

ATTACHMENT C
TASK ASSIGNMENT NOTIFICATION FORM

DEP Agreement Number: GC896 Task Assignment #: GC896-01
 Local Program Name: Board of County Commissioners Palm Beach County
 LP Contract Manager: Robert Robbins Phone #: (561) 233-2400
 DEP Contract Manager: Rose Driber Phone #: (850) 245-8891

Task Description: (use additional pages if necessary)

See attached

Deliverables: See Attachment A, paragraphs A, B, C and E.

Task Assignment Type _____ Amount Not to Exceed _____
 Fixed Cost: \$ 774,199.00 Task Performance Period July 1, 2016 to June 30, 2017
 Total Task Assignment Value: \$ 774,199.00

Organization Code	E.O.	Object Code	Module	Category	Fiscal Year	GAA Line Item #	Budget Representative Approval

Rose Driber
 DEP Contract Manager
Susan Feels
 Cost Center Administrator
[Signature]
 Program Administrator
[Signature]
 Division Director
Paula L. Cobb
 Deputy Secretary

 Secretary
[Signature]
 Contractor Representative

6/8/16
 Date
6/8/16
 Date
6/8/16
 Date
6/15/16
 Date
6/21/16
 Date

 Date
6/28/16
 Date

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

Anne Delgado
 COUNTY ATTORNEY

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Task Assignment No. 1 (07/01/2016 – 06/30/2017)

A. Tasks

Local Program performs all work as specified in **Attachment A** of the Contract GC896.

B. Performance Measures

Department Contract Manager shall review deliverable documentation to ensure that work has been performed as specified in the Scope. The Department Contract Manager will notify the Local Program of acceptance or any deficiencies in the work and/or deliverables. The Local Program will be given an opportunity to remedy deficiencies at no additional cost to the Department. In addition, the Department Contract Manager will perform a detailed performance analysis to determine retainage release on a monthly basis, per **Paragraph D** below.

C. Compensation

Fixed costs include all expenses associated with vehicle operation and maintenance, lease, or rental (including vehicle maintenance cost for field visits and operation and maintenance (O&M) inspections; all travel costs associated with Department training and/or meetings with Department representative(s) within Florida) all costs for staffing, including salaries, fringe benefits, rent, utilities, any overhead and indirect expenses; general administrative expenses and all other costs related to the performance of the work specified in the **Attachment A** of the Contract and this Task Assignment.

1. Level of Effort.

If the Local Program has been assigned more than one site (discharge) at a source property, the Local Program will only be compensated for the site with the highest level of effort.

Retainage will be withheld as specified in **Paragraph D** for the following activities:

- a. The Local Program will be compensated at a rate of \$3,694.00 per source property per year in planning phase (site assessment (SA), including interim source removal, and remedial action plan (RAP)).
- b. Remediation phase (remedial action construction (RAC), operation and maintenance (O&M) and source removal (SR)); because more effort is expected and required in managing sites in these phases, source properties with sites in remediation phase will be compensated at a rate of \$7,388.00 per year for the first two (2) years the site is in remediation under a Level 1 or Level 2 RAP or a Level 4 Limited Scope RAP or RAP Modification Plan (as defined in **Attachment B** of the Contract), and \$3,694.00 after the first two (2) years. For a Level 1, 2 or 3 Limited Scope RAP or RAP Modification Plan (as defined in **Attachment B** of the Contract) the source property will be compensated at a rate of \$7,388.00 for one (1) year, and \$3,694.00 for subsequent years. This includes SRs (not interim source removals under SA) which will be paid at \$7,388.00 for one (1) year and \$3,694.00 for subsequent years. For the first Task Assignment only, any site in RAC or O&M on April 15, 2016 will be paid in fiscal year 2016-2017 based on the type of RAP the site is under and the number of years the site has already been in RAC and/or O&M. For example, if a site has already had two (2) years of RAC plus O&M under a current RAP Level 2, then the Local Program will be paid \$ 3,694.00 for the source property for fiscal year 2016-2017.
- c. Sites in monitoring phase (natural attenuation monitoring (NAM), post active remediation monitoring (PARM), long term natural attenuation monitoring (LTNAM), and well abandonment for site closure (WASC)); because minimal effort is expected and required for sites in this phase, the Local Program will be compensated at a rate of \$2,216.40 per year.
- d. Non-Program and Voluntary Cleanup sites: The Local Program will be compensated at 75% of the level of effort cost as described above.

Retainage will not be withheld for the following activities:

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- a. Sites that are low score assessments (LSAs): for LSA sites, the Local Program will receive a one-time payment of \$3,694.00 per source property once the first LSA purchase order is issued.
- b. Sites that are LSA on April 15, 2016 and will continue as LSAs into fiscal year 2016-2017 will receive a one-time payment of \$1,847.00 per source property and no additional payments in any future Task Assignments as long as the site remains an LSA site.

2. Performance Incentives

- a. In order to encourage more efficient site cleanup, and in addition to the fixed cost payments, the Local Program shall be paid an additional target payment of \$750.00, when the following is completed at a site:
 - i. A Site Rehabilitation Completion Order (SRCO) per Chapter 62-780.680, F.A.C., or Low Score Site Initiative No Further Action Approval Order per Section 376.3071(12), F.S., is issued but only if the order is submitted to the Department within 60 days of the approval of the no further action proposal or well abandonment report, whichever is later. The number of discharges listed in a SRCO should correspond with the number of discharges listed in the no further action proposal. For example, if multiple discharges were proposed for no further action in a report, only on SRCO shall be submitted. This SRCO would be considered one completed target.
 - ii. A purchase order is issued moving one or more sites at a source property out of O&M and into a monitoring phase.
 - iii. A RAP is completed and the RAP Approval Order is issued.
 - iv. A non-LSA site completes site assessment per Chapter 62-780.600, F.A.C., and a site assessment approval letter is issued. A target payment only applies if this is the first time a Chapter 62-780.600, F.A.C. assessment has been completed at the site.
- b. 10% PERFORMANCE INCENTIVE PAYMENT MAXIMUM – the maximum amount that can be paid each month for completing targets is 10% of 1/12th of the total non-LSA source property compensation amount, even if more targets are met.

3. Cost reimbursement: No cost reimbursement will be made under this Task Assignment.

D. Financial Consequences

No payment will be made for unsatisfactory work. In addition, retainage will be withheld in the amount of 5% of 1/12 of the total non-LSA source property compensation.

Retainage

1. 5% of 1/12 of total non-LSA source property compensation will be withheld as retainage each month.
2. If the performance measures are met, up to eighty percent (80%) of the retainage will be released the month after the invoice is submitted. Performance for purposes of obtaining the eighty percent (80%) retainage is based on the following four (4) performance measures:
 - a. Performance Measure 1: Turnaround times for deliverable reviews – Percentage of deliverable reviews that met turnaround times (**Attachment T** of Contract) will be self-reported in the monthly invoice and a percentage of those will be verified by the Department;
 - b. Performance Measure 2: Turnaround times for requests for change – Percentage of requests for change that met turnaround times will be self-reported in the monthly invoice and a percentage of those will be verified by the Department;
 - c. Performance Measure 3: Data entry correctly and timely completed in the Storage Tank Contamination Monitoring (STCM) database – based on a review by the Department of a percentage of documents reported on the invoice and correctly and timely updated in STCM (**Paragraphs A.1.a., A.1.e, A.1.i., and A.1.l. of Attachment A**). The overall percentage of data correctly and timely updated or entered in STCM will be extrapolated from the Department's review; and

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- d. Performance Measure 4: Document correctly and timely inserted into OCULUS – based on a review by the Department of a percentage of documents reported on the invoice and correctly and timely inserted into STCM (Paragraphs A.1.e., A.1.f, A.1.g.iii, A.1.h, A.1.i., and A.1.m. of Attachment A). The overall percentage will be extrapolated from the Department’s review.
3. Performance Measures: Retainage Payment Schedule
 - a. The percentage calculated for each of the above four performance metrics will be averaged, and that average will be used to determine how much retainage will be released;
 - b. If the average of the four monthly performance metrics is 90% or above, then 80% of withheld retainage will be released the following month;
 - c. If the average of the four monthly performance metrics is at least 80%, but less than 90%, then 60% of withheld retainage will be released the following month and 20% of the withheld retainage will be forfeited.
 - d. If the average of the four monthly performance metrics is at least 70%, but less than 80%, then 40% of withheld retainage will be released the following month and 40% of the withheld retainage will be forfeited.
 - e. If the average of the four monthly performance metrics is below 70%, then 0% of the withheld retainage will be released.
 4. The remaining twenty percent (20%) of retainage will be withheld from each monthly payment and shall be released at the end of the Task Assignment if 98% of all assigned source properties were visited or inspected during the fiscal year pursuant to **Paragraph A.1.g of Attachment A** of the Contract, based on self-reporting by the Local Program and a percentage of those will be verified by the Department. Failure to meet the 98% target shall result in forfeiture of this retainage.

E. Budget Summary

The total Task Assignment (TA) amount for TA #1 of DEP Contract No. GC896 is \$774,199.00. The Local Program will be paid an annual fixed cost base rate of \$741,940.00 for petroleum cleanup site management, \$496,289.00 of which will be for petroleum cleanup site management of 173 non-Low Score Assessment (LSA) source properties and \$ 245,651.00 of which will be for petroleum cleanup site management of 68 LSA source properties. Additional funds are considered in this Task Assignment for compensation associated with the completion of Performance Incentives (see **Paragraph C.2.**, above). However, the actual payment amount may be more or less than the Task Assignment amount, based on the Local Program’s performance. If the Local Program earns Performance Incentives (in accordance with the policies in **Paragraphs C.2.a. and C.2.b**) that cause the total annual payment amount to be in excess of the Task Assignment amount, a Task Assignment Change Order will be executed to authorize the payment of the additional amount.

1. Payments for each month can range from 95% to 109% of 1/12 of the total non-LSA source property compensation amount, plus LSA costs (per **Paragraph C.1.e** above). An additional 1% of 1/12 of the total non-LSA source property compensation amount could be paid at the end of the Task Assignment.
2. SRCOs that are issued do not reduce the total non-LSA source property compensation amount for this Task Assignment.
3. If an additional number of source properties (increase of 5% or 15 sites, whichever is greater) are assigned to the Local Program during a Task Assignment period, a Task Assignment Change Order will be issued to provide compensation for the increased number of source properties if the Local Program makes a written request. Any source properties added via Task Assignment Change Order will be prorated from the month assigned.

ATTACHMENT 2




INTEROFFICE MEMORANDUM
Palm Beach County
Environmental Resources Management

DATE: June 28, 2016

TO: Verdenia C. Baker
County Administrator

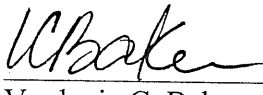
THROUGH: Jon Van Arnam
Deputy County Administrator

FROM:  Robert Robbins, Director
Environmental Resources Management

SUBJECT: REQUEST FOR DELEGATION OF APPROVAL AUTHORITY:
Department of Environmental Protection (DEP) Contract No. GC896 Petroleum Restoration Program.

On June 21, 2016, agenda item 3L3 (R2016-0787) the Board of County Commissioners approved the County Administrator or her designee to sign all future time extensions, task assignments, certifications, and other forms associated with the Contract, and necessary minor amendments that do not significantly change the scope of work, terms or conditions of the Contract.

This memorandum is my formal request for delegation of signatory authority for the Director or Deputy Director of Environmental Resources Management (ERM) to sign all future time extensions, task assignments, certifications, and other forms associated with the Contract, and necessary minor amendments that do not substantially change the scope of work, terms or conditions of the Contract. 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:  DATE: 7/5/16
Verdenia C. Baker, County Administrator

RR:mc
Attachment

2017-

BGEX - 380 - 092816*2066

BGRV - 380 - 092816*604

BOARD OF COUNTY COMMISSIONERS
PALM BEACH COUNTY, FLORIDA

BUDGET AMENDMENT


Fund 1230 Petroleum Storage Tank Program

ACCOUNT NAME AND NUMBER	ORIGINAL BUDGET	CURRENT BUDGET	INCREASE	DECREASE	ADJUSTED BUDGET	ENCUMBERED / Expended	REMAINING BALANCE
<u>REVENUES</u>							
380-3235-Petroleum Storage Tank Program 4399-Other Physical Environment Rev	633,909	633,909	140,290	0	774,199	0	774,199
TOTAL RECEIPTS & BALANCES	805,647	805,647	140,290	0	945,937		945,937
<u>EXPENDITURES</u>							
380-3235 Petroleum Storage Tank Program 5201-Materials/Supplies Operating	500	500	140,290	0	140,790	0	140,790
TOTAL APPROPRIATIONS & EXPENDITURES	805,647	805,647	140,290	0	945,937		945,937

Environmental Resources
Management

INITIATING DEPARTMENT/DIVISION
Administration/Budget Department Approval
OFMB Department - Posted

Signatures & Dates



BY BOARD OF COUNTY COMMISSIONERS
AT MEETING OF
November 1, 2016
Deputy Clerk to the
Board of County Commissioners

ATTACHMENT 3