

TOWN OF PALM BEACH

Information for Town Council Meeting on: May 8, 2018

TO: Mayor and Town Council

VIA: Kirk W. Blouin, Town Manager

FROM: H. Paul Brazil, P. E., Director of Public Works

RE: Waiver to Town Code 42-198 and 199 for the D-14 Stormwater Pump Station Improvements

DATE: April 16, 2018

STAFF RECOMMENDATION

Town staff recommends that the Town Council approve the waiver to Town Code 42-198 and 199 for working on Saturdays during the May 1st through November 30th construction season at the D-14 Pump Station.

GENERAL INFORMATION

At the February 13, 2018 Town Council meeting, Town Council approved Resolution No. 19-2018 awarding Murray Logan Construction the D-14 Stormwater Pump Station construction contract. This project is scheduled to be completed in November 2018. Also at the February 13, 2018 Town Council meeting, the second reading of Ordinance 03-2018 was approved. The change in the ordinance prohibits the “operation of certain machinery”, as described in Section 42-198 (a), on all Saturdays throughout the year. The D-14 project schedule is aggressive and includes working on Saturdays to be able to complete the project by November 30, 2018. The new ordinance Section 42-198 (b) (1) states, *“It shall be within the discretion of the Town Council when, in its opinion, the operation of any of the prohibited machinery or appliances mentioned in subsection (a) of this section shall not be overly offensive to the residents or inhabitants of the Town, in the vicinity of the equipment’s operation, to grant an exception to this section.”* The project location is on the northwest corner of the Society of The Four Arts campus. The Four Arts have been coordinated with and have indicated that they have no objection to the work occurring on Saturdays. The resident to the north of the property has been notified and does not oppose the work.

The removal of Saturday work from the contractor’s schedule will increase the project contract time; therefore, requiring work to continue beyond the construction season limits. In addition, the delay in completion could increase the cost of the project due to the time extension. Therefore, staff recommends that Town Council approve a waiver to the Town Code of Ordinance 42-198 and 199 allowing the contractor to operate machinery, on Saturdays in order for the project to remain on the original schedule.

FUNDING/FISCAL IMPACT

If approved, there is no funding/fiscal impact related to this item.

PURCHASING REVIEW

This item has been reviewed by the Purchasing Division and approved as recommended.

TOWN ATTORNEY REVIEW

This item has been reviewed and approved by the Town Attorney for legal form and sufficiency.

cc: Eric Brown, P.E., Assistant Director of Public Works
Patricia Strayer, P.E., Town Engineer
Jason Debrincat, P.E., Senior Project Engineer