



Memorandum

Memorandum No: 21-043

Date: May 20, 2021

To: Honorable Mayor and Commissioners

From: Chris Lagerbloom, ICMA-CM, City Manager

Re: Henry E. Kinney Tunnel Construction Working Hours

At the December 15, 2020 City Commission Conference meeting, representatives from the Florida Department of Transportation (FDOT) gave a presentation on the Henry E. Kinney Tunnel Top Park Project, which included a night and weekend construction work plan. In this proposal, allowing night and weekend work would shorten the duration of construction by four months. During the presentation, there was discussion on FDOT formally requesting an exemption from the Noise Ordinance by way submitting a Noise Management plan to the City Manager for his review and approval.

Since the December 15, 2020 meeting, there have been further discussions with City staff and FDOT on other ways to move forward with the night and weekend work plan. In recent letter from FDOT, there was reference to Florida Statue (F.S 335.20) which exempts FDOT from local ordinances, such as the City's noise ordinance. FDOT has notified the City of their working hours for the tunnel rehabilitation project:

- Monday - Thursday: 7:00 AM to 10:00 PM
- Friday and Saturday: 7:00 AM to 5:00 PM
- Sunday: 9:00 AM to 5:00 PM

FDOT will work with the contractor to minimize noise impacts when possible. Prior to and during the construction phase of the project, FDOT will lead public outreach efforts, including informational flyers to residents, project kick-off meetings open to the public and weekly progress meetings in which the City is welcome to attend. FDOT is prepared to provide update briefings at City Commission meetings, as needed.

If you have any questions, please contact Ben Rogers, Director of Transportation and Mobility, at brogers@fortlauderdale.gov.

Attachment: May 13, 2021 Letter from Florida Department of Transportation

c: Tarlesha W. Smith, Esq., Assistant City Manager
Greg Chavarria, Assistant City Manager
Alain E. Boileau, City Attorney
Jeffrey A. Modarelli, City Clerk
John C. Herbst, City Auditor
Department Directors
CMO Managers



Florida Department of Transportation

RON DESANTIS
GOVERNOR

3400 West Commercial Boulevard
Fort Lauderdale, FL 33309

KEVIN J. THIBAUT, P.E.
SECRETARY

May 18, 2021

Mr. Greg Chavarria, Assistant City Manager
City of Fort Lauderdale
100 North Andrew Avenue
Fort Lauderdale, FL 33301
SENT VIA EMAIL

Re: Henry E. Kinney Tunnel Project and Tunnel Top Plaza
FM Nos.: 439714-1-52-01 and 439714-1-52-02

Dear Mr. Chavarria:

Thank you and the City of Fort Lauderdale staff again for meeting with the Florida Department of Transportation (Department) on May 11, 2021 to discuss the above referenced project. As stated in the meeting, the Department has worked very closely with the City of Fort Lauderdale Staff and Commissioners to make this project a success for the City of Ft Lauderdale and the traveling public. It is the Department's mission is to provide a safe transportation system that ensures the mobility of people and goods, enhances economic prosperity, and preserves the quality of our environment and communities. The Henry E. Kinney Tunnel and Tunnel Top Plaza project is in support of this mission and the Department appreciates the continued support and coordination with the City.

As you are aware the project is on schedule for the bid opening (Letting) at the end of the month (May 26th) with construction scheduled to begin later this year.

The Department understands the unique challenges the project presents within the heart of downtown Fort Lauderdale. To balance the unique challenges of the corridor and minimize the duration of the impacts to the public and City, the Department has established the following lane closure timeframes in the contract:

All work shall be performed during the following hours:

- 7:00 AM to 10:00 PM (Monday – Thursday)
- 7:00 AM to 5:00 PM (Friday – Saturday)
- 9:00 AM to 5:00 PM (Sunday)

Any work performed outside of these hours must be approved by the City of Fort Lauderdale City Manager or designee at least fourteen days prior to starting the work.

Work performed during scheme 5 (full tunnel closure with detour) and milling and resurfacing operations are exempt from the above work hour time restrictions.

Mr. Greg Chavarria, Assistant City Manager
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Furthermore, the Department has established project bonuses to incentivize the Contractor to complete key elements of the contract in a timely and expeditious manner. Examples of these are the full detour of the tunnel and focusing the work on the plaza area outside of the high season.

Of a key importance to the Department is the community awareness and outreach effort. The Department has assigned a project Community Outreach Specialist (COS) to lead the efforts in conjunction with the construction project team. This COS liaison will be in communication with City staff, informing them of upcoming construction activities and lane and road closures for notifying the public in advance. Informational flyers will be sent out to all residences in the area with project information on major milestone construction activities. Currently, the project is on schedule for bid opening (letting) for May 26, 2021, with notice to proceed in August 2021 and a construction time estimate of 701 days. Once the contractor is awarded the project, a construction schedule will be submitted with more detailed milestones that can be shared with the City, including updates to the construction schedule. The assigned Department construction team will host project kick-off meetings that are open to the public and a pre-construction meeting with the contractor and stakeholders. Additionally, the City is also invited to attend weekly progress meetings with the contractor and construction administration could give briefings at regular commission meetings if required.

As you may be aware Florida Statute (F.S. 335.02) exempts the Department from local ordinances, such as the City's noise ordinance. The Department will continue to exercise "good neighbor" principles with the City of Fort Lauderdale and will work with the contractor to minimize noise impacts when possible. Please see the link below to the referenced Florida Statute:

http://www.leg.state.fl.us/statutes/index.cfm?mode=View%20Statutes&SubMenu=1&App_mode=Display_Statute&Search_String=335.02&URL=0300-0399/0335/Sections/0335.02.html

The Department looks forward to continued partnership with the City on completing this important roadway project; to rehabilitate the Henry Kinney Tunnel and construct the new tunnel top pedestrian plaza. Please feel free to contact me at (954) 777 -4474 or via email at Anson.Sonnett@dot.state.fl.us, should you have any questions or concerns.

Sincerely,



Anson Sonnett, P.E.
FDOT Project Manager

AS:rwj

c.c. Project File