



May 31, 2022

Jennifer Gomez
Assistant Development Services Director
City of Pompano Beach
100 W Atlantic Blvd.
Pompano Beach, FL 33060

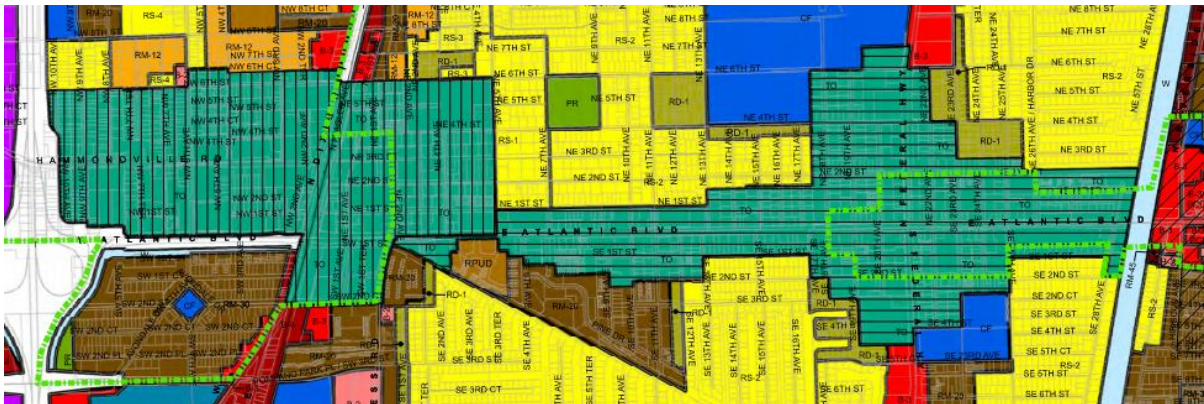
**RE: *Utility Undergrounding Feasibility Assessment
East Transit Oriented Corridor | Downtown Pompano Transit Oriented Corridor***

Dear Jennifer,

Kimley-Horn and Associates, Inc. ("Kimley-Horn") is pleased to submit this proposal to the City of Pompano Beach ("City") for providing engineering services related to preparing a Utility Undergrounding Feasibility Assessment. Our project understanding, scope of services, schedule, and fee follow.

Project Understanding

The City of Pompano Beach wishes to begin investigating the feasibility of relocating existing overhead utilities (electric, telephone, and cable) to an underground location to enhance the safety, reliability and aesthetics of these facilities within the City's two primary Transit Oriented Corridors, the East Transit Oriented Corridor (ETOC) and the Downtown Pompano Transit Oriented Corridor (DPTOC). The ETOC and DPTOC are 280-acre and 269-acre areas, respectively, in the heart of Pompano Beach, FL as identified on the City's zoning and future land use maps shown below.



In order to evaluate the feasibility of this large-scale project, development of a Feasibility Assessment has been requested in order to evaluate existing infrastructure, anticipated costs, and potential funding through new private redevelopment projects within the Corridors. The goals of this Feasibility Assessment process are:

- Data collection of existing utility infrastructure and planned major construction projects.

- Development of order of magnitude opinions of cost for underground conversion of existing overhead utilities.
- Develop options for potential “fee-in-lieu of” calculations for future redevelopment
- Development of a Feasibility Assessment Memorandum to summarize the results of the Assessment.

Based on this understanding, our detailed scope of services is provided below.

Scope of Services

Task 1.1 – Data Collection and GIS Mapping

Kimley-Horn will perform a visual review of existing overhead lines within the ETOC and DPTOC and document the approximate number of pole-line-miles of overhead facilities within those limits identified in the project understanding. Kimley-Horn will compile the data collected to create a GIS base map showing the approximate locations of existing overhead infrastructure throughout the ETOC and DPTOC.

Task 1.2 – Engineer’s Conceptual Opinion of Probable Construction Cost

Kimley-Horn will develop a conceptual order of magnitude opinion of probable construction cost for the undergrounding of overhead facilities within the ETOC and DPTOC. Costs will be provided in present day dollars and based upon our experience as a design professional in this industry. The conceptual opinion of probable construction cost for the project will most closely resemble an AACE International Class 5 (Screening or Feasibility) cost estimate.

Task 1.3 – Fee-in-Lieu Development

Kimley-Horn will develop up to two (2) fee-in-lieu-of calculations that the City may use to assess future redevelopment to fund a Corridor wide undergrounding project. These calculations will be based on the results of Task 1.2 and documentation provided by the City such as their Comprehensive Plan, Zoning Code, or Overlay District Regulating Plans, which may dictate height and density contributing to the overall development capability of a particular parcel within the Corridor. The methodology by which these calculations are developed will be provided to the City for staff to assess their applicability and legal defensibility before a desired calculation is recommended and ultimately proposed as a text amendment to the City’s Land Development Code. Prior to implementation of any fee-in-lieu calculations it is strongly recommended the City engage qualified legal counsel, whether it be the City’s current legal team or an outside legal team with specialized knowledge of this type of fee implementation. Additionally, Kimley-Horn will assist the City with addressing various issues related to this process including the following:

- Forecasting funds available to the City for future undergrounding improvements.
- Potential challenges regarding management of the program including timing of funding and planned expenditures.
- Identify other revenue sources through discussions with staff.
- Review the potential total revenues generated as a significant amount of the development is already existing and not likely to undergo redevelopment and thereby be subject to fee-in-lieu payments.
- Other policy related challenges.

Kimley-Horn is not giving advice or making recommendations with regard to municipal securities or financial products. If such advice or recommendations are needed, the Client should retain a Municipal Advisor registered with the Securities and Exchange Commission.

Task 1.4 – Feasibility Assessment Memorandum

Kimley-Horn will prepare a memorandum that will summarize the results of the feasibility assessment process. This document will serve as guidance for the City as it considers undergrounding of overhead facilities within the ETOC and DPTOC into the future. We anticipate that the document will contain the following information:

- Summary of the Data Collection Process.
- Program Conceptual Order of Magnitude Opinions of Probable Construction Costs.
- Recommendation of fee-in-lieu-of calculation for future redevelopment.
- Information regarding the typical steps in the undergrounding process.

Task 1.5 – Meetings

Kimley-Horn and our subconsultant team members, as appropriate, will attend scheduled project meetings as described below during this planning phase of the project:

- Kickoff meeting with City (in person)
- Project team meetings (monthly, up to 6 virtual meetings)
- Coordination meetings with City staff (monthly, up to 6 virtual meetings)
- Subconsultant meetings (up to 3 in person)

Limitations

Kimley-Horn will perform only those tasks specifically stated in our scope of services. The Client may use this report as part of its feasibility assessment, but this report should not be used as the sole basis for the Client's decision making. We will endeavor to research issues and constraints to the extent practical given the limited scope, budget, and schedule agreed to with the Client. Our assessment is based in large part on information provided to us by others (City staff, Utility Company Representatives, etc.) and therefore is only as accurate and complete as the information provided.

The report will be based on our knowledge as of the date prepared. New issues may arise during the course of the project because of changes in governmental rules and policy, circumstances, market volatility, regulatory changes, and/or unforeseen conditions. Our assessment is based on the desires of the Client that have been specifically disclosed to us. The Client should do its own due diligence to become comfortable with our findings.

Additional Services

Any services not specifically provided for in the above scope, as well as any changes in the scope requested by the City, will be considered additional services and will be performed based on proposals approved prior to performance of the additional services.

Information and Services Provided by the Client

We shall be entitled to rely on the completeness and accuracy of all information provided by the Client or the Client's consultants or representatives. The Client shall provide all information requested by Kimley-Horn during the project.

Schedule

Kimley-Horn will perform the scope of services above as expeditiously as practical to meet a mutually agreed upon schedule.

Fee and Billing

Kimley-Horn will perform the services in Tasks 1.1 through 1.5 for the total lump sum labor fee below. Individual task amounts are informational only. In addition to the lump sum labor fee, direct reimbursable expenses such as express delivery services, fees, air travel, and other direct expenses will be billed at 1.15 times cost. All permitting, application, and similar project fees will be paid directly by the Client.

Task 1.1 – Data Collection and GIS Mapping	\$ 13,408
Task 1.2 – Engineer's Conceptual Opinion of Probable Construction Cost	\$ 14,100
Task 1.3 – Fee-in-Lieu Development	\$ 40,441
Task 1.4 – Feasibility Assessment Memorandum	\$ 17,982
Task 1.5 – Meetings	\$ 13,478

Lump sum fees will be invoiced monthly based upon the overall percentage of services performed. Reimbursable expenses will be invoiced based upon expenses incurred. Payment will be due within 25 days of your receipt of the invoice and should include the invoice number and Kimley-Horn project number.

Closure

In addition to the matters set forth herein, our Agreement shall include and be subject to, and only to, the terms and conditions in the Professional Consulting Agreement between the City of Pompano Beach and Kimley-Horn and Associates, Inc. dated September 17, 2018 and the Continuing Contract for Engineering and Project Management Consultant Overhead Utilities Conversion to Underground, RLI No. E-01-18, which are incorporated by reference. As used in the Agreement, the term "Consultant" shall refer to Kimley-Horn and Associates, Inc., and the term "City" shall refer to The City of Pompano Beach.

If you concur in all the foregoing and wish to direct us to proceed with the services, please notify us by providing a purchase order for the scope and fee described above.

We appreciate the opportunity to provide these services to you. Please contact me at (561) 404-7240 or josh.horning@kimley-horn.com should you have any questions.

Sincerely,

A handwritten signature in blue ink, appearing to read 'KS'.

By: Kevin Schanen, P.E.
Sr. Vice President

A handwritten signature in blue ink, appearing to read 'JH'.

Joshua Horning, P.E.
Project Manager