RESOLUTION AUTHORIZING THE DIRECTOR OF PUBLIC WORKS TO GRANT EXCEPTIONS TO THE INFRASTRUCTURE DESIGN CRITERIA AND STANDARD SPECIFICATIONS FOR PUBLIC WORKS CONSTRUCTION

WHEREAS, the City of Rapid City has adopted Infrastructure Design Criteria and Standard Specifications for Public Works Construction, which regulate the minimum standards acceptable for construction of public infrastructure; and

WHEREAS, the City recognizes that based on the specific conditions present in certain projects there may be times where it is appropriate to deviate or allow exceptions to the Infrastructure Design Criteria and Standard Specifications; and

WHEREAS, City Engineering Staff has the expertise to determine when the conditions or circumstances surrounding a construction project may justify a deviation from the adopted standards; and

WHEREAS, the Common Council of the City of Rapid City deems it to be in the City’s best interest to adopt a policy that allows the Director of Public Works to grant exceptions to the standards established in the City’s Infrastructure Design Criteria and Standard Specifications.

NOW THEREFORE, BE IT RESOLVED, by the Common Council of the City of Rapid City, that the Director of Public Works, or the designee of the Director, shall have the authority to authorize exceptions to the standards set forth in the City’s infrastructure design criteria and Standard Specifications for Public Works Construction, if the Director finds the following:

1. that granting the exception is appropriate under the specific circumstances of the individual project on which the exception has been requested and

2. that the potential benefits to the City in granting the exception outweigh any risk of potential harm that may result.

BE IT FURTHER RESOLVED, the Director of Public Works or designee shall communicate to the applicant in writing the basis for approving or denying the exception.

BE IT FURTHER RESOLVED, the applicant may appeal the denial of an exception to the Common Council within ten calendar days after the written communication denying the exception is sent to the applicant.

BE IT FURTHER RESOLVED, the Public Works Department shall maintain a record of all exceptions authorized by the Director of Public Works or designee. Said record shall be made available to the public to view upon request.

Dated this ___ day of _________________, 2021.
CITY OF RAPID CITY

-------------------------------------
Mayor

ATTEST:

______________________________
Finance Officer

(seal)