



## Legislation Text

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**File #:** 03845, **Version:** 1

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### **Fiscal Note**

No funds Required

### **Title**

Approving temporary construction work with associated noise impacts between the hours of 7:00 PM and 7:00 AM on East Washington Avenue from Second Street to STH 30. (6th AD, 12th AD, & 15th AD)

### **Body**

#### PREAMBLE

The reconstruction of East Washington Avenue between Blair Street and Thierer Road is divided into 5 phases. The fourth phase of construction is referred to as Segment 3 and consists of the reconstruction of East Washington Avenue from Second Street to STH 30, reconstructing Milwaukee Street at the intersection with East Washington Ave, constructing a pedestrian overpass at Marquette Street, constructing the portion of the Starkweather Creek Bike Path from Darbo Drive to Commercial Ave and constructing a new signalized intersection at Sixth Street. The Construction of Segment 3 is planned for 2007. The construction of Segment 3 cannot be built between the hours of 7:00 AM and 7:00 PM because:

1. The amount of construction needed to complete the project exceeds the amount of production that a Contractor can reasonably be expected to achieve, even with the extra crews.
2. Sawcutting of concrete pavements after the pouring of the pavement must be done about 12 hours after the installation. The concrete must be hard enough to hold the machinery. The sawcutting must be done soon enough so that the sawcutting occurs before the pavement cracks.
3. Certain activities will disrupt live traffic lanes causing severe disruption and delay.

The proposed activities beyond the hours of 7:00 AM to 7:00 PM are as follows:

1. The sawing of concrete pavement. The timing of this activity is dependent on the rate at which the concrete cures. Sawing will be allowed at any time however the contractor should avoid the hours of 9:00 PM to 7:00 AM when possible.
2. General construction activities between the hours of 7:00 PM and 9:00 PM. This extends the work day to 7:00 AM to 9:00 PM. The intent is to provide the contractor with the ability to work extended hours. The design team is very concerned about the ability of the contractor to complete the work prior to the end of the construction season which is on or about December 1. In addition to the General Contractor and subcontractors, this provision shall apply to utilities and their contractors doing coordinated work during the project construction.
3. Watermain, storm sewer, private utility and sanitary sewer construction near or under live travel lanes. This is for the construction of laterals and utility crossings. The contractor shall make every effort to limit this construction to the hours of 7:00 AM to 9:00 PM but shall be allowed to work beyond those hours if determined necessary by the Project Engineer with concurrence of the City Engineer or designee.
4. Concrete paving between the hours of 6:00 AM and 7:00 AM and between 7:00 PM and 9:00 PM. This extends the work day for the concrete paving crews to 6:00 AM to 9:00 PM. The intent is to provide the contractor with the ability to work extended hours. The concrete paving operations are lengthy operations and dependent on the weather. Concrete paving crews often need to begin early in order to complete the work in a single day or to avoid weather conditions that would otherwise prevent the paving from taking place.
5. Water services laterals, sanitary sewer laterals and private utility services to businesses where a hardship exists for the business. Construction of service laterals to businesses can create a significant hardship for businesses especially restaurants that must have a constant flow of water. The contractor shall make every effort to limit this

construction to the hours of 7:00 AM to 9:00 PM but shall be allowed to work beyond those hours if determined necessary by the Project Engineer with concurrence of the City Engineer or designee.

Construction activities generally exceed the noise limits imposed by the Madison General Ordinances and temporary construction activity between the hours of 7:00 AM to 7:00 PM is allowed to exceed the noise limits imposed by the Madison General Ordinances. Madison General Ordinance section 24.08(3) provides the Common Council the ability to allow construction activities, with associated noise impacts, outside of the hours of 7:00 AM to 7:00 PM. with the passage of a resolution.

NOW THEREFORE BE IT RESOLVED, that construction work, with associated noise impacts, between the hours of 7:00 PM and 7:00 AM on East Washington Avenue Segment 3 are hereby approved in accordance with section 24.08(3) of the Madison General Ordinances, and

BE IT FURTHER RESOLVED, that the construction activities outside of the hours of 7:00 AM to 7:00 PM are limited to those activities identified in this resolution and are limited to the hours specified, and

BE IT FURTHER RESOLVED, that the approval of the construction work, as provided in this resolution shall expire upon the completion of the construction of Segment 3 but not later than December 31, 2008.