

COMMITTEE SUBSTITUTE FOR ORDINANCE NO. 200225

Appropriating \$385,000 from the Unappropriated Fund Balance of the Parking Fund; appropriating that amount to the Convention Center Garage account; authorizing a \$330,000 Owner's Representative Services Amendment No. 2 to Contract No. 07-AR1902 with CBC Real Estate Group, LLC related to the programming, design and reconstruction of the Auditorium Plaza Garage and Barney Allis Plaza Event Space; authorizing contract amendments; approving the proposed program for the project; providing for a construction trades training program; declaring the intent of the City to reimburse itself from the bond proceeds for certain expenditures; and recognizing this ordinance as having an accelerated effective date.

WHEREAS, the City Council passed Resolution No. 180768 on October 18, 2018, which recognized and acknowledged the need to reconstruct Barney Allis Plaza and Auditorium Plaza Garage, and directed the City Manager to incorporate costs to design and build a new parking and event facility on this site into the 2018-2019 City Budget; and

WHEREAS, the City Council passed Ordinance No. 190443 on July 18, 2019, which appropriated funds for and approved a contract with CBC Real Estate Group, LLC for Phase 1 and Phase 2 services and related expenses for the programming, design and reconstruction of the Auditorium Plaza Garage and the Barney Allis Plaza; and

WHEREAS, the existing facility is well beyond its intended life and its age has caused extensive deterioration, the restoration of the existing facility is estimated to cost as much as \$25 million to \$30 million and is estimated it may only extend its useful life up to 10 years, and a new facility can be built for a 50 to 100-year life cycle and would provide the greatest return on investment; and

WHEREAS, the Parking at Barney Allis will provide proximate, accessible parking for the Kansas City Convention Center and surrounding City facilities and stakeholders; and

WHEREAS, the Plaza at Barney Allis shall serve as a vibrant, open, and active urban park, and

WHEREAS, the Perimeter at Barney Allis will be an integral part of the community and visitor experience of the Plaza and the Parking at Barney Allis, the Convention Center and the surrounding area; and

WHEREAS, a solicitation for qualified design/build contractors was initiated via an RFQ on January 16, 2020, with responses due on February 20, 2020; and subsequently, the RFQ/P selection committee on February 28, 2020 shortlisted the number of qualified respondents with a recommendation to invite four shortlisted firms to participate in the RFP stage of the procurement; and

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WHEREAS, the Fairness in Construction Board at its March 12, 2020, meeting set the project's design/build contractor's MBE/WBE participation goals at 15% MBE and 10% WBE; NOW, THEREFORE,

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That the amount of \$385,000 is appropriated from the Unappropriated Fund Balance of the Parking Fund to the following account of the Parking Fund:

21-2160-078027-B-07P20002	Convention Center Garage	\$385,000.00
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Section 2. The Director of the General Services Department is hereby designated as requisitioning authority for Account No. 21-2160-078027.

Section 3. That the Director of the General Services is authorized to execute a Owner's Representative Services Amendment No. 2 to Contract No. 07-AR1902 with CBC Real Estate Group, LLC in the amount of \$330,000, for a total contract amount of \$1,630,000.00, for Phase 3 services and related expenses for:

- a. Additional project management including utility due diligence, continuation of stakeholder engagement, and
- b. Reissuing the design/build RFQ to now include a RFP including design/build fee, general conditions and overhead. The reissued RFQ/P will be open to all interested bidders. Award will be based upon Qualifications and a competitive Fee Proposal and will not include a competition or payment of stipends, and
- c. Preparation of impact management plan on the surrounding area during the reconstruction phase of the Auditorium Plaza Garage and the Barney Allis Plaza.

A copy of the amendment is on file in the General Services Department.

Section 4. That the Director of the General Services is authorized, outside of CBC's contract, to commence development of the 1200 Broadway site through implementation of a public-private solicitation for a total amount of \$55,000.

Section 5. That the Director of General Services is hereby authorized to amend and increase this contract by a contingency not to exceed \$25,000.00, without additional Council authorization.

Section 6. That the City Council hereby approves the following proposed program elements for the reconstructed Parking, Plaza, and Perimeter at Barney Allis:

- a. The Parking will include 408 proposed parking spaces including 9 proposed ADA accessible spaces.

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- b. The Plaza will include designs that would enable it to be actively programmed in order to attract users and create a destination park.
- c. The Perimeter will include streetscape and pedestrian improvements to support the Parking and the Plaza programs, will improve traffic and pedestrian interactions, and will be consistent with adopted plans and ordinances.

Section 7. That the City Council hereby directs the City Manager to require that all RFP respondents, as part of their submissions, include a proposed construction trades and pre-apprenticeship training program that would be implemented for the duration of project construction.

Section 8. That the City hereby declares its official intent to reimburse itself for certain expenditures made within sixty (60) days prior to or on and after the date of this ordinance with respect to the appropriations in Section 2 with the proceeds of the bonds to be issued. This constitutes a declaration of official intent under Treasury Regulation Section 1.150-2.

Section 9. 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.

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.



Authenticated as Passed


Quinton Lucas, Mayor

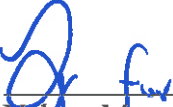

Marilyn Sanders, City Clerk

AUG 27 2020

Date Passed

Tammy L. Queen
Director of Finance

Approved as to form and legality:


Nelson Munoz
Assistant City Attorney