

**Port of Palm Beach
Engineer's Report
Commission Meeting | July 19, 2018**

Berth 17 and Paving Project

During the May 23 Board Continuation Meeting, the Board approved Amendment #1 to the Fixed Price Construction Contract Between the Port of Palm Beach District and the LM Heavy Civil, LLC. Section 4 of the Amendment #1, Exhibit C, includes a new schedule to complete the remaining work by the Contractor. The Contractor shall take all reasonable measures to complete the remaining work by the dates indicated on the Schedule. The New Schedule indicates a Substantial Completion Date of September 15, 2018, and a new Final Completion Date of October 2, 2018. The execution of the Amendment does not constitute a time extension, and shall be without prejudice to either party on the issue of entitlement of Owner to liquidated damages, applicable to the period before, during or after the period covered by the schedule.

Regarding the dolphin structures, the Middle Dolphin Structure demolition was completed and the structures have been re-casted. No concrete defects have been observed on the structure, and concrete test result performed up to date are in compliance with the design requirements. For the repair of the West (inner) Dolphin Structure, AECOM, the Engineer of Record, provided comments to the third Repair plan submitted by LMH for the concrete defects. The recommendations were discussed and explained by AECOM to LMH and their contracted Repair Structural Engineer, Roger Baber. AECOM's structural engineer, John Carel, indicated the information that shall be included as part of the Repair Plan in order to be acceptable. Roger Baber agreed to all recommendations and indicated that a revised plan will be submitted. As of the date of this report (July 10, 2018), LMH has not submitted a Final Revised Repair Plan for the Concrete Defects of the West Dolphin Structure incorporating all comments.

In relation to the East (outer) Dolphin Structure, the Port executed Amendment #1 of the Contract, which includes Change Order #4 for the construction Work related to the Installation of Two Additional piles to the Dolphin Structure in order to meet the required, designed requirements by adding two additional steel piles. The Change Order is without prejudice to the Owner's right under the Contract, and without waiver of any claim under that Contract by Owner against LMH. The Contractor shall be paid for the Cost of the Work, and a Contractor's fee for the Work. All cost shall be subject to evaluation and shall be completed in the most reasonably economical and effective way possible. The Change Order Amount will be the sum of cost, overhead and profit, but in no event be more than \$250,000. The Contractor has ordered and received the new steel piles, and proceeded to the welding and preparation for pile installation. The first of the two piles was installed on Tuesday, July 3. A Pile Driving Analysis test was performed by the contractor's testing firm during the pile installation process, and preliminary results indicated that a restrike will be required at a minimum of 7 days after the initial installation date to confirm the pile reached the required tension capacity. The second and final pile will be installed once the first pile installation is approved.

On the upland side, the site subcontractor continues the work related to the sub-base preparation for the asphalt and concrete pavements. Activities related to surface pavements are progressing slowly. While the electrical work related to the wiring of the new electrical system and installation of the Shore Power Station 5, performed by the electrical subcontractor began on Tuesday, July 10, with the installation of new cable through existing manholes and connection to existing switchgear.

The last pay application processed by the Port was the working period of November 2017, which was notarized and submitted by the contractor on April 12, 2018. As of November 2017 pay application, LMH invoices indicate that approximately 86% (\$8,906,621.61 to date / \$1,391,684.49 balance of approved modified Contract amount)

of the work is complete to date, and a total retainage to date of \$890,662.16. The draft for the December 2017 pay application has been evaluated by AECOM and returned with comments. The Contractor has not submitted the final revised pay application yet. The contractor submitted the invoices drafts for the working periods of January 2018, February 2018, March 2018, April 2018 and May 2018.

The contractor indicates that construction activities continue on time and on schedule, as per Schedule included in the Contract Amendment #1 which indicates a Substantial Completion Date of September 15, 2018, and a new Final Completion Date of October 2, 2018.

MOB Demolition and Cargo Area Improvement Project

At the March 2018 meeting, the Board authorized staff to request bids for the MOB Project. The Bidding process was completed, and on June 1, 2018 the Port received two (2) bid proposals. Both companies were deemed to be qualified by the Port Review Committee. During the June 14 Meeting, the Board approved Port staff recommendations that the construction contract for the MOB Project be awarded to the lowest qualified and responsive bidder, West Construction, Inc, authorizing the Executive Director to enter into a construction contract with the selected contractor. The Board also approved the CH2MHill Work Order for the Construction Engineering Services of the MOB Demolition and Container Yard project.

On Thursday, June 28, 2018, the selected contractor (West Construction Inc) filed for a building permit to the City of Riviera Beach. The permit is under review and evaluation for approval by the City of Riviera Beach Building Permit Department.

Main Rail Spur Improvement Phase 1

Contractor completed the removal of existing rail, completed the subgrade preparation, and installed new concrete ties and rail tracks for Spur #1. A new switch was installed at the connecting location between the FEC and the Port, and the new Spur #1 track was put into service. Once the new Spur #1 was back on service, the Contractor began the work on Spur #2. All removal of existing rail and installation of new track rail on Spur #1 is being performed during Port Rail Non-Operational hours. Contractor will perform and complete the Spur #1 work at night after Rail Operations are completed for the business day.

The contractor also completed the construction and installation of rail crossing signage equipment on Avenue E. The final electrical connection of the signage equipment by FPL will be completed once the electrical conduit work is certified by the City inspector. The Electrical Contractor building permit is awaiting approval by the City of Riviera Beach.

Berth 1 Bulkhead Improvement Project

Permits:

- FDEP and US Army Corps of Engineers permit has been approved and received.
 - In order to continue with the Berth 1 Bulkhead Improvements, the USAGE permit requires execution of the proposed coral mitigation plan of impacted stony corals, by relocation to the Town of Palm Beach mitigation reef.
 - An Interlocal Agreement has been made between the Port of Palm Beach District and the Town of Palm Beach for the relocation of 300 corals having a size equal or greater than 10cm (“primary corals”), and additional corals smaller than the primary corals (“secondary corals”). The coral mitigation will be performed in coordination with the Town of Palm Beach Coastal Program.
 - The Town shall relocate all of the Primary Corals in accordance with the Coral Relocation Plan. Upon completion of the relocation of the Primary Corals, TOWN shall have right to relocate

- Secondary Corals until Port gives notice that such relocation must cease due to construction, which notice shall terminate the Town's right to relocate Secondary Corals.
- The Port of Palm Beach Staff will recommend during the July 14 meeting that the Board approves the Interlocal Agreement with the Town of Palm Beach.
 - Port Staff continues to work on the preparation of documents to advertise for Request for Qualifications for Firms to prepare the Final Design and Construction documents, provide Bidding Services and Construction Management for the Bulkhead Replacement project.