



City of Kansas City, Missouri

Docket Memo

Ordinance/Resolution #: 230997

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

Authorizing a \$787,800.00 construction contract with Infrastructure Solutions, LLC, for the Dry Weather Sewer Line: Outfall 055 project; authorizing a maximum expenditure of \$866,000.00; authorizing a \$240,000.00 design professional services Amendment No. 3 to Contract No. 1582 with DuBois Consultants, Inc., for the Dry Weather Sewer Line: Outfall 055 project for a total contract amount of \$687,305.60, and recognizing this ordinance as having an accelerated effective date.

Discussion

Reason for Contract

In 2010, the City of Kansas City, Missouri entered into a Consent Decree with the United States Environmental Protection Agency (EPA) to reduce the volume and frequency of overflows from the City's sewer system. The City's Smart Sewer Program is currently in year 14 of a 30-year implementation period. The purpose of this project is to provide additional conveyance capacity from combined sewage to the Blue River Interceptor Sewer that will reduce combined sewer overflows at Outfall 055 in the Lower Blue River Basin.

Construction Contract Description

The scope of work to be provided under the construction contract includes 733 linear feet of new 36-inch diameter combined sewer and 103 linear feet of new 12-inch sanitary sewer, including associated manholes and surface restoration. The amount of the construction contract is \$787,800.00 plus a contingency amount of \$78,200.00 for a total of \$866,000.00.

The term of the project will be 240 calendar days.

Construction Project MBE/WBE Goals

CREO KC established goals of 11% MBE and 11% WBE on the construction project on May 10, 2023 as part of the CREO KC Annual Goal Program.

Solicitation

The Dry Weather Sewer Line: Outfall 055 project was advertised in accordance with the City's requirements on September 15, 2023, and bids were opened on October 10, 2023, with three (3) bidders responding.

Awardee/Subcontracting Participation

Infrastructure Solutions, LLC submitted the lowest, responsible, and responsive bid of \$787,800.00, with subcontracting participation of 11% MBE and 11% WBE.

Other Bidders/Subcontracting Participation

Leath and Sons, Inc. was the next lowest bidder on this project. They submitted a bid in the amount of \$872,793.96, with subcontracting participation of 11% MBE and 11% WBE.

Legacy Underground Construction, Inc. submitted a bid in the amount of \$909,244.31, but their bid was considered non-responsive as they did not submit any 48-Hour CREO KC subcontracting documents.

Estimated Opinion of Probable Cost

The Engineer's Opinion of Probable Construction Cost was \$1,684,400.00.

Design Professional Services Project SLBE-WSDEPS Program Approval

The Human Relations Department (now known as CREO KC) approved the design professional services project under the SLBE-WSDEPS program on July 7, 2019.

Design Professional Services Contract and Amendment Description

City Council passed Ordinance No. 200267 on April 30, 2020 authorizing a \$242,000.00 design professional services Contract No. 1582 with DuBois Consultants, Inc., for the conceptual and preliminary design and authorizing a maximum expenditure of \$450,000.00 for final design of the Dry Weather Sewer Line: Outfall 055 project.

The City executed Amendment No. 1 in the amount of \$205,305.60 to provide for final design phase services.

The City executed a no-cost Amendment No. 2 to update the design professional's billing rates.

The proposed Amendment No. 3 in the amount of \$240,000.00, for a total contract amount of \$687,305.60, will provide for construction phase services including project management and administration services, construction office and field support services, and resident project representative services.

Fiscal Impact

1. Is this legislation included in the adopted budget? ☒ Yes ☐ No
2. What is the funding source?
AL-8193-807769-611060-81000919 = \$866,000.00
24-8110-807769-611040-81000919 = \$240,000.00
Overflow Control Program; Sewer Rev Bond Series 2023A and Sewer Fund
3. How does the legislation affect the current fiscal year?
Work on this project will begin in the current fiscal year and extend into FY25.
Invoices will be submitted by the Contractor and Design Professional on a monthly basis after construction begins.
4. Does the legislation have a fiscal impact in future fiscal years? Please notate the difference between one-time and recurring costs.
Funds encumbered in the current fiscal year will be disbursed over subsequent fiscal years as construction proceeds. Work on the project is anticipated to be complete within 240 calendar days from when work begins.
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

City Council passed Ordinance No. 200267 on April 23, 2020, authorizing a \$242,000.00 design professional services contract with DuBois Consultants, Inc. for conceptual and preliminary design and authorized a maximum expenditure of \$450,000.00 for final design of the Dry Weather Sewer Line: Outfall 055 project.

Service Level Impacts

This project will provide additional conveyance capacity of combined sewage to the Blue River Interceptor Sewer that will reduce combined sewer overflows at Outfall 055 in the Lower Blue River basin.

Other Impacts

1. What will be the potential health impacts to any affected groups?
This project will protect public health and the environment by reducing the volume and frequency of combined sewer overflows and increase the water quality of the City's waterways.
2. How have those groups been engaged and involved in the development of this ordinance?
The project area is in a heavily industrial and commercial area. Affected businesses were engaged during the design phase and during the land acquisition phase to share information and discuss project impacts.
3. How does this legislation contribute to a sustainable Kansas City?
This project helps promote environmental quality, social equity, and economic vitality.
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.

The Contractor Utilization Plan was submitted to CREO KC for review on November 15, 2023, and is pending approval.

No Contractor Utilization Plan was submitted for the Design Professional Services contract. The Design Professional Services contract was approved as an SLBE-WSDEPS contract on July 7, 2019 with no MBE/WBE requirements.

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

Yes(Press tab after selecting)

List the three (3) lowest bidders in addition to the selected bidder.

Infrastructure Solutions, LLC = \$787,800.00

Leath & Sons, Inc. = \$872,793.96

Legacy Underground Construction, Inc. = \$909,244.31

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