



## **Real Property Committee**

1:30 p.m., Monday, January 10, 2022  
1207 Palm Boulevard, Isle of Palms, SC  
Council Chambers

### **Public Comment:**

All citizens who wish to speak during the meeting must email their first and last name, address and topic to Nicole DeNeane, City Clerk, at [nicoled@iop.net](mailto:nicoled@iop.net) no later than **3:00 p.m. the day before the meeting**. Citizens may also provide written 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. **Election of Chair and Vice Chair**
3. **Approval of previous meeting's minutes** – November 1, 2021
4. **Citizens' Comments** – All comments have a time limit of three (3) minutes.
5. **Marina Tenants Comments**
6. **Old Business**
  - a. Update on marina dock rehabilitation project
  - b. Update on marina restaurant renovation by Marker116, LLC
  - c. Update on proposed public dock and greenspace at the IOP Marina
  - d. Update on ADA beach access improvements
  - e. Discussion of shared parking at marina
7. **New Business**
  - a. Discussion and consideration of proposal from ATM for the design and engineering of permitted improvements, including ADA gangway, of new public dock
  - b. Discussion of proposed pedestrian entrance to Municipal Parking Lot on Front Beach
8. **Miscellaneous Business**

Next meeting date: 1:30 p.m., Monday, February 7, 2022
9. **Executive Session** – If needed.
10. **Adjournment**



**REAL PROPERTY COMMITTEE**  
**1:30pm, Monday, November 1, 2021**  
**1207 Palm Boulevard, Isle of Palms, SC 29451**  
**and broadcasted live on YouTube: <https://www.youtube.com/user/cityofisleofpalms>**

**MINUTES**

**1. Call to order**

Present: Council members Moye, Popson and Streetman

Staff Present: Administrator Fragoso, Director Kerr

**2. Approval of previous meeting's minutes – October 4, 2021**

**MOTION:** Council Member Moye made a motion to approve the minutes of the October 4, 2021 meeting and Council Member Popson seconded the motion. The motion passed unanimously.

**3. Citizens' Comments -- none**

**4. Marina Tenant Comments -- none**

**5. Old business**

**A. Update on marina dock rehabilitation project**

Administrator Fragoso reported, "The contractor and subcontractor continue to work on the utilities installation for the charter docks. Over the weekend, the face dock...had some issues with the electric, and the main breaker continued to be tripping. From a notice I received today from the contractor, it seems like the issue has been identified and corrected."

She continued, "In terms of the schedule for charter docks and the fuel dock that continues as it's included here. We are expecting a revised detailed schedule from the contractor for the remaining phase for fuel dock and the fuel hut. We have been discussing that the construction of the fuel hut would be able to begin after mid-December, December 15<sup>th</sup>, and the schedule might be impacted by the holiday schedule." A January completion date is anticipated.

Council Member Moye asked if any change orders were expected from ATM since the last extension for construction oversight was to go through Thanksgiving. Administrator Fragoso replied, "The only change order that would be anticipated would be one that changes the schedule from November 19 to the new one, which is what I am waiting on from Salmon's. Once I have that schedule, I will have a discussion with ATM about their construction oversight to the completion of the project."

**B. Update on marina restaurant renovation by Marker 116, LLC**

Administrator Fragoso said that restaurant construction is “in full force.” Referring to a communication from the tenants in the meeting packet, she said the issue with the elevator needs to be discussed by the Committee. Bi-weekly construction meetings with Insight Group and the contractor continue.

**C. Consideration of request from Marker 116, LLC for the City to approve restaurant building plans without an elevator**

Director Kerr reported, “I did meet with Dave Lorenz down on site about [this] specifically. I think they had kind of exhausted the old location where we talked about this chair lift going up that back stairwell, which was problematic. I think I had it in my mind, and we had kind of talked about the idea of a lift on the back deck. I met there on site with Dave Lorenz and he indicated that while it may be feasibly possible that it was highly undesirable from a first an aesthetic standpoint of having those kinds of views obstructed from that porch, and secondly, from an operational standpoint, the shaft would have to be kind of in the same general location at the end of the bar that they have custom fitted to that back deck. So you know we talked kind of about endless options. It does not seem as though any of them either work from a practical standpoint or a desirability standpoint.”

Since there is an inconsistency between the approved plans and what is being built, the Committee and full City Council will need to take action.

Director Kerr agreed it appears all options have been exhausted. He did say that the issue has not been analyzed from a financial perspective. He said that Marker 116 did not indicate any financial hurdles with the elevator, but it does pose operational hurdles.

Administrator Fragoso added, “As part of our due diligence, we had Coast Architects, who is the architectural group that we worked with on the Public Safety Building Rehabilitation Project with, they reviewed the plans and the design and the issues that were raised by the tenants regarding the original location for the elevator. And they confirmed that it was challenging, and it was pushing into the bathrooms which are required to be ADA.”

Director Kerr pointed out that Marker 116 operates “under an exemption basically” such that the first floor must be fully accessible but the top floor does not have to be for the restaurant to be operational.

**MOTION: Council Member Moye made a motion to grant the request of Marker 116 to approve the modified plans that omit an elevator due to the structural and operational challenges and with all the options that have been exhausted. Council Member Popson seconded the motion.**

Council Member Moye said it will be necessary to outline for City Council and the public all that was done to exhaust the options.

Council Member Streetman said, “I want to go on record also and say that during this entire process and all this discussion that we have had in regards to the elevator and whether there

could be placement and it being included in the initial plans, I truly think and firmly believe that the Marker 116 group wanted to find a way to have an elevator there anyway because it was to their advantage. When there were talking about it having a commercial-grade elevator there that was going to help them get provisions to that upper-level kitchen during the morning restock, they would have that ready to go, and then have the elevator available for diners later in the day and evening. So it would have been to their benefit to have an elevator had they not run into the complication with the walks, with the pilings. And it does look certainly from the inside and where it was originally planned that just had to come off the table, just no way to really realistically do that, and particularly now that the restaurant is so far along, and I think we are all looking forward to seeing that restaurant open and it being extremely successful going forward. But I did want to go on record on that to say that I truly think the Marker 116 group looked for every avenue they could to include that elevator that was initially promised.”

**VOTE:           The motion passed unanimously.**

**D.       Consideration of Noise Control Agreement with Marker 116, LLC**

Administrator Fragoso said there is no update on the noise agreement. She would like for there to be a vote at the next City Council meeting since there can be no amplified music at the restaurant until it is approved. Council Member Moye noted that unless Marker 116 makes changes to the agreement, the Committee does not need to see it again.

**E.       Update on the proposed public dock and greenspace at the IOP Marina**

Administrator Fragoso said she has received a proposal from Davis & Floyd for the development of bid specifications for the greenspace area in the amount of \$8,900. It has not yet been activated because the case has not yet been fully adjudicated by the courts.

Staff has also met with Salmon’s on site to discuss the scope of work for cleaning up the public dock, which would include removing some of the wood storage areas and counterspace and retrofitting it to facilitate better public use.

She added, “We are also working on the next steps for the revisions to the exhibits for both the restaurant and the marina to demonstrate the changes that would be necessary that we’ve talked about that would require everybody’s cooperation to make the vision of a public area that only occupies the area that that this would be under the City’s control so that we can have that loop along the perimeter of the property. That is something Douglas and I have been working on and will continue to work on in coordination with the tenants at the marina, both the restaurant and the Marina Manager. The City is also waiting on ATM to provide some final quotes for what would be a kayak launching pad that would facilitate stand-up paddleboarding and kayak launching.”

The conceptual drawings approved by City Council are permitted by the Army Corp of Engineers but need to be fully engineered. Monies for such are not in FY22 but are built into the 10-year capital plan. She noted “there is no ADA-compliant gangway in that space, but that again would require us working with ATM on the development of a design specification, engineered drawings and specification, and we would have to bid that out. Unfortunately, that is

not something that would be done while Salmon's is still on site for an additional several months, but it is something that the City could pursue moving forward. The permits would not have to be adjusted for the ADA-compliant gangway or the launch pad but amended to note public use."

Should the public have input about the extension of the walkway around the perimeter of the property, they will be able to make comments via an online form on the City's website.

Council Member Streetman would like to have the discussion of the designated parking areas for residents with the full City Council.

#### **F. Update on ADA beach access improvements**

Director Kerr said the MobiMat at the 42<sup>nd</sup> Avenue Beach Access has been extended as far as it can and still be in compliance. It is under a regular maintenance plan with the City's landscape contractor.

The design plans for the 34A Beach Access are underway and expected in the first quarter of 2022. It could go out to bid sometime next year. "We are envisioning a parking space adjacent to the road, a concrete sidewalk as far out as we can go, and then a very low boardwalk out beyond the dunes, and then potentially, if we can get a MobiMat extended through a permit with OCRM, additional matting there. We feel good about that. That one also has some existing drainage problems that we hope to elevate that path out of the standing water in that area."

He reported that they have been discussing the issues at the 21<sup>st</sup> Avenue Beach Access with Dr. Smiley. The Public Works staff continues to struggle with keeping that mat from being completely engulfed by the primary dune. "What we are thinking of on that one is either constructing a new boardwalk, but we think that one will also have problems in that you get high above the primary dune, then you have to go back down at a very gradual slope to be ADA complaint. Or the other option, which is a leading option at this point is to remove the handrails at the end of the platform and basically grade the hard pack sand flat to where it naturally wants to go, and quit fighting it with shoveling it out, and then go to a program of having MobiMat from the platform out, so kind of making the last quarter of the path be very much like the path of 42<sup>nd</sup>."

Director Kerr said that Asst. Director Asero has been working on the 9<sup>th</sup> Avenue beach access, which has its own problem of a cliff that keeps building and receding. The dynamic nature of the area makes it challenging to keep it easily accessible.

Council Member Streetman asked about updates regarding OCRM to which Administrator Fragoso responded, "We made a request to OCRM regarding their position on how far from the dune, the seaward tow of the dune, the MobiMat may be extended. We asked whether OCRM would be open to approving it as sort of an exemption. They reviewed our request with their legal department and have responded to us saying that the avenue for the City to make such a request would be through submitting a general permit request for them to consider whether or not to allow us to extend the MobiMat. We reached back out to them when we received that information to let them know that the City did pursue that same process in 2016 without any

success. So our question to them has been whether there is anything that has changed since then that would allow the City to go through the general permit process for requests and it would yield a different result from OCRM. And as of today, we have not received a response.”

Council Member Streetman reported that Representative Bustos was told by OCRM that the City had been approved for three MobiMat extensions. Council Member Streetman and Administrator Fragoso are to meet with Representative Bustos this week to draft potential legislation regarding MobiMat extension.

Administrator Fragoso reported that the beach wheelchairs have been ordered and are expected to arrive in the next week or two. Meetings to discuss the program’s implementation have been set up with Public Safety. The program will be heavily advertised.

## **6. New Business**

### **A. Discussion of shared parking at marina**

Council Member Streetman said he would like this item to remain on the Real Property Committee agenda until there is a conclusion about free parking at the Marina for residents.

Council Member Moyer said, “For the record and for the public’s benefit, as a reminder, this marina was bought in 1999 for the sole purpose of providing access for residents to the water, and I think the input we have gotten on the shared parking over the four years I’ve been on Council has been fairly ambiguous. I have had a lot of armchair lawyers tell me how they interpret the clauses and I take all those with a grain of salt. But I think that what is missing is a definitive position from the City, and I would say I would like to challenge us to go to our legal team and say here is what we want as a Council, as a staff. We want our residents to enjoy free parking at the Marina. It seems like the shared parking is the place to do that, and what do we need to do from a legal perspective and in collaboration with the tenants.”

### **B. Discussion of 5-year update to the Local Comprehensive Beach Management Plan**

The City’s current Local Comprehensive Beach Management Plan was developed and approved in 2017. It is due for a local review only in 2022. Administrator Fragoso said she has reached out to Chris Jones and asked for a proposal for him to go through the review process and provide some guidance. There are budgeted funds for this expense in FY22.

She also has a meeting later this week with the OCRM representative that oversees this process with each beach municipality. She anticipates the 2018 beach renourishment and the additional beach parking to be added into the plan.

### **C. Discussion and consideration of eligible projects for Charleston County Greenbelt Program’s FY22 Winter Funding Cycle**

Administrator Fragoso suggested the boardwalk installation and addition of handicapped parking spaces at the 34A Beach Access and the greenspace at the public dock be submitted as projects for the Greenbelt Program’s FY22 Winter Funding Cycle. The deadline for application is January 28, 2022. It will require a vote of City Council and a resolution.

**MOTION:** Council Member Moye made a motion directing staff to take action to draft proposals for funding the public dock and greenspace as well as the 34A Beach Access walkover path. Council Member Streetman seconded the motion.

Council Member Popson expressed concern that the greenspace project would require a conservation easement if approved. Council Member Moye said there is a pathway through County Council and the Greenbelt Program to undo an easement if necessary.

**VOTE:** The motion passed unanimously.

**7. Miscellaneous Business**

The next meeting of the Real Property Committee will be held in January 2023 with the specific date to be announced at a later time.

Council Member Streetman thanked Council Member Moye and Council Member Popson for their work on the Real Property Committee over the past year.

**8. Adjournment**

Council Member Moye made a motion to adjourn and Council Member Popson seconded the motion. The meeting was adjourned at 2:39pm.

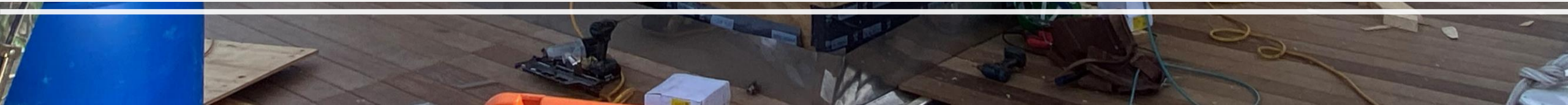
Respectfully submitted,

Nicole DeNeane  
City Clerk





IOP Marina Dock Project - Progress Update





# IOP Marina Restaurant - Progress Update

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# IOP Marina Restaurant - Progress Update

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# IOP Marina Restaurant - Progress Update

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# Conceptual Design for Municipal Parking Lot A Entrance

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# PROPOSAL FOR CONSULTING SERVICES

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ISLE OF PALMS MARINA – WATERSPORTS DOCK &  
INTRACOASTAL WATERWAY DOCK IMPROVEMENTS

ISLE OF PALMS, SOUTH CAROLINA

Prepared For:

City of Isle of Palms

Ms. Desiree Fragoso

November 19, 2021

***Important Notice:*** *The information contained in this proposal is confidential and proprietary to Applied Technology & Management. It is intended solely for the lawful use of the persons/parties named above and must not be used for any purpose other than its evaluation and must not be divulged to any other third party, in whole or in part, without the prior written permission of ATM.*



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## INTRODUCTION

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Applied Technology & Management (ATM) is pleased to present this proposal to assist the City of Isle of Palms with the conversion of the Watersports Dock at the Isle of Palms Marina to a public dock that provides paddle sports access/launching opportunities and the execution of the currently permitted improvements to the Intracoastal Dock.

Previously, ATM permitted improvements to the Watersports Dock to facilitate pedestrian access, relocate the dock out of the required AIWW construction offset, and to enable operation of the watersports rental business on the dock. The proposed conversion of dock to public access will require a change of use modification of the permit and, potentially, a new/revised Operations and Maintenance Manual. The work will also require engineering design and specification for new dock elements including floating dock, ADA gangway, kayak launch, anchorage, utilities, fixed dock modifications to accept the gangway, etc.

Also, ATM previously permitted modifications to the Intracoastal Dock that included removal of the partial-length finger piers and a shift of this dock waterward to create a large side-tie use dock situated in deeper water.

This proposal is intended to provide the City clarity on the current condition of each dock, feasibility of re-use of existing infrastructure in the proposed dock modification plans, and an updated estimate of construction cost for work on each dock. Additionally, this proposal provides an ala carte menu for the City to select permitting, engineering, bidding, and construction phase services for work on one or both docks.

ATM's specific proposed scope of services related to these efforts are summarized herein.

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## PROPOSED SCOPE OF WORK

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### Task 1 – Planning & Alternatives Analysis

In an effort to clearly define the proposed scope of work for each dock (Watersports Dock and Intracoastal Dock), ATM will conduct a rudimentary planning and alternatives analysis for each dock. This analysis will include:

- A basic, visual condition assessment of each dock, including piling, fixed and floating docks, gangways, utilities, etc.
- Based on the above, an estimate of remaining useful life on each dock and major dock element
- Conceptual alternative plans for the modification of each dock. Alternatives for each dock shall include an option that maximizes re-use of existing, viable infrastructure and an option that focuses more on the long-term sustainability of the proposed improvements (new infrastructure).
- Review available survey, geotechnical, design, and as-built data for each dock area.
- Conceptual construction cost estimates for each alternative to the City
- Review of the alternatives and costs with the City via personal meeting or video conference
- Review of City budgets and goals for each dock project
- Consideration of potential regulatory impacts, including preliminary discussions with OCRM and USACE
- Coordination with the local fire marshal regarding fire protection requirements for each dock

- Development of a consensus plan for each dock project
- Identification of any additional information needs (geotechnical data, survey data, etc.). *Note: No such studies are included herein.*

At the conclusion of this analysis, ATM will present the City with a summary memorandum report of our findings and recommended path forward.

### Task 2 – Watersports Dock Improvements

Previously, ATM permitted several improvements to the Watersports Dock, including inclusion of 11-jet ski jet docks, the addition of a new ADA gangway, and related infrastructure improvements. We understand that the City would like to explore the addition of a floating ADA kayak launch in lieu of the jet ski jet docks and a conversion of the dock from commercial use to public use. With this in mind, ATM proposes the following tasks related to the Watersports Dock improvement project:

- Task 2.1 - Regulatory Permitting
  - ATM will prepare and submit a letter request to the USACE and OCRM to facilitate the proposed changes in use and configuration. Pending the results of Task 1, we may also request permission to replace some or all of the existing floating docks in this area of the marina in their currently permitted footprint.
  - For purposes of this proposal, we have assumed that these changes can be handled by the agencies via letter modification request supported by appropriate drawing figures. *Note: Should an alternate permitting process be required after agency engagement in Task 1, ATM will revisit this task scope collaborate with the City on an appropriate, mutually agreeable path forward/contract modification*
- Task 2.2 – Design and Specification
  - Under this task ATM will prepare bid-level plans and specifications for the proposed improvements. For purposes of this proposal, we have assumed that these plans will include:
    - Engineering design of fixed pier modifications to accept new ADA gangway
    - Schematic Plan and Specification of new ADA gangway
    - Schematic Plan and Specification of new floating docks and anchor pilings
    - Schematic Plan and Specification of new ADA kayak launch

*Note: No utilities or improvements to the existing fixed pier/pier head are included (other than the modifications required to accept the new ADA gangway)*

  - *Should the local fire marshal require new fire suppression on this dock per Task 1, ATM will provide an additional scope/fee to accommodate this work.*
  - *No new survey or geotechnical investigations are included herein. Any such needs are expected to be defined during Task 1 efforts.*

### Task 3 – Intracoastal Dock Improvements

- At this time, no material changes to the use or configuration of the Intracoastal Dock are known that may affect the current permit that authorizes improvements/changes to this dock. Therefore, no regulatory work associated with this dock is included in this proposal.
- Task 3.1 – Design and Specification
  - Under this task ATM will prepare bid-level plans and specifications for the proposed improvements. For purposes of this proposal, we have assumed that these plans will include:
    - Engineering design of fixed pier modifications to accept new ADA gangway

- Schematic Plan and Specification of new ADA gangway
- Schematic Plan and Specification of new OR modified floating docks and anchor pilings, including demolition plan
- Engineering design of new potable water service (consider two dock tenants/metering include application for DHEC potable water system construction permit on the City's behalf.
- Engineering design of new electrical service (consider two dock tenants/metering)
- Engineering design of new fire suppression service, including dry standpipe system

*Note: No new survey or geotechnical investigations are included herein. Any such needs are expected to be defined during Task 1 efforts.*

#### Task 4 – Limited Bidding Support Services (per occurrence)

Under this task, ATM will provide limited bidding support services to facilitate the City's procurement process. For purposes of this proposal, we have priced this work on a per occurrence basis. As such, the scope of work below may apply to either bidding of a single dock improvement project, or both dock improvement projects under a single bidding effort. Should the two dock improvement projects be bid separately, the scope of work and fees indicated herein shall apply to each individual project.

This work will include:

- Compilation of a bid package for the proposed improvements to include:
  - Front end documents
    - Project Narrative/Invitation to Bid
    - Instructions to Bidders
    - Bid Form/Schedule of Values
    - Form of Contract
    - Insurance/Bonding Requirements
  - Bid Drawings
  - Technical Specifications
  - Technical Appendices
- Coordination with the City to advertise/distribute bid packages
- Coordination and leading a pre-bid meeting with the City and prospective bidders; *It is assumed that this meeting will be held onsite and will be one hour in duration.*
- Review and response to technical queries (RFIs) during the bidding process; Formal addenda will be developed and issued to bidders as needed. *Limited to 8 hours of ATM professional time for proposal purposes.*
- Technical review of received bids
  - Tabulate bids in MS Excel™ software for ease of comparison
  - Review bids to ensure thoroughness and adherence to bid requirements
- Formal recommendation for award to the City with regard to contractor selection
- Technical support to the City during negotiations with the selected contractor(s); *Limited to 2 hours of ATM professional time for proposal purposes.*

## Task 5 – Limited Construction Phase Services

Upon contractor selection and execution of the construction contract, the ATM team will provide construction-phase services to ensure that the works are being delivered in compliance with contract documents and to aid the City with the administration of the contract.

For purposes of this proposal, we are providing pricing for this task based on the following:

Task 5A – Assume Watersports Dock is the only portion of the project constructed

Task 5B – Assume Intracoastal Dock is the only portion of the project constructed

Task 5C – Assume both docks are constructed under a single construction contract

### *Task 5A – Watersports Dock Only*

We have assumed a six-month construction duration for purposes of this proposal, inclusive of shop drawing preparation, review, fabrication, shipping, and installation.

Our proposed construction phase services include:

- Coordination and participation in an onsite pre-construction meeting with the City, contractor, sub-contractors, suppliers, etc.; *It is assumed the meeting will be held onsite and will last one hour.*
- Regulatory commencement notification
- Establishment of project documentation protocols
- Review of miscellaneous contractor submittals (schedule, work plan, safety plan, hurricane preparedness plan, etc.)
- Review of contractor materials submittals and product certifications
- Review of gangway and floating dock design submittals (including new floating dock, anchor piling and kayak launch dock); *Assume two reviews only (initial and final) for proposal purposes.*
- Limited observation of ongoing construction works; *Assume four site observations for proposal purposes.*
- Coordination with selected contractor, City, and marina tenants, as required; *Limited to 4 hours of ATM professional time for proposal purposes.*
- Review and certification of contractor's Applications for Payment; ATM will ensure that the pay application properly reflects the work completed, accounts for procured materials stored onsite or elsewhere, and is produced in accordance with the contract requirements. *Assume up to five payment applications (total) for proposal purposes.*
- 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 release of retainage/final payment
  - Facilitate regulatory closeout
  - Review and compilation of as-built documents for the City/Project Record; *It is assumed that the as-built drawings will be produced by the installing Contractor.*

#### *Task 5B –Intracoastal Dock Only*

We have assumed a similar scope of services for this task to that described in 5A above, including the same the same construction duration. In addition to the scope items indicated in Task 5A, we have also provided for the following in this task:

- Review of the contractor's floating dock submittals which may include either a new floating dock or modifications to the existing dock in the event that our findings in Task 1 indicate that it should be re-purposed
- Review of utilities submittals (which is not included in Task 5A)
- Review of the utilities installation during construction

All other task efforts shall be as delineated in Task 5A.

#### *Task 5C – Both Docks*

Substantial efficiencies will be gained in terms of the costs of construction phase services if both projects are constructed during a single contract event (one contractor, both docks, concurrent project). Should the improvements to each dock occur under a single construction contract, ATM's scope of services shall be as described in both Tasks 5A and 5B with the exception that construction duration is anticipated to be one month longer (i.e. – seven-month construction duration). As such, one additional site visit and one additional payment application are contemplated in our proposed scope/fee under this task.



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## PROFESSIONAL FEES

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The total fees for the project are summarized below:

<b><i>FEE SUMMARY</i></b>	
Task 1 – Planning and Alternatives Analysis	\$6,500
Task 2.1 – Watersports Dock - Regulatory Permitting Services (allowance)	\$3,000
Task 2.2 – Watersports Dock – Design and Specification	\$13,000
Task 3.1 – Intracoastal Dock – Design and Specification	\$35,000
Task 4 – Limited Bidding Support (per occurrence)	\$7,500
Task 5A – Limited Construction Phase Services – Watersports Dock Only	\$23,000
Task 5B – Limited Construction Phase Services – Intracoastal Dock Only	\$28,000
Task 5C – Limited Construction Phase Services – Both Docks Constructed Under Single Construction Contract	\$30,000

Notes:

1. The fees shown for the above tasks, save for Task 2.1, represent lump sum fees for the scope of services as described herein, including professional labor and anticipated expenses. Task 2.1 shall be a not to exceed allowance that will be billed against on a time and materials basis.
2. For the purposes of this proposal, it is assumed that analysis of lateral loading on gangway access platforms is not required due to the limited size of the structures and increased lateral capacity which will be provided by the adjacent existing pier(s). It is further assumed that adequate information will be available to develop reasonable design assumptions with regard to required pile sizes and embedment depths. Detailed pile design analysis using engineering software or modelling programs is not included herein. Upon review of available information (Task 1), should additional information and/or analysis be required, ATM will provide additional scope/fee for such at that time.
3. ATM services may be initiated immediately upon the acceptance of this proposal and execution of an appropriate professional services agreement/contract amendment.
4. Should the selected contractor's proposed schedule vary from the project durations mentioned above, ATM reserves the right to revisit and appropriately adjust our scope and fee for this task effort. Additional monthly construction phase service fees, if required, are anticipated to be on the order of \$3,000/month.