

TASK ORDER TO-05-24 PORTS  
CITY OF KEY WEST  
MALLORY SQUARE PIER IMPROVEMENTS  
ENGINEERING AND PERMIT SERVICES

This TASK ORDER TO-05-24 is issued under the terms and conditions of the MASTER AGREEMENT TO PROVIDE GENERAL ENGINEERING SERVICES TO THE CITY OF KEY WEST ("AGREEMENT") between the City of Key West ("CITY") and Jacobs Engineering Group Inc. ("CONSULTANT") executed on March 29, 2023, which are incorporated herein by this reference.

A. SCOPE OF SERVICES

Specific services which the CONSULTANT agrees to furnish are summarized on the "Scope of Services". This Task Order, when executed, shall be incorporated in and shall become an integral part of the AGREEMENT.

B. TIME OF COMPLETION

Start date for this project will be no later than 2 calendar weeks after execution of this authorization. The duration of TO-05-24 is estimated to be 20 calendar weeks.

C. COMPENSATION

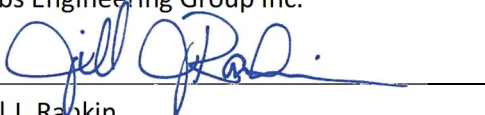
Compensation for labor portion of TASK ORDER TO-05-24 will be on both a lump sum and cost reimbursable – per diem fee basis as stipulated in Article 5, Paragraph 5.1.1 and 5.1.2 of the AGREEMENT. Compensation for Reimbursable Expenses will be based on actual cost as stipulated in Article 5, Paragraph 5.2 of the AGREEMENT. The estimated compensation is shown as Attachment A.

D. ACCEPTANCE

By signature, the parties each accept the provisions of this TASK ORDER TO-05-24, and authorize the CONSULTANT to proceed at the direction of the CITY's representative in accordance with the "SCOPE OF SERVICES."

For Jacobs Engineering Group Inc.

By:

  
\_\_\_\_\_  
Jill J. Rankin  
Manager of Projects

For CITY OF KEY WEST

By:

\_\_\_\_\_  
Todd Stoughton  
Interim City Manager

Dated the \_\_\_\_ day of \_\_\_\_\_, 2024

ATTEST:

\_\_\_\_\_

*RR*

# **TASK ORDER TO-05-24 PORTS**

## **CITY OF KEY WEST**

### **MALLORY SQUARE PIER IMPROVEMENTS**

#### **ENGINEERING AND PERMIT SERVICES**

#### **Background**

In November 2019, the CITY approved Task Order 2-20 PORTS for the CONSULTANT for engineering and environmental permitting services for mooring improvements to the Mallory Square Pier based on recommendations from a July 2019 report provided to the CITY under a previous Task Order. These services included preparation of bid ready construction drawings and specifications, environmental permitting with federal and state regulatory agencies, bidding, and construction administrative assistance. Work on these services was underway but then suspended by the CITY with the onset of COVID-19 and two subsequent alterations requested to the vessel inventory used in the basis of design recommendations. The latest revised recommendations were submitted in a report to the CITY in April 2024 which modifies the original improvements. Based on the updated recommendations, the CITY has requested this Task Order to update the design plans and specifications to bid ready status and to reinitiate environmental permitting efforts.

#### **Scope of Services**

Jacobs will perform the following activities under this Task Order:

##### Task 1 - Lump Sum Based Services:

- The CONSULTANT will retain the approved subconsultant (Terramar Environmental Services, Inc.) to perform and benthic resource assessment of the submerged aquatic resources within the project boundary. The findings will be presented in report form and used to support the environmental permitting and mitigation tasks described below. The subconsultant scope and budget proposal is provided in Attachment B.
- Revise the design drawings and specifications of the proposed improvements to be consistent with the recommended improvements approved by the CITY presented in the April 2024 report. This includes partial demolition of the existing pier, extending the pier south, widening the pier and approach ramp. This excludes the installation of a new monopile mooring dolphin at the southern pier end presented in the report. This exclusion is at the CITY's request. The CITY must provide a designated laydown area for contractor equipment and materials required to perform work indicated in the plans and specifications. Draft plans and specifications will be provided to the CITY for one (1) round of review and comments. Any significant design changes following this review will impact both the project fee and schedule and shall be considered out of scope.
- CITY review comments will be incorporated into the documents along with regulatory permits from the federal and state agencies when issued. The documents will be presented to the CITY as bid ready.

##### Task 2 - Cost Reimbursable – Time and Materials Services:

- Organize pre-application meetings via Microsoft Teams with the CITY, U.S. Army Corps of Engineers (USACE), Florida Keys National Marine Sanctuary (FKNMS), Florida Department of Environmental Protection (FDEP),

and Florida Fish and Wildlife Conservation Commission (FWC). The meetings will present to the agencies the proposed revision to the pier improvements along with the findings of the benthic resource assessment. Comments will be solicited for information considered necessary (with an emphasis on coral mitigation) to be included with the permit applications. CONSULTANT will prepare meeting minutes.

- Prepare draft permit applications to the USACE (Form 4345) and FDEP (Environmental Resource Permit (ERP)) incorporating information gathered from pre-applications meetings, permit drawings based on the proposed improvements, a mitigation plan for corals and/or other significant resources, and narratives of conceptual construction methods. The draft applications will be submitted to the CITY for review.
- Incorporate CITY review comments into the appropriate applications and submit to agencies. Submittal will be done via email or agency online portal.
- Prepare one (1) response to Request for Additional Information (RAI) received from the regulatory or resource agencies. RAI requests that require additional field work or analysis of site conditions will be considered additional services.

### **Assumptions**

- Deliverables will be provided to the CITY and regulatory agencies electronically in Word, pdf and/or other format as mutually agreed by the parties.
- CONSULTANT work will be conducted remotely and will not involve travel to Key West. Subconsultant work will include in-water field work at Mallory Square Pier.
- All permit fees to be reimbursed by the CITY.
- Any professional land survey services required to depict CITY upland property or submerged lands interests in the project area are not included.
- Bidding and construction administration services are not included.
- Any regulatory requirements to mitigate corals or other submerged aquatic resources in the project area prior to construction of the pier improvements are not included.
- Notwithstanding any reference to the contrary on any Task Order issued by the City, the terms of Agreement 23-029 will govern the Scope of Work.

### **Additional Work**

Environmental resource mitigation is anticipated to be required before construction Notice to Proceed can be issued. A separate Task Order can be provided upon receipt of final regulatory approved mitigation plans.

Bidding and Construction Administration Services would be performed under a separate Task Order.

### **Estimated Project Budget and Duration**

CONSULTANT proposes a total fee of \$144,884 with \$97,140 to be invoiced on a Lump Sum basis for labor and not exceed to \$47,744 invoiced on a cost reimbursable time and materials basis.

The total project duration is estimated at 20 calendar weeks. Jacobs staff is available to begin work on this effort within two calendar weeks of the City's issuance of a Notice-to-Proceed (NTP). Regulatory agencies permit processing can extend the duration estimate beyond the reasonable control of the CONSULTANT.

## Attachment A - Level of Effort – Mallory Pier Improvements

TASK ORDER 5-24 PORTS Mallory Pier Improvements									
Title	Engineer 8	Engineer 7	Engineer 4	Engineer 3	Technician 6	Technician 5	Subtask Labor Total	Expenses	Task/Line Item Subtotal
Rate	\$ 288.00	\$ 267.00	\$ 188.00	\$ 171.00	\$ 179.00	\$ 162.00			
<b>Task 1 - Lump Sum</b>									
Benthic Resource Assessment				6	4		\$ 1,742.00	\$ 39,560.00	\$ 41,302.00
Plan and Specification Revisions	40	12	100			40	\$ 40,004.00	\$ 500.00	\$ 40,504.00
Engineers Estimate of Probable Cost		16					\$ 4,272.00	\$ -	\$ 4,272.00
Bid Documents QA/QC	24					8	\$ 8,344.00	\$ -	\$ 8,344.00
Labor Contingency							\$ 2,718.10		\$ 2,718.10
	64	28	100	6	12	40	250		
<b>Labor Cost &amp; Expense Subtotal</b>							\$ 57,080.10	\$ 40,060.00	\$ 97,140.10
<b>Task 2 - Cost Reimbursable (T&amp;M)</b>									
Permit Pre-Application Meetings		8					\$ 2,136.00	\$ 500.00	\$ 2,636.00
Permit Application Preparation & Submittal		60				12	40	\$ 24,648.00	\$ -
RAI Response		40					20	\$ 13,920.00	\$ -
Mitigation Plan		10					10	\$ 4,290.00	\$ -
Labor Contingency							\$ 2,249.70		\$ 2,249.70
<b>Hours Subtotal</b>	0	118	0	0	12	70	200		
<b>Labor Cost &amp; Expense Subtotal</b>	\$ -	\$ 31,506.00	\$ -	\$ -	\$ 2,148.00	\$ 11,340.00	\$ 47,243.70	\$ 500.00	\$ 47,743.70
<b>TO Total Labor</b>									<b>\$104,323.80</b>
<b>TO Total Expenses</b>									<b>\$ 40,560.00</b>
<b>TO 2-20 Ports Contract Total</b>									<b>\$144,883.80</b>

## Schedule Estimate

<b>Activities</b>	<b>Duration</b>	<b>Time from NTP</b>
Perform Benthic Resource Assessment and Prepare Report	2 weeks	4-6 weeks
Revise Plan Drawings and Specifications - Draft	2-weeks	6-weeks
Revise Plan Drawings and Specifications - Final	1-week	10-weeks
Agency Pre-Application Meetings	1-week	7-weeks
Application(s) Preparation	2-weeks	8-weeks
Application Review and Submittal	1-week	9-weeks
RAI Response	1-week	12-weeks
Mitigation Plan Coordination	2-4 weeks	15-weeks

***Attachment B – Subconsultant Scope of Services***



Terramar Environmental Services, Inc.  
1241 Crane Boulevard  
Sugarloaf Key, Florida 33042  
(305) 393-4200 [terramar.env@gmail.com](mailto:terramar.env@gmail.com)

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May 23, 2024

Jim Moore  
Jacobs  
550 W. Cypress Creek Road, Suite  
400 Ft. Lauderdale, FL 33309  
Cell 941.320.1126  
[jim.moore@jacobs.com](mailto:jim.moore@jacobs.com)

**Re: Mallory Pier Repairs, Resource Assessment and FKNMS Permitting Support**

Dear Mr. Moore:

Please accept this proposal for environmental services related to the Mallory Pier Repairs project. For this proposal, Jacobs is the *Client* and Terramar Environmental Services, Inc. is the *Consultant*.

**Scope of Work**

The City of Key West is proposing repairs to Mallory Pier. Prior work on this project indicates the presence of stony corals attached to the pier pilings and adjacent seafloor. Impacts to these corals will require regulatory authorization from the Florida Keys national Marine Sanctuary (FKNMS). The FKNMS requires that a Coral Relocation Plan be developed to address unavoidable impacts to coral resources. In addition, Best Management Practices (BMP) will need to be identified to avoid corals on adjacent structures that are not directly impacted by construction.

In addition, the FDEP has requested additional information on the application from other State agencies, specifically the Florida Fish and Wildlife Conservation Commission (FWC). FWC may require additional relocation criteria over what FKNMS typically requires, and possibly a separate Coral Relocation Plan, depending on the coordination between FWC and FKNMS. Our goal is to have one coral relocation plan that appeases both agencies.

The Consultant will coordinate with Jacobs, the City of Key West and the FKNMS to complete a resource assessment and negotiate a coral mitigation / relocation plan for the project. In addition, if needed, Consultant will develop BMP's that will also avoid unnecessary coral impacts to nearby corals.

The deliverable for this project will be coordination involving phone calls, meetings, site visits to the project site and potential outplanting sites as needed to develop coral relocation and avoidance options. Also included is the written Resource Assessment and Coral Relocation Plan that will form the foundation for the FKNMS and presumably the FWC authorization for the project.



## **Exceptions**

This project includes the Resource Assessment and Coral Relocation Plan described above. Not included are any aspect of actual coral mitigation, relocation or rescue, any additional resource assessments, and any application or mitigation fees associated with the project.

This proposal is predicated on the assumption that the FKNMS and FWC coral relocation plans will be one in the same. If FWC imposes additional requirements outside the scope of a typical FKNMS coral relocation plan, the additional effort to satisfy FWC may be out of scope of this agreement and require additional compensation. Any other tasks requested by the Client regarding environmental permitting or mitigation are out of the scope of this agreement.

## **Budget**

All work on the above task is offered at a fixed-cost of **\$39,560.00** inclusive of all expenses. See Page 2 – Budget Calculations for billing justification.

## **Compensation**

Invoices will be submitted to Client based on tasks completed. Client will pay consultant within 15 days of receiving payment from the City of Key West.

Thank you for the opportunity to submit a proposal for this project, and we look forward to working with you on this project.

Sincerely,



Philip Frank Vice President

Page 2 - Budget Estimation

TASK	Senior Environmental Scientist	Environmental Scientist	Environmental Technician	Costs
Project administration: City / Jacobs coordination, concept development, agency pre-app discussions.	16	0	0	\$2,960.00
Field work: resource assessment, site assessment and evaluation.	40	80	40	\$21,800.00
Reports: Resource assessment, data collection, analysis.	40	0	0	\$7,400.00
Mitigation Plan - Develop mitigation plan, coordination for FKNMS /FWC permitting, RAI responses, agency approvals	40	0	0	\$7,400.00
<b>Total Estimated Hours</b>	<b>136</b>	<b>80</b>	<b>40</b>	
Rate (\$)	\$185.00	\$135.00	\$90.00	
Cost Estimate Fees (\$)	\$25,160.00	\$10,800.00	\$3,600.00	
<b>Subtotal Fees</b>				<b>\$39,560.00</b>