

COUNTY COUNCIL OF BEAUFORT COUNTY
 ADMINISTRATION BUILDING
 BEAUFORT COUNTY GOVERNMENT ROBERT SMALLS COMPLEX
 100 RIBAUT ROAD
 POST OFFICE DRAWER 1228
 BEAUFORT, SOUTH CAROLINA 29901-1228
 TELEPHONE: (843) 255-2180
 www.bcgov.net

D. PAUL SOMMERVILLE
 CHAIRMAN

GERALD W. STEWART
 VICE CHAIRMAN

COUNCIL MEMBERS

RICK CAPORALE
 MICHAEL E. COVERT
 GERALD DAWSON
 BRIAN E. FLEWELLING
 STEVEN G. FOBES
 YORK GLOVER, SR.
 ALICE G. HOWARD
 STEWART H. RODMAN
 ROBERTS "TABOR" VAUX

GARY T. KUBIC
 COUNTY ADMINISTRATOR

JOSHUA A. GRUBER
 DEPUTY COUNTY ADMINISTRATOR

THOMAS J. KEAVENY, II
 COUNTY ATTORNEY

ASHLEY M. BENNETT
 CLERK TO COUNCIL

AGENDA PUBLIC FACILITIES COMMITTEE

Monday, April 17, 2017

3:00 p.m.

Executive Conference Room, Administration Building
 Beaufort County Government Robert Smalls Complex
 100 Ribaut Road, Beaufort

Committee Members:
 Stu Rodman, Chairman
 York Glover, Vice Chairman
 Rick Caporale
 Michael Covert
 Alice Howard
 Jerry Stewart
 Roberts "Tabor" Vaux

Staff Support:
 Colin Kinton, Division Director
 Transportation Engineering
 Eric Larson, Division Director
 Environmental Engineering
 Robert McFee, Division Director
 Facilities and Construction Engineering

1. CALL TO ORDER – 3:00 P.M.
2. CHANGE ORDER / BOUNDARY STREET PROJECT / ADDITIONAL DUCT BANK SERVICE IMPACTS (\$628,000) (backup)
3. DISCUSSION / DAUFUSKIE ISLAND PARK TRAIL & AMENITIES CONSTRUCTION
4. AN ORDINANCE REGULATING THE OPERATION OF GOLF CARTS ON PUBLIC STREETS AND SECONDARY HIGHWAYS ON DAUFUSKIE ISLAND (backup)
5. DISCUSSION / SIDEWALKS AND PATHWAYS TO INCLUDE ADVISORY BOARD TO BEST ADVISE COUNCIL (backup)
6. DIALOG WITH STAFF / OPEN ISSUES / FUTURE AGENDA ITEMS
 - A. Marshside Mama Sublease Agreements
 - B. Myrtle Park Office Complex
 - C. Local Preference Update
 - D. Solid Waste and Recycling
 - E. Plantation Business Park Road Transfer

7. ADJOURNMENT

2017 Strategic Plan Committee Assignments
 Long-Term County Offices Plan
 Detention Center (\$3 Million)
 Solid Waste curbside Pick Up/Recycling Implementation
 County Facilities Condition Assessment and Plan
 County Roads Update/Financing Plan
 Arthur Horne Building





COUNTY COUNCIL OF BEAUFORT COUNTY
BEAUFORT COUNTY ENGINEERING DEPARTMENT
104 Industrial Village Road, Building #3, Beaufort, SC 29906
Post Office Drawer 1228, Beaufort, SC 29901-1228
Telephone: 843-255-2700 Facsimile: 843-255-9420

TO: Councilman Stewart Rodman, Chairman, Public Facilities Committee

VIA: Gary Kubic, County Administrator *GKubic*
Josh Gruber, Deputy County Administrator *JG*
Alicia Holland, Assistant County Administrator for Finance *AH*

FROM: Robert McFee, PE, Division Director for Construction, Engineering & Facilities *J.R. McFee*

SUBJ: **Change Orders #12 & #13 for Boundary Street Redevelopment Construction**

DATE: April 11, 2017

BACKGROUND. In order to comply with the FHWA TIGER III Grant and timeline requirements, the Boundary Street Redevelopment Project was advertised for bid in May 2015 and Beaufort County awarded the construction contract to Preferred Materials, Inc., (PMI) for \$18,765,274 on September 14, 2015.

1. **Change Order #12** - At the time of project advertisement and contract award, final plans for the underground services to businesses had not been completed by the utility companies. Since commencement of construction in early 2016, the project team has worked diligently with the utilities, landowners, businesses and the City of Beaufort to develop the final detailed utility relocation plans for the Boundary Street corridor. These plans were completed in early 2017 and the contractor, PMI, was able to price this remaining work. Change Order #12 totaling \$628,688 has been submitted by the contractor, reviewed and recommended for approval by the project's construction management firm, Infrastructure Consulting & Engineering (ICE).

City and County staff have evaluated Change Order #12 and recommend that it be approved. The underground placement of the overhead utilities provides many benefits such as greater storm resilience and improved safety.

Undergrounding of the overhead utilities is financed through an agreement with SCE&G and the City of Beaufort. The City is working with the various utility companies on a reimbursement agreement.

2. **Change Order #13** - One of the components of the Boundary Street Redevelopment Project is the raised landscaped median in the reconstructed roadway. This raised median contains an extensive underdrain system. It has been determined that this underdrain system will not be necessary due to the soil type and median planting materials. Therefore, deduction Change Order #13 totaling -\$458,239 has been prepared and submitted for approval.

Total change orders to date including Change Orders 12 & 13 is \$460,581 with an overall contract value of \$19,225,966.

AH **FUNDING.** Change Order #12 will be funded from the Boundary Street Redevelopment total budget of \$33,573,358 which is provided by TIGER Grant, County Sales Tax Fund, County Road Impact Fee and City of Beaufort TIF II. Change Order #13 will be deducted from the encumbered purchase order balance for PMI. PMI's overall encumbered to date purchase order total will increase the net amount of \$170,449 for Change Orders 12 & 13.

FOR ACTION. Public Facilities Committee Meeting on April 17, 2017.

RECOMMENDATION

1. That the Public Facilities Committee approve and recommend to County Council approval of Change Order #12 to Preferred Materials, Inc., (PMI), for underground placement of utilities as part of the Boundary Street Redevelopment in the amount of \$628,688 from the funding sources listed above.

2. That the Public Facilities Committee approve and recommend to County Council acceptance of deduct Change Order #13 totaling -\$458,239 which will be applied to PMI's current encumbered purchase order balance.

JRM/mjh

Attachments: 1) Change Order 12 with ICE 3/27/17 Correspondence
2) 3/24/17 Senior Project Manager, City of Beaufort White Paper
3) Change Order 13 with ICE 4/4/17 Memo

cc: Kathy Todd

BStReDevlop/CO 12 & 13

Change Order Report

Contract ID: LPA07.036939A

Change Order Nbr: 012 Force Acct ID: 0

Change Order Type: Standard Change Order

CO Description: Boundary St. Left Side Ductbank & First St. Ductbank Impacts

Zero Dollar Change Order: No

Project Nbr	Itm Nbr	Catg	Item Code	Unit	Unit Price	Bid Qty	Prev Apprvd Qty	Curr CO Qty	Curr Apprvd Qty	Amount of Change	
0036939RD01	2022	1	9800100	LS	\$436,556.89	0	0	1	0	This Chng: \$436,556.89	
Item Description CHANGE ORDER ITEM				CO Item Description Boundary Street Left Side Ductbank Impacts				Prev Revised: \$0.00			
Supplemental Description1 Boundary Street Left Side Ductbank Impacts								New Revised: \$436,556.89			
Supplemental Description2								Bid Contract: \$0.00			
								Net Change: \$436,556.89			
								Pct Change:			
0036939RD01	5211	4	9800100	LS	\$192,131.75	0	0	1	0	This Chng: \$192,131.75	
Item Description CHANGE ORDER ITEM				CO Item Description First Street Ductbank Impacts				Prev Revised: \$0.00			
Supplemental Description1 First Street Ductbank Impacts								New Revised: \$192,131.75			
Supplemental Description2								Bid Contract: \$0.00			
								Net Change: \$192,131.75			
								Pct Change:			

Total Value for Change Order 012 = \$628,688.64

Change Order Report: Contract Completion Date Time Adjustment

Original Compl Date: 2017/12/30 Adj Compl Date: 2018/06/20 Adj No. of Days: 122

Explanation: One hundred twenty-two (122) days are granted as additional time for the Boundary Street left side ductbank impacts and the First Street ductbank impacts as associated with this change order.

General or Standard Change Order Explanation

This change order is necessary to resolve impacts associated with the First Street and Boundary Street Left Side Duct Bank. Impacts include duct bank detail changes; additional staking for utility coordination; and material and labor for installing additional conduit fittings.

Prices have been verified by the City of Beaufort staff and CEI consultants.

This brings the contract total to date to \$19,684,205.34 which overruns the original contract by a cumulative percentage of 4.90%

Pursuant to Section 104.05 of the Standard Specifications on the above referred to project, I/we (Prime Contractor), do hereby agree to the unit price stipulated above, for performing the work items listed, as part of my/our contract on this project. The work shall be performed under and in accordance with the specifications and contract requirements of our contract. The compensation and time extension, (if any), provided in this supplemental agreement constitute complete satisfaction for all direct, indirect, impact, and delay costs relating to this work.

JUSTIFICATION OF COST:

FIRM: Robert B. Royal Date: 3-28-17

Preferred Materials, Inc.

ROBERT B. ROYAL

Based upon quantities involved, field conditions and type of construction, these prices are reasonable.

Recommended by: Jared Fralix Date: 3-29-17

Reviewed by (City): _____ Date: _____

Reviewed by (County): _____ Date: _____

Accepted by (City): _____ Date: _____

Accepted by (County): _____ Date: _____

[Handwritten signature]

March 24, 2017

Correspondence #1015 C-023B

Mr. Jared Fralix, PE
CE&I Project Manager
ICE
26 John Galt Road
Beaufort, SC 29906

RE: Left Side Duct Bank Revisions
IFB # 062315E US 21 Business (Boundary Street) and First Street Improvements

Dear Mr. Fralix,

Preferred Materials, Inc (PMI) received a revised set of drawings for the Left Side Duct Bank January 25, 2017. There have been significant changes to the contract documents related to the duct bank construction and the time associated with said construction. While PMI appreciates all involved in facilitating these revisions and helping clarify design issues, there has been so many changes that PMI and our subcontractors have not finalized pricing until now. The majority of the changes are related to the addition of new duct configurations, location changes to the turn-out and termination details (and/or structures), field coordination with the existing utilities, several horizontal and vertical alignment changes related to utility conflicts, coupled with additional survey, additional traffic control, and project maintenance to facilitate and build said revisions, and others.

The changes in the duct bank turn-out and turn-up (structure) details are summated in the attached breakdown. Further, PMI field staff has maintained both the Traffic Control and project as a whole to facilitate the additional construction activities related to the duct bank work. For simplicity and in attempt to keep the project moving forward, PMI has summated these costs as \$1100.00 per day, and intentionally did not charge anything for the delays experienced on the right side duct bank changes. Moving forward, PMI will need compensation for the additional time necessary to complete the duct bank. There are also additional survey costs from our subcontractor Don Smith.

These revisions will cause PMI to incur substantial impacts to both project cost and schedule. PMI requests an equitable adjustment for the duct bank revisions in the amount of \$628,688.64 as compensation for the changes identified above, accompanied by a time extension to the project of 87

working days or 122 calendar days. This would be final compensation for the entirety of the duct bank work, inclusive of First Street, for the entire project. A summation of these changes is listed below:

Description	Quantity	Unit	Sub Cost	Unit Price	Total
First Street Changes	1	LS	\$142,604.23	\$156,864.65	\$156,864.65
Left Side Duct Bank Changes	1	LS	\$322,060.90	\$354,266.99	\$354,266.99
Additional Survey	1	LS	\$19,870.00	\$21,857.00	\$21,857.00
Traffic Control and Project Maintenance	87	DAY	\$1,100.00	\$1,100.00	\$95,700.00
					\$628,688.64

As you are aware, time is of the essence and PMI will need written direction to proceed with these changes. PMI will need such direction by March 10, 2017 to avoid further delay. Please consider this request and respond with any questions or concerns. Feel free to contact me at micah.shultzman@preferredmaterials.com or by phone at 864-444-0149. Thank you for your time and consideration.

Respectfully,



Micah Shultzman
Project Manager

CC: Job File 761015
Jeffrey Andrews, OM APAC
Robert Royal, AM APAC

March 27, 2017

Micah Shultzman
Project Manager
Preferred Materials
47 Telfair Place
Savannah, GA 31415

RE: Left Side Ductbank Revisions
IFB # 062315E US 21 Business (Boundary Street) and First Street Improvements

Dear Mr. Shultzman,

We have received your letter Left Side Duct Bank Revisions – IFB #062315E US 21 (Boundary Street) and First Street Improvements dated March 24, 2017 and have completed our review. Per the letter, you are requesting compensation for additional duct bank scope related to the additional conduit turn-outs and the conduit turn-ups. The values associated are an equitable adjustment of \$628,688.64 and a time extension of 122 days. We concur that these extra conduits are an addition to the scope of the contract and that an adjustment is warranted.

As mentioned in our initial response letter on March 3, 2017, we agreed with the logic used to determine net gain/loss of ductbank scope as provided in the final plan updates provided by ICE on January 25, 2017 versus the original ductbank plans. In the time since, we have met with you and your subcontractor Barnett Southern to analyze the plan changes on a detailed level, structure by structure. After this exercise, we concur with the quantities provided, the time associated with the additional quantities at each structure, and total number of equivalent days required providing an extension of 87 work days (122 calendar days).

The cost portion of the adjustment was also reviewed. The cost impact is directly related to the extra materials and additional time spent constructing the duct bank. Due to the complexity of the details we concur with the daily cost associated with the duct configuration of \$3,160.50/day. We also recognize and cost associated with the traffic control to extend the duration of the project and we concur with the cost provided as \$1,100/day. In summation, we have reviewed all the details of the costs associated with the impacts described and concur with the revised cost adjustment of \$628,688.64 as provided.

If you agree with our review, a change order will be developed to cover these changes. This change order will account for all items associated with the left side Boundary Street duct bank and the First Street duct bank. A revised CPM schedule will be required to update the sequence of activities and the substantial completion date accordingly.



Thank you for your continued cooperation as we work together to complete the construction of this project.

Regards,

A handwritten signature in blue ink that reads 'Jared Fralix'.

Jared Fralix
CM-CEI Project Manager

CC: Job File
City of Beaufort, Neal Pugliese
Beaufort County, Rob McFee

William A. Prokop
CITY MANAGER
843-525-7070
FAX 843-525-7013



CITY OF BEAUFORT
1911 Boundary Street
BEAUFORT, SOUTH CAROLINA 29902

COUNCIL MEMBERS:
Billy Keyserling, Mayor
Mike McFee, Mayor Pro Tem
Philip Cromer
Stephen Murray
Nan Sutton

March 24, 2017

White Paper

Change Order for the North side duct bank

The Prime Contractor has submitted a change order for \$628,000 for the North side duct bank construction and this expense has been validated.

Background

When Boundary Street construction commenced in December 2015, final plans for the duct bank work had not been completed by the utilities and fully adopted by the project management team. Notwithstanding the absence of completed utility relocation plans, a decision was made to commence the Boundary Street Project to comply with the TIGER Grant. Concurrently, the project team, comprised of Beaufort County, retained consultants, and City of Beaufort employees, worked with the utilities to develop detailed utility relocation plans. Understandably, because the utility duct bank plans were not completed by the time the project began, the contract consummated by Beaufort County excluded much of the fine detail duct bank work. Notably, much of the detailed utility duct bank details were not ready for vetting until early January 2017, which meant there was no plausible way for the Prime Contractor (Preferred Materials, Inc) to accurately calculate this expected, but largely undefined, projected expense.

Validation

The project team is in receipt of the change order submitted by the Prime Contractor and the costs have been validated by the Local Project Administrator (LPA) and the retained Engineering Consultant from Infrastructure Consultant Engineering.

Conclusion

While certainly a large figure to digest, it is beneficial to reinforce that the work necessary for completion of the Boundary Street Project relative to the change order was never fully scoped at project commencement, but that this was a known outstanding issue that would require resolution as the project matured. Inasmuch, this does not fall within the category as a project oversight, but rather an expected expense that has now been specifically and satisfactorily defined. There are no other issues of this nature that are projected to present for the duration of this project. Recommended approval.

Prepared by Neal Pugliese, Senior Project Manager, City of Beaufort

Change Order Report

Contract ID: LPA07.036939A

Change Order Nbr: 013 Force Acct ID: 0

Change Order Type: Standard Change Order

CO Description: Eliminating Bioswale and Median Underdrains

Zero Dollar Change Order: No

Project Nbr	Itm Nbr	Catg	Item Code	Unit	Unit Price	Bid Qty	Prev Apprvd Qty	Curr CO Qty	Curr Apprvd Qty	Amount of Change	
0036939RD01	1240	1	7143618	LF	\$60.49	2672	2672	-20	2672	This Chng: \$-1,209.80 Prev Revised: \$161,629.28 New Revised: \$160,419.48 Bid Contract: \$161,629.28 Net Change: \$-1,209.80 Pct Change: -0.75	
Item Description 18" SMOOTH WALL PIPE				CO Item Description Scope Reduction in Median Drainage							
Supplemental Description1											
Supplemental Description2											
0036939RD01	1410	1	7192020	EA	\$2,580.00	20	20	-4	20	This Chng: \$-10,320.00 Prev Revised: \$51,600.00 New Revised: \$41,280.00 Bid Contract: \$51,600.00 Net Change: \$-10,320.00 Pct Change: -20.	
Item Description DROP INLET (24" X 36")				CO Item Description Scope Reduction in Median Drainage							
Supplemental Description1											
Supplemental Description2											
0036939RD01	1580	1	8020100	SY	\$72.93	4000	4000	-4000	4000	This Chng: \$-291,720.00 Prev Revised: \$291,720.00 New Revised: \$0.00 Bid Contract: \$291,720.00 Net Change: \$-291,720.00 Pct Change: -100.	
Item Description PLANTED MEDIAN SUBSURFACE DRAINAGE				CO Item Description Scope Reduction in Median Drainage							
Supplemental Description1											
Supplemental Description2											
0036939RD01	1590	1	8021204	LF	\$38.10	300	300	-300	300	This Chng: \$-11,430.00 Prev Revised: \$11,430.00 New Revised: \$0.00 Bid Contract: \$11,430.00 Net Change: \$-11,430.00 Pct Change: -100.	
Item Description 4" PERFORATED PIPE UNDERDRAIN				CO Item Description Scope Reduction in Median Drainage							
Supplemental Description1											
Supplemental Description2											

Project Nbr	Itm Nbr	Catg	Item Code	Unit	Unit Price	Bid Qty	Prev Apprvd Qty	Curr CO Qty	Curr Apprvd Qty	Amount of Change
0036939RD01	2070	1	9000032	SY	\$133.00	600	600	-600	600	This Chng: -\$79,800.00 Prev Revised: \$79,800.00 New Revised: \$0.00 Bid Contract: \$79,800.00 Net Change: -\$79,800.00 Pct Change: -100.
Item Description			MEDIAN BIO SWALE	CO Item Description			Scope Reduction in Median Drainage			
Supplemental Description1				Supplemental Description2						
0036939RD01	3180	2	8020100	SY	\$72.93	455	455	-455	455	This Chng: -\$33,183.15 Prev Revised: \$33,183.15 New Revised: \$0.00 Bid Contract: \$33,183.15 Net Change: -\$33,183.15 Pct Change: -100.
Item Description			PLANTED MEDIAN SUBSURFACE DRAINAGE	CO Item Description			Scope Reduction in Median Drainage			
Supplemental Description1				Supplemental Description2						
0036939RD01	3190	2	8021204	LF	\$38.10	52	52	-52	52	This Chng: -\$1,981.20 Prev Revised: \$1,981.20 New Revised: \$0.00 Bid Contract: \$1,981.20 Net Change: -\$1,981.20 Pct Change: -100.
Item Description			4" PERFORATED PIPE UNDERDRAIN	CO Item Description			Scope Reduction in Median Drainage			
Supplemental Description1				Supplemental Description2						
0036939RD01	3600	2	9000032	SY	\$133.00	215	215	-215	215	This Chng: -\$28,595.00 Prev Revised: \$28,595.00 New Revised: \$0.00 Bid Contract: \$28,595.00 Net Change: -\$28,595.00 Pct Change: -100.
Item Description			MEDIAN BIO SWALE	CO Item Description			Scope Reduction in Median Drainage			
Supplemental Description1				Supplemental Description2						

Total Value for Change Order 013 = \$-458,239.15

Change Order Report: Contract Completion Date Time Adjustment

Original Compl Date: 2017/12/30 Adj Compl Date: 2018/05/30 Adj No. of Days: 101

Explanation: Twenty-one (21) days being deducted for reducing scope of Bioswale & Median Underdrain work on Boundary Street and SC170 as associated with this change order.

General or Standard Change Order Explanation

Due to the lack of planned irrigation within the median and the already improved storm water measures included in the contract, the median underdrain system and center bio swales are no longer necessary to the project. This change order is necessary to remove the median underdrain system and center bio swales from the contract.

Prices have been verified by the City of Beaufort staff and CEI consultants.

This brings the contract total to date to \$19,225,966.19 which overruns the original contract by a cumulative percentage of 2.46%

Pursuant to Section 104.05 of the Standard Specifications on the above referred to project, I/we (Prime Contractor), do hereby agree to the unit price stipulated above, for performing the work items listed, as part of my/our contract on this project. The work shall be performed under and in accordance with the specifications and contract requirements of our contract. The compensation and time extension, (if any), provided in this supplemental agreement constitute complete satisfaction for all direct, indirect, impact, and delay costs relating to this work.

JUSTIFICATION OF COST:

FIRM: _____ Date: _____

___ Based upon quantities involved, field conditions and type of construction, these prices are reasonable.

Recommended by: _____ Date: _____

Reviewed by (City): _____ Date: _____

Reviewed by (County): _____ Date: _____

Accepted by (City): _____ Date: _____

Accepted by (County): _____ Date: _____

Memorandum to Project File

April 4, 2017

Project: Boundary Street Redevelopment Project
LPA 07.036939A

Subject: Change Order 13 – Engineer's Estimate

Due to the lack of planned irrigation within the center medians and improved storm water measures, a change order was created to remove the center underdrain system and bio swales from the project. The pay items associated with this work are listed below

<u>Pay Item</u>	<u>Quantity</u>	<u>Unit</u>	<u>Price</u>	<u>Total</u>
Traffic Control	1	LS		
Planted Median Subsurface Drainage	4,455	SY	\$72.93	\$324,903.15
4" Perforated Pipe Underdrain	352	LF	\$38.10	\$13,411.20
Median Bio Swale	815	SY	\$133.00	\$108,395.00
Drop Inlet (24"x36") (Sta 338+40; Sta 339+16; Sta 352+47; Sta 353+54)	4	EA	\$2,580.00	\$10,320.00
18" Smooth Wall Pipe (Sta 352+47)	20	LF	\$60.49	<u>\$1,209.80</u>
				\$458,239.15

Calculated By:
Jared Fralix, PE – Project Manager

Eliminating Bioswale and Median Underdrains

<u>Line Itm#</u>	<u>Catg Nbr</u>	<u>Itm Cde</u>	<u>Description</u>	<u>Units</u>	<u>Cur Qty</u>	<u>Unit Price</u>
1580	1	8020100	planted median subsurface drainage	SY	4,000.000	\$72.93
3180	2	8020100	planted median subsurface drainage	SY	455.000	\$72.93
Total					4455.000	\$ 324,903.15

1590	1	8021204	4" perforated pipe underdrain	LF	300.000	\$38.10
3190	2	8021204	4" perforated pipe underdrain	LF	52.000	\$38.10
Total					352.000	\$ 13,411.20

2070	1	9000032	median bio swale	SY	600.000	\$133.00
3600	2	9000032	median bio swale	SY	215.000	\$133.00
Total					815.000	\$ 108,395.00

1240	1	7143628	18" smooth wall pipe (20 LF)	LF	20.000	\$ 60.49
Total					20.000	\$ 1,209.80

1410	1	7192020	drop inlts (24" x 26") - Sta 339+16	EA	1.000	\$ 2,580.00
1410	1	7192020	drop inlts (24" x 26") - Sta 352+47	EA	1.000	\$ 2,580.00
1410	1	7192020	drop inlts (24" x 26") - Sta 353+54	EA	1.000	\$ 2,580.00
1410	1	7192020	drop inlts (24" x 26") - Sta 338+40	EA	1.000	\$ 2,580.00
Total					4.000	\$ 10,320.00

Cost Savings \$ 458,239.15

ORDINANCE 2017 / _____

**AN ORDINANCE AUTHORIZING AND REGULATING THE
OPERATION OF GOLF CARTS AT NIGHT
ON DAUFUSKIE ISLAND**

WHEREAS, Act 246 of 2016 authorizes a County which meets certain criteria as set forth therein, and in which a barrier island is located, to enact an ordinance allowing for the operation of golf carts at night on designated portions of the County; and

WHEREAS, Beaufort County satisfies the criteria set forth in Act 246 of 2016 and Daufuskie Island, which is located in Beaufort County, is recognized by the State of South Carolina as a barrier island; and

WHEREAS, Beaufort County recognizes golf carts are an increasingly popular and efficient mode of local transportation in communities including Daufuskie Island, where it is a primary mode of transportation during daylight hours; and

WHEREAS, this Council, which is charged with maintaining and preserving the health, safety and welfare of Beaufort County citizens, residents and visitors after thoroughly examining the possibility, and potential ramifications, of extending golf cart use into nighttime, has concluded there are advantages to nighttime use but there are also significant potential safety risks associated with such use. Further, it has concluded that nighttime use is reasonable, appropriate and in the best interest of the residents and visitors to Daufuskie Island given the many qualities and characteristics of the island which make it unique provided operators and occupants comply with certain requirements.

NOW, THEREFORE, BE IT ORDAINED BY BEAUFORT COUNTY COUNCIL, that the following Ordinance is hereby adopted and will be added to Beaufort County's Code of Ordinances, Chapter 70 – Traffic and Vehicles as Article IV. Operations of Golf Carts.

Chapter 70 – TRAFFIC AND VEHICLES

ARTICLE IV. – OPERATION OF GOLF CARTS

Sec. 70-100. – Purpose and Intent.

The purpose of this Ordinance is to provide for the lawful, restrictive operation and use of permitted golf carts (see S.C. Code Ann. § 56-2-105) on the public streets and secondary highways designated herein by persons authorized by state law to operate such vehicles. This Ordinance shall not be construed or interpreted to authorize the operation or use of any golf cart, daytime or nighttime, on public streets, roads and secondary highways in unincorporated portions of Beaufort County which is not otherwise authorized by state law or by this Ordinance.

Sec. 70-101. – Operation of Golf Carts Generally.

Operation of golf carts in unincorporated portions of Beaufort County shall, at all times, be in accordance with this Ordinance and S.C. Code Ann § 56-2-105.

Sec. 70-102. Operation of Permitted Golf Carts at Night on Daufuskie Island.

Operation of permitted golf carts at night by authorized persons shall be permissible on Daufuskie Island subject to the provisions set forth herein.

(a) Operation. All operators of golf carts at night:

- (1) Shall possess, and be in possession of, a valid driver's license;
- (2) Shall abide by all traffic regulations applicable to vehicular traffic including, but not limited to, the use of seat belts and child safety seats;
- (3) Shall not allow an unlicensed person to operate a golf cart;

- (4) Shall not exceed the seating capacity of the golf carts as designed by the manufacturer;
- (5) Shall remain seated at all times the golf cart is in motion and ensure that all passengers remain seated when the golf cart is in motion;
- (6) Shall not allow passengers to sit on the lap of other passengers;
- (7) Shall not drive or park a golf cart on sidewalks, rights-of-way or any other location on which a motor vehicle cannot be operated.

(B) Required Equipment. The purpose of this standard is to ensure that golf carts which are operated at night are equipped with the minimum safety equipment necessary for passenger safety. All golf carts which are operated at night shall be equipped with the following equipment:

- (1) Reflex Reflectors: one red on each side as far to the rear as practicable;
- (2) Two operating headlights in the front of the vehicle (one on each side of the vehicle) both of which are visible at a distance of 500 feet;
- (3) Two operating tail lights and brake lights on the back of the vehicle (one on each side of the vehicle) both of which are visible at a distance of 500 feet;
- (4) Front and rear turn signals which are visible at a distance of 500 feet;
- (5) Flashing amber strobe light affixed to the exterior surface of the golf cart roof which shall be active whenever headlights are on;
- (6) Footbrakes;
- (7) A high-mounted stop bar whose centerline (when the vehicle is viewed from the rear) is centered between right and left sides of the vehicle and visible at a distance of 500 feet;

- (8) A horn;
- (9) An exterior mirror mounted on the driver's side and either an exterior mirror mounted on the passenger side of the vehicle or an interior mirror;
- (10) A vehicle identification number or serial number;
- (11) A parking brake;
- (12) Safety belts for each occupant.

(a) *Maintenance of Safety Equipment.* The registered owner of a permitted golf cart shall be responsible for ensuring the safety equipment required herein is properly functioning.

Sec. 70-103. – Reserved.

Sec. 70-104. – Reserved.

Sec. 70-105. – Penalty.

Any person who violates this section shall be guilty of a misdemeanor punishable by a fine not to exceed Five Hundred Dollars (\$500.00) or thirty (30) days in jail. Each day that any violation of this section is violated constitutes a separate offense and the violator shall be fined accordingly plus court costs.

Sec. 70-106. – Conflict of Law.

In the event this Ordinance conflicts with any other ordinance of Beaufort County or other applicable law, the more restrictive shall apply.

Sec. 70-107. – Severability.

Should any portion or part of this Ordinance be found invalid or unenforceable by a court of competent jurisdiction, the same shall not be construed to affect any other valid portion hereof and all valid portions hereof shall remain in full force and effect.

Sec. 70-108. – Liability.

Nothing herein is intended to be, nor shall it be, construed as a representation, opinion, claim, warranty or guarantee that operating any particular golf cart on any street, road or secondary highway is safe, advisable, or that any particular person is competent to so operate such a vehicle. Therefore, Beaufort County, its Council Members, the Sheriff and Beaufort County employees will assume no liability when a golf cart permit is issued. Beaufort County disclaims liability for personal injury, death, property damage and other losses caused or alleged to be caused or incurred by any person due to, or alleged to be due to, the operation of a golf cart on a street, road or secondary highway in the unincorporated portions of the County. Anyone who operates a golf cart and all persons who are passengers in such golf carts shall be deemed to have waived any claim, including but not limited to, property damage, bodily injury or death against the county or its agents for its legislative decision to permit nighttime operations of golf carts.

70-109. - Effective Date.

This Ordinance shall take effect thirty (30) days after being approved by County Council.

DONE this _____ day of _____, 2017.

COUNTY COUNCIL OF BEAUFORT COUNTY

BY: _____
D. Paul Sommerville, Chairman

APPROVED AS TO FORM:

Thomas J. Keaveny, II, County Attorney

ATTEST:

Ashley M. Bennett, Clerk to Council

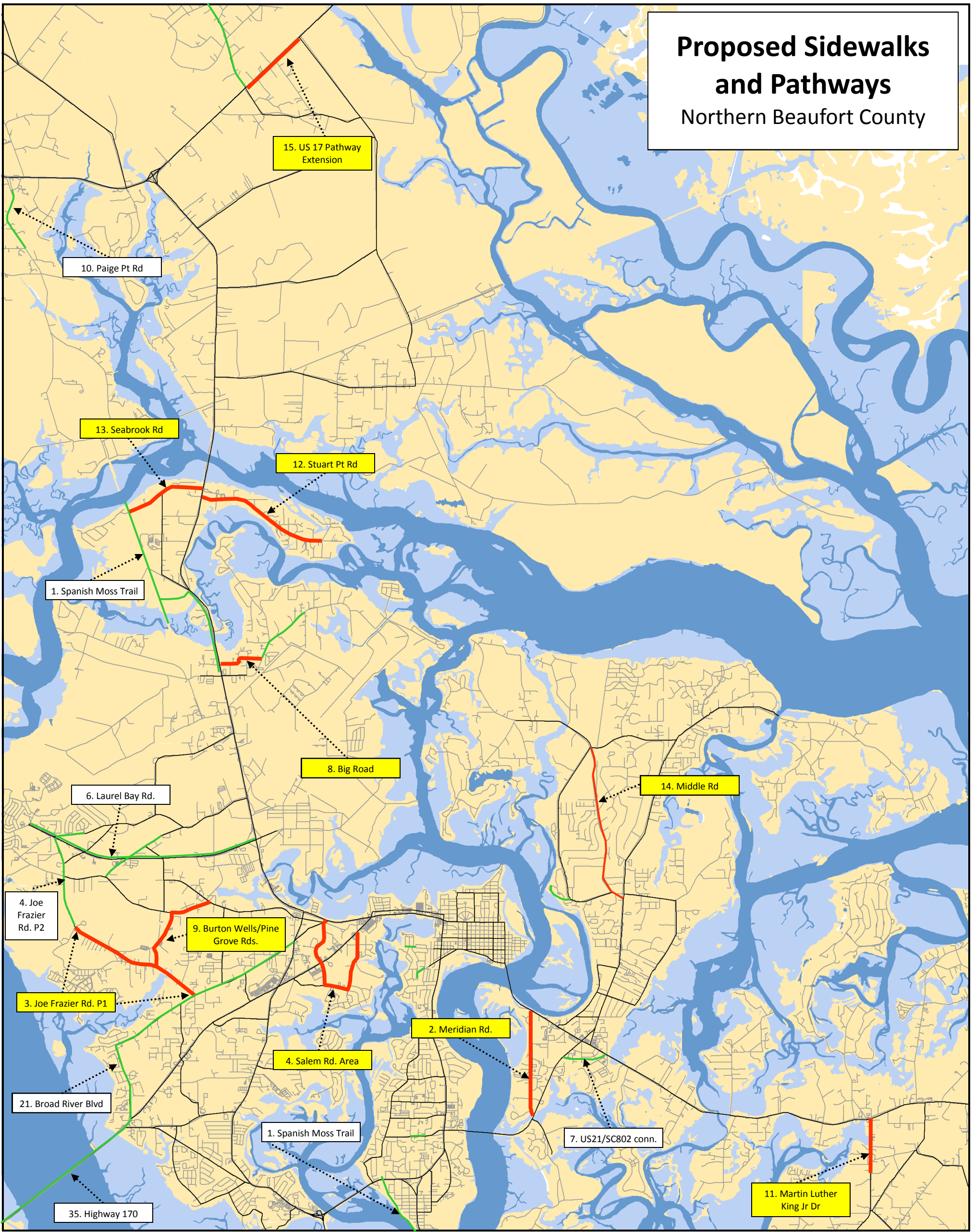
Draft Public Facilities 4.17.2017

**Beaufort County Transportation Needs
Sales Tax Capital Improvement Pathway Projects**

<i>Project #</i>	<i>Council District</i>	Pathway Project	<i>Length (mi)</i>	<i>2012 AADT</i>	<i># Households Within 1/4 Mile</i>	<i># of Schools</i>	Name of Schools	<i># Parks/PALS</i>	Other Benefits/Impacts	Pathway Cost (\$)	Planning and Engineering Costs (\$)	Available Right of Way	Right of Way Cost (\$)	Contingency (\$)	Total Cost (\$)
1	4	Depot Road	0.40	1,050	381	0	N/A	0	Connection to Spanish Moss Trail	\$250,000	\$25,000	45' for 1500' 60' for 610'	\$25,000	\$75,000	\$375,000
2	5	Salem Road/Old Salem Rd/Burton Hill Rd	1.50		619	0	N/A	0	Connection to Spanish Moss Trail, low income subsidized housing and commercial shopping	\$830,000	\$75,000	66'	\$75,000	\$249,000	\$1,229,000
3	9	Bluffton Parkway Phase 1	0.10	16,700	505	0	N/A	0	Completes Bluffton Parkway pathway	\$60,000	\$15,000	120'	\$20,000	\$18,000	\$113,000
4	9	Burnt Church Road, Ulmer Road and Shad Rd	2.00	5,500	434	1	MC Riley Elementary	1	Connection of neighborhoods to Bluffton Pkwy, shopping, schools, parks	\$925,000	\$75,000	66'	\$75,000	\$277,500	\$1,352,500
5	7	Lake Point Drive and Old Miller Rd Pathway Connection	1.00	4,220	610	0	N/A	0	Extends existing pathway connecting to existing development	\$525,000	\$50,000	66'	\$0	\$157,500	\$732,500
6	1/5	Joe Frazier Road	2.10	8,200	201	1	Battery Creek High School	1	Connects to existing sidewalk on Broad River Blvd, schools and parks	\$1,100,000	\$100,000	100'	\$0	\$330,000	\$1,530,000
7	3	Meridian Road	1.60	2,700	141	1	Beaufort High School	0	Connects to sidewalks on Sea Island and Lady's Island Dr	\$700,000	\$75,000		\$150,000	\$210,000	\$1,135,000
8	2	Middle Road	2.40	3,500	524	1	Coosa Elementary	0	Connects neighborhoods to schools	\$1,100,000	\$75,000	66'	\$125,000	\$330,000	\$1,630,000
9	1	Stuart Point	2.00	1,950	130	2	Whale Branch Middle School Whale Branch Elementary	0	Connects neighborhoods to schools	\$1,050,000	\$75,000	66'	\$75,000	\$315,000	\$1,515,000
10	1	US-17 Pathway Extension	0.65	10,100	22	0	N/A	0	Extension of multi-use pathway from Big Estate Rd to Jenkins Rd	\$375,000	\$50,000	200'	\$0	\$112,500	\$537,500
11	1	Big Road	0.65		115	0	N/A	0	Connect Bruce K Smalls to Trask Pkwy	\$360,000	\$50,000	66'	\$75,000	\$108,000	\$593,000
12	1	Seabrook Rd	1.2	850	97	3	Whale Branch Middle School Whale Branch Elementary	1	Connect/Continuation of Spanish Moss Trail	\$680,000	\$75,000	66'	\$75,000	\$204,000	\$1,034,000
13	1	Pine Grove Rd/Burton Wells Rd	1.5	1,300/900	146	0	N/A	1	Connection to Burton Wells County Park	\$830,000	\$75,000	66'	\$75,000	\$249,000	\$1,229,000
14	3	Dr. Martin Luther King, Jr. Dr.	0.85	4,800	50	0	N/A	2	Multi-Use Pathway off of roadway right-of-way. Connectivity to County Library, Penn Center and Shopping	\$555,000	\$100,000	66'	\$75,000	\$166,500	\$896,500
15	1	Bruce K Smalls	1.00	2,800	108	0	N/A	0	Extension of Existing Sidewalk	\$550,000	\$50,000	66'	\$75,000	\$165,000	\$840,000
16	1	Paige Point	1.50	375	44	0	N/A	0	Connects neighborhoods	\$800,000	\$75,000	66'	\$75,000	\$240,000	\$1,190,000
17	1	Big Estate Road	1.40	800	42	0	N/A	0	Connects neighborhood to US-17 Multi-use pathway	\$750,000	\$75,000	66'	\$75,000	\$225,000	\$1,125,000
18	9	Alljoy Road	1.5	2,700	494	1	MC Riley Elementary	0	Connects neighborhoods to schools, parks, shopping	\$200,000	\$50,000	75'	\$75,000	\$60,000	\$385,000
19	1	Laurel Bay Road Pathway Widening	3.4	7,000		0	N/A	1	Connection to Spanish Moss Trail, Neighborhoods, Military and Commercial	\$1,000,000	\$75,000	160'	\$0	\$300,000	\$1,375,000
										\$12,640,000	\$1,240,000		\$1,145,000	\$3,792,000	\$18,817,000

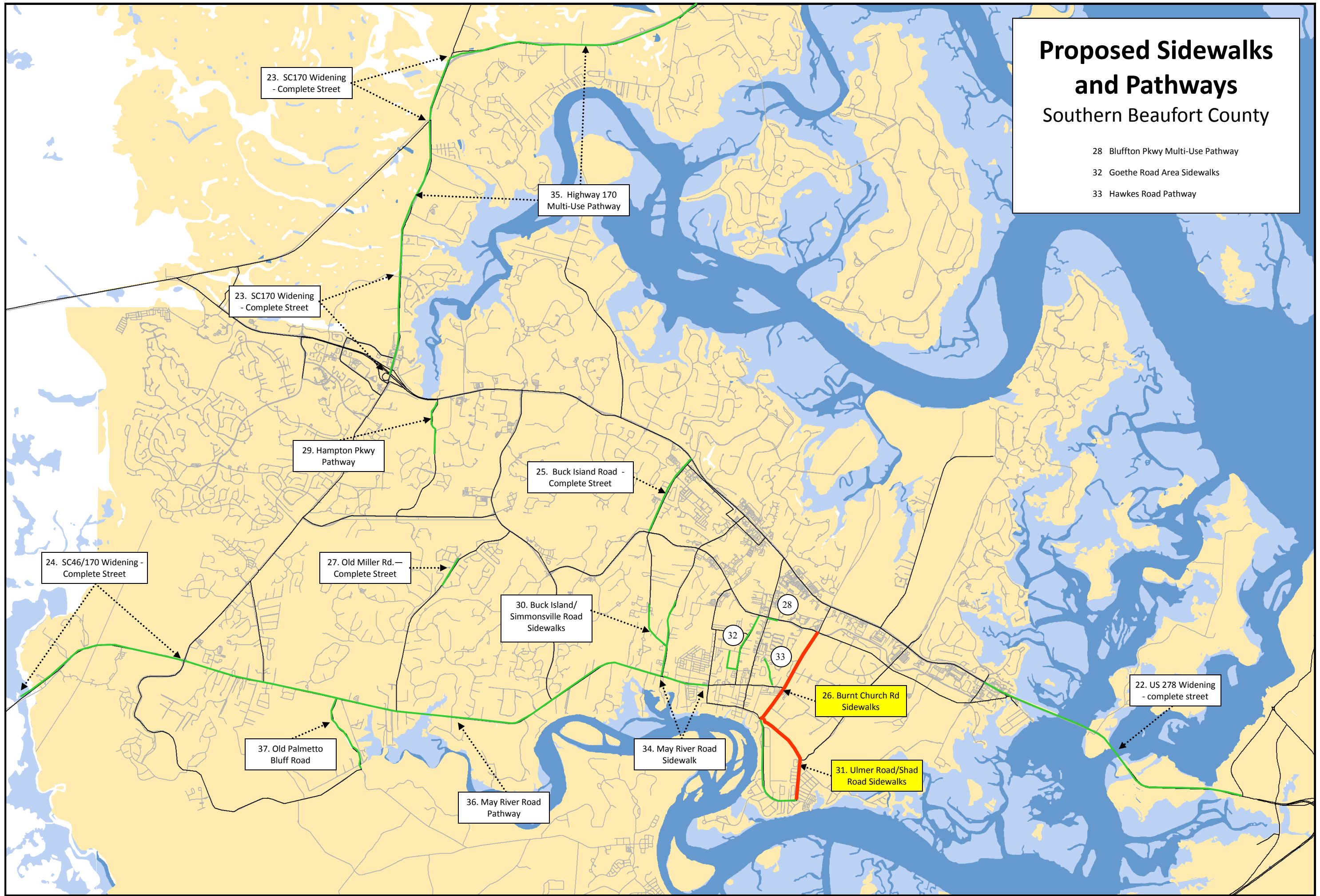
Proposed Sidewalks and Pathways

Northern Beaufort County



Proposed Sidewalks and Pathways Southern Beaufort County

- 28 Bluffton Pkwy Multi-Use Pathway
- 32 Goethe Road Area Sidewalks
- 33 Hawkes Road Pathway



23. SC170 Widening - Complete Street

35. Highway 170 Multi-Use Pathway

23. SC170 Widening - Complete Street

29. Hampton Pkwy Pathway

25. Buck Island Road - Complete Street

24. SC46/170 Widening - Complete Street

27. Old Miller Rd. - Complete Street

30. Buck Island/Simmons Road Sidewalks

28

32

33

26. Burnt Church Rd Sidewalks

22. US 278 Widening - complete street

37. Old Palmetto Bluff Road

34. May River Road Sidewalk

31. Ulmer Road/Shad Road Sidewalks

36. May River Road Pathway

ADD-ONS

The document(s) herein were provided to Council for information and/or discussion after release of the official agenda and backup items.

Topic: Email from Sheriff Tanner RE: Golf Cart Ordinance
Date Submitted: April 17, 2017
Submitted By: Stu Rodman
Venue: Public Facilities Committee

FW: Golf Cart Ordinance

Tanner, PJ

Sent: Monday, April 03, 2017 9:22 AM

To: Rodman, Stewart

From: Tanner, PJ

Sent: Thursday, March 30, 2017 4:24 PM

To: Covert, Michael; Rodman, Stewart

Subject: Golf Cart Ordinance

Mike and Stu;

I am in complete agreement with you both on safety, safety, safety! To that end, there is a multitude of equipment and protection features that can be installed to improve the safety of everyone involved- passengers and pedestrians alike.

Foremost, appropriate lighting is imperative for day and night operation, as well as seat belts and child restraint capability. Turn signals, high mounted stop lamps, and extra power head lights are also a must.

In addition, a rear view mirror is important and reflectors can be a plus for safety. A flashing roof light should be an option/consideration depending on hours of operation, Urban vs. Rural environment.

Lastly, my opinion about DOT tires and windshields may differ. Golf cart tires are what they are- not a safety issue for me. Also, since we are talking about a slow moving vehicle, a windshield is not a safety concern either.

Having said all of that leaves me with these parting comments; If someone decides or attempts to start a business such as a Taxi Service for Hire, or Golf Cart Rentals, the equipment options/requirements should be over and above that applied to our citizens for personal use.

Respectfully,

P.J.

Topic: Email from Sheriff Tanner RE: Golf Cart Ordinance

Date Submitted: April 17, 2017

Submitted By: Stu Rodman

Venue: Public Facilities Committee

Topic: Options / Daufuskie Island Golf Cart Ordinance
Date Submitted: April 17, 2017
Submitted By: Stu Rodman
Venue: Public Facilities Committee

Daufuskie Island Nighttime Golf Cart Ordinance
3/17/17

Nighttime Feature -----	State Statute -----	Daufuskie Ordinance -----
Hours of Operation Weather Conditions -----	Daylight Unlimited -----	Nighttime Unlimited -----
Vehicle ID or Serial Number	STD	
Footbrakes	STD	
Parking Brake	STD	
Drivers License	x	
Liability insurance	x	
DMV Registration & Decal	x	
Head Lights*	x	
* One if std on original equipment		
Taillights	x	
Reflectors		Agreed

Nighttime Lights		Option A
Flashing Roof Lights	\$50	
<u>OR</u>		
High Mounted Stop / Light Bar	\$50	
		\$50 + Labor

Additional Safety Features		Option B
Seat Belt for Each Occupant	\$30	\$120
Turn Signals	\$100	\$100
Rear View Mirrows	?	
Horn	\$50	\$50
		\$150 + Labor

<u>Not Required</u>	
Acrylic Windshield	\$100
DOT Tires	\$200

Topic: Options / Daufuskie Island Golf Cart Ordinance
 Date Submitted: April 17, 2017
 Submitted By: Stu Rodman
 Venue: Public Facilities Committee

Topic: Capital Improvements Pathway Project
Date Submitted: April 17, 2017
Submitted By: Colin Kinton
Venue: Public Facilities Committee

Beaufort County Transportation Needs Capital Improvement Pathway Projects

Priority	Council District	Pathway Project	Length (mi)	Total Cost (\$)	Total Score	Notes
1	9	Burnt Church Road, Ulmer Road and Shad Rd	2.00	\$1,352,500	24	Multiple Phases
2	1	Laurel Bay Road Pathway Widening	3.4	\$1,375,000	22	Multiple Phases
3	9	Bluffton Parkway Phase 1	0.10	\$113,000	19	
4	5	Salem Road/Old Salem Rd/Burton Hill Rd	1.50	\$1,229,000	17	Multiple Phases
5	1/5	Joe Frazier Road	2.10	\$1,530,000	16	Marsh/Causeway
6	3	Meridian Road	1.60	\$1,135,000	16	
7	7	Lake Point Drive and Old Miller Rd Pathway Connection	1.00	\$732,500	15	Contingent on extending roadway
8	3	Dr. Martin Luther King, Jr. Dr.	0.85	\$896,500	15	Marsh Crossing
9	9	Alljoy Road	1.5	\$385,000	15	
10	4	Broad River Dr.	1.00	\$776,000	14	Residential Property
11	2	Middle Road	2.40	\$1,630,000	13	Multiple Phases
12	4	Ribaut Rd to P.I. Gtwy	0.20	\$361,000	13	Both Sides of Rd
13	1	Spanish Moss Trail Extension	1.40	\$400,000	12	Marsh/SCDOT R/W
14	1	Pine Grove Rd/Burton Wells Rd	1.5	\$1,229,000	12	Multiple Phases
15	1	Seabrook Rd	1.2	\$1,034,000	11	Multiple Phases
16	4	Depot Road	0.40	\$375,000	10	In City of Beaufort
17	1	US-17 Pathway Extension	0.65	\$537,500	10	
18	1	Stuart Point	2.00	\$1,515,000	7	Multiple Phases
19	1	Bruce K Smalls	1.00	\$840,000	7	
20	1	Paige Point	1.50	\$1,190,000	7	Multiple Phases
21	1	Big Road	0.65	\$593,000	6	
22	1	Big Estate Road	1.40	\$1,125,000	5	

TOTAL \$20,354,000

Topic: Capital Improvements Pathway Project
 Date Submitted: April 17, 2017
 Submitted By: Colin Kinton
 Venue: Public Facilities Committee