

**PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS**

AGENDA ITEM SUMMARY

Meeting Date: September 1, 2015

(X) Consent

☐ Regular

() Workshop

☐ Public Hearing

Department:

Submitted By: Environmental Resources Management

Submitted For: Environmental Resources Management

I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to:

- A) **receive and file** Task Assignment No. 7 to the Department of Environmental Protection (DEP) Agreement S0485 (R2010-0095) for ongoing site management activities required by the DEP for the purpose of petroleum contamination site cleanup on 178 petroleum contaminated sites for a not to exceed amount of \$633,909.48. The performance period of the Task Assignment per the Agreement is July 1, 2015 through June 30, 2016;
- B) **approve** a Budget Amendment of \$633,909 in the Petroleum Storage Tanks Fund to recognize agreement funding; and
- C) **approve** an increase in the personnel complement of the Department of Environmental Resources Management by one full time Environmental Program Supervisor position.

Summary:

On January 12, 2010 the Board of County Commissioners approved FDEP Grant Agreement S0485 (R2010-0095) for contracted services related to the Petroleum Contamination Site Cleanup Services Program. On August 18, 2015 the board approved Amendment No. 001 to this Grant Agreement. Delegated authority to execute Task Assignments associated with this Agreement was approved at that time pursuant to PPM No. CW-O-051. Task Assignment No. 7 provides additional funding sufficient to fully fund the requested position. The position is required to effectively administer the technical review and project management requirements of the Program. If future state funding is not sufficient, the position will be eliminated Countywide (SF).

Background and Justification:

In April 1988, the Board of County Commissioners approved the first in a series of agreements with FDEP for petroleum cleanup. The County, through FDEP Agreement No. S0485, Amendment No. 001, currently manages 178 cleanup sites. The contract is reviewed and adjusted annually for changes in funding and work. The method used to provide these adjustments is by task assignment. Task Assignment No. 7, signed on July 22, 2015, increased funding over the prior year by \$138,306.82 to provide \$633,909.48 for SFY2015/16.

Attachments:

1. Task Assignment
2. Delegation of Authority
3. Budget Amendment (1230)
4. Environmental Program Supervisor Position Description

Recommended by:

Department Director

Date _____

Approved by:

County Administrator

Date _____

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2015	2016	2017	2018	2019
Capital Expenditures	_____	_____	_____	_____	_____
Operating Costs	633,909	_____	_____	_____	_____
External Revenues	(633,909)	_____	_____	_____	_____
Program Income (County)	_____	_____	_____	_____	_____
In-Kind Match (County)	_____	_____	_____	_____	_____
NET FISCAL IMPACT	0	_____	_____	_____	_____

ADDITIONAL FTE
POSITIONS (Cumulative) 1 _____

Is Item Included in Current Budget? Yes _____ No x _____

Budget Account No.: Fund _____ Department _____ Unit _____ Object _____
Program _____

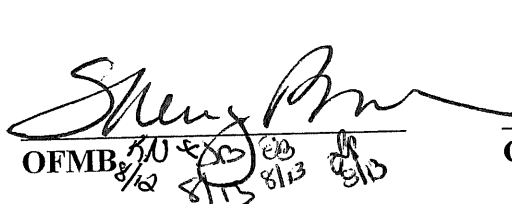
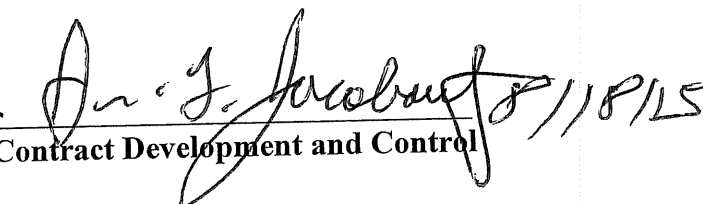
B. Recommended Sources of Funds/Summary of Fiscal Impact: FDEP Agreement S0485.

C. Department Fiscal Review:



III. REVIEW COMMENTS

A. OFMB Fiscal and /or Contract Dev. and Control Comments:

 
OFMB 8/10/15 8/11/15 8/12/15 8/13/15 8/14/15 8/15/15 Contract Development and Control 8/18/15

B. Legal Sufficiency:


Assistant County Attorney

C. Other Department Review:

Department Director

TASK ASSIGNMENT NOTIFICATION FORM

DEP Agreement Number: S0485 Task Assignment #: 7
 Grantee Name: Palm Beach County Environmental Resources Management
 Grant Manager: Dave Gibson Phone #: 561/233-2483
 DEP Grant Manager: Susan Fields Phone #: 850/245-8828

Task Description: (use additional pages if necessary)

Perform on-going site management activities on behalf of the FDEP, required for purposes of petroleum contamination site cleanup on 178 petroleum contaminated sites as described in Attachment A, Scope of Services of FDEP Grant S0485. The Grantee will be paid a monthly site management rate of \$52,825.79.

Deliverable: Completion of all activities, documents, letters, data entry, etc
Per Scope of Services listed in attachment A of FDEP Grant S0485

Task Assignment Type: Amount Not To Exceed Task Performance Period _____
 Fee Schedule: \$633,909.48
 Total Task Assignment Value: \$633,909.48

Organization Code	E.O.	Object Code	Module	Category	Fiscal Year	GAA Line Item #	Budget Representative Approval
37450404555	JG	751002	4713	087889	15		<u>Susan Fields</u>

Revised Attachment H, Exhibit-I, attached to this document.



Susan Fields
 DEP Grant Manager
Susan Fields
 Cost Center Administrator
Susan Fields for D.D.
 Program Administrator
Gregory J. Pappalardo
 Division Director
Paula X. Gibb
 Deputy Secretary
[Signature]
 Secretary
[Signature]
 Grantee Representative

6/17/15
 Date
6/17/15
 Date
6/17/15
 Date
6/17/2015
 Date
7/1/15
 Date
7/1/15
 Date
7/22/15
 Date

cc: Procurement Section (MS 93)
 Bureau of Petroleum Storage Systems, Accountant
 Finance and Accounting, Contracts Disbursements Section (MS 78) - 2 copies

APPROVED AS TO FORM
 AND LEGAL SUFFICIENCY

[Signature]
 COUNTY ATTORNEY

Monthly Site Management Rate Calculation Spreadsheet

Palm Beach County Task Assignment #: 7 Fiscal Year: 15/16

Number
Program (Non
LSA Sites): 118 Standard Multiplier: 54.17%
Number of LSA
Sites: 5
Number Non
Program Sites 55
TOTAL 178

	ES II	PE/PG	Clerical	Admin	Addl Personnel	Total Bare Labor Cost Per Site	Multiplier	Total Loaded Labor Cost Per Site
Hours/Site/Month	3.33	1	0.83	1	0.5			
Salary	\$ 30.00	\$ 40.44	\$ 21.25	\$ 40.43	\$ 23.61	\$ 210.21	\$ 1.5417	\$ 324.08
	ES II	PE	Clerical	Adm	O&M	Total FTE's		
	3.32	1.00	0.83	1.00	0.50	6.65		

REDUCTION FOR NON PROGRAM SITES		
Paid at 75% of full site management price		
# Non program sites		55
Cost per site	\$	324.08
25% cost reduction per site	\$	81.02
Reduction		4456.16

TOTAL RATE PER MONTH		
Type of site	Cost	# of Sites
Program (non LSA) sites	\$ 56,066.64	173
LSA addition	\$ 1,215.32	5
Non Program reduction	\$ (4,456.16)	0
Task Assignment	\$ 52,825.79	178

ADDITION FOR LSA SITES		
Paid at 75% of full site management price		
# LSA Sites	\$	5.00
Cost per site	\$	324.08
75% cost per site	\$	243.06
Addition	\$	1,215.32

EXHIBIT – 1

FUNDS AWARDED TO THE RECIPIENT PURSUANT TO THIS AGREEMENT CONSIST OF THE FOLLOWING:

Federal Resources Awarded to the Recipient Pursuant to this Agreement Consist of the Following:					
Federal Program Number	Federal Agency	CFDA Number	CFDA Title	Funding Amount	State Appropriation Category

State Resources Awarded to the Recipient Pursuant to this Agreement Consist of the Following Resources Subject to Section 215.97, F.S.:						
State Program Number	Funding Source	State Fiscal Year	CSFA Number	CSFA Title or Funding Source Description	Funding Amount	State Appropriation Category
Original Agreement	Inland Protection Trust Fund, Line Item No. 1795	2009-2010	37.024	Petroleum Site Contamination	\$0.00	
Task Assignment No. 1	Inland Protection Trust Fund, Line Item No.1795	2009-2010	37.024	Petroleum Site Contamination	\$233,796.60	104138
Task Assignment No. 2	Inland Protection Trust Fund, Line Item No.1795	2010-2011	37.024	Petroleum Site Contamination	\$536,076.17	104138
Task Assignment No. 3	Inland Protection Trust Fund, Line Item No.1795	2011-2012	37.024	Petroleum Site Contamination	\$502,730.08	104138
Task Assignment No. 4	Inland Protection Trust Fund, Line Item No.1795	2012-2013	37.024	Petroleum Site Contamination	\$497,015.99	104138
Task Assignment No. 5	Inland Protection Trust Fund, Line Item No.1795	2013-2014	37.024	Petroleum Site Contamination	\$494,839.73	104138
Task Assignment No. 6	Inland Protection Trust Fund, Line Item No.1795	2014-2015	37.024	Petroleum Site Contamination	\$495,602.66	104138
Task Assignment No. 7	Inland Protection Trust Fund, Line Item No. 1795	2015-2016	37.024	Petroleum Site Contamination	\$633,909.48	087889
Total Award					\$3,393,970.71	

For each program identified above, the recipient shall comply with the program requirements described in the Catalog of Federal Domestic Assistance (CFDA) [<http://12.46.245.173/cfda/cfda.html>] and/or the Florida Catalog of State Financial Assistance (CSFA) [<https://apps.fldfs.com/fsaa/searchCatalog.aspx>]. The services/purposes for which the funds are to be used are included in the Contract scope of services/work. Any match required by the recipient is clearly indicated in the Contract.

EXHIBIT A

Performance Measure

Work on the sites listed on the monthly Site Report Spreadsheet Form will be verified by receipt of required SARs, RAPs, SRCRs, and other technical reports and related document(s) reviews and approval in STCM and OCULUS.

The Department will track the Local Program Contracted Counties (Counties) performance on mission critical topics, both quarterly and annually. This information will be used to assess the effectiveness of the Counties work processes, such as review times for technical reports, work order generation and processing of invoices. This will assist the Department in gauging progress towards closing petroleum contaminated sites through the issuance of Site Rehabilitation Completion Orders or some other site closure end point. This Performance Criteria may be modified by the agreed upon parties, as required.

- **Technical reports** – The Department's Contract Manager will run a report on a quarterly/annual basis to verify that the Counties are meeting the established review time frames for the active sites the Counties are managing. Please see attached the established time frames for technical documents. Additionally, the Counties are responsible for the data entry into the STCM database and uploading all documents for OCULUS for all sites currently managed by the Counties. The Department's Contract Manager will review the STCM data entry and OCULUS during the quarterly and annual evaluation periods.
- **Invoice Processing** – For MyFloridaMarketPlace (MFMP) Purchase Order invoices, the Site Manager will have 2 working days to review & process the invoice reconciliation. The review time will not start until the email notification is received by the Department/Counties. For work order invoices, the Site Manager will have 5 working days to review & process the complete invoice package. The review time will not start until the complete invoice package is received by the Department/Counties. A quarterly/annual report will be sent to the Department's Contract Manager that details the Invoice Processing turnaround times for the active Program sites that they are managing.
- **Site Inspections** – The Counties will inspect 100 percent of the active sites managed within their areas as specified within their agreement with the Department. A completed site inspection form will be uploaded for Oculus within 10 days of each site visit.

A quarterly/annual report will be sent to the County Contract Manager for review and comment. The County will have 15 calendar days to respond to the findings of the report. After receiving the response to comments back from the County, the Department Contract Manager will send out a review letter. The County will have to provide the Contract Manager with an improvement plan for any deficiencies found in the report within 30 calendar days.

Financial Consequences

Per paragraph 11.B., Grantee invoices shall not be approved for payment unless the provisions of paragraph 12 have been satisfactorily completed.

*TURNAROUND TIME FOR PRP DOCUMENTS

Turnaround Time (Days)	Report/Event
45	Forensic Investigation Report
	Limited Scope RAP
	Remedial Action Plan
	Risk Assessment Justification or Report
30	As-Built Drawings
	Bid Package
	Closure Report
	Construction Drawings
	Fate & Transport Model Approval Request
	Free Product Removal Report
	General Remedial Action Report
	Letter Report
	Limited Contamination Assessment Report
	Natural Attenuation Monitoring Plan
	No Further Action Proposal
	NPDES Discharge Monitoring Report
	O & M Report
	Pilot Test Plan or Report
	Post Active Remediation Monitoring Plan
	Remedial Action Plan Addendum/Response
	Remedial Action Plan Modification
	Remedial Action Start Up or Status Report
	Risk Assessment Report Addendum/Response
	Source Removal Report
	Site Assessment Report
	Site Characterization Screening Report
	Site Rehabilitation Completion Report
	Templated Site Assessment Report
15	Limited Contamination Assessment Report Addendum
	Natural Attenuation Monitoring Plan Addendum/ Response
	Natural Attenuation Monitoring Report
	No Further Action Proposal Addendum/ Response
	PBC Maintain Target Levels Report
	PBC Milestone Report
	PBC System Startup Report
	PBC SRC Order (15 Days of receipt of verification sampling results)
	PBC Target Levels, All Contaminants, All Media
	PBC Verification Sampling Report
	Post Active Remediation Monitoring Report
	Remedial Action Letter Report
	Request for Modification of Time Frame
	SR Report Addendum/ Response to Comments
	Site Rehabilitation Completion Report Addendum/ Response
	Supplemental Site Assessment Report
	Well Abandonment Report
5	Interim Deliverable for Invoicing

*Only 5% of the sites managed by the Tallahassee Teams or Local Program Contracted Counties may exceed these established turnaround times due to complicated lithology or other documented site specific issues.



Attachment

INTEROFFICE MEMORANDUM
Palm Beach County
Environmental Resources Management

DATE: January 13, 2010
TO: Robert Weisman
County Administrator
FROM: Richard E. Walesky, Director *REW*
Environmental Resources Management

SUBJECT: REQUEST FOR DELEGATION OF APPROVAL AUTHORITY

On January 12, 2010, the County Commission approved the County Administrator, or his designee, to sign all future task assignments, change orders to task assignments, settlement agreements, certifications, and other forms associated with this contract, and necessary minor amendments that do not change the scope of work or terms and conditions of this contract. A copy of the agenda item summary is attached for your reference.

This memorandum is my formal request for designation of me or Deputy Director Robert Robbins to sign the work order for the above mentioned project. If you agree, please sign below and return this memorandum. I am available to answer any questions you may have concerning this request. Thank you in advance for your consideration.

APPROVED: *[Signature]* DATE: 1/15/10
Robert Weisman, County Administrator

REW:si
Attachment PCSCP 1/12/10 BCC

2015- 1034

BGEX - 380 -08061500000000001602
BGRV - 380 -08061500000000000577

BOARD OF COUNTY COMMISSIONERS
PALM BEACH COUNTY, FLORIDA

BUDGET AMENDMENT
Fund 1230 PetroleumStorage Tank Program

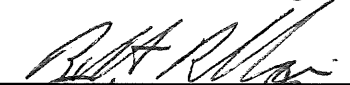
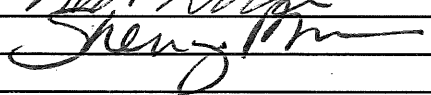
ACCOUNT NAME AND NUMBER			ORIGINAL BUDGET	CURRENT BUDGET	INCREASE	DECREASE	ADJUSTED ENCUMBERED BUDGET / Expended 8/05/20154	REMAINING BALANCE	
<u>REVENUES</u>									
380-3235	Petro Storage Tank Cleanup	3439 - State Grant Other Phys Envirn	495,384	495,547	633,909		1,129,456	371,702	757,754
TOTAL RECEIPTS & BALANCES			777,250	754,243	633,909	0	1,388,152		
<u>EXPENDITURES</u>									
380-3235	Petro Storage Tank Cleanup	1201-Salaries & Wages Regular	455,004	431,997	59,134		491,131	272,151	218,980
380-3235	Petro Storage Tank Cleanup	2101-FICA - Taxes	28,500	28,500	3,666		32,166	16,300	15,866
380-3235	Petro Storage Tank Cleanup	2105-FICA - Medicare	6,672	6,672	857		7,529	3,812	3,717
380-3235	Petro Storage Tank Cleanup	2201- Retirement Contributions FRS	31,944	31,944	4,358		36,302	20,016	16,286
380-3235	Petro Storage Tank Cleanup	2301-- Insurance Life & Health	81,228	81,228	12,500		93,728	56,342	37,386
380-3235	Petro Storage Tank Cleanup	2401- Workers Comp	13,583	13,583	500		14,083	13,583	500
380-3235	Petro Storage Tank Cleanup	3401 - Other Contractual Services	0	0	552,894		552,894	0	552,894
TOTAL APPROPRIATIONS & EXPENDITURES			777,250	754,243	633,909	0	1,227,833		

Environmental Resources
Management

INITIATING DEPARTMENT/DIVISION

Administration/Budget Department Approval
OFMB Department - Posted

Signatures & Dates


 8/14/15

BY BOARD OF COUNTY COMMISSIONERS

AT MEETING OF

September 1, 2015

Deputy Clerk to the
Board of County Commissioners

Attachment 3

POSITION DESCRIPTION

[X] NON-BARGAINING UNIT POSITION # _____
 [] CWA BARGAINING UNIT SPEC # 1944
 [] IAFF BARGAINING UNIT GRADE 39
 [X] EXEMPT
 [] NON-EXEMPT

EMPLOYEE NAME: _____
 DEPARTMENT/DIVISION/SECTION: ERM/ RP/ Petroleum Cleanup
 POSITION TITLE: Environmental Program Supervisor
 LOCATION: 2300 North Jog Rd. 4th Floor, West Palm Beach, FL 33411
 Date(s) of Previous Version(s): 2003

A. Overall Job Function (Summary of the Position):

This is a highly professional and technical position in the Resources Protection Division for petroleum contamination cleanup and remediation with regard to the Florida Department of Environmental Protection (FDEP) Petroleum Restoration Program rules, guidance, and procedures and the County's Petroleum Contaminated Cleanup Criteria Ordinance No. 2015-007. This employee administers the FDEP grant agreement with associated annual task assignment and audits and provides expertise to cleanup groundwater and soil contaminated by petroleum products. Prepares Board Agenda items associated with the grant agreement and Ordinance. Requests site assessment for new discharges and tracks related enforcement activities. This position supervises professional staff.

B. Specific Job Functions/Duties

ESSENTIAL FUNCTIONS (FUNDAMENTAL JOB DUTIES)	FREQUENCY /DURATION	CRITI -CALI TY	FOR INT. USE ONLY
Administers the Petroleum Restoration Program to ensure compliance with state rules and the County's Petroleum Contaminated Cleanup Criteria Ordinance No. 2015-007. Coordinates the FDEP Grant Agreement and annual Task Assignments.	4/3	4	

Prepares monthly invoices with documentation and semi-annual performance measures. Coordinates FDEP Financial and Performance Audits and implements corrective actions. Coordinates monthly FDEP teleconferences. Responds to requests for information from consultants, regulated community, and public. Prepares BCC agenda items associated with the grant agreement and Ordinance. Participates in BCC meetings and workshops.			
Supervises Site Managers. Shares FDEP rules, guidance, and procedures for eligible program sites and non-program sites. Responsible for the quality of correspondence. Reviews all outgoing letters and ensures data base entry into STCM, Oculus and FileMaker Pro databases accurately reflect activities. Prepares and reviews the Scope of Work, site assessment reports, closure reports, Initial Remedial Action reports, Remedial Action Plans, and other technical documents. Recommends site closures to FDEP. Ensures each activity is accomplished in a timely and cost-effective manner. Coordinates the signing and sealing of plans. Coordinates with P.E. for remedial action plans sign off.	4/3	4	
Oversees all non-program sites activities from initialing a request for a site assessment for new discharges through initialing and tracking enforcement activities.	3/2	4	
Serves as a technical expert for the department. May provides input for the petroleum storage tank compliance program or for wellfield protection modeling activities. Reviews wellfield modeling data and results for accuracy and adequacy.	2/2	3	
MARGINAL JOB FUNCTIONS	FREQUENCY /DURATION	CRITI -CALI	FOR INT.

POSITION # _____
 SPEC # 1944
 GRADE 39

		TY	USE ONLY
Performs other duties as assigned by the Environmental Director or Department Director.	2/1	2	
Attends meeting and seminars.	2/1	2	

C. List any machines, tools, equipment, electronic devices, and software used: FileMaker Pro, STCM, Oculus, Word, Excel, Automobile, Field equipment; Telephone, copier

D. PHYSICAL ACTIVITY:

	FREQUENCY/ DURATION
Bending - Opening well vaults measuring flow and pressure remediation systems, to file, put away supplies, to file and put away supplies	4/1
Fingering - type on computer, manipulate mouse and phone	4/3
Handling - reports, paper and office supplies	4/2
Hearing - communicate with clients and staff	4/1
Lifting - office supplies and small equipment	3/1
Pulling - opening file drawers	4/1
Pushing - closing file drawers	4/1
Reaching - while at work station/desk	4/1
Repetitive Motions - typing, manipulate mouse and phone	4/3
Talking - communicate with clients and staff	4/3
Twisting- while at work station/desk	4/3

E. PHYSICAL REQUIREMENTS: Light work; sedentary while in the office and moderate while conducting field work.

F. WORKING CONDITIONS: The worker is subject to both environmental

POSITION # _____
SPEC # 1944
GRADE 39

conditions inside and outside.

G. TERMS & CONDITIONS: 8:00am-5:00pm Monday-Friday. Occasional overtime.

H. WEIGHT LIFTING REQUIREMENT:

Specify items lifted and their respective weights Personal computer 25lbs,

I. DRIVER'S LICENSE REQUIREMENT:

Operators: D X E _____
CDL: A _____ B _____ C _____ for CDL specify vehicle type and gross vehicle weight _____

Endorsements: _____

J. SUPERVISORY RESPONSIBILITIES:

PART I: DOES THIS POSITION SUPERVISE (recommend new hires & terminations, conduct disciplinary actions & performance reviews)?

YES X NO _____ If yes, specify number & job titles of employees supervised 2 Hydrogeologists (one senior), 2 Environmental Analysts

OR

PART II: DOES THIS POSITION ACT AS A LEAD WORKER (schedule/direct the work of others, provide input on new hires, terminations, disciplinary actions & performance reviews)? YES _____ NO X If yes, specify number & job titles of employees this position leads _____

K. MINIMUM ENTRANCE REQUIREMENTS: (Include necessary certificates, licenses, registrations, etc.) Graduation from an accredited college or university with major work in one of the physical or natural sciences, environmental studies, or engineering; minimum of four (4) years of professional experience in environmental protection, environmental

POSITION # _____
SPEC # 1944
GRADE 39

regulation or natural resources management, OR three (3) years of professional experience working directly in the area of petroleum cleanup regulation.

L. PREFERRED QUALIFICATIONS: Knowledge of the FDEP Petroleum Restoration Program rules, guidance, and procedures; knowledge of the principles and techniques of hydrology and hydrogeology; a Professional Geologist or Professional Engineering license; work experience with environmental audits, environmental protection or regulation of natural resources; FileMaker Pro, Oculus, Excel, and ArcGIS. Also desirable: 40hr OSHA training

Prepared by: _____ Date _____

Supervisor Approval _____ Date _____

Division Dir. Approval _____ Date _____

Dept. Head Approval _____ Date _____

Personnel Dept. Approval _____ Date _____

Incumbent Signature _____ Date _____

Rev. 7/21/2015