

Date _____

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2017	2018	2019	2020	2021
Capital Expenditures	_____	_____	_____	_____	_____
Operating Costs	<u>130,128</u>	<u>390,384</u>	_____	_____	_____
External Revenues	<u>(130,128)</u>	<u>(390,384)</u>	_____	_____	_____
Program Income (County)	_____	_____	_____	_____	_____
In-Kind Match (County)	_____	_____	_____	_____	_____
NET FISCAL IMPACT	<u>0</u>	_____	_____	_____	_____
# ADDITIONAL FTE POSITIONS (Cumulative)	_____	_____	_____	_____	_____

Is Item Included in Current Budget? Yes X No _____

Budget Account No.: Fund 1231 Department 380 Unit 3233 Object VAR
Program _____

B. Recommended Sources of Funds/Summary of Fiscal Impact:

C. Department Fiscal Review:

S. Neary

III. REVIEW COMMENTS

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

Lisa Ponce 8/28/17
OFMB Et 8/24 9/11/17

Dr. J. Jaramila 9/5/17
Contract Development and Control
9/5/17 *Dr*

B. Legal Sufficiency:

Anne Wilford 9-6-17
Assistant County Attorney

C. Other Department Review:

Department Director

Attachment C

Florida Department of Environmental Protection Task Assignment Notification Form for PALM BEACH COUNTY

Contract No. GC913 Task No. 1 Amendment No. Date June 26, 2017

Performance Period: Effective the date of execution of this Task Assignment or July 1, 2017, whichever is later, and shall remain in effect until June 30, 2018.

Description:

The Contractor shall complete the following services in accordance with the requirements in DEP Contract No. GC913:

Conduct routine compliance inspections at the 803 facilities storage tank systems within Palm Beach, Martin and Saint Lucie Counties, identified in Exhibit #1, by May 31, 2018.

Perform all re-inspections per Guidance Document A to confirm compliance within Palm Beach, Martin and Saint Lucie Counties.

Comply with the Revised Invoice Procedure (Page 2)

Utilize the new Contractual Services Invoice Form for all monthly invoices (Guidance Document E)

Compensation will only occur for routine annual compliance inspections conducted at the facilities explicitly identified in the revised Payment Calculation Sheet (Guidance Document H)

The Enforcement County Contractors must perform all Enforcement Actions in accordance with Guidance Document F (Level of Effort). Guidance Document F available online at:
<http://www.dep.state.fl.us/waste/categories/tanks/pages/compliance.htm>.

All Guidance documents referenced in the Contract's Scope of Work are available online at:
<http://www.dep.state.fl.us/waste/categories/tanks/pages/compliance.htm>.

Order of Inspection and Substitutions of facilities on Exhibit #1:

Contractor is to conduct routine inspection in order provided in Exhibit #1. Substitutions of facilities are authorized with sites listed on the substitution list on Exhibit #1. The Contractor wishing to substitute a facility shall email department at STR_Invoices@dep.state.fl.us stating the facility and reason for the substitution. The Department will notify via email authorizing the substitution. Copies of authorizations shall be retained by the Contractor for the remainder of the Contract.

Payment Schedule:

Compensation will occur on a monthly basis, per the fee schedule listed in Guidance Document H. Invoices are due no later than the 15th day of the month proceeding work activity. The twelfth month invoice will be due to the DEP District Office on the first business day of July. The Contractor must submit a signed 'Contractual Services Invoice' noting the quantity and location of inspections.

FDEP will determine levels of performance based on routine inspections completed before March 15, 2018 to allow for the ninety-day return to compliance rate to be determined by June 30, 2018. The DEP Contract Manager will advise the Contractor of the amount of retainage to be requested in its FINAL Invoice #13 by June 27, 2018 so the Contractor can submit its FINAL Invoice to the DEP Contract Manager by July 6, 2018.

Retainage Criteria:

1. Number of days to return to compliance for facilities receiving routine inspections
2. Percent of facilities returned to compliance for facilities receiving routine inspections.

Retainage reimbursement criteria for the amount retained per Paragraph 21 of the contract:

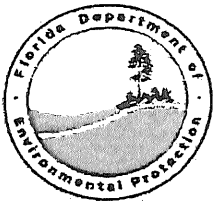
- Fifty percent (50%) of the amount retained will be returned to Contractor having an average return to compliance in less than 45 days for facilities receiving routine inspections
 - Fifty percent (50%) of the amount retained will be returned to Contractor having an average return to compliance rate of 95% or higher for facilities receiving routine inspections
 - Forty percent (40%) of the amount retained will be returned to Contractor having an average return to compliance rate between 45 and 60 days for facilities receiving routine inspections.
 - Forty percent (40%) of the amount retained will be returned to Contractor having an average return to compliance rate of between 90% and up to 95% for facilities receiving routine inspections
 - Thirty percent (30%) of the amount retained will be returned to Contractor having an average return to compliance rate between 61 days and 75 days for facilities receiving routine inspections.
 - Thirty percent (30%) of the amount retained will be returned to Contractor having an average return to compliance rate of between 85% and up to 90% for facilities receiving routine inspections
 - Twenty percent (20%) of the amount retained will be returned to Contractor having an average return to compliance rate between 76 days and 90 days for facilities receiving routine inspections.
 - Twenty percent (20%) of the amount retained will be returned to Contractor having an average return to compliance rate of between 80% and up to 85% for facilities receiving routine inspections
- NO retainage will be returned to Contractor having either: more than ninety (90) days as average time to return to compliance for facilities receiving routine inspections; or having an average of less than 80% of facilities receiving routine inspections returned to compliance.

Invoice Procedure

Review of Inspections: The Payment Calculation Sheet shall be submitted by the Contractor to the appropriate DEP District Office. The District will review in Florida Inspection Reporting of Storage Tanks (FIRST) each variable inspection listed on the Payment Calculation Sheet to ensure that the inspection is correctly invoiced. The District will ensure that each routine compliance inspection on the Payment Calculation Sheet is also listed on the task assignment facilities list. Upon completion of the review, the District shall report via email to the Permitting and Compliance Assistance Program's Contract Manager and the Contractor that the review of the inspections has been completed and of any known contractual obligations that have not been met.

Invoice Submission: All invoices with verified and approved Payment Calculation Sheet by the appropriate DEP District Office will be directly submitted by the Contractor to the Permitting and Compliance Assistance Program's Contract Manager in accordance with the **Payment Schedule**. Submission of invoice shall be via email to: **STR_Invoices@dep.state.fl.us**. **The email shall consist of a single PDF package.** The order of documents in the complete PDF package shall be as follows:

- 1) Contractual Services Invoice
- 2) Verified Payment Calculation Sheet (please make sure the month of services rendered appears below the "Invoice Period")
- 3) FIRST Report (Compliance and Activity by Date Range)
- 4) Tracking Form (Monthly percentage of Routine Inspections Completed)

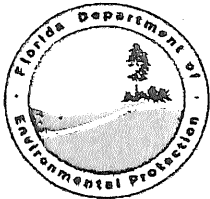


Florida Department of Environmental Protection

TASK ASSIGNMENT FORM

Required Signatures: Adobe Signature

FDEP Contract No: GC913	Task Assignment No: 1	Date: 06/26/2017	DEP Task Manager: Roger Ruiz
Project: GC913-1			
Contractor Name: Palm Beach County Environmental Resources Management			
Contractor Representative: Robert Robbins		Phone: (561) 233-2454	Email: rrobbins@pbcgov.org
FDEP Contract Manager: Roger Ruiz		Phone: 850-245-8854	Email: roger.ruiz@dep.state.fl.us
Task Description: Conduct routine compliance inspections at the facilities identified in Exhibit #1 (provided electronically). Perform inspections for all reported complaints, discharges, installations and closures involving storage tank systems within the county or counties on Page 1.			
Deliverables: Submit Contractual Services Invoice with verified Payment Calculation Sheet, along with FIRST Report (Compliance and Activity by Date Range) and Tracking Form (Monthly percentage of Routine Inspections Completed) Compensation will only occur for routine annual compliance inspections conducted at the facilities explicitly identified Exhibit 1 and variable inspections identified in supporting documentation.			
Performance Measures: The CONTRACTOR shall complete the following percentage of the required routine compliance inspections unless otherwise indicated in the Task Assignment: (1) After four (4) months, thirty-three percent (33%) of inspections shall be completed. (2) After eight (8) months, sixty-six (66%) of inspections shall be completed. (3) After (12) months, one hundred percent (100%) of inspections shall be completed.			
Financial Consequences: No payment will be made for deliverables deemed unsatisfactory by the Department. In the event that a deliverable is deemed unsatisfactory by the Department, the Contractor shall re-perform the services needed for submittal of a satisfactory deliverable, at no additional cost to Department, within thirty (30) days of being notified of the unsatisfactory deliverable. If a satisfactory deliverable is not submitted within the specified time frame, the Department may, in its sole discretion: 1) assess liquidated damages if specified in the Contract or its attachments; 2)			



Florida Department of Environmental Protection

TASK ASSIGNMENT FORM

Schedule:

Start Date: 07/01/2017	Completion Date: 06/30/2018
Fixed Price Cost:	Cost Reimbursement not to exceed:
Total Task Value: \$520,511.02	

Signatures and Date:

1. Judy Dolan	Judy Dolan	Digitally signed by Judy Dolan Date: 2017.06.29 07:54:55 -04'00'	06/29/2017
Task Manager, FDEP	Signature		Date
2. Roger Ruiz	Roger Ruiz	Digitally signed by Roger Ruiz Date: 2017.06.29 08:01:01 -04'00'	06/29/2017
Contract Manager, FDEP	Signature		Date
3. Jennifer Vickers	Jennifer Vickers	Digitally signed by Jennifer Vickers Date: 2017.06.29 14:04:09 -04'00'	
Budget Representative, FDEP	Signature		Date
4. Robert Robbins	Robert Robbins	Digitally signed by Robert Robbins DN: cn=Robert Robbins, o=ERM, ou=Administration, email=rrobbins@dep.gov, c=US Date: 2017.06.28 17:25:07 -04'00'	06/28/2017
Contractor, Contract Manager	Signature		Date
5. John Truitt	John Truitt	Digitally signed by John Truitt Date: 2017.06.30 10:57:01 -04'00'	
Contract Authority, FDEP	Signature		Date

Encumbrance Information:

Budget Entity	Project #	Grant #	Org Code	Category & Year	Fund	Special Category	Object Code	EO	Amount
37450300	GC913		37450104000	00	212001	100029	132500	JD	\$520,511.02
Total:									NaN

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY

Anne Delgado
COUNTY ATTORNEY



INTEROFFICE MEMORANDUM
Palm Beach County
Environmental Resources Management

DATE: July 11, 2017

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:
Contract No. GC913 with the Florida Department of
Environmental Protection (FDEP) for the Permitting and
Compliance Assistance Program for pollutant storage tank
compliance.

On June 20, 2017, agenda item 5E-1 (R2017-0838) the County Commission approved the County Administrator or her designee to sign all future extensions, task assignments, and other forms associated with the Contract, and any necessary minor amendments that do not substantially change the scope of work, terms or conditions for this Contract.

This memorandum is my 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 documents associated with this Contract and any necessary minor amendments to those documents that do not substantially change the scope of work or terms and 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: Verdenia C. Baker DATE: 7/18/17
Verdenia C. Baker, County Administrator

RR:mc
Attachment

