Lynne Menniti

To:

Patricia Strayer

From: Russell Novak < rnovak@rogersgc.com>
Sent: Wednesday, December 22, 2021 8:32 AM

To: Patricia Strayer < PStrayer@TownofPalmBeach.com>

Cc: Paul Brazil < PBrazil@TownofPalmBeach.com >; John Rogers < irogers@rogersgc.com >; Patrick Segraves

<pat@skaarchitect.com>

Subject: 1191 North Lake Way - Remaining Activities

******Note: This email was sent from a source external to the Town of Palm Beach. Links or attachments should not be accessed unless expected from a trusted source. Additionally, all requests for information or changes to Town records should be verified for authenticity.******

Good morning Mrs. Strayer,

As discussed last week, here is a summary of the remaining activities on site at the 1191 North Lake Way project after December 27th:

- Final landscape small plantings and landscape light installation. All large trees and hedging are complete. All wiring for lighting complete. Remaining duration 1-2 weeks concurrently with work activities below
- Installation of the aluminum pergola structure in the Southwest corner. Slab is placed, only assembly of the structure remains. Remaining duration 2 weeks concurrently
- Cast stone finish for fountain feature (shell and plumbing completed), driveway apron stone (concrete slab completed), and East site wall caps (walls completed). All other exterior stone elements are complete. Remaining duration: 2-3 weeks concurrently
- Remaining final inspections for the interior renovation project: Elevator Final, Final Site Drainage and Certification, and Final Building.

These activities require limited manpower and will be resolved quickly after work is allowed to resume. Parking for this manpower will be confined to the project site, and we will be protecting the finished motor court with plywood to prevent damage. The only deliveries remaining will be on small trucks for the remaining cast stone, sod, and small plantings.

We appreciate your consideration and understanding of our efforts to complete the project in a timely manner for the homeowner. We apologize for the inconvenience this has caused your team.

Unfortunately

this last citation came during the homeowner move-in which is always a very challenging time period for logistics on a project.

If you have any questions or would like to discuss further in anticipation of the Town Council meeting, please let me know.

Thank you and I hope you have a great day and a great holiday,

Russell Novak rnovak@rogersgc.com 319 Clematis Street • Suite 909 West Palm Beach, FL 33401





December 15, 2021

Town of Palm Beach Public Works 360 South County Road Palm Beach, FL 33480

Re: 1191 North Lake Way Construction Parking Third Strike - Appeal Request

Mr. Brazil,

Rogers General Contracting is formally requesting the Third Construction Parking Strike for the project at 1191 North Lake Way, issued December 7, 2021, to be considered for retraction against the project record. Below is an explanation of the factors pertaining to our appeal request. The renovation project at 1191 North Lake Way is very close to completion, with nearly all final inspections secured and only landscaping and stone hardscape scope remaining, both of which are at roughly 90% complete. The homeowner and his family will be moving into the home on December 17, 2021 (this Friday) to spend the holiday together, and all furniture has been delivered and installed. Pertaining to our appeal request, I've included the details of the Second Parking Strike for this address, which we believe warrants reconsideration in this current circumstance as it was issued to a subcontractor not employed on this project or even any Rogers General Contracting (RGC) projects previously. We appreciate your time in reviewing the information herein, and we're hopeful that this information is sufficient to allow work to be completed on this project for the benefit of the homeowner and the adjacent residents as well.

1191 North Lake Way Second Parking Strike

The Second Construction Parking Strike, issued September 25, 2020, is worth detailing at this time as unfortunately it was wrongfully attributed to our project record and went without a formal request of appeal from our team. The citation was issued for a cabinetry subcontractor from another project (Bon Vivant Cabinetry) who parked their work van on the shoulder of North Lake Way, in front of our jobsite at 1191, to buy lunch from the lunch truck that was parked (legally) on our site at the time. Code Enforcement witnessed the van park, and the workers exit to the lunch truck on our site, at which time that cabinetry van was ticketed. This ticket was incorrectly attributed as a strike against our project as this was not a contracted vendor for our project. We're happy to provide documentation or allow examination of our company records which will indicate that we have never worked with Bon Vivant Cabinetry in any capacity. Following the second strike, we immediately began the employment of a full-time parking attendant to monitor the street (nearly 1 year ago), and we have also subsequently begun shuttling workers to the project site to better manage the parking logistics as we complete the project. When the second strike citation was issued, RGC decided to pay the fine in good faith to avoid conflict with the Town and with Code Enforcement. In hindsight, an appeal should have been requested for this second strike in a timely manner to allow all parties to discuss the facts in further detail with the Code Enforcement team to explain the situation. I'm confident reason would have prevailed in this case, and we may not be in our current predicament.

Project Completion Status

As of today, the main home interiors are 100% complete and furniture is in place for the homeowner move-in this Friday. The hardscape stone and landscape work are in the final stages and are roughly 90% complete as well. We have been working hard to expedite the total completion for the homeowner as well as the neighboring residents to minimize our activities as much as possible during the Season. Unfortunately, the construction parking strike on December 7, 2021 (detailed below) came while the homeowner was delivering/sorting/installing their furniture, which exacerbated our parking logistical challenges.

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December 7, 2021 Parking Citation

At the time of this most recent citation (more than 1 year from the second citation), the homeowner had an RSVP Moving box truck parked in the driveway delivering furniture for their 12/17/21 move-in. On this day, we were also installing the cast stone in the motor court, so the box truck was occupying the only parking space available on site. A van from Patterson's Cabinetry had parked temporarily on the corner of North Lake Way and Nightingale so their worker could retrieve his tools from the home and leave for another project. As noted above, we have a competent full-time parking attendant to help mitigate our challenges, however he could not get the vehicle moved before the Public Works attendant issued the citation. Also involved were a Florida Utilities gas vehicle that was making an emergency repair to a broken gas line on the site, and a roaming supervisor vehicle for the cast stone company that was confirming his crew was on site. The supervisor vehicle went unnoticed by our parking attendant as the truck was parked further away and the attendant mistakenly thought it was for the construction site on Nightingale.

1191 North Lake Way Logistics and Efforts at Compliance

The logistics of parking for any construction project on North Lake Way is very challenging. On this project specifically, our logistics have become extremely difficult recently as the hardscape design limits our parking on site severely. The key remaining activity is completing the cast stone and river rock in the motor court and driveway, which limits our parking to only one vehicle parked on site at any time. In addition, because there is no street parking on North Lake Way, we are unable to secure Construction Parking Permits, which only magnifies the difficulties. As mentioned above, we've programmed means of mitigating the parking challenges and complying with the Construction Parking Rules. We've been shuttling the workers from remote parking areas, and the parking attendant has helped significantly following the second strike. This added cost has been approved and even driven by the homeowner to make a good faith effort at complying with the Construction Parking Rules. We've placed the parking attendant at the project entrance for nearly a year now, and up until the December 7 incident he has done a great job of keeping the parking in check. Unfortunately, the December 7 incident was a "perfect storm" of bad timing as we make our final push to project completion and the homeowner move-in.

Conclusion

Rogers General Contracting has many current and completed projects in the Town of Palm Beach. This is our first "Strike 3" for Construction Parking. We consistently approach the Construction Parking Rules with the utmost importance and always take extra measures to ensure we're compliant. We understand the importance of monitoring and coordinating the project sites both in parking as well as cleanliness and organization for the overall aesthetic of the Town and its residents. The owner of RGC is a resident of the Town of Palm Beach, and as such is constantly enforcing our company guidelines regarding site management. As a team we are dedicated to valuing and adhering to the rules of the Town.

We're respectfully requesting that this Third Strike be repealed, allowing us to complete the project in a timely manner for the homeowner and for the benefit of the surrounding residents as well. We're happy to discuss this issue further with you or meet on the project site if it is beneficial.

If you have any questions, please call me at 386-846-8642. Thank you for your consideration,

Russell Novak Project Manager