

TOWN OF PALM BEACH

Information for Town Council Meeting on: November 8, 2022

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 for Construction Hours and Authorize Additional Appropriation for the North Ocean Seawall Repair and Painting Project
Resolution No. 139-2022

Date: October 25, 2022

STAFF RECOMMENDATION

Town staff recommends that Town Council approve Resolution No. 139-2022 authorizing an additional appropriation to the construction phase budget for the North Ocean Seawall Repair and Painting Project in the amount of \$110,845 which increases the Construction Phase Budget from \$264,155 to \$375,000.

Staff recommends that Town Council approve the waiver of the Town Code of Ordinances 42-196 through 199 and 42-226 through 229, restrictions for construction hours, work during season, for the North Ocean Seawall Repair and painting.

GENERAL INFORMATION

The Town Council approved Resolution No. 071-2022 on June 14, 2022 awarding Bid No. 2022-12 and construction contract to Lambert Brothers, Inc. in the amount of \$229,700 and established a Construction Phase Budget of \$264,155.

Because of shortages in materials and excessively long times to receive the approved repair products, the contractor has requested additional time to complete the project. The nature and complexities of the project Scope of Work do not allow for stopping the project activities and resuming next summer. Pending the delivery times and quantity of materials delivered, the contractor will work as quickly as possible to complete the project. Staff has reached out to the Palm Beach Country Club and made them aware of the situation and will work with them to insure there is minimal or no impacts to their operations. Staff does not anticipate any impacts to traffic as all work is outside the roadway on the seawall. To allow for this work to be completed, staff recommends a waiver to Section 42-196 through Section 42-199 of the Town Code of Ordinances to allow for work in season. Staff also recommends a waiver to the Noise Ordinance, Section 42-226 through Section 42-229 of the Town Code of Ordinances.

Another major reason for continuing the repairs and not stopping for season, is the potential for the number of repairs to continue to increase. Our consultant, Kimley-Horn & Associates, Inc., visited the site and confirmed the quantity of repairs has increased significantly since it was last inspected in late 2021 and from which the bid is based on. Staff is requesting the project budget be increased to account for the additional repairs needed to complete the seawall restoration and painting of the North Ocean Seawall. Staff and their consultants have projected that the number of additional repairs to the seawall to complete the project will exceed the contingency and are requesting an increase. We are asking the funding for the Construction Phase Budget to be increased from \$264,155 to \$375,000.

FUNDING/FISCAL IMPACT

This project and the change order is funded through the Coastal Protection Fund.

PROCUREMENT & CONTRACT MANAGEMENT DEPARTMENT REVIEW

This item has been reviewed by the Procurement & Contract Management Department and approved as recommended.

TOWN ATTORNEY REVIEW

This format has been utilized by the Town in previous recommendations and was approved by the Town Attorney.

cc: Patricia Strayer, P.E., Town Engineer
Jason Debrincat, P.E., Senior Project Engineer