



**Agenda - Final**

**Transportation, Infrastructure and Operations Committee**

Quinton Lucas, Chair  
Teresa Loar, Vice Chair  
Eric Bunch, Vice Chair  
Katheryn Shields  
Melissa Robinson  
Kevin O'Neill

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**Wednesday, February 2, 2022**

**9:00 AM**

**26th Floor, Council Chamber**

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

**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>

**Parks and Recreation**

**[220074](#)** Estimating and appropriating \$1,000,000.00 in the Capital Improvements Grant Fund; authorizing the Director of Parks and Recreation to execute an agreement with the Kauffman Foundation for the development of Cultural Heritage Trail along Brush Creek from the Paseo to Elmwood Project; and designating requisitioning authority.

**Attachments:** [220074 Fiscal Note](#)  
[220074 Fact Sheet](#)  
[220074 Approp Admin](#)

**Water Services**

**220075** Authorizing a \$2,946,761.00 construction contract with Gunter Construction Company, for the Baseline Improvements: Town Fork Creek project; authorizing a maximum expenditure of \$3,200,000.00; and authorizing a \$260,750.00 Design Professional Services Amendment No. 3 to Contract No. 1516 with Hg Consult, Inc. for a total contract amount of \$760,750.00.

**Attachments:** [220075 Signed FICB Goal](#)  
[220075 Fact Sheet](#)  
[220075 Fiscal Note](#)  
[220075 Revised Fact Sheet](#)  
[Ordinance 220075-Docket Memo 1516](#)  
[Ordinance 220075-Docket Memo 1535](#)

**220084** Authorizing the Director of Water Services to execute a Cooperative Agreement with Westport Regional Business League (“WRBL”), a Missouri not-for-profit corporation, for the engineering evaluations and preliminary design of a Stormwater Management System along Mill Street between the entrance to Manor Square Parking Garage south to 43rd Street (“Plan”); authorizing the Director of Water Services to expend a maximum amount of \$510,000.00 for the Plan; and designating requisitioning authority.

**Attachments:** [220084 Fact Sheet](#)  
[220084 Fiscal Note](#)  
[220084 TIO Presentation 2-2-22 KCW](#)

Public Works

**220078** Estimating and appropriating \$280,000.00 in the Capital Improvements Grants Fund; and authorizing a construction contract with Custom Lighting Services, LLC in the amount of \$465,533.32.

**Attachments:** [220078 Fact Sheet](#)  
[220078 Appropriation](#)  
[220078 Fiscal Note](#)

HELD IN COMMITTEE

Public Works

**211046** RESOLUTION - Directing the City Manager to develop a plan to provide education to the public regarding bicycle lanes and multimodal infrastructure and to identify funding to support citywide bicycle and motorist safety campaigns and outreach programs.

**Attachments:** [211046 No Fact Sheet](#)

City Manager

**211064** Authorizing the City Manager to enter a non-disclosure agreement with Shalerock LLC.

**Attachments:** [211064 Fact Sheet](#)  
[211064 Fiscal Note](#)

**211119** Authorizing the City Manager to execute a Development Agreement, Water and Wastewater Services Agreement, Water Main Extension Agreement, and Secured Deferral Agreement with Velvet Tech Services, LLC for the development of Zone 3 of the Golden Plains Technology Park.

**Attachments:** [211119 Fact Sheet](#)  
[211119 Fiscal Note](#)

#### ADDITIONAL BUSINESS

1. Presentation from the KCATA.
2. Staff from Water Services will give an update on Water shut offs.
3. There may be a general discussion regarding current Transportation, Infrastructure and Operations Committee issues.

#### 4. Closed Session

Any closed session may be held via teleconference.

- 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.

Those who wish to comment on proposed ordinances can email written testimony to [public.testimony@kcmo.org](mailto: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](http://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](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.



**File #: 220074**

ORDINANCE NO. 220074

Estimating and appropriating \$1,000,000.00 in the Capital Improvements Grant Fund; authorizing the Director of Parks and Recreation to execute an agreement with the Kauffman Foundation for the development of Cultural Heritage Trail along Brush Creek from the Paseo to Elmwood Project; and designating requisitioning authority.

WHEREAS, the Kauffman Foundation awarded a grant in the amount \$1,000,000.00 for design and construction of the Cultural Heritage Trail along Brush Creek from the Paseo Boulevard to Elmwood Project to the Parks and Recreation Department; and

WHEREAS, the Parks and Recreation Department will be the project administrator for the Cultural Heritage Trail along Brush Creek project; NOW, THEREFORE,

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That the revenue in the amount of \$1,000,000.00 is hereby estimated in the following amount of the Capital Improvements Grant Fund:

22-3091-700001-480070-G70205031	Cultural Heritage Trail along Brush Creek	\$1,000,000.00
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Section 2. That the sum of \$1,000,000.00 is appropriated from the Unappropriated Fund Balance in the Capital Improvements Grants Fund:

22-3091-705802-611060-G70205031	Cultural Heritage Trail along Brush Creek	\$1,000,000.00
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Section 3. Authorizing a \$1,000,000.00 agreement with the Kauffman Foundation for the development of Cultural Heritage Trail along Brush Creek from the Paseo to Elmwood.

Section 4. That the Director of Parks and Recreation is hereby designated requisitioning authority for the following Account Number: 22-3091-705802-G70205031

..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.

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Tammy L. Queen  
Director of Finance

Approved as to form and legality:

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Lana K. Torczon  
Assistant City Attorney

<b>LEGISLATIVE FISCAL NOTE</b>	LEGISLATION NUMBER:	220074
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**LEGISLATION IN BRIEF:**

Estimating and appropriating \$1,000,000.00 in the Kansas City Missouri Capital Improvements Grant Fund; authorizing the Director of Parks and Recreation to execute Agreement with the Kauffman Foundation for the development of Cultural Heritage Trail along Brush Creek from the Paseo to Elmwood Project; and designating requisitioning authority.

**What is the purpose of this legislation?** OPERATIONAL

*For the purpose of authorizing expenditures new or planned to conduct municipal services*

**Does this legislation spend money?**  YES Yes/No  
*See Sections 01, 02 and 03 for sources of funding*

**Does this legislation estimate new Revenues?**  YES Yes/No  
*See Section 02 for new revenue estimates*

**Does this Legislation Increase Appropriations?**  YES Yes/No  
*See Section 03 for increases in appropriations*

**Are costs associated with this legislation ongoing (Yes)? Or one-time (No)**  NO Yes/No  
*See Section 00: " Notes" Below*

**Section 00: Notes:**

*This legislation approves an agreement with the Kauffman Foundation for the acceptance of a \$1,000,000.00 grant for the design and construction of the Cultural Heritage Trail along Brush Creek. This legislation also estimates new revenue and appropriates from the unappropriated fund balance of the Capital Improvements Grants Fund. Lastly, this legislation designates requisitioning authority to the Director of Parks and Recreation.*

Five years of operational costs for ongoing programs should be included in Section 04 below.

**FINANCIAL IMPACT OF LEGISLATION**

**Section 01: If applicable, where are funds appropriated in the current budget?**

FUND	DEPTID	ACCOUNT	PROJECT	FY 21-22 BUD	FY 22-23 EST

**Section 02: If applicable, where will new revenues be estimated?**

FUND	DEPTID	ACCOUNT	PROJECT	FY 21-22 BUD	FY 22-23 EST
3091	700001	480070	G70205031	1,000,000	

**Section 03: If applicable, where will appropriations be increased?**

FUND	DEPTID	ACCOUNT	PROJECT	FY 21-22 BUD	FY 22-23 EST
3091	705802	611060	G70205031	1,000,000	

**NET IMPACT ON OPERATIONAL BUDGET**

	-	-
<b>RESERVE STATUS:</b>	<b>REVENUE SUPPORTED</b>	

**SECTION 04: FIVE-YEAR FISCAL IMPACT (Direct and indirect)**

FUND	FUND NAME	FY 21-22	FY 22-23	FY 23-24	FY 24-25	FY 25-26	FY 26-27	All Outyears
3091	Capital Improvements Grants	1,000,000						
<b>TOTAL REV</b>		<b>1,000,000</b>	-	-	-	-	-	-

FUND	FUND NAME	FY 21-22	FY 22-23	FY 23-24	FY 24-25	FY 25-26	FY 26-27	All Outyears
3091	Capital Improvements Grants	1,000,000						
<b>TOTAL EXP</b>		<b>1,000,000</b>	-	-	-	-	-	-

**NET Per-YEAR IMPACT** -

**NET IMPACT ( SIX YEARS)** -

REVIEWED BY Tanner Owens, OMB DATE 1/18/2022

LEGISLATIVE FACT SHEET		Legislation Number:	
		Approval Deadline:	
LEGISLATION IN BRIEF:			
What is the reason for this legislation?		<b>Fact Sheet Color Codes</b> User Entered Field User Select From Menu For OMB Use	
		Sponsor(s)	
		Programs, Departments, or Groups Affected	
		Sub-Program in Budget (page #)	
Discussion (including relationship to other Council acitons)		Applicants/ Proponents	City Department
			Other
		Staff Recommendation	
		Board or Commission Recommendation	
		<b>Future Impacts</b>	
		Cost of Legislation current Fiscal Year	
		Costs in Future Fiscal Years?	
<b>Citywide Business Plan Goal</b>		Annual Revenue Increase/Decrease	
<b>Citywide Business Plan Objective</b>		<b>Applicable Dates:</b>	
		<b>Prepared by:</b>	
		<b>Date Prepared:</b>	
<b>Citywide Business Plan Strategy</b>		<b>Prepared by:</b>	
		<b>Date Reviewed</b>	
		<b>Reference Numbers</b>	







**File #: 220075**

ORDINANCE NO. 220075

Authorizing a \$2,946,761.00 construction contract with Gunter Construction Company, for the Baseline Improvements: Town Fork Creek project; authorizing a maximum expenditure of \$3,200,000.00; and authorizing a \$260,750.00 Design Professional Services Amendment No. 3 to Contract No. 1516 with Hg Consult, Inc. for a total contract amount of \$760,750.00.

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That the Director of the Water Services Department is authorized to execute Contract No. 1535 in the amount of \$2,946,761.00 with Gunter Construction Company, for the Baseline Improvements: Town Fork Creek project, Project No. 81000838. A copy of the contract 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 \$3,200,000.00, from Account No. 22-8110-807769-B-81000838, Overflow Control Program, to satisfy the cost of this contract.

Section 3. That the Director of the Water Services Department is authorized to execute Design Professional Services Amendment No. 3 to Contract No. 1516 in the amount of \$260,750.00, for a total contract amount of \$760,750.00, with Hg Consult, Inc., for the Baseline Improvements: Town Fork Creek project, Project No. 81000838. A copy of the contract is on file in the office of Water Services.

Section 4. That the Director of the Water Services Department is authorized a maximum expenditure of \$260,750.00, from Account No. 22-8110-807769-B-81000838, Overflow Control 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 and legality:

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Mark P. Jones  
Assistant City Attorney



## MBE/WBE/DBE Contract Goals Request

**Date:** July 28, 2021  
**To:** Andrea Dorch, Human Relations Department  
**From:** Ben McCabe, Water Services Department

<b>Project Number</b>	<b>Project Name</b>	
81000838	Baseline Improvements: Town Fork Creek	
<b>Contract ID Number</b>	<b>Estimated Cost: (cost breakdown attached)</b>	<b>Solicitation Date:</b>
1535	\$ 2,048,669.00	9/21/2021
<b>Estimated Project Duration: 6 to 8 months</b>		

Note: Click the box to select

<b>→ FICB PREVAILING WAGE:</b> <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO			
<b>Contract Category:</b>	<input checked="" type="checkbox"/> Construction	<input type="checkbox"/> Design-Build	<input type="checkbox"/> Non-Municipal Agency
	<input 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
<b>Type:</b>	<input checked="" type="checkbox"/> Original	<input type="checkbox"/> Amendment No.	
<b>Funding:</b>	<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 checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<input checked="" type="checkbox"/> Estimated Cost Breakdown attached - Page 2		<input checked="" type="checkbox"/> List of Required Crafts attached - Page 3	

**Description of work:**

Project purpose is to reduce combined sewer overflow frequency and volume within 2 smaller storm sewer watersheds within the larger Town Fork Creek watershed. Two different approaches within each smaller watershed are being proposed with this project: 1 - Work in Blenheim Park includes separating and directing storm flow into new green infrastructure infiltration basins to be located within the park. 2 - Work on 51st Street to the west of Satchel Paige Stadium consists of constructing a separate storm sewer system from Agnes to Indiana and includes pavement/sidewalk restoration.

cc: \_\_\_\_\_

FOR HUMAN RELATIONS DEPARTMENT USE ONLY:			
<input checked="" type="checkbox"/> No Goals are set for this Project; OR			
<input type="checkbox"/> The following Goals are approved for this Project			
	12	% MBE	12 % WBE OR _____ % DBE
Human Relations Department	Digitally signed by:		Date: _____

FOR FAIRNESS IN CONSTRUCTION BOARD USE ONLY <sup>2</sup>			
_____	<input checked="" type="checkbox"/> Approved	<input type="checkbox"/> Disapproved	<input type="checkbox"/> N/A
	Date: <u>5/12/2021</u>		
FOR GRANT AGENCY USE ONLY <sup>3</sup>			
	<input type="checkbox"/> Approved	<input type="checkbox"/> Disapproved	<input type="checkbox"/> N/A
	Date: _____		

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

# CONTRACT

220075

## Ordinance Fact Sheet

## Construction/Misc. Form

<u>Brief Title</u>	<u>Approval Deadline</u>	<u>Reason</u>
Authorizing a Construction Contract for the Baseline Improvements: Town Fork Creek project and authorizing a Design Professional Services Amendment No. 3 to Contract No. 1516 for Construction Phase Services.		To authorize execution of a Construction Contract and expenditures and to authorize execution of a Design Professional Services Amendment.

**Details**

**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 over a 25-year period. In March 2021 the Consent Decree was modified to include additional interim and revised final performance criteria and to extend its duration to 30 years. The City's Smart Sewer Program is currently in year 11 of a 30-year implementation period.

This project will reduce combined sewer overflows at Outfall 096 in Town Fork Creek basin by separating stormwater from the combined sewer system and constructing green infrastructure in Blenheim Park and will also reduce combined sewer overflows at Outfall 079 in Town Fork Creek basin by sewer separation along 51st Street west of Swope Parkway near Satchel Paige Stadium.

**Discussion**

**Project Justification**  
 The purpose of this project is to remove stormwater from the combined sewer system and reduce combined sewer overflows at two outfalls in Town Fork Creek Basin.

**Design Professional Services Contract Summary**  
 City Council passed Ordinance No. 190456 on June 13, 2019 authorizing a \$210,000.00 Design Professional Services Contract with Hg Consult, Inc. and a maximum authorization of \$500,000.00 to evaluate alternatives for optimizing small diversion structures, outfalls, and piping to reduce the frequency and volume of combined sewer overflows within the Town Fork Creek Basin. After review and approval of the conceptual design, the City executed an Amendment No. 1 in the amount of \$290,000.00 for the performance of preliminary and final design services and preparation of construction contract documents for a maximum design phase contract amount of \$500,000.00.

No-Cost Amendment No. 2 provided for the addition of subcontractor Olsson Associates to be added to the contract.

Proposed Amendment No. 3, in the amount of \$260,750.00, will provide construction phase services for the Baseline Improvements: Town Fork Creek construction contract. These services include project management and administration services, construction office and field support services, and resident project representative services.

**Contract Cost Summary**

Original Contract:	\$210,000.00
Executed Amendment No. 1:	\$290,000.00
Executed Amendment No. 2:	\$0.00
Proposed Amendment No. 3:	\$260,750.00
<b>Total Contract:</b>	<b>\$760,750.00</b>

**Construction Contract Description**  
 This project will reduce combined sewer overflows at Outfall 096 by separating stormwater from the combined sewer system in the neighborhood adjacent to Blenheim Park and directing runoff into new green infrastructure bioretention and infiltration basins located within the park. The project also includes sewer separation of four blocks of 51st Street to the west of Satchel Paige Stadium by constructing a separate storm sewer system from Agnes Ave to Indiana Ave to reduce combined sewer overflows at Outfall 079.

**Roles and Responsibilities**

Sponsor	Water Services Department
Department or Programs	Smart Sewer Program
Affected	Smart Sewer Program
Recommended	Gunter Construction Company
Awardee	Gunter Construction Company
Contract Compliance Certification	<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes
Obtained?	
Opponents	Groups or Individuals  None known  Reason for Opposition
Responsibilities	Design Engineering: Hg Consult, Inc.  Inspections: City Staff / Hg Consult, Inc.  Construction or Project Management: Hg Consult Inc Gunter Construction Company  Service Monitoring: City Staff / Hg Consult, Inc.

**Policy/Program Impact**

Policy or Program Emphasis Change	<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes
Operational Impact Assessment	

*(Continued on reverse side)*

**Details**

The amount of the construction contract is \$2,946,761.00

**Construction Contract Solicitation**

The Baseline Improvements: Town Fork Creek construction contract was advertised in accordance with the City's requirements. Public bids were opened on December 21, 2021 with two (2) bidders responding.

Gunter Construction Company submitted the lowest and best bid.

**Grant/Loan Funding**

N/A

**Human Relations Approval**

The goals for the Design Professional Services Contract No. 1505 were approved by the Human Relations Department at 15% MBE and 10% WBE and remain unchanged for the proposed amendment.

The goals for the construction contract were established by the Fairness in Construction Board at 12% MBE and 12% WBE. Construction Subcontracting information was submitted to the Human Relations Department for review and determination on January 20, 2022, and was approved on January 21, 2022 with 14% MBE and 14% WBE participation. See the attached docket memo.

**Fairness in Construction Board**

There is no appeal on this contract pending before the Fairness in Construction Board.

**Youth Employment Program**

N/A

**1% for Art**

N/A

**Is it good for the children?** Yes.

**How will this contribute to a sustainable Kansas City?**

This project will contribute to a sustainable Kansas City by improving the performance, capacity, and reliability of the City's combined sewer systems, and improving water quality by reducing overflows within the project area.

**Finances**

City's Estimate of Cost		\$	2,988,290.00
Bid or Proposal Data	Lowest and Best Contract		
	Cost Submitted	\$	2,946,761.00
Bid Date:	Recommended Awardee:		
6/15/2021	Gunter Construction Company		
	No. of Bids Submitted: 2		
	Selected lowest and best bid		
	Other Bidders or Contractors Considered		Contract Costs Submitted
	She Digs It, LLC	\$	4,436,887.00
		\$	
		\$	
		\$	
		\$	
		\$	
		\$	
		\$	
		\$	
Fund Sources and Appropriation	22-8110-807769-B-81000838 (Construction) 22-8110-807769-B-81000838 (DPS Amendment)		
Account Codes For These Contracts	Overflow Control Program Project No. 81000838		
Source of Future Operating Funds			
Proposed Construction Contract		\$	2,946,761.00
Construction Contingency		\$	253,239.00
Proposed Amendment 3		\$	260,750.00
Engineering & Administration		\$	-
<b>TOTAL</b>		<b>\$</b>	<b>3,460,750.00</b>

**Estimated Duration of Contract:** 270 calendar days

**Fact Sheet Prepared by:**

Leona Walton  
Contracts Manager

**Date:**

1/12/2022

**Reviewed by:**

D. Matt Bond  
Deputy Director

**Date:**

1/21/2022

**Reference Numbers:**

Contract No. 1535 (Construction)  
Contract No. 1516 (Design Professional Services)  
Project No. 81000838  
Ordinance No. 190456

**Council Committee Actions**

Do Pass	<input type="checkbox"/>	<input type="checkbox"/> Hold
Do Pass (as amended)	<input type="checkbox"/>	<input type="checkbox"/> W/o Recommendation
Committee Sub.	<input type="checkbox"/>	<input type="checkbox"/> Do Not Pass

# LEGISLATIVE FISCAL NOTE

LEGISLATION  
NUMBER:

220075

**LEGISLATION IN BRIEF:**

Authorizing a \$2,946,761.00 Construction Contract with Gunter Construction Company, for the Baseline Improvements: Town Fork Creek project; authorizing a maximum expenditure of \$3,200,000.00; and, authorizing a \$260,750.00 Design Professional Services Amendment No. 3 to Contract No. 1516 with Hg Consult, Inc. for a total contract amount of \$760,750.00.

**What is the purpose of this legislation?**

CAPITAL

*For the purpose of funding for the construction of fixed capitalizable assets*

**Does this legislation spend money?**

YES

Yes/No

See Sections 01, 02 and 03 for sources of funding

**Does this legislation estimate new Revenues?**

NO

Yes/No

0

**Does this Legislation Increase Appropriations?**

YES

Yes/No

See Section 03 for increases in appropriations

**Does this legislation expand the scope of city services, or expand the city's infrastructure?**

NO

Yes/No

Maintenance of existing assets is included in the budget. For details see Section 00: " Notes" Below

**Section 00: Notes:**

Authorizes an expenditure of \$2,946,761.00 construction contract, with a maximum expenditure of \$3,200,000.00 plus a \$260,750.00 design professional services amendment. Estimated annual operating expenses of \$5,000.00 per year with an estimated lifespan of 50 years.

Five years of operational and maintenance costs should be included in Section 04 below.

**FINANCIAL IMPACT OF LEGISLATION**

**Section 01: If applicable, where are funds appropriated in the current budget?**

FUND	DEPTID	ACCOUNT	PROJECT	FY 21-22 BUD	FY 22-23 EST
8110	807769	B	81000838	3,460,750.00	

**Section 02: If applicable, where will new revenues be estimated?**

FUND	DEPTID	ACCOUNT	PROJECT	FY 21-22 BUD	FY 22-23 EST

**Section 03: If applicable, where will appropriations be increased?**

FUND	DEPTID	ACCOUNT	PROJECT	FY 21-22 BUD	FY 22-23 EST

**NET IMPACT ON OPERATIONAL BUDGET**

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RESERVE STATUS:

**SECTION 04: FIVE-YEAR FISCAL IMPACT (Direct and indirect)**

FUND	FUND NAME	FY 21-22	FY 22-23	FY 23-24	FY 24-25	FY 25-26	FY 26-27	All Outyears

**TOTAL REV**

-	-	-	-	-	-	-	-	-
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FUND	FUND NAME	FY 21-22	FY 22-23	FY 23-24	FY 24-25	FY 25-26	FY 26-27	All Outyears
8110	Sewer Fund	3,460,750	5,000	5,000	5,000	5,000	5,000	225,000

**TOTAL EXP**

3,460,750	5,000	5,000	5,000	5,000	5,000	5,000	225,000
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**NET Per-YEAR IMPACT**

(3,460,750)	(5,000)	(5,000)	(5,000)	(5,000)	(5,000)	(5,000)	(225,000)
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**NET IMPACT ( SIX YEARS)**

**(3,710,750.00)**

REVIEWED BY

Michael Jenkins

DATE

1/24/2022

# CONTRACT

220075

## Ordinance Fact Sheet

## Construction/Misc. Form

Revised 2-1-2022

**Brief Title**  
 Authorizing a Construction Contract for the Baseline Improvements: Town Fork Creek project and authorizing a Design Professional Services Amendment No. 3 to Contract No. 1516 for Construction Phase Services.

**Reason**  
 To authorize execution of a Construction Contract and expenditures and to authorize execution of a Design Professional Services Amendment.

**Details**  
**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 over a 25-year period. In March 2021 the Consent Decree was modified to include additional interim and revised final performance criteria and to extend its duration to 30 years. The City's Smart Sewer Program is currently in year 11 of a 30-year implementation period.  
 This project will reduce combined sewer overflows at Outfall 096 in Town Fork Creek basin by separating stormwater from the combined sewer system and constructing green infrastructure in Blenheim Park and will also reduce combined sewer overflows at Outfall 079 in Town Fork Creek basin by sewer separation along 51st Street west of Swope Parkway near Satchel Paige Stadium.

**Roles and Responsibilities**

Sponsor	Water Services Department
Department or Programs	Smart Sewer Program
Affected	Smart Sewer Program
Recommended	Gunter Construction Company
Awardee	Gunter Construction Company
Contract Compliance Certification	<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes
Obtained?	
Opponents	Groups or Individuals  None known  Reason for Opposition
Responsibilities	Design Engineering: Hg Consult, Inc.  Inspections: City Staff / Hg Consult, Inc.  Construction or Project Management: Hg Consult Inc Gunter Construction Company  Service Monitoring: City Staff / Hg Consult, Inc.

**Discussion**

**Project Justification**  
 The purpose of this project is to remove stormwater from the combined sewer system and reduce combined sewer overflows at two outfalls in Town Fork Creek Basin.

**Design Professional Services Contract Summary**  
 City Council passed Ordinance No. 190456 on June 13, 2019 authorizing a \$210,000.00 Design Professional Services contract with Hg Consult, Inc. and a maximum authorization of \$500,000.00 to evaluate alternatives for optimizing small diversion structures, outfalls, and piping to reduce the frequency and volume of combined sewer overflows within the Town Fork Creek Basin. After review and approval of the conceptual design, the City executed an Amendment No. 1 in the amount of \$290,000.00 for the performance of preliminary and final design services and preparation of construction contract documents for a maximum design phase contract amount of \$500,000.00. This contract is part of the SLBE-WSDEPS program.

No-Cost Amendment No. 2 provided for the addition of subcontractor Olsson Associates to be added to the contract.

Proposed Amendment No. 3, in the amount of \$260,750.00, will provide construction phase services for the Baseline Improvements: Town Fork Creek construction contract. These services include project management and administration services, construction office and field support services, and resident project representative services.

**Contract Cost Summary**

Original Contract:	\$210,000.00
Executed Amendment No. 1:	\$290,000.00
Executed Amendment No. 2:	\$0.00
Proposed Amendment No. 3:	\$260,750.00
Total Contract:	\$760,750.00

**Construction Contract Description**  
 This project will reduce combined sewer overflows at Outfall 096 by separating stormwater from the combined sewer system in the neighborhood adjacent to Blenheim Park and directing runoff into new green infrastructure bioretention and infiltration basins located within the park. The project also includes sewer separation of four blocks of 51st Street to the west of Satchel Paige Stadium by constructing a separate storm sewer system from Agnes Ave to Indiana Ave to reduce combined sewer overflows at Outfall 079.

**Policy/Program Impact**

Policy or Program Emphasis Change	<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes
Operational Impact Assessment	

(Continued on reverse side)



**Details**

The amount of the construction contract is \$2,946,761.00

**Construction Contract Solicitation**

The Baseline Improvements: Town Fork Creek construction contract was advertised in accordance with the City's requirements. Public bids were opened on December 21, 2021 with two (2) bidders responding.

Gunter Construction Company submitted the lowest and best bid.

**Grant/Loan Funding**

N/A

**Civil Rights and Equal Opportunity Department Approval**

In accordance with Resolution No. 130371, Section 1(b), there are no MBE/WBE subcontracting requirements for the Design Professional Services Contract No. 1516. This project is being performed under the expanded SLBE-WSDEPS program.

The goals for the construction contract were established by the Fairness in Construction Board at 12% MBE and 12% WBE. Construction Subcontracting information was submitted to the Civil Rights and Equal Opportunity Department for review on January 20, 2022, and was approved on January 21, 2022 with 14% MBE and 14% WBE participation. See the attached docket memo.

**Fairness in Construction Board**

There is no appeal on this contract pending before the Fairness in Construction Board.

**Youth Employment Program**

N/A

**1% for Art**

N/A

**Is it good for the children? Yes.**

**How will this contribute to a sustainable Kansas City?**

This project will contribute to a sustainable Kansas City by improving the performance, capacity, and reliability of the City's combined sewer systems, and improving water quality by reducing overflows within the project area.

**Finances**

City's Estimate of Cost	\$	2,988,290.00
Bid or Proposal Data	Lowest and Best Contract	
	Cost Submitted	\$ 2,946,761.00
Bid Date:	Recommended Awardee:	
6/15/2021	Gunter Construction Company	
	No. of Bids Submitted: 2	
	Selected lowest and best bid	
	Other Bidders or Contractors Considered	Contract Costs Submitted
	She Digs It, LLC	\$ 4,436,887.00
		\$
		\$
		\$
		\$
		\$
		\$
		\$
Fund Sources and Appropriation Account Codes	22-8110-807769-B-81000838 (Construction) 22-8110-807769-B-81000838 (DPS Amendment)	
For These Contracts	Overflow Control Program Project No. 81000838	
Source of Future Operating Funds		
Proposed Construction Contract	\$	2,946,761.00
Construction Contingency	\$	253,239.00
Proposed Amendment 3	\$	260,750.00
Engineering & Administration	\$	-
<b>TOTAL</b>	<b>\$</b>	<b>3,460,750.00</b>

**Estimated Duration of Contract:** 270 calendar days

**Fact Sheet Prepared by:**

Leona Walton  
Contracts Manager

**Date:**

1/12/2022

**Reviewed by:**

D. Matt Bond  
Deputy Director

**Date:**

1/21/2022

**Reference Numbers:**

Contract No. 1535 (Construction)  
Contract No. 1516 (Design Professional Services)  
Project No. 81000838  
Ordinance No. 190456

**Council Committee Actions**

Do Pass	<input type="checkbox"/>	<input type="checkbox"/> Hold
Do Pass (as amended)	<input type="checkbox"/>	<input type="checkbox"/> W/o Recommendation
Committee Sub.	<input type="checkbox"/>	<input type="checkbox"/> Do Not Pass

**Inter-Departmental Communication**

Date: February 1, 2022

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

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

Subject: Docket Memo for Amendment 3 #: 220075

<b>CONTRACTOR:</b>	Hg Consult, Inc.
Address:	9111 NE 79 <sup>th</sup> St. Kansas City, MO 64158
Contract #	1516 / 81000838 – Baseline Improvements-Town Fork Creek, Amendment 3
Contract Amount:	\$760,750.00 (\$260,750 on Amendment 3)
MBE Goal:	N/A*
WBE Goal:	N/A*

**MBE SUBCONTRACTORS:**  
None

**WBE SUBCONTRACTORS:**  
None

**Comments:**

\*Note: This project was originally issued as a SLBE-WSDEPS contract to Hg Consult, Inc. The firm is also certified as an MBE. There are no MBE/WBE goals on SLBE-WSDEPS contracts.

Original Contract Amount:	\$210,000.00
Amendment 1:	\$290,000.00
Amendment 2:	\$ 0.00
Proposed Amendment 3:	<u>\$260,750.00</u>
Proposed Contract Amount:	\$760,750.00

**Inter-Departmental Communication**

Date: January 20,2022

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

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

Subject: Docket Memo #:220075

**CONTRACTOR:** Gunter Construction Co.  
 Address: 520 Division St.  
 Kansas City, KS 66103  
 Contract # 1535 / 81000838 – Baseline Improvements –  
 Town Fork Creek  
 Contract Amount: \$2,946,761.00  
 MBE Goal: 12%  
 WBE Goal: 12%  
 MBE Achieved: 14%  
 WBE Achieved: 14%

**MBE SUBCONTRACTORS:**  
 Name: Erosion Specialists, LLC  
 Address: 2627 NW Platte Rd.  
 Riverside, MO 64150  
 Scope of Work: Erosion Control / Landscaping  
 Dollar Amount: \$256,725.59  
 Ownership: Roberts, Christopher  
 Structure: Native American Male Code 17

**MBE SUBCONTRACTORS:**  
 Name: Whatever It Takes Electrical Contractors, LLC  
 Address: 9709 E. 56<sup>th</sup> St.  
 Raytown, MO 64133  
 Scope of Work: Trail Lighting Installation  
 Dollar Amount: \$145,000  
 Ownership: Rolls, John  
 Structure: African-American Male Code 15

**WBE SUBCONTRACTORS:**

Name:	Gunter Construction Co.*	
Address:	520 Division St.	
	Kansas City, KS 66103	
Scope of Work:	Concrete / Excavation	
Dollar Amount:	\$409,014.15	
Ownership:	Gunter, Christina	
Structure:	Caucasian Female	Code 13

**Comments:**

\*Note: Gunter Construction is a certified WBE and is participating on the contract as a self-performing prime contractor for WBE participation credit.



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**File #: 220084**

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ORDINANCE NO. 220084

Authorizing the Director of Water Services to execute a Cooperative Agreement with Westport Regional Business League (“WRBL”), a Missouri not-for-profit corporation, for the engineering evaluations and preliminary design of a Stormwater Management System along Mill Street between the entrance to Manor Square Parking Garage south to 43rd Street (“Plan”); authorizing the Director of Water Services to expend a maximum amount of \$510,000.00 for the Plan; and designating requisitioning authority.

WHEREAS, the City previously commissioned the Westport Stormwater Management Plan (the “Plan”) which identified certain strategies to better manage stormwater in flood prone areas and to develop distributed green infrastructure where appropriate; and

WHEREAS, WRBL desires, in cooperation with the City and in furtherance of the Plan, to engage a consultant for the purpose of providing engineering evaluations and preliminary design services for green infrastructure and distributed storage strategies to manage stormwater (the “Project”) along Mill Street between the entrance to Manor Square parking garage South to 43rd Street; and

WHEREAS, by recommendation of its Public Improvement Advisory Committee, City has appropriated Five Hundred Ten Thousand and No/100 Dollars (\$510,000.00) in its Fiscal Year 2021-2022 budget and designated spending authority for said appropriation to the Water Services Department towards the cost of preliminary design and engineering services for the Project; and

WHEREAS, City and WRBL have determined that it is in the best interest of the parties to enter into a Cooperative Agreement for the management of the Design Professional Services on the terms and conditions set forth in this Cooperative Agreement; and

WHEREAS, the Director of the Water Services Department is authorized to exercise the Department’s authority to execute the Agreement as delegated by the City Manager under the City Charter; NOW, THEREFORE,

**BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:**

Section 1. That the Director of the Water Services Department is hereby authorized to execute a Cooperative Agreement (“Agreement”) with Westport Regional Business League, a Missouri not-for-profit corporation (“WRBL”), for providing engineering evaluations and preliminary design services for a Stormwater Management System along Mill Street between the

entrance to Manor Square Parking Garage south to 43rd Street (“Plan”). Such Agreement will be substantially in the form on file with this Ordinance. A copy of the agreement once executed will be on file with the Director of Water Services.

Section 2. That the Director of Water Services is hereby authorized to expend up to the sum of \$510,000.00 from Account No. 22-3090-808405-B-82000332, Flood Control NC4.

Section 3. That the Director of Water Services is hereby designated as requisitioning authority for Account No. 22-3090-808405-B.

..end

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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.

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Tammy L. Queen  
Director of Finance

Approved as to form and legality:

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Nicole Rowlette  
Assistant City Attorney

# GENERAL

## Ordinance Fact Sheet

220084

Ordinance Number

**Brief Title**

**Approval Deadline**

**Reason**

Westport Stormwater Management System  
Cooperative Agreement.

Improvements

To authorize execution of a Cooperative Agreement and expenditures; and to designate requisitioning authority.

**Details**

**Positions/Recommendations**

**Reason for Legislation**

Authorizing the Director of Water Services to execute a Cooperative Agreement with Westport Regional Business League ("WRBL"), a Missouri not-for-profit corporation, for the engineering evaluations and preliminary design of a Stormwater Management System along Mill Street between the entrance to Manor Square Parking Garage South to 43<sup>rd</sup> Street ("Plan"); authorizing the Director of Water Services to expend a maximum amount of \$510,000.00 for the Plan; and designating requisitioning authority for Capital Improvement Fund No. 3090.

<b>Sponsor</b>	Water Services Department
<b>Programs, Departments, or Groups Affected</b>	Water Services Department
<b>Applicants / Proponents</b>	<p><b>Applicant</b></p> <p>Water Services Department City Department Water Services Department</p> <p><b>Other</b></p>
<b>Opponents</b>	<p><b>Groups or Individuals</b></p> <p>None Known</p> <p><b>Basis of opposition</b></p>
<b>Staff Recommendation</b>	<p><input checked="" type="checkbox"/> For</p> <p><input type="checkbox"/> Against</p> <p><b>Reason Against</b></p>
<b>Board or Commission Recommendation</b>	<p><b>By</b></p> <p><input type="checkbox"/> For <input type="checkbox"/> Against <input type="checkbox"/> No action taken</p> <p><input type="checkbox"/> For, with revisions or conditions (see details column for conditions)</p>
<b>Council Committee Actions</b>	<p><input type="checkbox"/> Do pass</p> <p><input type="checkbox"/> Do pass (as amended)</p> <p><input type="checkbox"/> Committee Sub.</p> <p><input type="checkbox"/> Without Recommendation</p> <p><input type="checkbox"/> Hold</p> <p><input type="checkbox"/> Do not pass</p>

**Discussion**

The City of Kansas City, Missouri previously commissioned the Westport Stormwater Management Plan (the "Plan") which identified certain strategies to better manage stormwater in flood prone areas and develop distributed green infrastructure where appropriate.

WRBL desires, in cooperation with City and in furtherance of the Plan, to engage a consultant for the purpose of providing engineering evaluations and preliminary design services for green infrastructure and distributed storage strategies to manage stormwater (the "Project") along Mill Street between the entrance to Manor Square parking garage south to 43<sup>rd</sup> Street.

By recommendation of its Public Improvement Advisory Committee, City has appropriated Five Hundred Ten Thousand and No/100 Dollars (\$510,000.00) in its Fiscal Year 2021-2022 budget and designated spending authority for said appropriation to the Water Services Department towards the cost of preliminary design and engineering services for the Project.

City and WRBL have determined that it is in the best interest of the parties to enter into a Cooperative Agreement for the management of the Design Professional Services on the terms and conditions set forth in this Cooperative Agreement.

In addition to the above, the Director of the Water Services Department is authorized by resolution to exercise Department's authority under the City Charter to execute this Agreement.

**Details**

**Is it good for the children?** Yes.

**How will this contribute to a sustainable Kansas City?**  
 This project will contribute to a sustainable and resilient Kansas City by identifying solutions to better manage stormwater in flood prone areas in Westport with integration of natural systems where appropriate. This project will improve public safety and water quality, reduce heat-island effect, and will add resiliency to the community's sewer system.

**Policy/Program Impact**

<b>Policy or Program Change</b>	<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes
<b>Operational Impact Assessment</b>	

**Finances**

<b>Cost &amp; Revenue Projections -- Including Indirect Costs</b>	
<b>Financial Impact</b>	
<b>Fund Source (s) and Appropriation Account Codes</b>	22-3090-808405-B-82000332 Flood Control NC4 \$510,000.00

(Use this space for further discussion, if necessary)

**Applicable Dates:** Complete by December 31, 2022

**Fact Sheet Prepared by:**

Leona Walton  
Contracts Manager

Date  
1/18/2022

**Reviewed by:**

Wes Minder  
Director

Date  
1/20/2022

**Reference Numbers**



# LEGISLATIVE FISCAL NOTE

LEGISLATION  
NUMBER:

220084

**LEGISLATION IN BRIEF:**

Authorizing the Director of Water Services to execute a Cooperative Agreement with Westport Regional Business League ("WRBL"), a Missouri not-for-profit corporation, for the engineering evaluations and preliminary design of a Stormwater Management System along Mill Street between the entrance to Manor Square Parking Garage South to 43rd Street ("Plan"); authorizing the Director of Water Services to expend a maximum amount of \$510,000.00 for the Plan; and designating requisitioning authority for Capital Improvement Fund No. 3090.

**What is the purpose of this legislation?**

CAPITAL

*For the purpose of funding for the construction of fixed capitalizable assets*

**Does this legislation spend money?**

YES

Yes/No

*See Sections 01, 02 and 03 for sources of funding*

**Does this legislation estimate new Revenues?**

NO

Yes/No

0

**Does this Legislation Increase Appropriations?**

NO

Yes/No

0

**Does this legislation expand the scope of city services, or expand the city's infrastructure?**

NO

Yes/No

*Maintenance of existing assets is included in the budget. For details see Section 00: " Notes" Below*

**Section 00: Notes:**

*There are no operation and maintenance costs associated with this project.*

Five years of operational and maintenance costs should be included in Section 04 below.

**FINANCIAL IMPACT OF LEGISLATION**

**Section 01: If applicable, where are funds appropriated in the current budget?**

FUND	DEPTID	ACCOUNT	PROJECT	FY 21-22 BUD	FY 22-23 EST
3090	808405	B	82000332	\$ 510,000.00	

**Section 02: If applicable, where will new revenues be estimated?**

FUND	DEPTID	ACCOUNT	PROJECT	FY 21-22 BUD	FY 22-23 EST

**Section 03: If applicable, where will appropriations be increased?**

FUND	DEPTID	ACCOUNT	PROJECT	FY 21-22 BUD	FY 22-23 EST

**NET IMPACT ON OPERATIONAL BUDGET**

-	-
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RESERVE STATUS:

**SECTION 04: FIVE-YEAR FISCAL IMPACT (Direct and indirect)**

FUND	FUND NAME	FY 21-22	FY 22-23	FY 23-24	FY 24-25	FY 25-26	FY 26-27
	<b>TOTAL REV</b>	-	-	-	-	-	-

FUND	FUND NAME	FY 21-22	FY 22-23	FY 23-24	FY 24-25	FY 25-26	FY 26-27
3090	Capital Improvements	510,000					
	<b>TOTAL EXP</b>	510,000	-	-	-	-	-

<b>NET Per-YEAR IMPACT</b>	(510,000)	-	-	-	-	-
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**NET IMPACT (510,000.00)**

REVIEWED BY

Michael Jenkins

DATE

1/21/2022



# TRANSPORTATION, INFRASTRUCTURE & OPERATIONS COMMITTEE

FEBRUARY 2, 2022



# ORDINANCE NO. 220084

## *Cooperative Agreement for Design of a Stormwater Management System Along Mill Street Between the Entrance to Manor Square Parking Garage South to 43<sup>rd</sup> Street*

Authorizing the Director of Water Services to execute a Cooperative Agreement with Westport Regional Business League (“WRBL”), a Missouri not-for-profit corporation, for the engineering evaluations and preliminary design of a Stormwater Management System along Mill Street between the entrance to Manor Square Parking Garage south to 43rd Street (“Plan”); authorizing the Director of Water Services to expend a maximum amount of \$510,000.00 for the Plan; and designating requisitioning authority.

# ORDINANCE NO. 220084

Westport Stormwater Flooding

July 7, 2021

Westport Road and Mill Street





THANK YOU





**File #: 220078**

ORDINANCE NO. 220078

Estimating and appropriating \$280,000.00 in the Capital Improvements Grants Fund; and authorizing a construction contract with Custom Lighting Services, LLC in the amount of \$465,533.32.

WHEREAS, on August 17, 2020, the Director of Publics Works entered into a Congestion Mitigation and Air Quality Agreement, Grant Number CMAQ 3301(514), with the Missouri Highway and Transportation Commission (MHTC), wherein MHTC will contribute \$280,000.00 in grant funds to assist in the design and construction of the project; NOW, THEREFORE,

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

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

22-3091-890001-476475-89004806	Front Street Interconnect Signals	\$280,000.00
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Section 2. That the sum of \$280,000.00 is hereby appropriated from the Unappropriated Fund Balance of the Capital Improvements Grants Fund to the following account:

22-3091-897732-B-89004806	Front Street Interconnect Signals	\$280,000.00
---------------------------	-----------------------------------	--------------

Section 3. That the Director of Public Works is hereby authorized to enter into a construction agreement for the amount of \$465,533.32 with Custom Lighting Services, LLC for Project No. 89004806 for fiber optics and equipment to interconnect traffic signals along Front Street from Chouteau Trafficway to Universal Avenue from funds previously appropriated from the following accounts:

22-3091-897732-B-89004806	Front Street Interconnect Signals	\$280,000.00
22-3090-897732-B-89004806	Front Street Interconnect Signals	<u>185,533.32</u>
	TOTAL:	\$465,533.32

A copy of the contract is in the office of the Director of Public works.

Section 4. That the Director of Public Works is hereby designated as requisitioning authority for Account Nos. 22-3091-897732 and 22-3090-897732.

Section 5. That the City Clerk is hereby directed to file a copy of the ordinance, together with the Program Agreement attached hereto, with the office of the Recorder of Deeds for Jackson County, Missouri, and with the Secretary of the State of Missouri.

..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.

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*Tammy L. Queen*  
*Director of Finance*

Approved as to form and legality:

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*Dustin E. Johnson*  
*Assistant City Attorney*

# CONTRACT

220078

## Ordinance Fact Sheet

## Construction/Misc. Form

Brief Title	Approval Deadline	Reason
Estimate and appropriate federal grant funding; execute construction contract.		Estimating and appropriating grant revenue to build signal communication funded by federal CMAQ.

**Details**

**Reason for Contract**  
 Estimating and appropriating \$280,000.00 in the Capital Improvements Grants Fund; authorizing a construction contract with Custom Lighting Services, LLC in the amount of \$465,533.32; and designating requisitioning authority.

**Discussion** (explain all financial aspects of the proposed legislation, including future implications, any direct/indirect costs, specific account numbers, ordinance references, and budget page numbers.)

**Project Justification**  
 Improved communications and signal equipment along Front Street will help reduce congestion, delay, and gas usage while improving traffic flow and reducing travel times.

**Project Description**  
 The agreement will allow for constructing fiber optics to interconnect traffic signals along Front Street from Chouteau Trafficway to Universal Avenue. Equipment installation includes but not limited to is a fiber optic interconnect system, energy efficient 332L cabinets, a 2070 LX controllers, and PTZ camera system.

**Solicitation**  
 This project was advertised in accordance with the City's requirements.

**Consultant Selection**  
 Custom Lighting Services, LLC was the low bidder on the advertised project.

**Roles and Responsibilities**

Sponsor	Public Works Department
Department or Programs Affected	Public Works Department
Recommended Awardee	Custom Lighting Services, LLC
Contract Compliance Certification Obtained?	<input type="checkbox"/> No <input type="checkbox"/> Yes
Opponents	Groups or Individuals  Reason for Opposition
Responsibilities	Design Engineering: Complete  Inspections: Public Works  Construction or Project Management: Public Works  Service Monitoring: Public Works

**Policy/Program Impact**

Policy or Program Emphasis Change	<input type="checkbox"/> No <input type="checkbox"/> Yes
Operational Impact Assessment	

(Continued on reverse side)







APPROPRIATION TRANSACTION
CITY OF KANSAS CITY, MISSOURI

DEPARTMENT: Public Works

BUSINESS UNIT: KCMBU DATE: JOURNAL ID:

LEDGER GROUP: APPROP BUDGET PERIOD: 2022 (same as above, except prefixed by a C)

Table with 6 columns: FUND, DEPT ID, ACCOUNT, PROJECT, AMOUNT, INC/DEC. Row 1: 3091, 897732, B, 89004806, \$280,000.00, INC. Total row: TOTAL \$280,000.00

DESCRIPTION: NET \$0.00

Estimating revenues in the amount of \$280,000.00 in the Capital Improvements Grants Fund; appropriating that amount to the Front Street Traffic Signals Interconnect project.

APPROVED BY: DATE APPROVED BY: DEPARTMENT HEAD DATE





REQUEST FOR SUPPLEMENTAL REVENUE
CITY OF KANSAS CITY, MISSOURI

DEPARTMENT: Public Works

BUSINESS UNIT: KCMBU DATE: JOURNAL ID:

LEDGER GROUP: REVENUE

Table with 6 columns: FUND, DEPT ID, ACCOUNT, PROJECT, AMOUNT, INC/DEC. Row 1: 3091, 890001, 476475, 89004806, \$280,000.00, INC.

TOTAL \$280,000.00

DESCRIPTION:

Estimating revenues in the amount of \$280,000.00 in the Capital Improvements Grants Fund; appropriating that amount to the Front Street Traffic Signals Interconnect project.

APPROVED BY: DATE APPROVED BY: DEPARTMENT HEAD DATE

<b>LEGISLATIVE FISCAL NOTE</b>	LEGISLATION NUMBER:	220078
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**LEGISLATION IN BRIEF:**

Estimating and appropriating \$280,000.00 in the Capital Improvements Grants Fund; authorizing a construction contract with Custom Lighting Services, LLC in the amount of \$465,533.32; and designating requisitioning authority.

**What is the purpose of this legislation?** CAPITAL

*For the purpose of funding for the construction of fixed capitalizable assets*

**Does this legislation spend money?** YES Yes/No  
*See Sections 01, 02 and 03 for sources of funding*

**Does this legislation estimate new Revenues?** YES Yes/No  
*See Section 02 for new revenue estimates*

**Does this Legislation Increase Appropriations?** YES Yes/No  
*See Section 03 for increases in appropriations*

**Does this legislation expand the scope of city services, or expand the city's infrastructure?** NO Yes/No  
*Maintenance of existing assets is included in the budget. For details see Section 00: " Notes" Below*

**Section 00: Notes:**

*Estimated Operating and Maintenance Cost is \$500.00 per year and the lifespan is estimated to be 25 years. O&M cost are budgeted in the Street Maintenance Fund (2060) and are included in Section 4*

Five years of operational and maintenance costs should be included in Section 04 below.

**FINANCIAL IMPACT OF LEGISLATION**

**Section 01: If applicable, where are funds appropriated in the current budget?**

FUND	DEPTID	ACCOUNT	PROJECT	FY 21-22 BUD	FY 22-23 EST
3090	897732	B	89004806	185,533.32	

**Section 02: If applicable, where will new revenues be estimated?**

FUND	DEPTID	ACCOUNT	PROJECT	FY 21-22 BUD	FY 22-23 EST
3091	890001	476475	89004806	280,000	

**Section 03: If applicable, where will appropriations be increased?**

FUND	DEPTID	ACCOUNT	PROJECT	FY 21-22 BUD	FY 22-23 EST
3091	897732	B	89004806	280,000	

<b>NET IMPACT ON OPERATIONAL BUDGET</b>	-	-
<b>RESERVE STATUS:</b>	<b>REVENUE SUPPORTED</b>	

**SECTION 04: FIVE-YEAR FISCAL IMPACT (Direct and indirect)**

FUND	FUND NAME	FY 21-22	FY 22-23	FY 23-24	FY 24-25	FY 25-26	FY 26-27	All Outyears
3091	Capital Improvements Grant	280,000						
<b>TOTAL REV</b>		<b>280,000</b>	-	-	-	-	-	-

FUND	FUND NAME	FY 21-22	FY 22-23	FY 23-24	FY 24-25	FY 25-26	FY 26-27	All Outyears
3090	Capital Improvements	185,533						
2060	Street Maintenance	-	500	500	500	500	500	10,000
3091	Capital Improvements Grant	280,000						
<b>TOTAL EXP</b>		<b>465,533</b>	<b>500</b>	<b>500</b>	<b>500</b>	<b>500</b>	<b>500</b>	<b>10,000</b>

<b>NET Per-YEAR IMPACT</b>	<b>(185,533)</b>	<b>(500)</b>	<b>(500)</b>	<b>(500)</b>	<b>(500)</b>	<b>(500)</b>	<b>(10,000)</b>
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<b>NET IMPACT ( SIX YEARS)</b>	<b>(198,033.32)</b>						
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REVIEWED BY Charles Leap DATE 1/21/2022



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**File #: 211046**

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RESOLUTION NO. 211046

RESOLUTION - Directing the City Manager to develop a plan to provide education to the public regarding bicycle lanes and multimodal infrastructure and to identify funding to support citywide bicycle and motorist safety campaigns and outreach programs.

WHEREAS, the City of Kansas City has the responsibility to educate all residents when new bicycle lanes are added to our city streets ahead of time to promote safety for all; and

WHEREAS, bicycle lanes are being incorporated into our multimodal transportation system; and

WHEREAS, the City is committed to keeping our roads safe for all motorists, cyclists and pedestrians; and

WHEREAS, the City is responsible for implementing the Complete Streets ordinance and design guidelines to support safer infrastructure for all modes of travel; and

WHEREAS, bicyclists are granted all of the rights and are subject to all of the duties applicable to the driver of a vehicle; and

WHEREAS, all motorists, bicyclists and pedestrians need education to navigate safely on City streets; and

WHEREAS, as bicyclists and motorists share a roadway, it is important for both parties to understand, respect and follow the roadway striping, signage and pavement markings of bicycle lanes; and

WHEREAS, it is helpful for bicyclists, motorists and the public to have knowledge of the current and proposed locations of the bicycle lanes and the rules and rights of the road as it pertains to bicyclists and motorists; NOW THEREFORE,

**BE IT RESOLVED BY THE COUNCIL OF KANSAS CITY:**

That the City Manager is directed to develop a plan to provide education to the public regarding bicycle lanes and multimodal infrastructure and to identify funding to support citywide bicycle and motorist safety campaigns and outreach programs.

..end

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**No Fact Sheet  
for  
Resolution  
211046**





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**File #: 211064**

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ORDINANCE NO. 211064

Authorizing the City Manager to enter a non-disclosure agreement with Shaleroch LLC.

WHEREAS, Shaleroch LLC, is evaluating the potential development of an industrial facility in Kansas City; and

WHEREAS, discussion of the technical aspects of the potential development necessarily include confidential information belonging to Shaleroch LLC; and

WHEREAS, such information may be protected from disclosure under federal and Missouri laws. NOW THEREFORE,

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That the City Manager is authorized to enter a non-disclosure agreement with Shaleroch LLC. A copy of the contract is on file in the office of the City Manager.

Section 2. That this ordinance shall take effect in accordance with Section 503 of the City Charter.

..end

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Approved as to form and legality:

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Charlotte Ferns  
Assistant City Attorney

# GENERAL

## Ordinance Fact Sheet

211064

Ordinance Number

**Brief Title**

**Approval Deadline**

**Reason**

Authorizing the City Manager to enter a NDA with Shalerock, LLC.

To authoize execution of an NDA.

**Details**

**Positions/Recommendations**

**Reason for Legislation**

Authorizing the City Manager to enter a non-disclosure agreement with Shalerock, LLC.

<b>Sponsor</b>	City Manager
<b>Programs, Departments, or Groups Affected</b>	Water Services Department Finance Department City Communications Public Works
<b>Applicants / Proponents</b>	<b>Applicant</b> City Manager  <b>City Department</b>  <b>Other</b>
<b>Opponents</b>	<b>Groups or Individuals</b>  None Known <b>Basis of opposition</b>
<b>Staff Recommendation</b>	<input type="checkbox"/> For <input type="checkbox"/> Against  <b>Reason Against</b>
<b>Board or Commission Recommendation</b>	<b>By</b> <input type="checkbox"/> For <input type="checkbox"/> Against <input type="checkbox"/> No action taken  <input type="checkbox"/> For, with revisions or conditions (see details column for conditions)
<b>Council Committee Actions</b>	<input type="checkbox"/> Do pass <input type="checkbox"/> Do pass (as amended) <input type="checkbox"/> Committee Sub. <input type="checkbox"/> Without Recommendation <input type="checkbox"/> Hold <input type="checkbox"/> Do not pass

**Discussion**

Shalerock, LLC is evaluating the potential development of an industrial facility in Kansas City. Discussions of technical aspects of the potential development necessarily include confidential information belonging to Shalerock, LLC. Such information may be protected from disclosure under federal and state law. The City wishes to provide Shalerock, LLC the opportunity to evaluate the potential development and operate its facility in the City. This ordinance would authorize the City Manager to enter a non-disclosure agreement with Shalerock, LLC, agreeing to keep confidential to the extent allowed by law Shalerock's confidential information.

**Is it good for the children?**

Yes.

**How will this contribute to a sustainable Kansas City?**

Proper evaluation prior to development will help ensure that the City can serve the facility's needs in an efficient manner.

(Continued on reverse side)

**Details**

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**Policy/Program Impact**

<b>Policy or Program Change</b>	<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes
<b>Operational Impact Assessment</b>	

**Finances**

<b>Cost &amp; Revenue Projections -- Including Indirect Costs</b>	\$0.00
<b>Financial Impact</b>	
<b>Fund Source (s) and Appropriation Account Codes</b>	

(Use this space for further discussion, if necessary)

**Applicable Dates:**

**Fact Sheet Prepared by:**  
Charlotte Ferns, Assistant City Attorney

**Reviewed by:**

**Reference Numbers**

<b>LEGISLATIVE FISCAL NOTE</b>	LEGISLATION NUMBER:	211064
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LEGISLATION IN BRIEF:

Authorizing the City Manager to enter a non-disclosure agreement with Shalerock, LLC.

**What is the purpose of this legislation?** OPERATIONAL

*For the purpose of authorizing expenditures new or planned to conduct municipal services*

<b>Does this legislation spend money?</b> <i>See Section 00: " Notes" Below</i>	NO	Yes/No
<b>Does this legislation estimate new Revenues?</b> 0	NO	Yes/No
<b>Does this Legislation Increase Appropriations?</b>	NO	Yes/No
<b>Are costs associated with this legislation ongoing (Yes)? Or one-time (No)</b> <i>See Section 00: " Notes" Below</i>	NO	Yes/No

**Section 00: Notes:**

*This ordinance does not authorize expenditures, does not increase appropriations and does not estimate new revenues.*

Five years of operational costs for ongoing programs should be included in Section 04 below.

**FINANCIAL IMPACT OF LEGISLATION**

**Section 01: If applicable, where are funds appropriated in the current budget?**

FUND	DEPTID	ACCOUNT	PROJECT	FY 21-22 BUD	FY 22-23 EST

**Section 02: If applicable, where will new revenues be estimated?**

FUND	DEPTID	ACCOUNT	PROJECT	FY 21-22 BUD	FY 22-23 EST

**Section 03: If applicable, where will appropriations be increased?**

FUND	DEPTID	ACCOUNT	PROJECT	FY 21-22 BUD	FY 22-23 EST

<b>NET IMPACT ON OPERATIONAL BUDGET</b>	-	-
<i>RESERVE STATUS:</i>		

**SECTION 04: FIVE-YEAR FISCAL IMPACT (Direct and indirect)**

FUND	FUND NAME	FY 21-22	FY 22-23	FY 23-24	FY 24-25	FY 25-26	FY 26-27	All Outyears
<b>TOTAL REV</b>		-	-	-	-	-	-	-

FUND	FUND NAME	FY 21-22	FY 22-23	FY 23-24	FY 24-25	FY 25-26	FY 26-27	All Outyears
<b>TOTAL EXP</b>		-	-	-	-	-	-	-

<b>NET Per-YEAR IMPACT</b>	-	-	-	-	-	-	-
<b>NET IMPACT ( SIX YEARS)</b>	-						

REVIEWED BY  DATE  11/29/2021

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**File #: 211119**

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ORDINANCE NO. 211119

Authorizing the City Manager to execute a Development Agreement, Water and Wastewater Services Agreement, Water Main Extension Agreement, and Secured Deferral Agreement with Velvet Tech Services, LLC for the development of Zone 3 of the Golden Plains Technology Park.

WHEREAS, the City Council on July 9, 2020, passed Committee Substitute for Ordinance No. 200458 approving a Preliminary MPD Plan for the Golden Plains Technology Park located generally in the northwest quadrant of the intersection of 169 Highway and I-435 in Platte and Clay Counties to allow the development of a large-scale data center development; and

WHEREAS, Velvet Tech Services, LLC has acquired certain real property consisting of approximately 374.5 acres of undeveloped land within the Golden Plains Technology Park known as Zone 3; and

WHEREAS, the City Council on April 29, 2021 passed Ordinance No. 210313 approving the Chapter 100 Industrial Development Plan for the Golden Plains Technology Park, which authorized and approved various agreements for the purpose of setting forth covenants, agreements and obligations of the City and Diode Ventures and covenants, agreements and obligations of the City and Velvet Tech Services, LLC; and authorized the issuance of taxable industrial revenue bonds necessary for the development of the project; and

WHEREAS, the City Plan Commission on September 7, 2021 approved the Final MPD Plan for the development of Zone 3 of the Golden Plains Technology Park by Velvet Tech Services, LLC; and

WHEREAS, the City Council on September 23, 2021 passed Ordinance No. 210841 approving the preliminary plat for Zone 3 of the Golden Plains Technology Park; and

WHEREAS, the development of Zone 3 by Velvet Tech Services, LLC has progressed to the point the Development Agreement, Water and Wastewater Services Agreement, Water Main Extension Agreement, and Secured Deferral Agreement are necessary to facilitate the development and construction of Zone 3 of the Golden Plains Technology Park; NOW, THEREFORE,

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That the City Manager is hereby authorized to enter into a Development Agreement, Water Main Extension Agreement, Water and Wastewater Services Agreement, and Secured Deferral Agreement with Velvet Tech Services, LLC necessary for development of Zone 3 of the Golden Plains Technology Park. The agreements, in substantial form, are on file in the Office of the City Manager.

..end

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Approved as to form and legality:

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Charlotte Ferns  
Assistant City Attorney

# GENERAL

## Ordinance Fact Sheet

211119

Ordinance Number

**Brief Title**

**Approval Deadline**

**Reason**

Authorizing the City Manager to execute agreements with Velvet Tech Services LLC for the Golden Plains Technology Park

To allow for construction and development of the first phase of the data center park

**Details**

**Positions/Recommendations**

**Reason for Legislation**

Authorizing the City Manager to execute a Development Agreement, Water and Wastewater Services Agreement, Water Main Extension Agreement, and Secured Deferral Agreement with Velvet Tech Services, LLC for the development of Zone 3 of the Golden Plains Technology Park.

<b>Sponsor</b>	City Manager's Office
<b>Programs, Departments, or Groups Affected</b>	Water, Public Works, Parks
<b>Applicants / Proponents</b>	<b>Applicant</b>  City Manager's Office City Department Water Department  Other

**Discussion**

The City Council on July 9, 2020, passed Committee Substitute for Ordinance No. 200458 approving a Preliminary MPD Plan for the Golden Plains Technology Park located generally in the northwest quadrant of the intersection of 169 Highway and I-435 in Platte and Clay Counties to allow the development of a large-scale data center development Velvet Tech Services, LLC has acquired certain real property consisting of approximately 374.5 acres of undeveloped land within the Golden Plains Technology Park known as Zone 3.

The City Council on April 29, 2021 passed Ordinance No. 210313 approving the Chapter 100 Industrial Development Plan for the Golden Plains Technology Park, which authorized and approved various agreements for the purpose of setting forth covenants, agreements and obligations of the City and Diode Ventures and covenants, agreements and obligations of the City and Velvet Tech Services, LLC; and authorized the issuance of taxable industrial revenue bonds necessary for the development of the project and the City Plan Commission on September 7, 2021 approved the Final MPD Plan for the development of Zone 3 of the Golden Plains Technology Park by Velvet Tech Services, LLC. The City Council on September 23, 2021 passed Ordinance No. 210841 approving the preliminary plat for Zone 3 of the Golden Plains Technology Park and the development of Zone 3 by Velvet Tech Services, LLC has progressed to the point the Development Agreement, Water and Wastewater Services Agreement, Water Main Extension Agreement, and Secured Deferral Agreement are necessary to facilitate the development and construction of Zone 3 of the Golden Plains Technology Park.

<b>Opponents</b>	<b>Groups or Individuals</b>  None Known <b>Basis of opposition</b>
<b>Staff Recommendation</b>	<input checked="" type="checkbox"/> For <input type="checkbox"/> Against  <b>Reason Against</b>
<b>Board or Commission Recommendation</b>	<b>By</b> <input type="checkbox"/> For <input type="checkbox"/> Against <input type="checkbox"/> No action taken <input type="checkbox"/> For, with revisions or conditions (see details column for conditions)
<b>Council Committee Actions</b>	<input type="checkbox"/> Do pass <input type="checkbox"/> Do pass (as amended) <input type="checkbox"/> Committee Sub. <input type="checkbox"/> Without Recommendation <input type="checkbox"/> Hold <input type="checkbox"/> Do not pass

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**Details**

**Is it good for the children?**  
Yes.

**How will this contribute to a sustainable Kansas City?**  
The data centers will implement water saving technology utilizing evaporation.

**Policy/Program Impact**

<b>Policy or Program Change</b>	<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes
<b>Operational Impact Assessment</b>	

**Finances**

<b>Cost &amp; Revenue Projections -- Including Indirect Costs</b>	
<b>Financial Impact</b>	
<b>Fund Source (s) and Appropriation Account Codes</b>	

(Use this space for further discussion, if necessary)

**Applicable Dates:**

**Fact Sheet Prepared by:**

Wes Minder  
Director of Water Services

Date

1/4/2022

**Reviewed by:**

**Reference Numbers**

**LEGISLATION IN BRIEF:**

Authorizing the City Manager to execute a Development Agreement, Water and Wastewater Services Agreement, Water Main Extension Agreement, and Secured Deferral Agreement with Velvet Tech Services, LLC for the development of Zone 3 of the Golden Plains Technology Park.

**What is the purpose of this legislation?** LEGISLATIVE

*for the purpose of editing, repealing, or creating a provision in the city's code of ordinances; or for stating non-monetary support. This Fiscal note should be blank*

**Sections 01-04 should be blank. See section 00 for more information**

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	<input type="button" value="YES"/>	Yes/No
	<input type="button" value="YES"/>	Yes/No
	<input type="button" value="YES"/>	Yes/No

**Section 00: Notes:**

*The developer will construct public infrastructure and water utility extensions which the City will own and maintain.*

**FINANCIAL IMPACT OF LEGISLATION**

**Section 01: If applicable, where are funds appropriated in the current budget?**

FUND	DEPTID	ACCOUNT	PROJECT	FY 21-22 BUD	FY 22-23 EST

**Section 02: If applicable, where will new revenues be estimated?**

FUND	DEPTID	ACCOUNT	PROJECT	FY 21-22 BUD	FY 22-23 EST

**Section 03: If applicable, where will appropriations be increased?**

FUND	DEPTID	ACCOUNT	PROJECT	FY 21-22 BUD	FY 22-23 EST

<b>NET IMPACT ON OPERATIONAL BUDGET</b>	-	-
<i>RESERVE STATUS:</i>		

**SECTION 04: FIVE-YEAR FISCAL IMPACT (Direct and indirect)**

FUND	FUND NAME	FY 21-22	FY 22-23	FY 23-24	FY 24-25	FY 25-26	FY 26-27	All Outyears
<b>TOTAL REV</b>		-	-	-	-	-	-	-

FUND	FUND NAME	FY 21-22	FY 22-23	FY 23-24	FY 24-25	FY 25-26	FY 26-27	All Outyears
<b>TOTAL EXP</b>		-	-	-	-	-	-	-

<b>NET Per-YEAR IMPACT</b>	-	-	-	-	-	-	-
<b>NET IMPACT ( SIX YEARS)</b>	-						

REVIEWED BY  DATE  1/4/2022

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