



Real Property Committee

1:00 p.m., Wednesday, July 14, 2020
1207 Palm Boulevard, Isle of Palms, South Carolina

Virtual Meeting Due to COVID-19 Pandemic:

The public may join the virtual meeting by clicking here: <https://www.youtube.com/user/cityofisleofpalms>

Public Comment:

Citizens may provide public comment here:
<https://www.iop.net/public-comment-form>

Agenda

1. **Call to order** and acknowledgment that the press and the public have been duly notified of the meeting in accordance with the Freedom of Information Act.
2. **Approval of previous meeting's minutes** – June 10, 2020
3. **Citizens' Comments** – Citizens may submit written comments here: <https://www.iop.net/public-comment-form>. Comments received prior to the meeting will be entered into the record.
4. **Marina Tenants Comments**
5. **Old Business**
 - a. Update on marina dock permitting and dock rehabilitation project
 - b. Update on marina restaurant lease proposal
 - c. Update on Public Safety Building rehabilitation project
 - d. Update on Greenbelt Program application for funding for an ADA compliant beach walkover and observation deck at 42nd Avenue
6. **New Business**

Consideration of change order to Applied Technology Management (ATM) contract for additional services related to the marina dock rehabilitation project: water/wastewater permitting, pump out grant application and construction administration services
7. **Miscellaneous Business**

Next meeting date: 1:00 p.m., Wednesday, August 5, 2020
8. **Executive Session** – If needed
9. **Adjournment**



REAL PROPERTY COMMITTEE
1:00pm, Wednesday, June 10, 2020
Virtual Meeting via Zoom call due to COVID-19 Pandemic
broadcasted live on YouTube: <https://www.youtube.com/user/cityofisleofpalms>

MINUTES

1. Call to order

Present: Council members Buckhannon, Bell, and Popson

Staff Present: Administrator Fragoso, Asst. Administrator Hanna, Attorney Copeland

2. Approval of previous meeting's minutes – May 14, 2020

Council Member Bell made a motion to approve the minutes of the May 14 meeting, and Council Member Popson seconded the motion. The minutes passed unanimously.

3. Citizens' Comments

Administrator Fragoso stated that the Citizens' Comments submitted to the Committee will be posted with the minutes of this meeting after they are approved at the July meeting.

4. Marina Tenant Comments

Administrator Fragoso read Michael Fiem's comments into the record. They will be attached to the minutes after approval.

5. Old business

A. Update on marina dock permitting and rehabilitation project

Administrator Fragoso reported that the City has received permits from OCRM and the Army Corps of Engineers for the marina rehabilitation project. ATM is performing the final review of the technical specifications and the design should be completed by next week. Draft documents needed for the RFP process have been submitted. Regarding financing for the project, Administrator Fragoso said, "We are currently working on the contract documents which would be part of the RFP packet that would be distributed. Therefore, the City would be ready to go out to bid as soon as the budget ratification happens, and construction would be able to begin after Labor Day." The project is anticipated to take 5-6 months to complete.

Regarding the Tidal Wave Watersports dock, Administrator Fragoso reported that the City has received the permit from OCRM and it is now under review by the Army Corps of Engineers, which could take a month or two to complete. She added, "We have been advised by the Corps

that the City must wait until the permit is issued in order to take action to fix the encroachment issue on the floating dock that is encroaching on the 125-foot setback line.” No work will be done on the dock until after the season. City staff is reviewing options for the dock.

Administrator Fragoso added, “You all know that the Corps sent us a letter asking that the jet dock structure that was attached to the outside of the floating dock be removed last summer. The tenant has been instructed to move it out of the way. We have also been asked about whether or not the Corps will, if we should expect any restrictions on the ability for the tenant or any other tenant or any other user to attach, to tie boats to the outside of that floating dock, and that question has been submitted to their navigation office for an official response.”

B. Update on marina restaurant lease proposal

Mr. John Bushnell of the IOP Families Group said that during the past five months they have “had the opportunity to hire architects, structural engineers, and contractors to evaluate the building and potential redesigns in repositioning of the building. So we have preliminary plans and preliminary cost estimates and budgets. Because of the pandemic though we are preparing multiple options in terms of social distancing and how to operate a restaurant safely by allowing for 50% occupancy or outdoor seating.” He is coming before the Committee today to seek clarity of the next steps of the process.

C Update on Public Safety Building rehabilitation project

Administrator Fragoso said the project is on budget and ahead of schedule, with an expected completion date of November 2020. She reviewed the work that is currently in progress. She also reported that the architect is working on several design options for the simpler portico design selected by City Council.

D. Update on Greenbelt Program application for funding for an ADA-compliant beach walkover and observation deck at 42nd Avenue

Administrator Fragoso shared the timeline of the approval process for this project. She said these funds are allocated for the Isle of Palms, so as long as the project meets the guidelines, the project should be approved. Council Member Bell said some residents had expressed concern the observation deck may become an attraction, and Administrator Fragoso said that this project is similar to the walkover and observation deck at 21st Avenue.

6. New Business

A. Discussion of next steps related to the commercial use of the dock currently leased to Tidal Wave Watersports

Council Member Popson expressed concern about the loss of income to the City upon the expiration of the lease with Tidal Wave Watersports in October. He asked about the possibility of discussing a shorter-term lease (two years) with Tidal Wave Watersports while starting the process for an RFP for a longer-term tenant. Council Member Bell said that City Council’s hands are tied until plans for the proposed restaurant are more firm.

Committee members said it is important to consider the comments received from the public during the community meetings held in January about the use of the marina space. Administrator Fragoso said the intention had been to share all of that information at the March City Council meeting which ended up being cancelled due to the COVID-19 virus.

7. Miscellaneous Business

The next meeting of the Real Property Committee will be set at a later date.

8. Executive Session

MOTION: Council Member Bell made a motion to move into Executive Session in accordance with §30-4-70(a)(2) to discuss negotiations incident to the proposed contractual arrangements related to the marina restaurant lease and to receive legal advice. Council Member Popson seconded the motion. The motion passed unanimously.

Committee members moved into Executive Session at 1:45pm.

Committee members returned from Executive Session at 3:07pm. No decisions were made.

9. Adjournment

Council Member Bell made a motion to adjourn and Council Member Buckhannon seconded the motion. The meeting was adjourned at 3:08pm.

Respectfully submitted,

Nicole DeNeane
City Clerk

APPLIED TECHNOLOGY AND MANAGEMENT, INC.



PROPOSAL FOR CONSULTING SERVICES

ISLE OF PALMS MARINA

- MARINA UTILITY PERMITTING
- CVAP GRANT APPLICATION
- CONSTRUCTION ADMINISTRATION SERVICES

ISLE OF PALMS, SOUTH CAROLINA

PREPARED FOR:



Attn: Ms. Desiree Fragoso

April 15, 2020

INTRODUCTION

Applied Technology & Management, Inc. (ATM) respectfully submits this proposal to Ms. Desiree Fragoso of the City of Isle of Palms to provide assistance with the following tasks related to the rehabilitation of the Isle of Palms Marina.

1. Perform required DHEC permitting for the potable water and wastewater (pumpout) systems proposed as part of the redevelopment of the marina.
2. Development and submittal of a Clean Vessel Act (CVAP) grant application to procure grant funding reimbursement for new pumpout installation
3. Perform Construction Administration services during the marina redevelopment process

TASK 1 – WATER/WASTEWATER PERMITTING

ATM will prepare and submit on the City's behalf a permit application for the water/wastewater systems for the redeveloped portion of the marina along Morgan Creek. These authorizations are required by the South Carolina Department of Health and Environmental Control (SCDHEC) prior to installation of the systems. The permit is also required as part of the application for CVAP funding for the pumpout system (Task 2). This permit application will include the following, at a minimum:

- Transmittal letter
- Location Map
- SCDHEC permit application form
- Signed/sealed design plans and specifications (developed under previous work authorization)
- Design calculations based on applicable regulations
- Letter from the Isle of Palms Water and Sewer Commission stating their willingness and ability to serve the project; *ATM will coordinate with the utility to obtain this letter.*
- A letter from the City agreeing to be responsible for the operations and maintenance of the wastewater system; *This letter will need to be provided by the City on the City's letterhead. ATM will provide appropriate language for the letter to the City.*

After submitting the application package, ATM will coordinate with SCDHEC as required to expedite the review/approvals process. *Coordination limited to 2 hours of ATM professional labor.*

The deliverable for this task will be a completed DHEC permit application with requisite supporting documentation.

TASK 2 – CVAP PUMPOUT GRANT APPLICATION AND COORDINATION

Upon receipt of the SCDHEC's water/wastewater permit (Task 1), ATM will prepare and submit an application for a CVAP grant to the South Carolina Department of Natural Resources (SCDNR) for the marina pumpout system. Under this task, ATM will:

- Review and discuss facilities/services that are or may be included in the grant program with SCDNR.
- Coordinate with SCDNR and the City of Isle of Palms in an effort to maximize the grant funding available. To this effect, ATM will consider the following inasmuch as they are appropriate and acceptable in accordance with the grant program
 - Upland pumping facility and upland piping
 - Operations and Maintenance program funding
 - Permitting and engineering fees
- Coordinate with pumpout vendor(s) and mechanical contractor(s) to develop a detailed cost estimate for the system, including the pumpout unit, plumbing, electrical controls, and installation.
- Gather appropriate application materials and documentation for submission including:
 - Pumpout brand/manufacturer and model
 - Design plans, specifications, and calculations (developed under previous work authorization)
 - Grant application form
- Prepare the Grant Application including all the necessary documentation and design plans required by the application and discussed with SCDNR. Prior to submission, ATM will provide the City of Isle of Palms with a completed copy of the documents to review and for appropriate signatures to complete the package.
- Submit the Grant Application package to SCDNR for their consideration.
- Coordinate with SCDNR as required to expedite the review/approvals process. *Limited to 2 hours of ATM professional labor.*
- Fill out and submit, on the City's behalf, SCDNR's reimbursement request form; *It is assumed that a single reimbursement request will be made for the entire system after procurement and installation.*

Note: It is assumed that the City has, or will acquire, a registered Data Universal Numbering System (DUNS) number and is, or will be, registered in the System for Award Management (SAM). These registrations are required to receive federal funding through the program.

The deliverable for this task will be a completed CVAP application with appropriate, supporting documentation.

TASK 3 – CONSTRUCTION ADMINISTRATION SERVICES

To ensure successful completion of the marina rehabilitation project, ATM will perform the following services during construction:

- Coordinate and participate in an on-site pre-construction meeting with the City, selected contractor, key sub-contractors, suppliers, etc. *It is assumed that this meeting will occur on site and will last two hours.*
- Facilitate regulatory commencement notification.
- Review floating dock, anchorage, gangway, fixed landing pier, and fuel hut calculations and shop drawings as provided by the contractor. It is assumed that the design package for these elements will be provided in a single, comprehensive package for review. This scope includes single review only to ensure consistency with design intent of the project, performance specifications, identified loading criteria, and regulatory permit conditions.
- Review miscellaneous contractor submittals (schedule, work plan, safety plan, hurricane preparedness plan, etc.).
- Review contractor materials submittals and product certifications.
- Review utilities shop drawings and materials submittals.
- Conduct ongoing observation of the project progress to include weekly site visits during active construction. Assume 10 site visits.
 - Document site observations via written memorandum reports and digital photography.
 - Document project progress and identified project challenges or issues.
- Review and certify contractor's applications for payment. ATM will ensure the applications properly reflect the work completed, properly account for procured/stored materials, and are certified in accordance with the contract requirements.
- Facilitate project close out
 - Conduct punch list inspection of all project components
 - Conduct audit of project documentation and close out of open items
 - Establish and execute Certificate of Substantial Completion and coordinate release of retainage/final payment
 - Facilitate regulatory close out
 - Facilitate completion of as-built, operations and maintenance, and warranty documents for the City/marina operator/project record. It is assumed that the as-built drawings will be produced by the installing contractor.

Deliverables for this task will include: pre-construction meeting agenda and minutes, response to provided submittals, site observation memoranda, certified payment applications, punch list summary memorandum, and project close out documentation.

SUMMARY OF PROFESSIONAL FEES

Task	Scope Element	Professional Fee
1	Water/Wastewater Permitting	\$6,500
2	CVAP Grant Application	\$5,000
3	Construction Administration Services	\$55,000

Notes:

1. The above includes professional labor fees and anticipated expenses, with the exception of permit application fees required by SCDHEC which are assumed to be paid directly by the City.
2. This scope assumes a 6-month project duration for the demolition of existing docks and appurtenances, procurement and installation of new docks and anchor pilings, and installation of associated marina utilities.
3. ATM services may be initiated immediately upon the acceptance of this proposal and execution of a contract amendment.