



City of Kansas City, Missouri

Docket Memo

Ordinance/Resolution #: 240349

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 \$2,741,000 progressive design-build services contract with Burns & McDonnell Engineering Company, Inc., for Phase 1 services for the Dr. Jeremiah Cameron Park and Westport Stormwater Improvements project; and providing for successive Phase 2 services subject to City Council approval.

Discussion

Project Justification/Description

The primary objective of the Dr. Jeremiah Cameron Park and Westport Stormwater Improvements project is to implement stormwater improvements to alleviate frequent flooding in Westport. Dr. Jeremiah Cameron Park is a critical location for underground stormwater storage for this project, as it is the last opportunity to manage the discharge from proposed stormwater improvements before it enters the existing combined sewer system. The storage volume is critical to providing flood benefits to Westport without negatively impacting combined sewer overflows downstream.

The park is small, thus requiring a deep underground storage facility to meet the targeted storage volume of 2 MG (million gallons). The invert elevation of the existing downstream combined sewer system limits the maximum depth of the underground storage facility while allowing for positive drainage to dewater the chambers.

The Dr. Jeremiah Cameron Park and Westport Stormwater Improvements project will be implemented using a progressive design-build project delivery approach that enables comprehensive programming, planning, design, and construction services to be completed in the following two phases:

Phase 1 Services: Contractor will complete pre-final design of the proposed stormwater improvements defining project scope, requirements, plans, and specifications to a level of detail adequate for establishment of a Contract Price for Phase 2 services.

Phase 2 Services: Contractor's services shall consist of the completion of design services, the procurement of all materials and equipment, the performance of

construction services, the start-up, testing, and commissioning, and the provision of warranty services, all of which will be further described in the future Phase 2 Contract Price Amendment.

This proposed ordinance is for authorization of Phase 1 design-build services based on Water Services Department project criteria and the level of completion required for Contractor and the Director of the Water Services Department to establish the Contract Price for subsequent Phase 2 design-build services, subject to City Council approval. This project will be constructed in three construction packages under Phase 2 design-build services. The limits of the work in each construction package and the Contract Times will be determined based on the availability of project funding. The first construction package for this project will be for stormwater improvements work at Dr. Jeremiah Cameron Park and subsequent construction packages 2 and 3 will implement stormwater improvements along Mill Street to Southwest Trafficway.

Term

The term of Phase 1 for this project will be 245 days.

Solicitation

This Project was advertised in accordance with the City's requirements. Proposals were received on September 15, 2023, with five consultants responding.

MBE/WBE Goals

CREO KC established goals of 10% MBE and 10% WBE on this design-build project on September 8, 2023. This project's category was outside of the City's Annual Goal Program.

Awardee/Subcontracting Participation

Burns & McDonnell Engineering Company, Inc. was selected for this project on October 26, 2023, and is proposing subcontracting participation of 15% MBE and 5% WBE for Phase 1 design-build services.

Other Proposals Received

Other proposals received included:

- Beemer Construction
- Leath & Sons
- MegaKC
- Radmacher Brothers Excavation

Estimated Project Cost

The City's total estimated cost for this project is \$25,000,000 for Phase 1 and Phase 2 design-build services.

Fiscal Impact

1. Is this legislation included in the adopted budget? Yes No
2. What is the funding source?
AL-3625-808054-B-82000379 = \$2,741,000 for Phase 1 Design-Build Services
Jeremiah Park and Westport Stormwater Improvements
3. How does the legislation affect the current fiscal year?
This ordinance is funded by GO bonds.
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 require additional funding in FY25 and FY26 using GO Bond funds.
5. Does the legislation generate revenue, leverage outside funding, or deliver a return on investment?
This ordinance is funded by GO bonds.

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. 240232 includes funding for this project. That ordinance will establish funds for Questions 1,2 and 3 of the FY25 GO bond issuance, estimate funding and appropriate funds to specific projects. The ordinance is in the Finance, Governance and Public Safety Committee on March 27, 2024.

Service Level Impacts

The primary objective of the project is to implement stormwater improvements to alleviate frequent flooding of Westport properties thereby protecting public health and the environment. This project is critical to providing flood benefits to Westport without negatively impacting combined sewer overflows downstream. This project will reduce sewer overflows from the City's combined sewer system thereby protecting public health and the environment and improving the water quality of Brush Creek.

Other Impacts

1. What will be the potential health impacts to any affected groups?
This project will contribute positive health impacts by reducing frequent flooding of Westport properties thereby protecting public health and the environment.
2. How have those groups been engaged and involved in the development of this ordinance?
Public engagement included three stakeholder meetings with the property owners and tenants within Westport, a large public meeting, and one-on-one meetings with key property owners, Parks and Rec, and the Steptoe Lives neighborhood group.
3. How does this legislation contribute to a sustainable Kansas City?
This project will alleviate frequent flooding in Westport, thereby reducing property damage and protecting public health and the environment. This project also includes implementation of safer and improved sidewalks, parking, and street

corridor areas through green infrastructure solutions in the limited right-of-way space.

4. Does this legislation create or preserve new housing units?

No

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 March 27, 2024, and was approved on April 5, 2024 with 16% MBE and 5% WBE participation.

There are Affirmative Action Program requirements in this contract.

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

Bid?

No

N/A

7. Does this legislation seek to approve a contract resulting from a Request for Proposal/Qualification (RFP/Q)?

Yes

In an effort to prevent disclosure of confidential information, a separate communication will be provided to City Council members to reflect the top three proposers for the RFP/Q.