



City of Kansas City, Missouri

Docket Memo

Ordinance/Resolution #: 230996

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 \$20,058,500.00 construction contract with Infrastructure Solutions, LLC, for the Sewer Separation: 40th and Monroe project; authorizing a maximum expenditure of \$22,065,000.00; authorizing a \$2,200,000.00 design professional services Amendment No. 4 to Contract No. 1507 with HDR Engineering, Inc., for the Sewer Separation: 40th and Monroe project for a total contract amount of \$4,325,271.00; 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 sewer separation and green infrastructure to eliminate typical year overflows from eight (8) combined sewer outfalls in the Lower Blue River Basin and to provide sewer rehabilitation to restore the service life of existing sewers in the project area.

Construction Contract Description

The scope of work to be provided under the construction contract includes 12,123 linear feet (LF) of new storm sewer from 12-inches to 60-inches in diameter; 1,275 linear feet of new sanitary sewer from 8-inches to 18-inches in diameter; rehabilitation of 22,604 linear feet of existing sewer main from 8-inches to 51-inches in diameter; rehabilitation or replacement of 170 manholes; green infrastructure consisting of an underground stormwater storage facility with an upstream bioretention impoundment; and the replacement of 4,600 linear feet of 8-inch and 12-inch diameter water mains. The amount of the proposed construction contract is \$20,058,500.00 plus a contingency amount of \$2,006,500.00 for a total of \$22,065,000.00.

The term of this project will be 665 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 Sewer Separation: 40th and Monroe project was advertised in accordance with the City's requirements on September 22, 2023, and bids were opened on October 31, 2023, with two (2) bidders responding.

Awardee/Subcontracting Participation

Infrastructure Solutions, LLC submitted the lowest, responsible, and responsive bid of \$20,058,500.00, with subcontracting participation of 11% MBE and 11% WBE.

Other Bidders/Subcontracting Participation

Havens Construction, Inc. was the next lowest bidder on this project. They submitted a bid in the amount of \$25,077,233.00, with subcontracting participation of 11% MBE and 11% WBE.

Estimated Opinion of Probable Construction Costs

The Engineer's Opinion of Probable Construction Cost was \$25,864,532.00.

Design Professional Services Contract Amendment Description

City Council passed Ordinance No. 190036 on January 24, 2019, which authorized a \$1,056,000.00 design professional services contract with HDR Engineering, Inc. for conceptual and preliminary design and authorizing a maximum expenditure of \$2,500,000.00 for final design of the Sewer Separation: 40th and Monroe project.

The City executed a \$921,000.00 Amendment No. 1 on September 20, 2020, which authorized moving the project from preliminary design phase to final design phase.

The City executed a no-cost Amendment No. 2 on October 31, 2022, which authorized additional work on the project related to easement acquisition work in coordination with Water Services.

The City executed a \$148,271.00 Amendment No. 3 on October 5, 2023, which authorized additional design services for water main replacements, sewer separation re-design, and green infrastructure re-design as well as extending the term an additional 12 months due to easement negotiations.

The proposed \$2,200,000.00 Amendment No. 4 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-8193-807769-611060-81000832 = \$22,065,000.00
 24-8110-807769-611040-81000832 = \$2,200,000.00
 Overflow Control Program Sewer Rev Bond Series 2023A and Sewer Funds

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 and FY26. 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 665 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. 190036 on January 24, 2019, authorizing a \$1,056,000.00 design professional services Contract Number 1507 with HDR Engineering, Inc., for conceptual and preliminary design and authorizing a maximum expenditure of \$2,500,000.00 for final design of the Sewer Separation: 40th and Monroe project.

Service Level Impacts

This project will remove stormwater from the combined sewer system, thus reducing peak flows to downstream system, and will eliminate sewer overflows at eight (8) existing combined sewer outfalls during the Typical Year design storms.

Other Impacts

1. What will be the potential health impacts to any affected groups?
The 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?

This project area is in a neighborhood that is primarily residential. Several public meetings have been held in the neighborhood at Second Baptist Church, which is near the center of the project area. Leadership of Second Baptist Church has been engaged throughout the project and the Church has agreed to and provided easements for green infrastructure on their property.

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 construction project's Contractor Utilization Plan was submitted to CREO KC for review on November 15, 2023, and was approved on November 22, 2023 with 11% MBE and 11% WBE participation.

Yes. Subcontracting goals on the design professional services project will remain unchanged at 15% MBE and 10% WBE with this amendment.

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 \$20,058,500.00

Havens Construction Inc. \$25,077,233.00

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