.00 /	mo.	x	0		\$0.00
ICE	\$275.00 /	mo.	x	0		\$0.00
BONDS						\$4,003.89
GENERAL BOND	\$320,311.00		x	1.25%		\$4,003.89
SUBCONTRACTORS BONDS						
PARTNERING INITIATIVES						\$0.00
NOTICES, LETTERS, INFORMATION MEETINGS						\$0.00
INSURANCE						\$6,009.84
GENERAL INSURANCE	\$316,307.11		x	1.90%		\$6,009.84
Commercial General Liability						
Comprehensive Automobile Liability						
Owner Indemnification						
Professional (Errors/Omissions) Liability						
Excess/Umbrella Liability						
ADD'L INSURED	\$100.00 /	ea.	x	0		\$0.00
ADDED INSURANCES						NOT INCLUDED
Railroad protective Liability Ins.						NOT INCLUDED
Builders Risk Insurance						NOT INCLUDED
Installation Floater						NOT INCLUDED
Flood Insurance						NOT INCLUDED
SUBCONTRACTORS' INSURANCE						INCLUDED IN THEIR DIRECT COSTS
SANITARY SERVICES						\$0.00
JOB TOILET (2 ea.)	\$0.00 /	mo.	x	5		\$0.00

TESTING COSTS		\$5,000.00
DENSITIES		
PRESSURE	NOT INCLUDED	
PROCTORS		
BACTERIOLOGICAL	NOT INCLUDED	
CONCRETE CYLINDERS		
ENGINEERING & REPORTING		
TV'ING OF INSTALLED LINES	NOT INCLUDED	
FEES		\$2,500.00
TOPB BUILDING DEPT. PERMIT FEES/REVISION FEES		NONE ANTICIPATED
PERMIT SUBMISSION AND EXPEDITING		BY OTHERS
NPDES REPORTING	\$500/mo @ 5 mos.	\$2,500.00
FDOT GENERAL USE PERMITS		NIC
DEWATERING PERMITS		NO FEE PERMIT
RAILROAD PERMITS		NIC
PALM BEACH COUNTY PERMITS		NIC
CITY OF WEST PALM BEACH PERMITS		NIC
SURVEYING		\$5,000.00
LAYOUT & ASBUILTS	Engenuity Group	\$5,000.00
ALLOWANCE FOR RESTAKING & DRAFTING		SEE DIRECT COSTS
SMALL HAND TOOLS/EQUIPMENT RENTAL		\$0.00
ALLOWANCE (GENERAL)		\$0.00
HANDLING, STORAGE, UN-LOADING OF OWNER DIRECT PURCHASE MATERIALS		N/A
GENERAL CONDITIONS TOTAL		\$22,513.72

**Town of Palm Beach
Townwide Overhead Utility Undergrounding
Phase 4 - South**

South Lake Drive Watermain Replacement and Utility Undergrounding Conduit Installation

CONSTRUCTION PHASE MANAGEMENT FEE

From: Burkhardt Construction, Inc.
Attn: Marc Kleisley, Vice President
1400 Alabama Ave.
West Palm Beach, FL 33401
Ph: (561) 659-1400
Fax: (561) 659-1402

Owner: Town Of Palm Beach
Public Works & Engineering Dept
951 Old Okeechobee Road
West Palm Beach, FL 33401
Tel: (561) 838-5440
Fax: (561) 835-4691

Engineer: Kimley-Horn & Associates, Inc.
Attn: Kevin Schanen, P.E.
1920 Wekiva Way, Suite 200
West Palm Beach, FL 33411
Ph: (561) 845-0665
Fax: (561) 863-8175

Project: Townwide Overhead Utility Undergrounding - Phase 4 - South

Plans: Based On Bid Set Plans/Specifications from Kimley Horn Dated BCI
Received 01-04-2021, "100% Submittal Not For Construction"
Complete Plan Log Attached

Location: Town of Palm Beach

Proposal Date: 2/15/2021

Item Description	Hrs./Week	Weeks	Rate/Hr.	Amount
Based on a 5 month duration Starting on April 12, 2021				
Project Principal	5	21	\$ 175.00	\$ 18,375.00
Senior Project Manager	8	21	\$ 150.00	\$ 25,200.00
Project Manager	0	21	\$ 100.00	\$ -
Assistant Project Manager	0	21	\$ 75.00	\$ -
Superintendent/Construction Field Manager	8	21	\$ 100.00	\$ 16,800.00
Merchant/Resident Liaison	8	21	\$ 75.00	\$ 12,600.00
Project Accountant	2	21	\$ 90.00	\$ 3,780.00
Administrative Assistant	10	21	\$ 50.00	\$ 10,500.00
Field Office Clerk	0	21	\$ 50.00	\$ -
				\$ 87,255.00

Town of Palm Beach
Townwide Overhead Utility Undergrounding
Phase 4 - South

South Lake Drive Watermain Replacement and Utility Undergrounding Conduit Installation

Exceptions & Clarifications - 2/15/2021; Rev. 2/18/2021

GENERAL

- 1 Scope of work and quantities are based on Bid Set Plans received 1/4/2021 for the Townwide Overhead Utility Undergrounding - Phase 4 - South . Complete plan log is included with this submittal.
- 2 G.M.P. pricing is based on a project start date of April 12, 2021. Project duration shall be 5 months from notice to proceed.
- 3 G.M.P. does not include a construction contingency. Burkhardt Construction, Inc. recommends that the Town carry a construction contingency.
- 4 G.M.P. does not include any capital improvement fees, connection fees or impact fees.
- 5 It is understood that the Direct Construction Cost (Exhibit "A") is unit prices for the work shown in the plans and as modified by these exceptions and clarifications.
- 6 Project master schedule and schedule updates shall be a bar chart schedule acceptable to the Owner prepared by CMAR in house personnel.
- 7 Project Manual as described in the contract shall mean the closeout project manual which shall be updated periodically and presented to the Owner upon completion of the project. The information contained in this manual shall be as requested by the Owner.
- 8 G.M.P. cost estimate does not include additional insurance premiums for naming individual property owners as additional insureds.
- 9 G.M.P. includes all sales tax on materials. If the Town elects to purchase the ATT & COMCAST materials, the estimated tax savings will be issued in a deductive change order.
- 10 Utility easements shall be obtained prior to work being performed in that area. If a construction easement has not been obtained it may impact the installation schedule, additional costs may be incurred. Reimbursement of costs may be requested and deemed appropriate, if and only if it is mutually agreed upon by the Town of Palm Beach and Burkhardt Construction. If these costs are deemed appropriate they will be paid from the Owner's contingency.

- 11 Burkhardt Construction, Inc. (BCI) is not liable for failure to perform such work or any damages that occur if such failure is as a result of Acts of God (including fire, flood, earthquake, storm, hurricane or other natural disaster). If BCI asserts Force Majeure as the reason for failure to perform such work or such damages occur as a result of any Act of God, then BCI must prove that they took reasonable steps to minimize delay or damages caused by unforeseeable events, that BCI substantially fulfilled all obligations, and that the owner was timely notified of the likelihood or actual occurrence of the event described as an Act of God (Force Majeure). Any construction related damages that took place as a result, shall be repaired or removed and replaced at the same contract unit prices and shall be paid out of the Owner's contingency.
- 12 If the proposed design locations of transformers, vaults and handholes change after conduit installation, then additional costs may be incurred for the relocation. Reimbursement of costs may be requested and deemed appropriate, if and only if it is mutually agreed upon by the Town of Palm Beach and Burkhardt Construction. If these costs are deemed appropriate they will be paid from the Owner's contingency.
- 13 In the event that the terms and provisions of all attached Exhibits conflict with or are omitted from the terms and provisions of this Contract, the terms and provisions of the attached Exhibits shall govern with respect to the performance of the work.
- 14 TOPB Building Permits; All permits shall be in hand prior to start of construction.
- 15 The following are part of the G.M.P. in order to facilitate the aggressive work schedule.
- a. December 1, 2020 through April 11, 2021 crew work hours shall be 9:00 AM to 5:00 PM Monday through Friday. From April 12, 2021 through November 30, 2021 Regularly scheduled crew work hours shall be from 8:00 AM to 6:00 PM Monday through Friday.
 - b. Night, weekend or holiday work beyond the regularly scheduled work hours stated in item a., which may be necessary due to emergency, delay or makeup time, shall be requested on a case by case basis and reviewed/approved by the Public Works Staff. If the Public Works Staff approves the request, the following Town code section shall not apply to the work performed in this GMP. Sec. 42-198(a) *Prohibited*. During the period of the year commencing on the Monday prior to Thanksgiving of each year and ending April 30, no person shall operate or cause to be operated the following machinery or equipment within the town (1)Dredges, whether used in making hydraulic fills, dry fills, piledriving or any other purpose.(2)Hammer-driven piledrivers, whether operated from water or land, or from motor truck or tractor, and whether stationary or moveable.(3)Gasoline, diesel and/or steam engines, operated in such a manner as to emit odors or noises offensive or disagreeable to the inhabitants of the town.(4)Dry sandblasting machines and jackhammers.(5)Any other class of machinery or appliance that in its operation would render the enjoyment of property within the town less agreeable than if such appliances or machinery were not operated.
 - c. The project will require free and unlimited jobsite access for workmen and deliveries during all authorized work hours.
 - d. The schedule makes no provision for delays caused by named storms.
 - e. The construction contract shall be authorized by the Town Council in the March 2021 Town Council meeting.
- 16 G.M.P. does not include costs for removal / remediation of asbestos cement pipe or any other hazardous materials.
- 17 G.M.P. does not include removal or replacement of any unsuitable subsoils. Demucking is specifically excluded.



- 18 G.M.P. is based upon the use of the Town's property as a construction staging yard located at 6th Street and Dixie Highway, West Palm Beach and Phipps Ocean Park. Fence rental and storage containers are not included in this GMP.
- 19 Prices are based on re-using excavated material for backfill. No unsuitable subsoil excavation, removal or replacement. Unsuitable soil, if encountered shall be removed, disposed of, replaced as directed by the Owner and billed to the Owner at the actual direct cost.
- 20 G.M.P. is based on the assumption that portions of roadways will be closed to vehicular traffic during some phases of construction. Closures shall be coordinated with the Town and in accordance with the Town's Maintenance of Traffic permit conditions.
- 21 G.M.P. cost estimate does not include any new street signage, posts or line striping other than what has been disturbed due to construction.
- 22 G.M.P. cost estimate does not include any chicanes. If a chicane is required the additional work shall be paid from Owner's contingency.
- 23 G.M.P. cost estimate includes the "bump outs" at the following locations: 1) Peruvian Avenue/South Lake Drive, 2) Chilean Avenue/South Lake Drive and 3) Australian Avenue/ South Lake Drive.

WATER / SEWER / STORM DRAINAGE

- 1 G.M.P. does not include any cost for disposal/treatment of contaminated ground water if encountered during dewatering operations. It is assumed that clean groundwater generated by dewatering operations will be discharged into the existing storm drainage system.
- 2 Cleaning of the existing storm drainage system within the project limits is not included except to the extent caused by contractor negligence that is under the direct supervision of the construction manager.
- 3 G.M.P. cost estimate does not include City of West Palm Beach meter installation and hook-up fees.
- 4 G.M.P. cost estimate does not include any sanitary sewer work.

FRANCHISE UTILITIES

- 1 G.M.P. cost estimate does not include any design, engineering or installation fees which may be charged to the Owner by franchise utility companies. (electric, telephone, cable tv, gas)
- 2 The Construction Manager at Risk shall not assume liability or warranty any work performed by FPL, COMCAST, ATT, FPU and/or their subcontractors.
- 3 The schedule represents the work controlled by the Construction Manager. Should the project exceed the scheduled duration due to the involvement of entities beyond our control (including but not limited to FPL, ATT and Comcast), a "No Fee" time extension for that work shall be issued. "No Fee" specifically refers to the construction phase fee and profit. Should a "Fee" be requested and deemed appropriate, if and only if it is mutually agreed upon by the Town of Palm Beach and Burkhardt Construction prior to the granted time extension.
- 4 The energizing of the new system is dependent on receiving switching orders from FPL. Services cannot be converted until the transformers are "hot".



- 5 G.M.P. does not include FPL's binding cost estimate, Comcast or ATT. These invoices shall be paid directly by the owner. Once FPL's binding cost estimate is fully executed and FPL materials are released to the subcontractor the Town will issue the Notice to Proceed.
- 6 G.M.P. cost estimate does not include any ATT wire. Comcast wire and private side service conduits outside the right of way are also excluded from the cost estimate.
- 7 G.M.P. cost estimate does not include any meter can or service disconnect removal and replacements.
- 8 G.M.P. cost estimate does not include any rear easement restoration for FPL pole and wire removal.
- 9 G.M.P. cost estimate does not include any demolition and removal of any unknown structures during the installation of the proposed conduit. If encountered the additional work shall be paid from Owner's contingency.
- 10 G.M.P. cost estimate does not include any of the chicanes shown in the plans. If a chicane is required the additional work shall be paid from the Owner's contingency.

ELECTRICAL

- 1 G.M.P. cost estimate does not include street lighting.

ALTERNATES

- 1 None

TOWN OF PALM BEACH

Information for Town Council Meeting on: March 2, 2021

TO: Mayor and Town Council

VIA: Kirk W. Blouin, Town Manager

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

RE: A Resolution to Approve a Purchase Order to Kimley-Horn and Associates, Inc. in the Amount of \$49,838.17 and a Project Budget of \$53,000 for Phase 4 South Part-1 Construction Phase Services for Town-wide Undergrounding of Utilities and South Lake Avenue Watermain Replacement
Resolution No. 032-2021

DATE: February 22, 2021

STAFF RECOMMENDATION

Town staff recommends that Town Council approve Resolution No. 032-2021, to approve a purchase order to Kimley-Horn and Associates, Inc. in the amount of \$49,838.17 and a project budget of \$53,000 for Phase 4 South Part-1 Construction Phase Services for Town-wide Undergrounding of Utilities and South Lake Avenue Watermain Replacement.

WHY THIS PURCHASE IS REQUIRED NOW

This item is a companion item to Resolution No. 031-2021, Award of GMP to Burkhardt Construction Inc for Phase 4 South Part-1.

PURCHASING METHODOLOGY

Kimley-Horn and Associates Inc. was awarded the Construction Phase Services for the Town-wide Undergrounding of Utilities.

FUNDING/FISCAL IMPACT

Funding will be from the Underground Utility Fund and the City of West Palm Beach R&R Fund.

TOWN ATTORNEY REVIEW

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

Attachments

cc: Jay Boodheshwar, Deputy Town Manager
Jane LeClainche, Finance Director
Patricia Strayer, P.E., Town Engineer
Dean Mealy, Purchasing Manager
Duke Basha, Assistant Purchasing Manager
Eric Shibley, CPPB, Senior Buyer
Jason Debrincat, Senior Project Engineer
Mike Roach, Project Engineer

RESOLUTION NO. 032-2021

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING A PURCHASE ORDER TO KIMLEY-HORN AND ASSOCIATES, INC. IN THE AMOUNT OF \$49,838.17 AND A PROJECT BUDGET OF \$53,000 FOR PHASE 4 SOUTH PART-1 CONSTRUCTION PHASE SERVICES FOR TOWN-WIDE UNDERGROUNDING OF UTILITIES AND SOUTH LAKE AVENUE WATERMAIN REPLACEMENT.

NOW, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA, as follows:

Section 1. The Town Council of the Town of Palm Beach hereby approves Resolution No. 032-2021, approving a purchase order to Kimley-Horn and Associates, Inc. in the amount of \$49,838.17 and a project budget of \$53,000 for Phase 4 South Part-1 Construction Phase Services for Town-wide Undergrounding of Utilities and South Lake Avenue Watermain Replacement.

Section 2. The Town Manager is hereby authorized to execute this purchase order on behalf of the Town of Palm Beach for these improvements. .

PASSED AND ADOPTED in a regular, adjourned session of the Town Council of the Town of Palm Beach assembled this 2nd day of March, 2021

Gail L. Coniglio, Mayor

ATTEST:

Queenester Nieves, CMC, Town Clerk



February 18, 2021

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

RE: *S Lake Drive Watermain Replacement Construction Phase Services*

Dear Dean,

Kimley-Horn and Associates, Inc. (Kimley-Horn) is pleased to submit this proposal to the Town of Palm Beach ("TOWN") for providing engineering services related to the S Lake Drive Watermain construction phase. Our project understanding, scope of services, schedule, and fee follow.

Project Understanding

The design phase of the S Lake Drive Watermain replacement has been completed and the bid plans submitted to the Town. The Town's Construction Manager has submitted the Guaranteed Maximum Price for the project. The Town has requested that Kimley-Horn perform construction phase engineering services to support the Town during the construction of the watermain.

It is understood that work is anticipated to begin in April 2021.

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

Scope of Services

Kimley-Horn will perform the following services during construction. A more detailed description of each of the bulleted services follows later in this proposal.

- Pre-Construction Meeting attendance
- Bi-weekly progress meeting attendance for the 5-month construction duration (up to 8 meetings)
- Visits to the site including field reports and photographs (approximately 8 hours per week, up to 20 weeks, performed concurrently with the undergrounding project site visits)
- Clarifications and interpretations
- Recommendations with respect to defective work
- Shop drawing review
- Payment application and change order review
- Review of proposed substitutions
- Review of testing lab reports
- Record drawing review
- Substantial completion walk-through and punch list development

- Final acceptance walk-through and preparation of applicable permit certification documents (up to two (2) Health Department Clearance Packages)

The following is a more detailed description of the services that will be performed.

Pre-Construction Conference. Kimley-Horn will attend a Pre-Construction Conference prior to commencement of Work at the Site.

Visits to Site and Observation of Construction. Kimley-Horn will make the limited number of visits as described above in order to observe the progress of the Work. Such visits and observations by Kimley-Horn are not intended to be exhaustive or to extend to every aspect of Contractor's work. Observations are to be limited to spot checking, selective measurement, and similar methods of general observation. Based on information obtained during such visits, Kimley-Horn will evaluate whether Contractor's work is generally proceeding in accordance with the Contract Documents, and Kimley-Horn will keep the Town informed of the general progress of the Work.

Kimley-Horn shall not, during such visits or as a result of such observations, supervise, direct, or have control over Contractor's work, nor shall Kimley-Horn have authority over or responsibility for the means, methods, techniques, equipment choice and usage, sequences, schedules, or procedures of construction selected by Contractor, for safety precautions and programs incident to Contractor's work, nor for any failure of Contractor to comply with applicable laws and regulations. Kimley-Horn neither guarantees the performance of any Contractor nor assumes responsibility for any Contractor's failure to furnish and perform its work in accordance with the Contract Documents.

Recommendations with Respect to Defective Work. Kimley-Horn will recommend to the Town that Contractor's work be disapproved and rejected while it is in progress if, on the basis of such observations, Kimley-Horn believes that such work will not produce a completed Project that conforms generally to Contract Documents.

Clarifications and Interpretations. Kimley-Horn will respond to reasonable and appropriate Contractor requests for information and issue necessary clarifications and interpretations of the Contract Documents to the Town as appropriate to the orderly completion of Contractor's work. Any orders authorizing variations from the Contract Documents will be made by the Town.

Change Orders. Kimley-Horn may recommend Change Orders to the Town and will review and make recommendations related to Change Orders submitted or proposed by the Contractor.

Shop Drawings and Samples. Kimley-Horn will review and approve or take other appropriate action in respect to Shop Drawings and Samples and other data which Contractor is required to submit, but only for conformance with the information given in the Contract Documents. Such review and approvals or other action will not extend to means, methods, techniques, equipment choice and usage, sequences, schedules, or procedures of construction or to related safety precautions and programs.

Inspections and Tests. Kimley-Horn may require special inspections or tests of Contractor's work as Kimley-Horn deems appropriate, and may receive and review certificates of inspections within Kimley-Horn's area of responsibility or of tests and approvals required by laws and regulations or the Contract Documents. Kimley-Horn's review of such certificates will be for the purpose of determining that the results certified indicate compliance with the Contract Documents and will not constitute an independent evaluation that the content or procedures of such inspections, tests, or approvals comply with the requirements of the Contract Documents. Kimley-Horn shall be entitled to rely on the results of such tests and the facts being certified.

Disagreements between Town and Contractor. Kimley-Horn will, if requested by the Town, render written decision on all claims of the Town and Contractor relating to the acceptability of Contractor's work or the interpretation of the requirements of the Contract Documents pertaining to the progress of Contractor's work. In rendering such decisions, Kimley-Horn shall be fair and not show partiality to the Town or Contractor and shall not be liable in connection with any decision rendered in good faith in such capacity.

Applications for Payment. Based on its observations and on review of applications for payment and accompanying supporting documentation, Kimley-Horn will determine the amounts that Kimley-Horn recommends Contractor be paid. Such recommendations will be based on Kimley-Horn's knowledge, information and belief, and will state whether in Kimley-Horn's opinion Contractor's work has progressed to the point indicated, subject to any qualifications stated in the recommendation. In the case of unit price work, Kimley-Horn's recommendations of payment will include determinations of quantities and classifications of Contractor's work, based on observations and measurements of quantities provided with pay requests. Kimley-Horn's recommendations will not be a representation that its observations to check Contractor's work have been exhaustive, extended to every aspect of Contractor's work, or involved detailed inspections.

Substantial Completion. Kimley-Horn will, promptly after notice from Contractor that it considers the entire Work ready for its intended use, in company with the Town and Contractor, conduct a site visit to determine if the Work is substantially complete. Work will be considered substantially complete following satisfactory completion of all items with the exception of those identified on a final punch list. If after considering any objections of the Town, Kimley-Horn considers the Work substantially complete, Kimley-Horn will notify the Town and Contractor.

Final Notice of Acceptability of the Work. Kimley-Horn will conduct a final site visit with the Town to determine if the completed Work of Contractor is generally in accordance with the Contract Documents and the final punch list so that Kimley-Horn may recommend, in writing, final payment to Contractor. Accompanying the recommendation for final payment, Kimley-Horn shall also provide a notice that the Work is generally in accordance with the Contract Documents to the best of Kimley-Horn's knowledge, information, and belief based on the extent of its services and based upon information provided to Kimley-Horn upon which it is entitled to rely. If the work is found to be in general accordance with the Contract Documents, Kimley-Horn will also prepare and submit applicable permit certifications for those permits that were issued for the project.

Additional Services

Any services not specifically provided for in the above scope, as well as any changes in the scope requested by the Town or extensions to the project schedule noted below, 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 and services shall be provided to Kimley-Horn by the Town:

- Access to the project areas

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 April 2021. Construction is expected to be complete in September 2021 per the Construction Manager's proposed schedule. Fees for engineering services are based on these durations. Services performed beyond these durations will be considered additional services.

Fee and Billing

Kimley-Horn will perform the scope of services on an hourly basis in accordance with our contract with the Town. All permitting, application, and similar project fees will be paid directly by the Client. Fees will be invoiced monthly based upon the services performed.

Construction Phase Services	\$49,838.17
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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 Professional Services Agreement between the Town of Palm Beach and Kimley-Horn and Associates, Inc., 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.

A handwritten signature in blue ink, appearing to read 'KS' or 'K. Schanen', is positioned above the typed name.

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

TOWN OF PALM BEACH

Town Council Meeting on: March 2, 2021

Section of Agenda

New Business

Agenda Title

Proposed Business Association Special Event on November 11, 2021 to be Hosted by the Main Street Business Association.

Presenter

Queenester Nieves, CMC, Town Clerk

ATTACHMENTS:

- ▢ **Memorandum Dated February 22, 2021 from Queenester Nieves, CMC, Town Clerk**
- ▢ **Business Association Special Event Application**
- ▢ **Letter dated February 19, 2021 from The Rotary Foundation**
- ▢ **Flag Placement color plan**
- ▢ **Bradley Park Site Plan flag placement**
- ▢ **Insurance Certificate 20220-2021**
- ▢ **Execute Hold Harmless Agreement**

TOWN OF PALM BEACH

Information for Town Council Meeting on: March 2, 2021

TO: Mayor and Town Council

VIA: Kirk W. Blouin, Town Manager

VIA: Jay Boodheshwar, Deputy Town Manager

FROM: Queenester Nieves, CMC Town Clerk

RE: Proposed Business Association Special Event on November 11, 2021 to be Hosted by the Main Street Palm Beach Association, Inc.

DATE: February 22, 2021

STAFF RECOMMENDATION

Town staff recommends that Town Council consider approving the attached Business Association Special Event Request for Flags for Hero on Veterans Day November 11, 2021, hosted by the Main Street Palm Beach Association, Inc.

GENERAL INFORMATION

The applicant for this event has provided all of the necessary paperwork, including the Business Association Special Event Proposal, a site plan for the proposed location in Bradley Park, a Hold Harmless agreement, and Certificate of Insurance. If council approves of request, staff requests said approval be conditional upon final sign-off from the Public Works, Police, and Fire-Rescue Departments to ensure staff is satisfied with public safety and park preservation concerns.

As a Covid-19 contingency, the Rotary Foundation intends to display the American Flags incorporated into a social media video presentation, which will highlight supporters and sponsors for the event and not host any on-site events that would gather large groups of participants.

Attachments

Cc: Department Directors



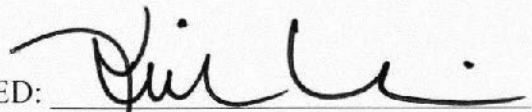
TOWN OF PALM BEACH

Administrative Procedure

Procedure No.....1-20-2
(Revision to Procedure No. 1-15-9)

Effective Date.....January 21, 2020

APPROVED:


Kirk Blouin, Town Manager

TITLE: TOWN APPROVED BUSINESS ASSOCIATION SPECIAL EVENTS

OBJECTIVE:

It is the policy of the Town of Palm Beach to allow for Town-approved special events within the public right-of-way or other public lands within the three identified commercial areas commonly described as Worth Avenue, South County Road, and Royal Poinciana Way, by the business associations representing each area. All proposed events will be carefully reviewed, individually approved, and restricted in accordance with the procedures as outlined herein and the Town Code of Ordinances. All expenses pertaining to such special events shall be borne by the association originating the event, and the Town shall be held harmless from any and all liabilities that may arise from such events.

RESPONSIBILITY:

It is the responsibility of the business association requesting Town approval of a special event to complete and submit a Business Association Special Event Proposal Form and provide supporting documents, site plans, etc. to the Town Clerk, who will ascertain whether or not the proposal is complete and sufficient information has been provided. Once deemed complete, it will be reviewed by multiple Town Departments, including but not necessarily limited to Recreation, Police, Fire Rescue, Public Works, and Planning, Zoning and Building. Each department may provide comments/recommendations regarding event conditions. Once the Town Clerk is satisfied that such internal review is complete, the application will be presented to the Town Manager or his/her designee for approval prior to Town Council's review and final approval, denial, or approval with modifications.

PROCEDURE:

Each proposal for a special event to be approved by the Town shall be weighed on its individual merits and acted upon by the Town Council without regard to precedents. The following rules shall apply to special events:

- The maximum number of such Town-approved special events shall be two (2) per calendar year per commercial area, excluding holiday lighting ceremonies traditionally held in November and/or December.
- No more than one (1) special event per day shall be allowed in Town, based upon a first-come, first-served basis.
- Proposals should be submitted at least 90 days prior to the proposed special event and no earlier than one year in advance.
- It is expected that the duration of each event will be eight hours or less. Any and all exceptions from such rule shall be clearly identified within the proposal.
- Obstruction of public rights-of-way may be approved. Obstructions must be clearly identified within the proposal.
- Each proposal must include a detailed site plan identifying vehicular access, pedestrian access, event venue(s), and all related equipment. Barricades and related safety equipment must be provided to the satisfaction of the Town. A Maintenance of Traffic Plan (M.O.T.) may be required depending upon size and complexity of the special event.
- The business association may be responsible for securing any/all regulatory approvals necessary for each such event, including State DOT permit(s).
- Special detail officers, including Police and Fire Rescue personnel, may be required to ensure public safety at such events. The Town shall have authority to require same, and all costs shall be borne by the business association.
- Food trucks shall not be permitted, nor shall any temporary cooking facilities be allowed. All food served at each event shall be prepared in licensed restaurants, or transported to the event from alternate locations.
- A liquor license must be obtained by the business association if money is required to purchase drinks, tickets, coupons, etc. No liquor license shall be required if alcohol is served free of any charge whatsoever.

- Signage of all kinds, including banners and photo backdrops, shall be approved on a case by case basis. Signage must be set up and removed in accordance with the eight hour event restriction unless specifically allowed for longer periods by the Town Council.
- Any special equipment, including but not limited to staging, lights, amplifiers, generators, etc., must be detailed within the proposal, and will be approved, denied, or modified per Town Council approval.
- All equipment not previously identified herein, including but not limited to fencing, barriers, tents, stages, platforms, risers, canopies, portable restrooms, garbage cans, dumpsters, etc., shall be clearly identified within the proposal and shown on a detailed site plan.
- The business association must submit proof of insurance to the Town in accordance with the recommendation of the Town's Risk Manager for each special event, and each certificate of insurance shall name the Town of Palm Beach as an additional insured.
- A Hold Harmless Statement must be provided, in format satisfactory to the Town's Risk Manager, exempting the Town of Palm Beach from any and all liabilities stemming from a special event.
- The Town has the right to require a refundable bond or satisfactory form of cash deposit to be paid as a condition of approval. The bond or cash equivalent will be refunded thereafter, unless the Town determines to retain all or a portion of same for Town-determined remedial expenses.

ATTACHMENTS:

Business Association Special Event Proposal Information and Form



Business Association Special Event Proposal Information & Form

Proposal Process

The proposal process begins when you submit the completed Business Association Special Event Proposal Form to be considered for Town sponsorship. ***Keep in mind that acceptance of the proposal should in no way be construed as final approval or confirmation of your request.***

Upon receipt of your proposal the Town will assign a coordinator to help guide you through the process. The coordinator distributes the proposal to all Town departments for review. During the review process you will be notified if your event requires additional information, permits or licenses. You will be allowed time to provide us with all pending documents.

Delays in providing these items often delay our ability to finish our review and issue a decision on your special event proposal.

You may be contacted individually by these departments if they have specific questions or concerns about your event. Depending on the impact on Town services, a group meeting with all affected departments and the association may be scheduled to clarify questions and concerns.

Proposal Steps:

1. Submit your completed proposal at least 90 days prior to your proposed event. Proposals will be accepted up to 1 year in advance. Completed proposals may be:
 - Delivered: Town Clerk, 360 South County Road or
 - Mailed: Town of Palm Beach Town Clerk, ATTN: Business Association Special Event Proposal, P.O. Box 2029, Palm Beach, FL 33480 or
 - Emailed: townclerk@townofpalmbeach.com
2. You will be sent an e-mail acknowledgement that your proposal has been received. Your proposal will be reviewed by Town staff, which may take up to three weeks. During this time, you may be contacted by Town staff for clarification of event details.
3. After a full review of your proposal, including Town Council approval, you will receive either a conditions of approval letter or a denial letter. The conditions of approval letter will outline requirements for your event, such as necessary permits, approvals and/or event bonds/cash deposit fees. This may include, but is not limited, to the following:
 - Certificate of Insurance showing evidence of a commercial liability policy

- Copy of Temporary Liquor License, if applicable
 - Traffic/Parking Control Services
 - Inspections
4. Once all the conditions of approval have been met a final Special Event Approval Letter will be issued by the Town.

Fees

It will be the association's responsibility to pay for the cost of all inspections and other Town services (i.e., Police and Fire). Other fees such as permit fees may apply for tents, stages, etc. Depending on the type of event, respective fees may vary. Events will require a refundable security deposit, depending on the type, location and size of the event. Fees can range as follows:

Event Description	Event Size	Security Deposit
Minor	Less than 250 attendees	\$500
Medium	Between 251 – 1,000 attendees	\$2,000
Major	Over 1,000 attendees	\$5,000

For additional information, contact the Town Clerk at 561-838-5416 or townclerk@townofpalmbeach.com.



BUSINESS ASSOCIATION SPECIAL EVENT PROPOSAL FOR TOWN APPROVAL

EVENT TITLE Flags for Heroes

EVENT DATE 11/04/21-11/15/21

SECTION 1: CONTACT INFORMATION	
Business Association	Main Street Palm Beach Association, Inc. (MSPBA) w/ Rotary Club of Palm Beach Foundation
Representative Name	Frances Frisbie (1) Richard P. Zaretsky, Esq. (2)
E-Mail	franny@premierestateproperties.com RPZ@ZaretskyLaw.com
Mailing Address	125 Worth Ave., #221 Palm BEach, FL 33480 1615 Forum Place, STE 3A West Palm Beach, FL 33401
Primary Telephone	866-485-1809 561-689-6660
Secondary Telephone	NA 561-249-4820
Fax Number	NA 561-683-1559
SECTION 2: EVENT INFORMATION	
Event Location	Bradley Park located between Royal Poinciana Way and Sunset Ave. West of Bradley Place
Event Admission Fee	☐ Yes, Amount _____ ☐ No No Admission Fee
Anticipated Attendance	250 +/- spread out over the course of the event
Event Time	From: 11/04/21 To: 11/15/21
Event Set Up	Date: 11/04/21 Time: 9:00 AM
Event Dismantle	Date: 11/15/21 Time: 9:00 AM
Event Description	Flags for Heroes enables citizens to recognize the heroes in their lives while raising funds for a charitable cause. Citizens may purchase a \$100 medallion to be placed upon a flag/flag pole to commemorate their hero. A goal of 500 flags has been established. All proceeds, net of event costs, will be donated to college scholarships and technical school scholarships of attendees of such schools who are children of Town of Palm Beach General and Lifeguard employees.
Footnote (1) Frances Frisbie is a Director of MSPBA and their primary representative.	
Footnote (2) Richard Zaretsky is the Past President and primary representative of the Rotary Club of Palm Beach Foundation for Flags for Heroes	
Is this event part of a larger marketing campaign? If yes, please describe.	
No	Not Applicable

Public Inquiries Contact (Name, Telephone and E-Mail Required)	Richard Zaretsky Tele: 561-689-6660; Email: RPZ@Zaretskylaw.com
Are you requesting any street and/or sidewalk closures? NO	If yes, specify street and/or sidewalks and time of closures. No street or sidewalk closures. However, we do ask that the Town approve reserving several parking spaces for Rotary and volunteers for set up and take down.
Does your event include food concessions? NO (No On-Site Cooking Permitted)	Anticipated Number of Vendors: Not Applicable
Does your event involve the sale or consumption of alcoholic beverages? NO	If yes, please check all that apply: ☐ Free Alcohol ☐ Distilled Spirits ☐ Alcohol Sales ☐ Beer ☐ Wine Not Applicable <i>If alcohol is sold at an event, the applicant is required to obtain a temporary liquor license from the Division of Alcoholic Beverages and Tobacco. Copy of temporary liquor license must be provided to Town prior to event date. Additional insurance requirements and police enforcement will be required.</i>
Does your event require amplified sound and/or music? YES. A PA system is contemplated for the kick off ceremony for announcements and statements.	If yes, please check all that apply: ☒ Amplified sound for announcements & short speeches in compliance with Noise Ordinance. ☐ Amplified sound for recorded music ☐ Amplified sound for live music <i>Approval of a Special Event Proposal does not necessarily exempt the planned event from the requirements of the Town of Palm Beach's Noise Ordinance.</i>
Will you be installing any temporary signage? ☐ Yes ☐ No NO	If yes, list number, description and location: Not Applicable <i>Compliance with Section 134-2371 of the Town of Palm Beach Code of Ordinances is required.</i>
Do you plan to provide portable comfort stations at your event? ☐ Yes ☐ No NO	If yes, how many stalls will be in each station: _____ ☐ Yes ☐ No Is comfort station ADA accessible? <i>If not providing, provide information as to availability of restroom facilities in the immediate area of the event site that will be available to the public, include ADA accessible and non-ADA accessible.</i>

Will you be installing any temporary structures? ☐ Yes ☐ No No	If yes, identify number and size of tents & canopies: Not Applicable Delivery Date: _____ Removal Date: _____ Stage/Platform/Riser Dimensions: Length: _____ Width: _____ Height: _____ Delivery Date: _____ Removal Date: _____ <i>Vendors will be required to provide a certificate of commercial general liability insurance in an amount to be determined by the Town, listing the Town of Palm Beach as additional insured. Permits may be required.</i>
Will funds be solicited for any charities? ☐ Yes ☐ No YES, see yellow balloon note.	If yes, list charities: Scholarships for children of Town of Palm Beach General Employees and Lifeguards <i>A Charitable Solicitation Permit must be submitted no less than 60 days prior to event date in addition to this proposal form.</i>
Will this event utilize a generator(s) ☐ Yes ☐ No YES, small portable.	If yes, list the number and size of each: If Town approves use of power outlet at Bradley Tea House, generator will not be used thereby reducing noise. Regardless, noise ordinance compliance will occur.
Site Plan YES. Event site plan has been submitted with this application.	Please include a complete site plan of the proposed event, including: • An outline of the event site including the names of the streets or areas that are part of the venue and the surrounding area. • Any street or lane closure requests. • The locations of fencing, barriers and/or barricades. Include any removable fencing for emergency access. • Vehicular access. • Pedestrian access. • Location of stages, platforms, risers, canopies, tents, comfort stations, dumpsters and any other temporary structures. • Generator locations and/or source of power. • Placement of vehicles and/or trailers. • Anticipated parking locations. • Vendor locations. • Temporary signage locations. • Locations of all other event activities.

**FOR OFFICIAL USE ONLY
DEPARTMENT REVIEW**

Recreation

Reviewer: _____

____ Approved

Date: _____

____ Approved w/Comments:

____ Rejected w/ Comments:

Police

Reviewer: _____

____ Approved

Date: _____

____ Approved w/Comments:

____ Rejected w/ Comments:

Fire Rescue

Reviewer: _____

____ Approved

Date: _____

____ Approved w/Comments:

____ Rejected w/ Comments:

Public Works

Reviewer: _____

____ Approved

Date: _____

____ Approved w/Comments:

____ Rejected w/ Comments:

Planning, Zoning & Building

Reviewer: _____

____ Approved

Date: _____

____ Approved w/Comments:

____ Rejected w/ Comments:

Town Manager's Office

Reviewer: _____

____ Approved

Date: _____

____ Approved w/Comments:

____ Rejected w/ Comments:

- After final Department review, please return to the Town Clerk.

February 19, 2021

Ms. Queenester Nieves, MBA, CMC
Town Clerk
Town of Palm Beach
360 S. County Road
Palm Beach, FL 33480

RE: Rotary Club of Palm Beach Foundation Application on Behalf of the Main Street Palm Beach Business Association (MSPBA) for a Business Association Special Event Permit for Flags for Heroes During the Veteran's Day Holiday Period 2021

Dear Ms. Nieves:

This letter and its attachments are in furtherance of the Palm Beach Rotary Foundation's application for Town Council approval of a proposed business association special event at Bradley Park during the Veteran's Day Holiday period in November 2021. This application is submitted in conjunction with the MSPBA. It is our intention to deliver a well-planned and coordinated public event without incident as was the case in 2019.

A new application has been prepared for the 2021 event and is submitted herewith. Also included is an updated marked-up aerial site plan at Bradley Park. The required certificate of insurance (COI) and an executed hold harmless agreement are also attached.

The permits that are required for this proposed use of Bradley Park are:

1. The attached Business Association Special Events Permit. If approved, the security deposit will be submitted in a timely manner well in advance of the initial work on site.
2. Town Charitable Solicitation Permit(s) for the flag event display and any private events associated therewith. The Rotary Foundation will submit the required CSP and permit fee within days of receiving Town Council approval to hold the event.

The Rotary Foundation is aware that we will be required to call Sunshine 811 before staking flag holders. We are required to plan a flag grid not in conflict with the plan drawing of the new irrigation system in Bradley Park and we will work closely with Town DPW staff to ensure this happens with no damage to the irrigation system.

Enumerated below are a number of key items related to the event and how Rotary intends to address each:

1. Rotary Foundation agrees to fill all flagpole holes with quality topsoil (staff prefers topsoil) and is responsible for any damage to Town property. We have provided an executed hold harmless agreement and a certificate of insurance naming the Town as an additionally insured. The COI will automatically be renewed on July 1 and an updated COI provided to you. These items are attached. If we cause damages, they will be fixed per Town standards or the Town will be paid.
2. Parking should not be an issue for the event because the event is not at the height of the Season and not all interested parties will come see the flags at the same time. Most attendees will park on Royal Poinciana Way and walk over and hopefully visit the businesses in the area before and after seeing

the flags. We do request herewith, reserved parking as marked on the site plan on the days when workers will engage in set-up and take down work. Parking Enforcement will need to be notified the day before to mark off said reserved spaces.

3. The net funds raised will be used to provide funding for scholarships to college bound students, existing college undergraduate students, and trade school tuition to eligible children of full-time Town of Palm Beach General Employees, including Life Guards.
4. The business association for the district is the Main Street Palm Beach Business Association (MSPBA) and it is the sponsor of the event. MSPBA fully supports the event, and appears as the sponsor on the application for permit.
5. The Rotary Foundation target is to install up to 500 flags. The grid we lay out will allow persons to walk through the park to look at the flags and will avoid damage to trees, any ground-based improvements or impediments, and subsurface facilities such as irrigation lines and sprinkler heads.
6. The target audience for participation/solicitation is "town persons" pursuant to the definition in the Town Zoning Code. A hero can be anyone of any background that a person wishes. As with every year, veterans and their service to our country will be highly recognized by participants.
7. We are planning an opening ceremony/dedication. This is a low key, solemn event with a few speakers and perhaps a color guard. At most, a half hour event. We can eliminate the use of a generator if it is OK for us to plug into an outlet at the Tea House for the PA system. The noise ordinance will be complied with in either case.
8. In the event they are still in effect, all COVID-19 Guidelines will be strictly adhered to. If at that time congregating of people is not allowed per Guidelines, we are prepared to conduct a virtual opening ceremony. In addition, we can secure the flag display boundary in the event having numerous citizens walking therein should be discouraged.
9. About the only complaint we received last year was people telling us the flags should have stayed up longer, which we take as a compliment. The plan for 2021 is to grid out the flag locations beforehand by and begin flag installation on November 5 with completion on November 6, and having the program on Veterans Day, Thursday, November 11. Flags will be removed on Monday following the succeeding weekend, November 15.

As a Covid-19 contingency, we intend to have the display of American Flags incorporated into a social media video presentation, which will highlight our supporters and sponsors for the event. In the case that there is a restriction on the actual display of the flags, we will have the video presentation and an on-line Veterans Day event. More than likely, we will have the video presentation in any case, and we hope and pray for the ability to also have the live event.

We look forward to seeing you, other staff and the Mayor and Town Council at the March 2 or April Town Council meeting and formally presenting this information and our permitting materials to the Town Council. If you should have any questions, please feel free to contact Thomas Bradford or me at your convenience.

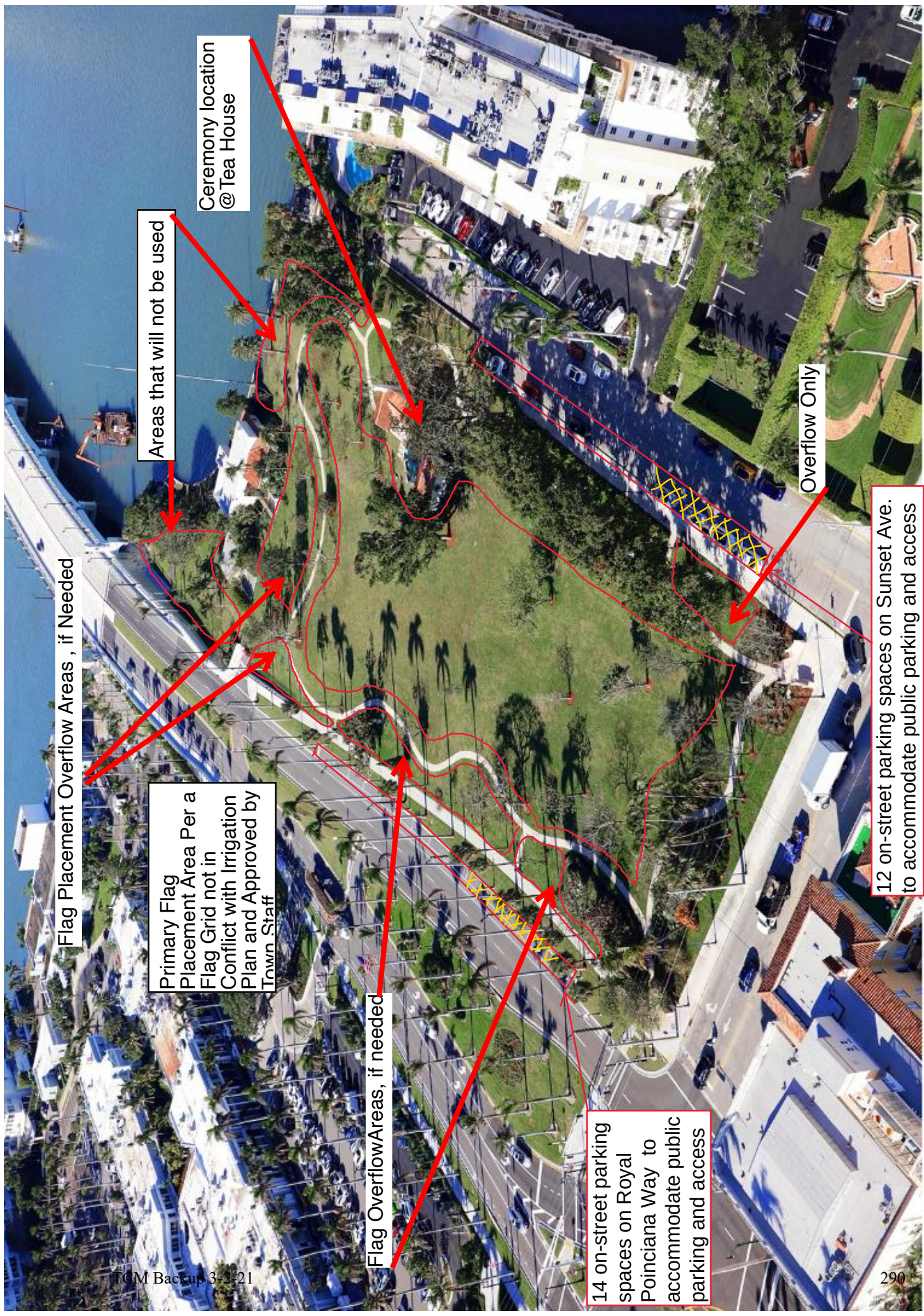
Sincerely,

[Richard P. Zaretsky](#)

Richard P. Zaretsky, Esq.
Chairman, Flags for Heroes 2021
Past President, Rotary Club of Palm Beach Foundation

Cc:

Frances Frisbie, Director, Main Street Palm Beach Association
Sara Fattori, President, Rotary Club of Palm Beach Foundation
Thomas G. Bradford, Rotary Club of Palm Beach Foundation Board Member



Flag Placement Overflow Areas , if Needed

Areas that will not be used

Ceremony location
@ Tea House

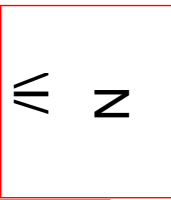
Primary Flag
Placement Area Per a
Flag Grid not in
Conflict with Irrigation
Plan and Approved by
Town Staff

Flag Overflow Areas, if needed

14 on-street parking
spaces on Royal
Poinciana Way to
accommodate public
parking and access

Overflow Only

12 on-street parking spaces on Sunset Ave.
to accommodate public parking and access





CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an **ADDITIONAL INSURED**, the policy(ies) must have **ADDITIONAL INSURED** provisions or be endorsed. If **SUBROGATION IS WAIVED**, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Arthur J. Gallagher Risk Management Services, Inc. 2850 Golf Road Rolling Meadows IL 60008		CONTACT NAME: Ali Sulita PHONE (A/C, No, Ext): 1-833-3ROTARY E-MAIL ADDRESS: rotary@ajg.com FAX (A/C, No): 630-285-4062	
		INSURER(S) AFFORDING COVERAGE INSURER A : Lexington Insurance Company	NAIC # 19437
INSURED All Active US Rotary Clubs & Districts PALM BEACH ROTARY FOUNDATION ATTN: Risk Management Dept. 1560 Sherman Ave. Evanston, IL 60201-3698		INSURER B : INSURER C : INSURER D : INSURER E : INSURER F :	

COVERAGES**CERTIFICATE NUMBER:** 899307648**REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	☒ COMMERCIAL GENERAL LIABILITY ☐ CLAIMS-MADE ☒ OCCUR ☒ Liquor Liability Included GEN'L AGGREGATE LIMIT APPLIES PER: ☒ POLICY ☐ PRO-JECT ☐ LOC OTHER:	Y		015375594	7/1/2020	7/1/2021	EACH OCCURRENCE \$2,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$500,000 MED EXP (Any one person) \$ PERSONAL & ADV INJURY \$2,000,000 GENERAL AGGREGATE \$4,000,000 PRODUCTS - COMP/OP AGG \$4,000,000 \$
A	☐ AUTOMOBILE LIABILITY ☐ ANY AUTO ☐ OWNED AUTOS ONLY ☐ SCHEDULED AUTOS ☒ HIRED AUTOS ONLY ☒ NON-OWNED AUTOS ONLY			015375594	7/1/2020	7/1/2021	COMBINED SINGLE LIMIT (Ea accident) \$2,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
	☐ UMBRELLA LIAB ☐ OCCUR ☐ EXCESS LIAB ☐ CLAIMS-MADE DED ☐ RETENTION \$			NOT APPLICABLE			EACH OCCURRENCE \$ AGGREGATE \$ \$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y / N ☐	N / A	NOT APPLICABLE			PER STATUTE ☐ OTH-ER ☐ E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

The Certificate holder is included as additional insured where required by written contract or permit subject to the terms and conditions of the general liability policy, but only to the extent bodily injury or property damage is caused in whole or in part by the acts or omissions of the insured.

CERTIFICATE HOLDER

TOWN OF PALM BEACH, FLORIDA, 380 S COUNTY ROAD, PALM BEACH, FLORIDA 33480

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

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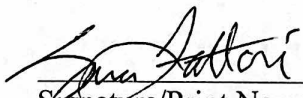
Hold Harmless Agreement

To the fullest extent allowed by law, Palm Beach Rotary Foundation shall protect, defend, reimburse, indemnify and hold harmless the Town of Palm Beach, hereinafter referred to as the Town, and the Town's officers, agents, employees free and harmless from and against any and all claims, losses, penalties, damages, settlements, costs, charges, attorneys or other professional fees, or other expenses or liabilities of every kind and character arising out of or relating to any and all claims, liens, demands, obligations, actions, proceedings, cause or causes of action of every kind and character in connection with, or arising directly or indirectly out of or related to the Palm Beach Rotary Foundation and MSPBA Veterans Day Flags for Heroes event on November 4, 2020 through November 15, 2020, including any event set-up and take down associated with said event. Without limiting the generality of the foregoing, Palm Beach Rotary Foundations indemnity shall include all claims, damages, losses, or expense arising out of or related to personal injury, death, damages to property, defects in materials or workmanship, actual or alleged infringement of any patent, trademark, copyright, proprietary information, or applications of any thereof, or of any other tangible or intangible personal or property right, or any actual or alleged violation of any applicable statute, ordinance, administrative order, rule or any regulation, or order of any court. Palm Beach Rotary Foundation agrees to investigate, respond, adjust and provide a defense for, all and any such claims, demands and actions at Palm Beach Rotary Foundation sole expense and agrees to bear and remain liable for all such other costs and expenses relating thereto, even if such claim is groundless, false or fraudulent. Notwithstanding the foregoing, Palm Beach Rotary Foundation indemnities shall not extend to liability for damages to persons or property to the extent such damage was caused by any act, omission, or default of the Town, or by the Town's officers, agents and employees.

Palm Beach Rotary Foundation acknowledges and agrees that the Town would not enter into this agreement without this indemnification of the Town by Palm Beach Rotary Foundation, and that Town's entering into the agreement shall constitute good and sufficient consideration for this indemnification. Nothing in this agreement shall be construed to affect in anyway the Town's rights, privileges and immunities as set forth in Florida Statute 768. 28.

Palm Beach Rotary Foundation

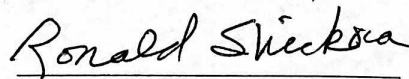
Witness



Signature/Print Name
Sara Fattori

1-11-21

Date



Signature/ Print Name
RONALD SHICKONA

1/11/21

Date