

Kansas City

414 E. 12th Street
Kansas City, MO 64106



Agenda - Final

Wednesday, January 10, 2024

9:00 AM

Webinar Link: <https://us02web.zoom.us/j/84530222968>

26th Floor, Council Chamber

Transportation, Infrastructure and Operations Committee

Chairperson Kevin O'Neill
Vice Chair Melissa Robinson

Councilmember Eric Bunch

Councilmember Johnathan Duncan

Councilmember Lindsay French

PUBLIC OBSERVANCE OF MEETINGS

Members of the City Council may attend this meeting via videoconference.

Any closed session may be held via teleconference.

The public can observe this meeting at the links provided below.

Applicants and citizens wishing to participate have the option of attending each meeting or they may do so through the videoconference platform ZOOM, using this link:

<https://us02web.zoom.us/j/84530222968>

Public Testimony is Limited to 2 Minutes

WATER DEPARTMENT

Director of Water Services

231045 Sponsor: Director of Water Services Department

Authorizing a \$146,300.00 Amendment No. 1 to a design professional services contract with Walter P. Moore & Associates, Inc., for the Water Main Replacement in the Area of Grandview Road to Lee's Summit Road, Gregory Boulevard to Longview Road project for a total contract amount of \$791,620.00.

Attachments: [9597 Amendment 1 Docket Memo](#)
[9597 Approved MWBE Goals](#)
[9597 Original CUP Approval & Summary](#)
[9597 Approved MWBE Goals.pdf](#)
[9597-B2G.pdf](#)

PUBLIC WORKS DEPARTMENT

Director of Public Works

231049 Sponsor: Director of the Public Works Department

Authorizing the Director of Public Works to execute a Cooperative Agreement with Bird Rides, Inc. for continued operation of shared-use electric scooters through December 31, 2026.

Attachments: [Docket Memo 12.5.23](#)

Director of Public Works

231050 Sponsor: Director of the Public Works Department
Authorizing Amendment No. 2 to a design professional services agreement with Crawford Murphy & Tilly, Inc. in the amount of \$820,047.00 for the 31st Street - Van Brunt Boulevard project, for a total contract amount of \$1,153,431.00; and recognizing this ordinance as having an accelerated effective date.

Attachments: [Docket Memo 89008232](#)

HELD IN COMMITTEE

WATER DEPARTMENT

Director of Water Services

230965 Sponsor: Director of Water Services Department

Estimating revenue in the amount of \$300,000.00 in the Capital Improvements Fund; appropriating this amount to the Milrey Stoddard Flood Control account; authorizing a Cooperative Agreement with Platte County, Missouri for the Design and Development, and Management of the Milrey-Stoddard Storm Water Improvements; and authorizing a \$487,373.00 contract with Wilson and Company, Inc., for the design of the Milrey Stoddard Flood Control project.

Attachments: [Approp & Admin Ordinance Forms](#)
[Ordinance 230965-CUP Summary- 473.pdf](#)
[CREO Goals Request Form REV. 2.6.2023 -Milray Stoddard-Signed.pdf](#)
[230965 docket memo](#)

SEMI ANNUAL DOCKET

The listing of Semi-Annual Docket items are provided this week for informational purposes only. Please see City Clerk's Office for full listing.

ADDITIONAL BUSINESS

1. There may be a general discussion regarding current Transportation, Infrastructure and Operations Committee issues.

2. Closed Session

- Pursuant to Section 610.021 subsection 1 of the Revised Statutes of Missouri to discuss legal matters, litigation, or privileged communications with attorneys;
- Pursuant to Section 610.021 subsection 2 of the Revised Statutes of Missouri to discuss real estate;
- Pursuant to Section 610.021 subsections 3 and 13 of the Revised Statutes of Missouri to discuss personnel matters;
- Pursuant to Section 610.021 subsection 9 of the Revised Statutes of Missouri to discuss employee labor negotiations;
- Pursuant to Section 610.021 subsection 11 of the Revised Statutes of Missouri to discuss specifications for competitive bidding;
- Pursuant to Section 610.021 subsection 12 of the Revised Statutes of Missouri to discuss sealed bids or proposals; or
- Pursuant to Section 610.021 subsection 17 of the Revised Statutes of Missouri to discuss confidential or privileged communications with auditors.

3. Those who wish to comment on proposed ordinances can email written testimony to public.testimony@kcmo.org. Comments received will be distributed to the committee and added to the public record by the clerk.

The city provides several ways for residents to watch City Council meetings:

- Livestream on the city's website at www.kcmo.gov
- Livestream on the city's YouTube channel at <https://www.youtube.com/watch?v=3hOuBlg4fok>
- Watch Channel 2 on your cable system. The channel is available through Time Warner Cable (channel 2 or 98.2), AT&T U-verse (channel 99 then select Kansas City) and Google Fiber on Channel 142.
- To watch archived meetings, visit the City Clerk's website and look in the Video on Demand section: http://kansascity.granicus.com/ViewPublisher.php?view_id=2

The City Clerk's Office now has equipment for the hearing impaired for use with every meeting. To check out the equipment please see the secretary for each committee. Be prepared to leave your Driver's License or State issued Identification Card with the secretary and she will give you the equipment. Upon returning the equipment your license will be returned.

Adjournment



File #: 231045

ORDINANCE NO. 231045

Sponsor: Director of Water Services Department

Authorizing a \$146,300.00 Amendment No. 1 to a design professional services contract with Walter P. Moore & Associates, Inc., for the Water Main Replacement in the Area of Grandview Road to Lee’s Summit Road, Gregory Boulevard to Longview Road project for a total contract amount of \$791,620.00.

WHEREAS, City Council passed Ordinance No. 210866 on October 7, 2021 authorizing a \$645,320.00 design professional services contract with Walter P. Moore & Associates, Inc., for the Water Main Replacement in the Area of Grandview Road to Lee’s Summit Road, Gregory Boulevard to Longview Road project; and

WHEREAS, this proposed \$146,300.00 Amendment No. 1 will add 120 days to the contract’s term and additional design professional services work for approximately 4,600 linear feet of 12-inch ductile iron pipe (DIP) water main to replace an existing 12-inch clean-in-place (CIP) water main east of Noland Road along Highway 350 (Blue Parkway); NOW, THEREFORE,

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That the Director of the Water Services Department is authorized to execute Amendment No. 1 to Contract No. 9597 in the amount of \$146,300.00, for a total contract amount of \$791,620.00, with Walter P. Moore & Associates, Inc., for the Water Main Replacement in the Area of Grandview Road to Lee’s Summit Road, Gregory Boulevard to Longview Road project, Project No. 80002274. A copy of the amendment is on file in the office of Water Services.

Section 2. That the Director of the Water Services Department is authorized a maximum expenditure of \$146,300.00 from Account No. 24-8010-807705-611040-80002274, Water Main Replacement Program, to satisfy the cost of this amendment.

..end

I hereby certify that there is a balance, otherwise unencumbered, to the credit of the appropriation to which the foregoing expenditure is to be charged, and a cash balance, otherwise

unencumbered, in the treasury, to the credit of the fund from which payment is to be made, each sufficient to meet the obligation hereby incurred.

Tammy L. Queen
Director of Finance

Approved as to form:

Mark P. Jones
Senior Associate City Attorney



City of Kansas City, Missouri

Docket Memo

Ordinance/Resolution #: 231045

Submitted Department/Preparer: Water

Revised 11/01/23

Docket memos are required on all ordinances initiated by a Department Director. More information can be found in [Administrative Regulation \(AR\) 4-1](#).

Executive Summary

Sponsor: Director of Water Services Department

Authorizing a \$146,300.00 Amendment No. 1 to a design professional services contract with Walter P. Moore & Associates, Inc., for the Water Main Replacement in the Area of Grandview Road to Lee's Summit Road, Gregory Boulevard to Longview Road project for a total contract amount of \$791,620.00.

Discussion

Project Justification

The Water Services Department is undertaking this design professional services project to improve distribution system reliability, increase hydraulic conveyance capacity, and support fire protection.

Contract Summary/Project Description

This project includes the replacement of approximately 22,230 linear feet (LF) of 2-inch, 4-inch, 6-inch, 8-inch, 10-inch, 16-inch, and 24-inch water mains in the area of Grandview Road to Lee's Summit Road, Gregory Boulevard to Longview Road, in Kansas City, Jackson County, Missouri.

The project will replace the water mains in the following areas:

- Replace 850 LF of 6-inch clean-in place (CIP) water main with 8-inch ductile in place (DIP) along East 114th Street between Sycamore Terrace and the intersection of East 114th Terrace and East 114th Street;
- Replace 1,420 LF of 4-inch CIP water main with 8-inch DIP along East 99th Terrace between Richmond Avenue and Tullis Avenue;
- Replace 820 LF of 6-inch and 8-inch CIP with 8-inch DIP along Donnelly Avenue between East 98th Terrace and East 97th Terrace;
- Replace 870 LF of 8-inch CIP water main with 8-inch DIP along Wallace Avenue between East 98th Terrace and East 97th Terrace;
- Replace 730 LF of 6-inch CIP and 210 LF of 2-inch CIP with 6-inch and 8-inch DIP along Booth Avenue north of East 99th Street towards the dead end;
- Replace 840 LF of 8-inch CIP with 8-inch DIP along East 98th Terrace between Marsh Avenue and Booth Avenue;

- Replace 1,130 LF of 10-inch CIP with 8-inch DIP along Marsh Avenue between James A. Reed Road and East 99th Street;
- Replace 1,110 LF of 6-inch CIP water main with 8-inch DIP along Richmond Avenue between East Bannister Road and Fairwood Drive;
- Replace 1,380 LF of 4-inch CIP water main with 8-inch DIP along Elm Avenue between East 87th Street and East 90th Terrace;
- Replace 6,140 LF of 24-inch CIP water main with 24-inch DIP along Old Santa Fe Road between East Bannister Road and East 87th Street;
- Replace 4,060 LF of 6-inch and 10-inch CIP water mains with 12-inch DIP along Blue Parkway between Raytown City limits and Blue Parkway; and
- Replace 2,670 LF of 16-inch CIP with 16-inch DIP along Lee's Summit Road between Gregory Boulevard and Woods Chapel Road.

This contract also includes project administration, preliminary field and record investigations, property surveys, pipeline route survey, preliminary and final design, and preparation of construction drawings for bidding.

The original \$645,320.00 contract was executed by the City on December 1, 2021 after City Council approved Ordinance No. 210866. This proposed \$146,300.00 Amendment No. 1 will add 120 to the contract's term and will have additional design work for approximately 4,600 linear feet of a 12-inch DIP water main to replace an existing 12-inch CIP water main east of Noland Road along Highway 350 (Blue Parkway).

Contract Cost Summary

Original Contract:	\$645,320.00
<u>Proposed Amendment No. 1:</u>	<u>\$146,300.00</u>
Total:	\$791,620.00

MBE/WBE Goals/Contractor Utilization Plan Approval

The Human Relations Department (HRD, now called CREO KC) approved subcontracting goals of 11% MBE and 7% WBE on September 18, 2020.

The Contractor Utilization Plan was submitted to HRD on July 16, 2021, and was approved on September 8, 2021 with 27% MBE and 8% WBE participation.

It's anticipated that the project's subcontracting goals will be met with this proposed amendment.

Fiscal Impact

1. Is this legislation included in the adopted budget? Yes No

2. What is the funding source?
 24-8010-807705-611040-80002274 = \$146,300.00
 Water Main Replacement Program; Water fund

3. How does the legislation affect the current fiscal year?

This Ordinance is supported by the Fiscal Year 24 Water Services Annual CIP.

4. Does the legislation have a fiscal impact in future fiscal years? Please notate the difference between one-time and recurring costs.
No.
5. Does the legislation generate revenue, leverage outside funding, or deliver a return on investment?
No.

Office of Management and Budget Review
(OMB Staff will complete this section.)

1. This legislation is supported by the general fund. Yes No
2. This fund has a structural imbalance. Yes No
3. Account string has been verified/confirmed. Yes No

Additional Discussion (if needed)
N/A

Citywide Business Plan (CWBP) Impact

1. View the [FY23 Citywide Business Plan](#)
2. Which CWBP goal is most impacted by this legislation?
Infrastructure and Accessibility (Press tab after selecting.)
3. Which objectives are impacted by this legislation (select all that apply):
 - Engage in thoughtful planning and redesign of existing road networks to ensure safety, access, and mobility of users of all ages and abilities.
 - Enhance the City's connectivity, resiliency, and equity through a better-connected multi-modal transportation system for all users.
 - Build on existing strengths while developing a comprehensive transportation plan for the future.
 - Develop environmentally sustainable infrastructure strategies that improve quality of life and foster economic growth.
 - Ensure adequate resources are provided for continued maintenance of existing infrastructure.
 - Focus on delivery of safe connections to schools.

Prior Legislation

City Council passed Ordinance No. 210866 on October 7, 2021 authorizing a \$645,320.00 design professional services contract with Walter P. Moore & Associates, Inc., for the Water Main Replacement in the Area of Grandview Road to Lee's Summit Road, Gregory Boulevard to Longview Road project.

Service Level Impacts

This project will contribute to service level impacts by replacing aging, break-prone water mains with new water mains, thereby improving distribution system reliability, increasing hydraulic conveyance capacity, and supporting fire protection.

Other Impacts

1. What will be the potential health impacts to any affected groups?
Work on this project will contribute to health impacts by supplying healthy and safe drinking water to citizens and supporting fire protection when needed.
2. How have those groups been engaged and involved in the development of this ordinance?
N/A
3. How does this legislation contribute to a sustainable Kansas City?
This project will contribute to a sustainable Kansas City by replacing aging, break-prone water mains with new water mains, thereby improving distribution system reliability, increasing hydraulic conveyance capacity, and supporting fire protection.
4. Does this legislation create or preserve new housing units?
No (Press tab after selecting)

N/A
Click or tap here to enter text.
5. Department staff certifies the submission of any application Affirmative Action Plans or Certificates of Compliance, Contractor Utilization Plans (CUPs), and Letters of Intent to Subcontract (LOIs) to CREO prior to, or simultaneously with, the legislation entry request in Legistar.

No - CREO's review is not applicable (Press tab after selecting)
Please provide reasoning why not:
Subcontracting goals on this project are 27% MBE and 8% WBE. Goals will remain the same with the execution of this proposed amendment.

This contract does have Affirmative Action Program requirements in it.

6. Does this legislation seek to approve a contract resulting from an Invitation for Bid?

No(Press tab after selecting)

[Click or tap here to enter text.](#)

7. Does this legislation seek to approve a contract resulting from a Request for Proposal/Qualification (RFP/Q)?
No(Press tab after selecting)



MBE/WBE/DBE Contract Goals Request

Date: June 15, 2020
 To: Phillip Yelder, Human Relations Department
 From: Matt Bond, Water Services Department

Project Number 80002274	Project Name Water Main Replacements (Location TBD) Project No. 5	
Contract ID Number 9597	Estimated Cost: (cost breakdown attached) \$ 400,000	Solicitation Date:
Estimated Project Duration:		

Note: Click the box to select

<input checked="" type="checkbox"/> FICB PREVAILING WAGE: <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO			
Contract Category:	<input type="checkbox"/> Construction	<input type="checkbox"/> Design-Build	<input type="checkbox"/> Non-Municipal Agency
	<input checked="" type="checkbox"/> Design Professional	<input type="checkbox"/> Other Goods & Services	<input type="checkbox"/> Lease
	<input type="checkbox"/> Professional Services	<input type="checkbox"/> Facilities Maintenance/Repair	<input type="checkbox"/> Tenant (MBE/WBE)
	<input type="checkbox"/> Other (Enter Type):		<input type="checkbox"/> Concession
Type:	<input checked="" type="checkbox"/> Original <input type="checkbox"/> Amendment No.		
Funding:	<input checked="" type="checkbox"/> City(MBE/WBE) <input type="checkbox"/> Federal (DBE) <input type="checkbox"/> State (DBE)		
	<input type="checkbox"/> Other: <input type="checkbox"/> Grant:#		
Construction Workforce Goals: Are the estimated construction labor hours greater than 800 and the estimated cost greater than \$300,000? If yes, complete "Required Crafts" Worksheet and include total number of hours in Description of Work.			<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<input checked="" type="checkbox"/> Estimated Cost Breakdown attached - Page 2 <input type="checkbox"/> List of Required Crafts attached - Page 3			

Description of work:

Design services for the water main replacement of break prone water mains.

cc: _____

FOR HUMAN RELATIONS DEPARTMENT USE ONLY:

No Goals are set for this Project; OR
 The following Goals are approved for this Project 11 % MBE 7 % WBE OR _____ % DBE

Human Relations Department

[Signature] Date: 09/18/20

FOR FAIRNESS IN CONSTRUCTION BOARD USE ONLY²

Approved Disapproved N/A

_____ Date

FOR GRANT AGENCY USE ONLY³

Approved Disapproved N/A

_____ Date

¹ DBE Programs apply to specific federal or state grant requirements.

² For Projects subject to prevailing wage requirements only.

³ Federal and state grant agreements may require granting agency approval of contract goals.



HRD Contractor Utilization Plan Approval

Date: July 16, 2021

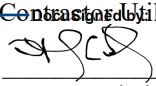
To: Ms. Andrea Dorch, Director
Human Relations Department

From: Bobbie N. Donato
Contract Administration

Subject: Contract/Project No.: 9597/80002274
Project Title: Water Main Replacement in the area of Grandview Road to Lee's Summit Road, Gregory Boulevard to Longview Road

Funding: <input checked="" type="checkbox"/> City (MBE/WBE/DBE) <input type="checkbox"/> Federal (DBE) ¹ <input type="checkbox"/> State (DBE) ¹ - Grant _____ <input type="checkbox"/> Other:	
Contract Category: <input type="checkbox"/> Construction <input type="checkbox"/> General Service <input type="checkbox"/> Facility Repair	<input checked="" type="checkbox"/> Design Professional <input type="checkbox"/> Professional Services <input type="checkbox"/> Concession <input type="checkbox"/> Other:
Bid/Proposal Closing Date: November 17, 2020	No. of Bidders/Proposers: 25
Recommended Bid/Proposal²: \$645,320.00	
Company: Walter P. Moore Contact: Daniel Brown, P.E. Contact Email: dlbrown@walterpmoore.com	Address: 1100 Walnut Street, #1825 Kansas City, MO 64106 Phone: 816.701.2109 Fax: n/a
Additional Information:	

cc: Project Manager, Christian Hoyos, Water Services Department, Christian.Hoyos@kcmo.org; 816-513-0363

FOR HUMAN RELATIONS DEPARTMENT USE ONLY	
The attached Contractor Utilization Plan is:	
<input checked="" type="checkbox"/> Approved	The Request for Best Faith Efforts Waiver is:
<input type="checkbox"/> Disapproved	<input type="checkbox"/> Approved
	<input type="checkbox"/> Disapproved
	<input type="checkbox"/> Not Applicable
Contractor Utilization Plan Participation: 27% MBE & 8% WBE	or _____% DBE
 Human Relations Department	9/8/2021 Date

FOR GRANTING AGENCY USE ONLY³ <input type="checkbox"/> N/A
Approved by: _____
Date: _____

¹ DBE Programs apply to specific federal or state grant requirements.
² The dollar figure here should match the approved Bid/Proposal recommendation or amendment preparation checklist on file with the requesting department.
³ Federal and state grant agreements may require granting agency approval of contract goals.

Inter-Departmental Communication

Date: July 26, 2021

To: Mayor Quinton Lucas; Chair: Transportation, Infrastructure & Operations Committee

From: Andrea Dorch; Director; Civil Rights & Economic Opportunity Department

Subject: Docket Memo #:

CONTRACTOR: Walter P. Moore
 Address: 1100 Walnut St., Suite 1825
 Kansas City, MO 64106
 Contract # 9597 / 80002274 – Water Main Replacement in the area of Grandview Rd. to Lee’s Summit Rd., Gregory Blvd. to Longview Rd.
 Contract Amount: \$645,320.00
 MBE Goal 11%
 WBE Goal: 7%
 Total MBE Achieved: 27%
 Total WBE Achieved: 8%

MBE SUBCONTRACTORS:
 Name: Lovelace & Associates, LLC.
 Address: 929 SE 3rd St.
 Lee’s Summit, MO 64063
 Scope of Work: Topographic and Boundary surveying
 Dollar Amount: \$173,700
 Ownership: Aaron Thomas
 Structure: Native American Male Code 17

WBE SUBCONTRACTORS:
 Name: Environmental Advisors & Engineers, Inc.
 Address: 19211 W, 64th Terrace,
 Shawnee, KS 66218
 Scope of Work: Assessment of possible Envision credits
 Dollar Amount: \$51,400
 Ownership: Jill Biesma
 Structure: Caucasian Female Code 27

Comments:



MBE/WBE/DBE Contract Goals Request

Date: June 15, 2020
 To: Phillip Yelder, Human Relations Department
 From: Matt Bond, Water Services Department

Project Number 80002274	Project Name Water Main Replacements (Location TBD) Project No. 5	
Contract ID Number 9597	Estimated Cost: (cost breakdown attached) \$ 400,000	Solicitation Date:
Estimated Project Duration:		

Note: Click the box to select

<input checked="" type="checkbox"/> FICB PREVAILING WAGE: <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO			
Contract Category:	<input type="checkbox"/> Construction	<input type="checkbox"/> Design-Build	<input type="checkbox"/> Non-Municipal Agency
	<input checked="" type="checkbox"/> Design Professional	<input type="checkbox"/> Other Goods & Services	<input type="checkbox"/> Lease
	<input type="checkbox"/> Professional Services	<input type="checkbox"/> Facilities Maintenance/Repair	<input type="checkbox"/> Tenant (MBE/WBE)
	<input type="checkbox"/> Other (Enter Type):		<input type="checkbox"/> Concession
Type:	<input checked="" type="checkbox"/> Original <input type="checkbox"/> Amendment No.		
Funding:	<input checked="" type="checkbox"/> City(MBE/WBE) <input type="checkbox"/> Federal (DBE) <input type="checkbox"/> State (DBE)		
	<input type="checkbox"/> Other: <input type="checkbox"/> Grant:#		
Construction Workforce Goals: Are the estimated construction labor hours greater than 800 and the estimated cost greater than \$300,000? If yes, complete "Required Crafts" Worksheet and include total number of hours in Description of Work.			<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<input checked="" type="checkbox"/> Estimated Cost Breakdown attached - Page 2 <input type="checkbox"/> List of Required Crafts attached - Page 3			

Description of work:

Design services for the water main replacement of break prone water mains.

cc: _____

FOR HUMAN RELATIONS DEPARTMENT USE ONLY:	
<input type="checkbox"/> No Goals are set for this Project; OR <input checked="" type="checkbox"/> The following Goals are approved for this Project	
11 % MBE 7 % WBE OR _____ % DBE	
Human Relations Department	Date: <u>09/18/20</u>

FOR FAIRNESS IN CONSTRUCTION BOARD USE ONLY²			
	<input type="checkbox"/> Approved	<input type="checkbox"/> Disapproved	<input type="checkbox"/> N/A
_____	Date: _____		

FOR GRANT AGENCY USE ONLY³			
	<input type="checkbox"/> Approved	<input type="checkbox"/> Disapproved	<input type="checkbox"/> N/A
_____	Date: _____		

¹ DBE Programs apply to specific federal or state grant requirements.
² For Projects subject to prevailing wage requirements only.
³ Federal and state grant agreements may require granting agency approval of contract goals.

Compliance Audit: Audit Summary for Total Contract

- [Main](#) [View](#) [Settings](#) [Subs](#) [Docs](#) [Change Orders & Task Orders](#) [Alerts](#) [Comments](#) [Messages](#) [Closeout](#)
- [Compliance Audit List](#) **[Compliance Audit Summary](#)** [Compliance Audit FY](#) [Reviews](#) [Site Visits](#) [Reports](#)

WSD9597: Water Main Replacement in the area of Grandview Road to Lee's Summit Road, Gregory Boulevard to Longview Road (80002274) Status: **Open**
 Prime: **Walter P. Moore and Associates, Inc.** Current Award: **\$645,320**
 9/22/2020 - 9/22/2021 Goal: **35.00%** Total Paid: **\$454,626**
% Credit: **43.87%** For Credit: **\$199,454**

Compliance Audit Summary - Total Contract							
	Current Award	#	Award Percent	Payments	#	Payments Percent	Difference (Payments - Award)
Prime Contract	\$645,320.00			\$454,625.53			
For Credit	\$225,862.00	2 subs	35.000%	\$199,454.43	2 subs	43.872%	8.872% above goal
Goal Types							
For Credit to MBE Goal	\$174,236.40	1 sub	27.000%	\$177,500.00	1 sub	39.043%	12.043% above goal
For Credit to WBE Goal	\$51,625.60	1 sub	8.000%	\$21,954.43	1 sub	4.829%	3.171% below goal
Contract Progress	<div style="width: 70%; background-color: #000080; height: 15px; margin: 5px 0;"></div> 70%						
For Credit Progress	<div style="width: 88%; background-color: #008000; height: 15px; margin: 5px 0;"></div> 88%						

Award values may not match due to differences between overall contract goal and subcontractor assignments.

Not Meeting Goal Letter

Prime Contractor - Total Contract						
Prime Contractor	Cert	Inc in Goal	Contracted % Paid %	Paid TO Prime Prime's Share		
Walter P. Moore and Associates, Inc. Dan Brown dlbrown@walterpmoore.com P 816-701-2100, F 816-701-2200	Info Payments Profile Email	No	No 65.12% 56.13%	\$454,626 \$255,171		

Subcontractors - Total Contract (2 subcontractors)								
Subcontractor	Cert	Type	Inc in Goal	Contracted % Paid %	Contracted \$ Paid \$	For Credit \$		
1 Environmental Advisors and Engineers, Inc. Robert Bens rbens@eaei.com P 913-599-4326, F 913-631-6011		Sub 100%	 WBE	7.97% 4.83%	\$51,400 \$21,954	\$21,954		
1 Lovelace & Associates, LLC Aaron Thomas adt@lovelaceassociates.com P 816-347-9997, F 816-347-9979		Sub 100%	 MBE	26.92% 39.04%	\$173,700 \$177,500	\$177,500		



ORDINANCE NO. 231045

Water Main Replacement in the Area of Grandview Road to Lee's Summit Road, Gregory Boulevard to Longview Road, Amendment No. 1

Authorizing a \$146,300.00 Amendment No. 1 to a design professional services contract with Walter P. Moore & Associates, Inc., for the Water Main Replacement in the Area of Grandview Road to Lee's Summit Road, Gregory Boulevard to Longview Road project for a total contract amount of \$791,620.00.

January 10, 2024

Transportation, Infrastructure & Operations
Committee



ORDINANCE NO. 231045



THANK YOU



File #: 231049

ORDINANCE NO. 231049

Sponsor: Director of the Public Works Department

Authorizing the Director of Public Works to execute a Cooperative Agreement with Bird Rides, Inc. for continued operation of shared-use electric scooters through December 31, 2026.

WHEREAS, the City of Kansas City, Missouri supports innovation in transportation and welcomes multimodal mobility options; and

WHEREAS, Bird Rides, Inc. was selected as one of four operators chosen by the City through a formal procurement to begin operating shared-use electric scooters within the City beginning in May 2019; and

WHEREAS, although the other selected operators of the City’s procurement process have ceased electric scooter operations since the procurement, Bird has continued to provide this service within Kansas City; and

WHEREAS, Bird also recently served as the sole operator of shared electric scooters in Qatar for the World Cup held in 2023, and is able to parlay that experience in Kansas City in preparation for the City’s involvement in the 2026 World Cup; and

WHEREAS, given the length of the extension in addition to the current time operating within the City, Council approval is required; NOW, THEREFORE,

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That the Director of Public Works is authorized to execute a Cooperative Agreement with Bird Rides, Inc. for continued operation of shared-use electric scooters through December 31, 2026.

..end

I hereby certify that there is a balance, otherwise unencumbered, to the credit of the appropriation to which the foregoing expenditure is to be charged, and a cash balance, otherwise unencumbered, in the treasury, to the credit of the fund from which payment is to be made, each sufficient to meet the obligation hereby incurred.

Tammy L. Queen
Director of Finance

Approved as to form:

Dustin E. Johnson
Assistant City Attorney



City of Kansas City, Missouri

Docket Memo

Ordinance/Resolution #: 231049

Submitted Department/Preparer: Public Works

Revised 11/01/23

Docket memos are required on all ordinances initiated by a Department Director. More information can be found in [Administrative Regulation \(AR\) 4-1](#).

Executive Summary

Sponsor: Director of Public Works

Allowing the Director of Public Works to enter into an agreement with BIRD through the World Cup for micro mobility services (E-scooter and other like devices).

Discussion

This ordinance allows for the negotiation of the agreement for micro mobility services

Fiscal Impact

1. Is this legislation included in the adopted budget? Yes No

2. What is the funding source?

Micro mobility services are a revenue generator for KCMO, currently supporting Zero-Fare.

Revenue account: 1000-120000-455250 General Fund

There are no costs associated

3. How does the legislation affect the current fiscal year?

Allows for Micro Mobility services to continue, providing revenue from the program. If the program ceases, revenue will also cease.

4. Does the legislation have a fiscal impact in future fiscal years? Please notate the difference between one-time and recurring costs.

Yes, it will continue to generate revenues for KCMO.

5. Does the legislation generate revenue, leverage outside funding, or deliver a return on investment?

Yes, it generates revenue from KCMO.

Office of Management and Budget Review
(OMB Staff will complete this section.)

- 1. This legislation is supported by the general fund. Yes No
- 2. This fund has a structural imbalance. Yes No
- 3. Account string has been verified/confirmed. Yes No

Additional Discussion (if needed)

Click or tap here to enter text.

Citywide Business Plan (CWBP) Impact

- 1. View the [FY23 Citywide Business Plan](#)
- 2. Which CWBP goal is most impacted by this legislation?
Infrastructure and Accessibility (Press tab after selecting.)
- 3. Which objectives are impacted by this legislation (select all that apply):
 - Engage in thoughtful planning and redesign of existing road networks to ensure safety, access, and mobility of users of all ages and abilities.
 - Enhance the City's connectivity, resiliency, and equity through a better-connected multi-modal transportation system for all users.
 - Build on existing strengths while developing a comprehensive transportation plan for the future.
 - Develop environmentally sustainable infrastructure strategies that improve quality of life and foster economic growth.
 - Ensure adequate resources are provided for continued maintenance of existing infrastructure.
 - Focus on delivery of safe connections to schools.

Prior Legislation

180532, 180783, 200171

Service Level Impacts

Many citizens and visitors use micro mobility devices for transportation around the city.

Other Impacts

1. What will be the potential health impacts to any affected groups?
Environmentally friendly active transportation opportunities
2. How have those groups been engaged and involved in the development of this ordinance?
Micro mobility does ongoing engagement through their technology platform.
3. How does this legislation contribute to a sustainable Kansas City?
E-scooters and like devices provide emissions free transportation devices.
4. Does this legislation create or preserve new housing units?
No (Press tab after selecting)

Click or tap here to enter text.

Click or tap here to enter text.

5. Department staff certifies the submission of any application Affirmative Action Plans or Certificates of Compliance, Contractor Utilization Plans (CUPs), and Letters of Intent to Subcontract (LOIs) to CREO prior to, or simultaneously with, the legislation entry request in Legistar.

No - CREO's review is not applicable (Press tab after selecting)

Please provide reasoning why not:

Click or tap here to enter text.

6. Does this legislation seek to approve a contract resulting from an Invitation for Bid?

No(Press tab after selecting)

Click or tap here to enter text.

7. Does this legislation seek to approve a contract resulting from a Request for Proposal/Qualification (RFP/Q)?
No(Press tab after selecting)



File #: 231050

ORDINANCE NO. 231050

Sponsor: Director of the Public Works Department
Authorizing Amendment No. 2 to a design professional services agreement with Crawford Murphy & Tilly, Inc. in the amount of \$820,047.00 for the 31st Street - Van Brunt Boulevard project, for a total contract amount of \$1,153,431.00; and recognizing this ordinance as having an accelerated effective date.

WHEREAS, the City entered into a Surface Transportation Block Grant (STBG) Program Agreement STP 3301(509) with Missouri Highways and Transportation Commission (MHTC) securing a grant in the amount of \$13,120,000.00 for re-configuring and improvements of the intersection area of 31st Street, Van Brunt Boulevard, Stadium Drive, Hardesty Avenue, and Linwood Boulevard; and

WHEREAS, Ordinance 230859 appropriated an additional \$1,000,000.00 for design professional services toward reconfiguration of the intersections in conjunction with the federal grant; and

WHEREAS, professional services agreements were executed with Crawford Murphy & Tilly, Inc. for a total amount of \$333,384.00 to design reconstruction of the 31st Street and Van Brunt Boulevard intersections area in support of the project; NOW THEREFORE,

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That the Director of Public Works is hereby authorized to execute Amendment No. 2 with Crawford Murphy & Tilly, Inc. for additional design services for Project No. 89008232 31st Street - Van Brunt Boulevard in the amount of \$820,047.00 from funds previously appropriated to the following account:

24-2080-897701-B-89008232 31st Street & Van Brunt Intersections Area \$820,047.00

A copy of the amendment is on file in the office of the Director of the Public Works Department.

Section 2. That this ordinance, relating to the design, repair, maintenance or construction of a public improvement, is recognized as an ordinance with an accelerated effective date as provided by Section 503(a)(3)(D) of the City Charter and shall take effect in accordance with Section 503, City Charter.

..end

I hereby certify that there is a balance, otherwise unencumbered, to the credit of the appropriation to which the foregoing expenditure is to be charged, and a cash balance, otherwise unencumbered, in the treasury, to the credit of the fund from which payment is to be made, each sufficient to meet the obligation hereby incurred.

Tammy L. Queen
Director of Finance

Approved as to form:

Dustin E. Johnson
Assistant City Attorney



City of Kansas City, Missouri

Docket Memo

Ordinance/Resolution #: 231050

Submitted Department/Preparer: Public Works

Revised 11/01/23

Docket memos are required on all ordinances initiated by a Department Director. More information can be found in [Administrative Regulation \(AR\) 4-1](#).

Executive Summary

Authorizing amendment No. 2 to a design professional services agreement with Crawford Murphy & Tilly, Inc. in the amount of \$820,047.00 for the 31st Street – Van Brunt project, for a total contract amount of \$1,153,431.00 and recognizing this ordinance as having an accelerated effective date.

Discussion

This amendment allows Crawford Murphy & Tilly (CMT) to move forward with the completion of right of way plans for the reconstruction of the 31st Street and Van Brunt Boulevard intersection. This includes the completion of on-site survey, environmental investigations, floodplain mapping, and preparation of documents for the City to obtain property rights necessary for the construction of this project. This effort supports the \$13,120,000 federal grant that the City has received to move forward with construction of this project in conjunction with the Mid-America Regional Council and MoDOT.

CREO goals were previously approved at 15% MBE / 10% WBE and will be carried forward with this amendment utilizing Hg Consult, TREKK Design Group, TSi Geotechnical, and Vireo.

Fiscal Impact

1. Is this legislation included in the adopted budget? Yes No
2. What is the funding source?
Fund 3090 Capital Improvements, Fund 2080 Public Mass Transportation 2080 – 897701 – B - 89008232
3. How does the legislation affect the current fiscal year?
There is no affect.
4. Does the legislation have a fiscal impact in future fiscal years? Please notate the difference between one-time and recurring costs.

No

5. Does the legislation generate revenue, leverage outside funding, or deliver a return on investment?

No

Office of Management and Budget Review

(OMB Staff will complete this section.)

- 1. This legislation is supported by the general fund. Yes No
- 2. This fund has a structural imbalance. Yes No
- 3. Account string has been verified/confirmed. Yes No

Additional Discussion (if needed)

Click or tap here to enter text.

Citywide Business Plan (CWBP) Impact

- 1. View the [FY23 Citywide Business Plan](#)
- 2. Which CWBP goal is most impacted by this legislation?
Infrastructure and Accessibility (Press tab after selecting.)
- 3. Which objectives are impacted by this legislation (select all that apply):
 - Engage in thoughtful planning and redesign of existing road networks to ensure safety, access, and mobility of users of all ages and abilities.
 - Enhance the City's connectivity, resiliency, and equity through a better-connected multi-modal transportation system for all users.
 - Build on existing strengths while developing a comprehensive transportation plan for the future.
 - Develop environmentally sustainable infrastructure strategies that improve quality of life and foster economic growth.
 - Ensure adequate resources are provided for continued maintenance of existing infrastructure.
 - Focus on delivery of safe connections to schools.

Prior Legislation

Click or tap here to list prior, related ordinances/resolutions.

Service Level Impacts

The reconstruction of this intersection and traffic signals will improve the travel time for the area since this is a major corridor through the City. Installation of sidewalks and shared use path will also allow for additional and safer pedestrian and bicycle movements throughout the area.

Other Impacts

1. What will be the potential health impacts to any affected groups?
The project will include the installation of sidewalk and shared use paths to promote additional exercise. Coordination is also ongoing with KCATA to provide a major transit hub adjacent to this project.
2. How have those groups been engaged and involved in the development of this ordinance?
There will be public meetings held to inform the public regarding the design as part of the next phase of the City's design processes.
3. How does this legislation contribute to a sustainable Kansas City?
Reducing travel time with the traffic signal improvements will significantly reduce emissions and allow for better air quality.
4. Does this legislation create or preserve new housing units?
No (Press tab after selecting)

Click or tap here to enter text.
Click or tap here to enter text.

5. Department staff certifies the submission of any application Affirmative Action Plans or Certificates of Compliance, Contractor Utilization Plans (CUPs), and Letters of Intent to Subcontract (LOIs) to CREO prior to, or simultaneously with, the legislation entry request in Legistar.

No - CREO's review is not applicable (Press tab after selecting)

Please provide reasoning why not:

The design professional continues to maintain their compliance with the previously approved CREO participation goals as part of this amendment.

6. Does this legislation seek to approve a contract resulting from an Invitation for Bid?

No(Press tab after selecting)

Click or tap here to enter text.

7. Does this legislation seek to approve a contract resulting from a Request for Proposal/Qualification (RFP/Q)?
No(Press tab after selecting)



File #: 230965

ORDINANCE NO. 230965

Sponsor: Director of Water Services Department

Estimating revenue in the amount of \$300,000.00 in the Capital Improvements Fund; appropriating this amount to the Milrey Stoddard Flood Control account; authorizing a Cooperative Agreement with Platte County, Missouri for the Design and Development, and Management of the Milrey-Stoddard Storm Water Improvements; and authorizing a \$487,373.00 contract with Wilson and Company, Inc., for the design of the Milrey Stoddard Flood Control project.

WHEREAS, Walnut Creek, a tributary of Rush Creek which generally parallels Stoddard Avenue between N.W. 73rd Street and N.W. 83rd Street, has been impacted by increased runoff and surrounding development patterns; and

WHEREAS, the City completed an initial phase of the project in the mid-2000's but did not complete the entire flood control mitigation due to a lack of funding; and

WHEREAS, neighbors along this section of creek complain of stream bank erosion, property flooding, roadway flooding, and damage to utilities; and

WHEREAS, Walnut Creek flows into unincorporated Platte County and the City and County seek to address watershed issues via an agreed upon project that provides flood relief in the upper reaches of Walnut Creek; and

WHEREAS, with the approval for Committee Substitute for Resolution No. 220937, the 2024-2028 Citywide Business Plan was approved which included the Submitted FY 2024-2025 GOKC Bond Five Year Plan which included funding in FY 2025-2026 to complete the remaining flood control mitigation for the Milrey-Stoddard area of Walnut Creek; and

WHEREAS, multiple studies have been completed to look at possible solutions to the problems along this section of creek with the most recent being the N.W. Stoddard Detention Preliminary Engineering Study completed by Wilson and Company, Inc. for the City dated June 13, 2019, and the County wishes to help accelerate the design of the project to allow for construction in 2025; NOW, THEREFORE,

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That the revenue in the following account of the Capital Improvements Fund is estimated in the following amount:

24-3090-800001-479983-82000365	Platte County Storm Water Grant	\$300,000.00
--------------------------------	---------------------------------	--------------

Section 2. That the sum of \$300,000.00 is appropriated from the Unappropriated Fund Balance of the Capital Improvements Fund to the following account in the Capital Improvements Fund:

24-3090-808052-B-82000365	Milrey Stoddard Flood Control	\$300,000.00
---------------------------	-------------------------------	--------------

Section 3. That the Director of Water Services is hereby authorized to enter into and execute a Cooperative Agreement with Platte County for the Design and Development, and Management of the Milrey-Stoddard Storm Water Improvements project. The agreement is approved in substantial form as that on file in the office of the Director of Water Services, subject to the receipt of all required approvals.

Section 4. That the Director of Water Services is hereby authorized to execute, on behalf of the City, a \$487,373.00 contract with Wilson and Company, Inc. for Contract No. 473, Milrey Stoddard Flood Control Project, Project No. 82000365, from funds hereby appropriated to the follow accounts:

AL-3624-808052-611060-82000365	Milrey Stoddard Flood Control	\$243,686.50
24-3090-808052-611060-82000365	Milrey Stoddard Flood Control	<u>243,686.50</u>
	TOTAL	\$487,373.00

A copy of the contract is on file in the office of the Director of Water Services.

Section 5. That the Director of Water Services is hereby designated as requisitioning authority on Account Nos. 3090-808052-611060-82000365 and 3624-808052-611060-82000365.

..end

I hereby certify that there is a balance, otherwise unencumbered, to the credit of the appropriation to which the foregoing expenditure is to be charged, and a cash balance, otherwise unencumbered, in the treasury, to the credit of the fund from which payment is to be made, each sufficient to meet the obligation hereby incurred.

Tammy L. Queen
Director of Finance

Approved as to form:

Mark P. Jones
Senior Associate City Attorney



APPROPRIATION TRANSACTION

CITY OF KANSAS CITY, MISSOURI

DEPARTMENT: Water Services

BUSINESS UNIKCMBU DATE: 11/3/2023 JOURNAL ID: _____

LEDGER GROUP: APPROP

<u>YR</u>	<u>FUND</u>	<u>DEPT ID</u>	<u>ACCOUNT</u>	<u>PROJECT</u>	<u>AMOUNT</u>	<u>INC/DEC</u>
24	3090	808052	611060	82000365	\$ 300,000.00	INC
TOTAL						<u>#####</u>

BUSINESS UNIKCMBU DATE: _____ JOURNAL ID: C
(same as above, except prefixed by a C)

LEDGER GROUP: ADMIN BUDGET PERIOD: _____

<u>YR</u>	<u>FUND</u>	<u>DEPT ID</u>	<u>ACCOUNT</u>	<u>PROJECT</u>	<u>AMOUNT</u>	<u>INC/DEC</u>
TOTAL						-
<u>DESCRIPTION:</u>						NET
						-

APPROVED BY: _____ DATE: _____ APPROVED BY: DEPARTMENT HEAD DATE: _____

Inter-Departmental Communication

Date: January 8, 2023

To: Councilmember Kevin O’Neill; Chair: Transportation, Infrastructure & Operations Committee

From: Jaime Guillen; Director; Civil Rights & Equal Opportunity Dept.

Subject: CUP Summary #:230965

CONTRACTOR: Wilson & Co, Inc., Engineers & Architects
Address: 800 E. 101st Terrace, Suite 200
Kansas City, MO 64131
Contract # 473 / 82000365 0 Milray Stoddard Storm Water Improvements
Contract Amount: \$487,373.00
MBE Goal 15%
WBE Goal: 11%
Total MBE Achieved: 19%
Total WBE Achieved: 12.7%

MBE SUBCONTRACTORS:
Name: Taliaferro & Browne, Inc.
Address: 1020 E. 8th St.
Kansas City, MO 64106
Scope of Work: Surveying
Subcontract Amount: \$57,336
Ownership: Andebrhan, Hagos
Structure: African-American Male Code: 15

MBE SUBCONTRACTORS:
Name: Tech Services to Go, Inc. dba TSi Geotechnical
Address: 8248 NW 101st Terrae, #5
Kansas City, MO 64153
Scope of Work: Geotechnical Services
Subcontract Amount: \$35,645.16
Ownership: Hervey, Denise
Structure: African-American Female Code 19

WBE SUBCONTRACTORS:

Name: VSM Engineering, LLC
Address: 8008 NW Chatham Ave.
Kansas City, MO 64151
Scope of Work: Utility Coordination
Subcontract Amount: \$20,000
Ownership: McCaw, Valerie
Structure: Caucasian Female Code 27

WBE SUBCONTRACTORS:

Name: TREKK Design Group, LLC
Address: 1411 E. 104th St.
Kansas City, MO 64131
Scope of Work: Surveying
Subcontract Amount: \$41,927.88
Ownership: Robinett, Kimberly
Structure: Caucasian Female Code 27

Comments:

**Civil Rights & Equal Opportunity Department
Economic Equity & Inclusion
Contract Goals Request**

Date: 11/03/23
Form Prepared By: Nicole Tauheed

Contract/Project Number: 473/82000365	Project Name: Milray Stoddard Flood Control Project
Owning Department: KC Water	Project Manager: Nicole Tauheed/816-513-0573/Nicole.Tauheed@kcmo.org

Funding: City State Federal CO-OP Grant: 23-3090-800001-479983-82000 Other:

Project Requirements: M/WBE DBE Section 3 N/A

Tax Incentive: LCRA TIF PIEA N/A Other:

Prevailing Wage: Yes No

Davis-Bacon: Yes No

Presenting to Council¹: Yes No

Construction Employment Program: Yes: Workforce employment goals are 10% minority hours & 2% female hours. This project is estimated at over 800 work hours and over \$300,000.
 NO: This project is estimated at less than \$300,000 and no more than 800 work hours.

Estimated Number of Project Days: 270	Anticipated Solicitation Date: N/A
---------------------------------------	------------------------------------

Contract Type:

Construction Design-Build Design Professional Professional Services

General Service Concession Other Goods & Services Non-Municipal Agency

Co-Operative Revenue Sharing Facilities Maintenance/Repair/Renovation

Other:

Description of Contract (Provide Details):

Phase II engineering design services to develop construction plans and specifications for the Milray Stoddard Flood Control Project. The project will provide design for regional flood control facilities in the area between NW 83rd to NW 75th Street, along the Walnut Creek Corridor which sits between Milray Street and Stoddard Street. MBE/WBE Participation will be used for Site Survey (Taliaferro & Browne, \$90k), Geotechnical Services (TSi, \$30k), and Utility Coordination (VSM, \$10k) for a total of 26.67% of the total contract cost. Phase I of this project was performed by the same design professional, Wilson & Company, under their On-Call Services Contract that has established goals of 15% MBE, 11% WBE. For Phase II, a Contract Solicitation waiver will be submitted to the City Manager for approval.

Pursuant to RSMo. Section 610.021(11) & (12) documents related to bids will not be made available until bids are completed.

This document is submitted with all available facts. Intentionally falsifying this document or omitting pertinent facts is grounds for disciplinary action pursuant to KCMO Human Resources Rules & Policy Manual (eff. August 4, 2014).

FOR GENERAL SERVICES DEPARTMENT (PROCUREMENT) USE ONLY:

Reviewed CREO Annual Goal Manual? Yes No

Waiver being applied? Yes No Type: _____

According to CREO Annual Goal Manual, the Goals for this project are:

_____ % MBE	_____ % WBE	_____ % DBE
-------------	-------------	-------------

Electronic Record? Yes No

GSD Signature: _____ Date: _____

FOR CIVIL RIGHTS & EQUAL OPPORTUNITY DEPARTMENT (CREO) USE ONLY:

Reviewed CREO Annual Goal Manual? Yes No N/A

The following Goals are approved for this Project:

_____ 15 % MBE	_____ 11 % WBE	_____ % DBE
----------------	----------------	-------------

No Goals are set for this Project Waiver Approved Waiver Denied

Reason for Wavier: _____

Electronic Record? Yes No

CREO Signature: Rio Cervantes-Reed Date: 11/15/2023
FEC59457D32E400...



Scopes of Work

Contract/Project Number: 473/82000365

Project Name: Milray Stoddard Flood Control Project

NOTE: Include a breakdown of the scope of work and/or disciplines that will be required for this contract.

List NAICS Codes & Description
541330 Engineering Design Services: Develop preliminary to final construction plans and specifications for the design of regional detention pond and culverts, and the regrading and stabilization of Walnut Creek.
541370 Surveying and Mapping: Field Survey/Easement Documents
541380 Geotechnical Investigation: 13 soil borings, analysis and recommendation submitted in soils report for project area.
541330 Engineering Services - Utility Coordination: provide all relevant information received from each utility company after each milestone submittal, with at least one coordination meeting.
541130 Engineering Services - Project Management, Quality Control, and 5 Project Meetings.



**Civil Rights & Equal Opportunity Department
Economic Equity & Inclusion
Nondiscrimination & Equal Opportunity Review Form**

Date:
Form Prepared By:

Contract/Project Number: 473/82000365	Project Name: Milray Stoddard Flood Control Project
Developer/Prime: Wilson & Company	Contact Information:
Final Contract Value: \$487,373.00	Project Manager: Nicole Tauheed/816-513-0573/Nicole.Tauheed@kcmo.org

Funding: City State Federal CO-OP Grant: Other:
 Project Requirements: M/WBE DBE Section 3 N/A
 Tax Incentive: LCRA TIF PIEA Ch. 100 Other: N/A
 Prevailing Wage: Yes No
 Davis-Bacon: Yes No
 Construction Employment Program: Yes: Workforce goals are 10% Minority & 2% Women. There are over 800 Workforce hours and project cost is \$300,000 or more.
 No: Workforce hours are less than 800 and project cost is less than \$300,000.

Contracts & Leases	Nondiscrimination
Ch. 3 Article IV: <u>yes</u>	Ch. 38: <u>yes</u>
RSMo 213: <u>yes</u>	Title VI: <u>yes</u>
MWDBE: <u>yes</u>	Prevailing Wage and Labor Standards: <u>N/A</u>
SLBE: <u>N/A</u>	RSMo 34 Anti-Discrimination Against Israel: <u>yes</u>

Contract Type:

Construction Design-Build Design Professional Professional Services
 General Service Concession Other Goods & Services Non-Municipal Agency
 Co-Operative Revenue Sharing Facilities Maintenance/Repair/Renovation
 Other:

Additional Information:

This document is submitted with all available facts. Intentionally falsifying this document or omitting pertinent facts is grounds for disciplinary action pursuant to KCMO Human Resources Rules & Policy Manual (eff. August 4, 2014).

FOR CIVIL RIGHTS & EQUAL OPPORTUNITY DEPARTMENT (CREO) USE ONLY:

The Document is:

Approved Disapproved

Changes Needed:

Federal Provisions Included:

Approved Disapproved Not Applicable

CREO Signature: _____ Date: _____

Comments:



Civil Rights and Equal Opportunity Department Civil Rights and Wage Assurances

Non-discrimination in Employment. Contractor shall not discriminate against any employee or candidate for employment on the basis of an individual's race, hair texture or hair style associated with an individual's race, color, sex, religion, national origin, or ancestry, disability, sexual orientation, gender identity, age, or in any other manner prohibited by Chapter 38 of the City Code. Contractor shall not engage in any discrimination as prohibited by Chapter 3 of the City Code.

Ban the Box in Hiring and Promotion.

(a) Pursuant to Section 38-104, City Code Ordinances, Contractor shall not base a hiring or promotional decision on an applicant's criminal history or sentence related thereto, unless the employer can demonstrate that the employment-related decision was based on all information available including consideration of the frequency, recentness and severity of a criminal record and that the record was reasonably related to the duties and responsibilities of the position.

(b) Notwithstanding subsection (a), Contractor may inquire about an applicant's criminal history after it has been determined that the individual is otherwise qualified for the position, and only after the applicant has been interviewed for the position. Any such inquiry may be made of all applicants who are within the final selection pool of candidates from which a job will be filled.

(c) This provision shall not apply to positions where employers are required to exclude applicants with certain criminal convictions from employment due to local, state or federal law or regulation.

Title VI of the Civil Rights Act of 1964. Title VI of the Civil Rights Act of 1964 requires that no person in the United States shall, on the grounds of race, color, or national or origin (including limited English proficient individuals), be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance. The City of Kansas City, Missouri requires compliance with the requirements of Title VI in all of its programs and activities regardless of the funding source.

Contractor shall not discriminate on the grounds of race, color, or national or origin (including limited English proficient individuals).

Quality Services Assurance Act. If this Contract exceeds \$160,000.00, Contractor certifies Contractor will pay all employees who will work on this Contract in the city limits of Kansas City, Missouri at least \$15.00 per hour in compliance with the City's Quality Services Assurance Act,

CREO Form 3
Rev. 3.22.2023



Civil Rights and Equal Opportunity Department Civil Rights and Wage Assurances

Section 3-66, Code of Ordinances or City has granted Contractor an exemption pursuant to the Quality Services Assurance Act.

Anti-Discrimination Against Israel. If this Contract exceeds \$100,000.00 and Contractor employs at least ten employees, pursuant to Section 34.600, RSMo., by executing this Contract, Contractor certifies it is not currently engaged in and shall not, for the duration of this contract, engage in a boycott of goods or services from the State of Israel; companies doing business in or with Israel or authorized by, licensed by, or organized under the laws of the State of Israel; or persons or entities doing business in the State of Israel.

Affirmative Action. If this Contract exceeds \$300,000.00 and Contractor employs fifty (50) or more people, Contractor shall comply with City's Affirmative Action requirements in accordance with the provisions of Chapter 3 of City's Code, the rules and regulations relating to those sections, and any additions or amendments thereto; in executing any Contract subject to said provisions, Contractor warrants that it has an affirmative action program in place and will maintain the affirmative action program in place for the duration of the Contract. Contractor shall not discriminate against any employee or applicant for employment because of race, color, sex, religion, national origin or ancestry, disability, sexual orientation, gender identity or age in a manner prohibited by Chapter 3 of City's Code. Contractor shall:

- (a) Execute and submit the City of Kansas City, Missouri CREO Affirmative Action Program Affidavit warranting that the Contractor has an affirmative action program in place and will maintain the affirmative action program in place for the duration of the Contract.
- (b) Submit, in print or electronic format, a copy of Contractor's current certificate of compliance to the City's Civil Rights and Equal Opportunity Department (CREO) prior to receiving the first payment under the Contract, unless a copy has already been submitted to CREO at any point within the previous two (2) calendar years. If, and only if, Contractor does not possess a current certification of compliance, Contractor shall submit, in print or electronic format, a copy of its affirmative action program to CREO prior to receiving the first payment under the Contract, unless a copy has already been submitted to CREO at any point within the previous two (2) calendar years.
- (c) Require any Subcontractor awarded a subcontract exceeding \$300,000.00 to affirm that Subcontractor has an affirmative action program in place and will maintain the affirmative action program in place for the duration of the subcontract.
- (d) Obtain from any Subcontractor awarded a subcontract exceeding \$300,000.00 a copy of the Subcontractor's current certificate of compliance and tender a copy of the same, in print or

CREO Form 3
Rev. 3.22.2023



Civil Rights and Equal Opportunity Department Civil Rights and Wage Assurances

electronic format, to CREO within thirty (30) days from the date the subcontract is executed. If, and only if, Subcontractor does not possess a current certificate of compliance, Contractor shall obtain a copy of the Subcontractor's affirmative action program and tender a copy of the same, in print or electronic format, to CREO within thirty (30) days from the date the subcontract is executed.

City has the right to take action as directed by City's Civil Rights and Equal Opportunity Department to enforce this provision. If Contractor fails, refuses or neglects to comply with the provisions of Chapter 3 of City's Code, then such failure shall be deemed a total breach of this Contract and this Contract may be terminated, cancelled or suspended, in whole or in part, and Contractor may be declared ineligible for any further contracts funded by City for a period of one (1) year. This is a material term of this Contract.

Compliance with Laws. Contractor shall comply with all federal, state and local laws, ordinances and regulations applicable to the work and this Agreement. Contractor shall maintain in effect all the licenses, permissions, authorizations, consents and permits that it needs to carry out its obligations under this Agreement.

Prevailing Wage. If the Agreement exceeds \$75,000.00 and any of the Services performed by Contractor includes construction, reconstruction, improvement, enlargement, alteration, painting and decorating, or major repair, that is subject to the Missouri Prevailing Wage Law (Section 290.210, RSMo – 290.340, RSMo), Contractor shall immediately notify the City prior to performing Services so the parties can execute an agreement that incorporates, the appropriate Wage Order. Contractor shall comply with all requirements of Section 290.210, RSMo – 290.340, RSMo even if Contractor fails to notify the City.



Contract Solicitation City Manager Waiver Kansas City Code Sec. 3-7¹

Date: November 03, 2023
To: Brian Platt, City Manager
From: Wes Minder, Department Director
Subject: Contract/Project Title: Milray Stoddard Flood Control Project.
Contract No/Project No.: 473/82000365

It is recommended that in accordance with Code Sec. 3-7(a)(3), the solicitation requirements of Code Sec. 3-3 be waived and that approval be granted to enter into a contract with Wilson & Company to provide Design Professional services. The estimated contract amount is \$487,373.00. The factors supporting this recommendation are as follows:

Per Code Section 3-7(a)(3) a Specialized Waiver for Design Professional Contracts can be requested to utilize the same design professional for additional design work on subsequent phases of the same project, without a new qualification based selection process. This waiver is requested for Wilson & Company to provide design work on the subsequent design phase of the Milray Stoddard Flood Control project. Wilson & Company was the original design professional on the NW Stoddard Detention – Preliminary Engineering Study in 2018.

It is in the best interest of the city to contract with Wilson & Company to retain the historical knowledge and understanding of the project area gained from the study, therefore eliminating the time and expense needed for a new design professional to become acclimated.

Approved:

DocuSigned by:

3A15D265D28949B...

City Manager

¹ The city manager and the manager of procurement services are authorized to waive the solicitation requirements for any contract.



City of Kansas City, Missouri

Docket Memo

Ordinance/Resolution #: 230965

Submitted Department/Preparer: Water

Revised 11/01/23

Docket memos are required on all ordinances initiated by a Department Director. More information can be found in [Administrative Regulation \(AR\) 4-1](#).

Executive Summary

Estimating revenue in the amount of \$300,000.00 in the Capital Improvements Fund; appropriating this amount to the Milrey Stoddard Flood Control account; authorizing a Cooperative Agreement with Platte County, Missouri for the Design and Development, and Management of the Milrey-Stoddard Storm Water Improvements; and authorizing a \$487,373.00 contract with Wilson and Company, Inc., for the design of the Milrey Stoddard Flood Control project.

Discussion

Project Justification

Walnut Creek, a tributary of Rush Creek which generally parallels Stoddard Ave between NW 73rd Street and NW 83rd Street, has been impacted by increased runoff and surrounding development patterns.

The City completed an initial phase of the project in the mid-2000's but did not complete the entire flood control mitigation due to a lack of funding.

Neighbors along this section of creek complain of stream bank erosion, property flooding, roadway flooding, and damage to utilities.

Walnut Creek flows into unincorporated Platte County and the City and County seek to address watershed issues via an agreed upon project that provides flood relief in the upper reaches of Walnut Creek.

With the approval for Committee Substitute for Resolution 220937, the 2024-2028 Citywide Business Plan was approved which included the Submitted FY 2024-2025 GOKC Bond Five Year Plan which included funding in FY 2025-2026 to complete the remaining flood control mitigation for the Milray-Stoddard area of Walnut Creek.

Multiple studies have been completed to look at possible solutions to the problems along this section of creek with the most recent being the NW Stoddard Detention Preliminary Engineering Study completed by Wilson and Company, Inc. for the City dated June 13, 2019 and the County wishes to help accelerate the design of the project to allow for construction in 2025.

Project Description

The cooperative agreement will provide for a cooperative effort between the City of Kansas City, Missouri (City) and Platte County, Missouri (County) whereby County will provide Parks and Stormwater sales tax funds, in an amount not to exceed \$300,000.00, for the purpose of preparing construction design documents for mitigating flooding impacts along Walnut Creek.

Work on the design professional services project with Wilson & Company, Inc. will include development of construction documents, special provisions, and cost estimates to construct a regional detention pond along Walnut Creek, south of NW 83rd Street and north of NW 80th Street; expand culverts under NW 77th Terrace, Belvidere Parkway, NW 75th Terrace and NW 75th Street; regrade and stabilize Walnut Creek between Belvidere Parkway and Park Forest downstream of NW 75th Street.

Work on this design professional services project should be completed within 270 days following the City's issuance of the Notice to Proceed.

Solicitation/Selection

A solicitation waiver was approved by the City Manager on November 3, 2023.

Persuant to Code of Ordinance Section 3-7(a)(3), a Specialized Waiver for Design Professional Contracts can be requested to utilize the same design professional for additional design work on subsequent phases of the same project, without a new qualification based selection process.

This waiver is requested for Wilson & Company, Inc. to provide design work on the subsequent design phase of the Milrey Stoddard Flood Control project. Wilson & Company, Inc. was the original design professional on the NW Stoddard Detention – Preliminary Engineering Study in 2018.

It is in the best interest of the city to contract with Wilson & Company, Inc. to retain the historical knowledge and understanding of the project area gained from the study, therefore eliminating the time and expense needed for a new design professional to become acclimated.

Fiscal Impact

1. Is this legislation included in the adopted budget? Yes No
2. What is the funding source?
AL-3624-808052-611060-82000365 = \$243,686.50
24-3090-808052-611060-82000365= \$243,686.50
Milrey Stoddard Flood Control GO Bond 24, Capital improvement Fund
3. How does the legislation affect the current fiscal year?
Funding was adopted with the FY23/24 budget. This ordinance allows Water Services to expend budgeted funds for their intended purpose.

4. Does the legislation have a fiscal impact in future fiscal years? Please notate the difference between one-time and recurring costs.
Funding for construction was included in the FY25/26 Question 2 GO Bond plan adopted with the FY23/24 budget.
5. Does the legislation generate revenue, leverage outside funding, or deliver a return on investment?
The project leverages \$300,000.00 from Platte County.

Office of Management and Budget Review
(OMB Staff will complete this section.)

1. This legislation is supported by the general fund. Yes No
2. This fund has a structural imbalance. Yes No
3. Account string has been verified/confirmed. Yes No

Additional Discussion (if needed)

Click or tap here to enter text.

Citywide Business Plan (CWBP) Impact

1. View the [FY23 Citywide Business Plan](#)
2. Which CWBP goal is most impacted by this legislation?
Infrastructure and Accessibility (Press tab after selecting.)
3. Which objectives are impacted by this legislation (select all that apply):
 - Engage in thoughtful planning and redesign of existing road networks to ensure safety, access, and mobility of users of all ages and abilities.
 - Enhance the City's connectivity, resiliency, and equity through a better-connected multi-modal transportation system for all users.
 - Build on existing strengths while developing a comprehensive transportation plan for the future.
 - Develop environmentally sustainable infrastructure strategies that improve quality of life and foster economic growth.
 - Ensure adequate resources are provided for continued maintenance of existing infrastructure.
 - Focus on delivery of safe connections to schools.

Prior Legislation

Ordinance No. 000112 was passed by City Council on February 20, 2000, which authorized a \$62,000.00 contract with Larkin Group, Inc. related to engineering services in connection with storm drainage improvements in the vicinity of N. Stoddard and Milrey Drive.

Service Level Impacts

Current flooding conditions create need for roadway overtopping clean up and impacts to street and drainage assets. The proposed improvements will eliminate street overtopping and reduce need to provide service at the streets that cross Walnut Creek.

Other Impacts

1. What will be the potential health impacts to any affected groups?
The potential health impacts include mitigating flooding which can impact private residences and create conditions for mold growth and other airborne pathogens in private homes.
2. How have those groups been engaged and involved in the development of this ordinance?
N/A
3. How does this legislation contribute to a sustainable Kansas City?
Project completes a flooding mitigation project started in the early 2000's and will reduce roadway overtopping at NW 80th, NW 77th Street which will reduce future storm restoration needs reducing the city's future financial maintenance impact created by flooding events.
4. Does this legislation create or preserve new housing units?
No (Press tab after selecting)

N/A
Click or tap here to enter text.
5. Department staff certifies the submission of any application Affirmative Action Plans or Certificates of Compliance, Contractor Utilization Plans (CUPs), and Letters of Intent to Subcontract (LOIs) to CREO prior to, or simultaneously with, the legislation entry request in Legistar.

Yes - I have submitted documents for CREO Review (Press tab after selecting)
Please attach or copy and paste CREO's review.

CREO KC established goals of 18% MBE and 8% WBE on this project.

6. Does this legislation seek to approve a contract resulting from an Invitation for Bid?

No(Press tab after selecting)

[Click or tap here to enter text.](#)

7. Does this legislation seek to approve a contract resulting from a Request for Proposal/Qualification (RFP/Q)?
No(Press tab after selecting)

**Civil Rights & Equal Opportunity Department
Economic Equity & Inclusion
Contract Goals Request**

Date: 11/03/23
Form Prepared By: Nicole Tauheed

Contract/Project Number: 473/82000365	Project Name: Milray Stoddard Flood Control Project
Owning Department: KC Water	Project Manager: Nicole Tauheed/816-513-0573/Nicole.Tauheed@kcmo.org

Funding: City State Federal CO-OP Grant: 23-3090-800001-479983-82000 Other:

Project Requirements: M/WBE DBE Section 3 N/A

Tax Incentive: LCRA TIF PIEA N/A Other:

Prevailing Wage: Yes No

Davis-Bacon: Yes No

Presenting to Council¹: Yes No

Construction Employment Program: Yes: Workforce employment goals are 10% minority hours & 2% female hours. This project is estimated at over 800 work hours and over \$300,000.
 NO: This project is estimated at less than \$300,000 and no more than 800 work hours.

Estimated Number of Project Days: 270	Anticipated Solicitation Date: N/A
---------------------------------------	------------------------------------

Contract Type:

Construction Design-Build Design Professional Professional Services

General Service Concession Other Goods & Services Non-Municipal Agency

Co-Operative Revenue Sharing Facilities Maintenance/Repair/Renovation

Other:

Description of Contract (Provide Details):

Phase II engineering design services to develop construction plans and specifications for the Milray Stoddard Flood Control Project. The project will provide design for regional flood control facilities in the area between NW 83rd to NW 75th Street, along the Walnut Creek Corridor which sits between Milray Street and Stoddard Street. MBE/WBE Participation will be used for Site Survey (Taliaferro & Browne, \$90k), Geotechnical Services (TSi, \$30k), and Utility Coordination (VSM, \$10k) for a total of 26.67% of the total contract cost. Phase I of this project was performed by the same design professional, Wilson & Company, under their On-Call Services Contract that has established goals of 15% MBE, 11% WBE. For Phase II, a Contract Solicitation waiver will be submitted to the City Manager for approval.

Pursuant to RSMo. Section 610.021(11) & (12) documents related to bids will not be made available until bids are completed.

This document is submitted with all available facts. Intentionally falsifying this document or omitting pertinent facts is grounds for disciplinary action pursuant to KCMO Human Resources Rules & Policy Manual (eff. August 4, 2014).

FOR GENERAL SERVICES DEPARTMENT (PROCUREMENT) USE ONLY:

Reviewed CREO Annual Goal Manual? Yes No

Waiver being applied? Yes No Type: _____

According to CREO Annual Goal Manual, the Goals for this project are:

_____ % MBE	_____ % WBE	_____ % DBE
-------------	-------------	-------------

Electronic Record? Yes No

GSD Signature: _____ Date: _____

FOR CIVIL RIGHTS & EQUAL OPPORTUNITY DEPARTMENT (CREO) USE ONLY:

Reviewed CREO Annual Goal Manual? Yes No N/A

The following Goals are approved for this Project:

_____ 15 % MBE	_____ 11 % WBE	_____ % DBE
----------------	----------------	-------------

No Goals are set for this Project Waiver Approved Waiver Denied

Reason for Wavier: _____

Electronic Record? Yes No

CREO Signature: Rio Cervantes-Reed Date: 11/15/2023
FEC59457D32E400...



Scopes of Work

Contract/Project Number: 473/82000365

Project Name: Milray Stoddard Flood Control Project

NOTE: Include a breakdown of the scope of work and/or disciplines that will be required for this contract.

List NAICS Codes & Description
541330 Engineering Design Services: Develop preliminary to final construction plans and specifications for the design of regional detention pond and culverts, and the regrading and stabilization of Walnut Creek.
541370 Surveying and Mapping: Field Survey/Easement Documents
541380 Geotechnical Investigation: 13 soil borings, analysis and recommendation submitted in soils report for project area.
541330 Engineering Services - Utility Coordination: provide all relevant information received from each utility company after each milestone submittal, with at least one coordination meeting.
541130 Engineering Services - Project Management, Quality Control, and 5 Project Meetings.

**Civil Rights & Equal Opportunity Department
Economic Equity & Inclusion
Nondiscrimination & Equal Opportunity Review Form**

Date:
Form Prepared By:

Contract/Project Number: 473/82000365	Project Name: Milray Stoddard Flood Control Project
Developer/Prime: Wilson & Company	Contact Information:
Final Contract Value: \$487,373.00	Project Manager: Nicole Tauheed/816-513-0573/Nicole.Tauheed@kcmo.org

Funding: City State Federal CO-OP Grant: Other:
 Project Requirements: M/WBE DBE Section 3 N/A
 Tax Incentive: LCRA TIF PIEA Ch. 100 Other: N/A
 Prevailing Wage: Yes No
 Davis-Bacon: Yes No
 Construction Employment Program: Yes: Workforce goals are 10% Minority & 2% Women. There are over 800 Workforce hours and project cost is \$300,000 or more.
 No: Workforce hours are less than 800 and project cost is less than \$300,000.

Contracts & Leases	Nondiscrimination
Ch. 3 Article IV: <u>yes</u>	Ch. 38: <u>yes</u>
RSMo 213: <u>yes</u>	Title VI: <u>yes</u>
MWDBE: <u>yes</u>	Prevailing Wage and Labor Standards: <u>N/A</u>
SLBE: <u>N/A</u>	RSMo 34 Anti-Discrimination Against Israel: <u>yes</u>

Contract Type:

Construction Design-Build Design Professional Professional Services
 General Service Concession Other Goods & Services Non-Municipal Agency
 Co-Operative Revenue Sharing Facilities Maintenance/Repair/Renovation
 Other:

Additional Information:

This document is submitted with all available facts. Intentionally falsifying this document or omitting pertinent facts is grounds for disciplinary action pursuant to KCMO Human Resources Rules & Policy Manual (eff. August 4, 2014).

FOR CIVIL RIGHTS & EQUAL OPPORTUNITY DEPARTMENT (CREO) USE ONLY:

The Document is:

Approved Disapproved

Changes Needed:

Federal Provisions Included:

Approved Disapproved Not Applicable

CREO Signature: _____ Date: _____

Comments:



Civil Rights and Equal Opportunity Department Civil Rights and Wage Assurances

Non-discrimination in Employment. Contractor shall not discriminate against any employee or candidate for employment on the basis of an individual's race, hair texture or hair style associated with an individual's race, color, sex, religion, national origin, or ancestry, disability, sexual orientation, gender identity, age, or in any other manner prohibited by Chapter 38 of the City Code. Contractor shall not engage in any discrimination as prohibited by Chapter 3 of the City Code.

Ban the Box in Hiring and Promotion.

(a) Pursuant to Section 38-104, City Code Ordinances, Contractor shall not base a hiring or promotional decision on an applicant's criminal history or sentence related thereto, unless the employer can demonstrate that the employment-related decision was based on all information available including consideration of the frequency, recentness and severity of a criminal record and that the record was reasonably related to the duties and responsibilities of the position.

(b) Notwithstanding subsection (a), Contractor may inquire about an applicant's criminal history after it has been determined that the individual is otherwise qualified for the position, and only after the applicant has been interviewed for the position. Any such inquiry may be made of all applicants who are within the final selection pool of candidates from which a job will be filled.

(c) This provision shall not apply to positions where employers are required to exclude applicants with certain criminal convictions from employment due to local, state or federal law or regulation.

Title VI of the Civil Rights Act of 1964. Title VI of the Civil Rights Act of 1964 requires that no person in the United States shall, on the grounds of race, color, or national or origin (including limited English proficient individuals), be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance. The City of Kansas City, Missouri requires compliance with the requirements of Title VI in all of its programs and activities regardless of the funding source.

Contractor shall not discriminate on the grounds of race, color, or national or origin (including limited English proficient individuals).

Quality Services Assurance Act. If this Contract exceeds \$160,000.00, Contractor certifies Contractor will pay all employees who will work on this Contract in the city limits of Kansas City, Missouri at least \$15.00 per hour in compliance with the City's Quality Services Assurance Act,

CREO Form 3
Rev. 3.22.2023



Civil Rights and Equal Opportunity Department Civil Rights and Wage Assurances

Section 3-66, Code of Ordinances or City has granted Contractor an exemption pursuant to the Quality Services Assurance Act.

Anti-Discrimination Against Israel. If this Contract exceeds \$100,000.00 and Contractor employs at least ten employees, pursuant to Section 34.600, RSMo., by executing this Contract, Contractor certifies it is not currently engaged in and shall not, for the duration of this contract, engage in a boycott of goods or services from the State of Israel; companies doing business in or with Israel or authorized by, licensed by, or organized under the laws of the State of Israel; or persons or entities doing business in the State of Israel.

Affirmative Action. If this Contract exceeds \$300,000.00 and Contractor employs fifty (50) or more people, Contractor shall comply with City's Affirmative Action requirements in accordance with the provisions of Chapter 3 of City's Code, the rules and regulations relating to those sections, and any additions or amendments thereto; in executing any Contract subject to said provisions, Contractor warrants that it has an affirmative action program in place and will maintain the affirmative action program in place for the duration of the Contract. Contractor shall not discriminate against any employee or applicant for employment because of race, color, sex, religion, national origin or ancestry, disability, sexual orientation, gender identity or age in a manner prohibited by Chapter 3 of City's Code. Contractor shall:

- (a) Execute and submit the City of Kansas City, Missouri CREO Affirmative Action Program Affidavit warranting that the Contractor has an affirmative action program in place and will maintain the affirmative action program in place for the duration of the Contract.
- (b) Submit, in print or electronic format, a copy of Contractor's current certificate of compliance to the City's Civil Rights and Equal Opportunity Department (CREO) prior to receiving the first payment under the Contract, unless a copy has already been submitted to CREO at any point within the previous two (2) calendar years. If, and only if, Contractor does not possess a current certification of compliance, Contractor shall submit, in print or electronic format, a copy of its affirmative action program to CREO prior to receiving the first payment under the Contract, unless a copy has already been submitted to CREO at any point within the previous two (2) calendar years.
- (c) Require any Subcontractor awarded a subcontract exceeding \$300,000.00 to affirm that Subcontractor has an affirmative action program in place and will maintain the affirmative action program in place for the duration of the subcontract.
- (d) Obtain from any Subcontractor awarded a subcontract exceeding \$300,000.00 a copy of the Subcontractor's current certificate of compliance and tender a copy of the same, in print or

CREO Form 3
Rev. 3.22.2023



Civil Rights and Equal Opportunity Department Civil Rights and Wage Assurances

electronic format, to CREO within thirty (30) days from the date the subcontract is executed. If, and only if, Subcontractor does not possess a current certificate of compliance, Contractor shall obtain a copy of the Subcontractor's affirmative action program and tender a copy of the same, in print or electronic format, to CREO within thirty (30) days from the date the subcontract is executed.

City has the right to take action as directed by City's Civil Rights and Equal Opportunity Department to enforce this provision. If Contractor fails, refuses or neglects to comply with the provisions of Chapter 3 of City's Code, then such failure shall be deemed a total breach of this Contract and this Contract may be terminated, cancelled or suspended, in whole or in part, and Contractor may be declared ineligible for any further contracts funded by City for a period of one (1) year. This is a material term of this Contract.

Compliance with Laws. Contractor shall comply with all federal, state and local laws, ordinances and regulations applicable to the work and this Agreement. Contractor shall maintain in effect all the licenses, permissions, authorizations, consents and permits that it needs to carry out its obligations under this Agreement.

Prevailing Wage. If the Agreement exceeds \$75,000.00 and any of the Services performed by Contractor includes construction, reconstruction, improvement, enlargement, alteration, painting and decorating, or major repair, that is subject to the Missouri Prevailing Wage Law (Section 290.210, RSMo – 290.340, RSMo), Contractor shall immediately notify the City prior to performing Services so the parties can execute an agreement that incorporates, the appropriate Wage Order. Contractor shall comply with all requirements of Section 290.210, RSMo – 290.340, RSMo even if Contractor fails to notify the City.



Contract Solicitation City Manager Waiver Kansas City Code Sec. 3-7¹

Date: November 03, 2023
To: Brian Platt, City Manager
From: Wes Minder, Department Director
Subject: Contract/Project Title: Milray Stoddard Flood Control Project.
Contract No/Project No.: 473/82000365

It is recommended that in accordance with Code Sec. 3-7(a)(3), the solicitation requirements of Code Sec. 3-3 be waived and that approval be granted to enter into a contract with Wilson & Company to provide Design Professional services. The estimated contract amount is \$487,373.00. The factors supporting this recommendation are as follows:

Per Code Section 3-7(a)(3) a Specialized Waiver for Design Professional Contracts can be requested to utilize the same design professional for additional design work on subsequent phases of the same project, without a new qualification based selection process. This waiver is requested for Wilson & Company to provide design work on the subsequent design phase of the Milray Stoddard Flood Control project. Wilson & Company was the original design professional on the NW Stoddard Detention – Preliminary Engineering Study in 2018.

It is in the best interest of the city to contract with Wilson & Company to retain the historical knowledge and understanding of the project area gained from the study, therefore eliminating the time and expense needed for a new design professional to become acclimated.

Approved:

DocuSigned by:

3A15D265D28949B...

City Manager

¹ The city manager and the manager of procurement services are authorized to waive the solicitation requirements for any contract.