



City of Kansas City, Missouri

Docket Memo

Ordinance/Resolution #: 240009

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 \$9,346,640.00 construction contract with Havens Construction Company, Inc., for the I/I Reduction: Birmingham 2 project; authorizing a maximum expenditure of \$10,282,000.00; and authorizing a \$910,000.00 Design Professional Services Amendment No. 2 to Contract No. 1401 with Geroge Butler Associates, Inc., for the I/I Reduction: Birmingham 2 project for a total contract amount of \$1,960,000.00; 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 25-year implementation period. The purpose of this project is to reduce inflow and infiltration (I/I) flows in the sanitary sewer system. System information was gathered to identify and quantify I/I sources and to develop rehabilitation and I/I source reduction recommendations. Activities will include various sewer rehabilitation methods to reduce I/I and 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 3,588 lineal feet of replacement 8-inch diameter sanitary sewer, rehabilitation of 53,574 lineal feet of existing sanitary sewer from 8-inches to 48-inches in diameter, and rehabilitation or replacement of 480 manholes. The amount of the proposed construction contract is \$9,046,640.00 plus an allowance of \$300,000.00 for a total of \$9,346,640.00.

The term of this project will be 510 calendar days.

Construction Project MBE/WBE Goals

CREO KC established goals of 10% MBE and 10% WBE on the construction project on June 12, 2023 as part of the CREO KC Annual Goal Program.

Solicitation

The I/I Reduction; Birmingham 2 project was advertised in accordance with the City's requirements on October 6, 2023, and bids were opened on November 7, 2023, with two (2) bidders responding.

Awardee/Subcontracting Participation

Havens Construction Company, Inc. submitted the lowest, responsible, and responsive bid of \$9,346,640.00, with subcontracting participation of 10% MBE and 10% WBE.

Other Bidders/Subcontracting Participation

Kissick Construction Company, Inc. was the next lowest bidder on this project. They submitted a bid in the amount of \$10,624,029.00, with subcontracting participation of 10% MBE and 10% WBE.

Estimated Opinion of Probable Construction Costs

The Engineer's Opinion of Probable Construction Cost was \$12,213,977.72.

Design Professional Services Contract Amendment Description

City Council passed Ordinance No. 180343 on May 24, 2018, which authorized a \$715,000.00 design professional services contract with Geroge Butler Associates, Inc. for conceptual and preliminary design, and authorized a maximum expenditure of \$1,050,000.00 for final design of the I/I Reduction: Birmingham 2 project.

Amendment No. 1 in the amount of \$335,000.00 for final design services was executed January 17, 2020, and increased the contract amount to \$1,050,000.00.

Proposed Amendment No. 2 in the amount of \$910,000.00 will provide for construction phase services including project management and administration services, construction office and field support services, and resident project representative services and will increase the total contract amount to \$1,960,000.00.

Fiscal Impact

1. Is this legislation included in the adopted budget? Yes No
2. What is the funding source?
AL-8193-807769-611060-81000801 = \$10,282,000.00
24-8110-807769-611040-81000801 = \$1,960,000.00
Overflow Control Program Sewer Revenue Bonds Series 2023A and Sewer fund
3. How does the legislation affect the current fiscal year?
Work on this project will begin in the current fiscal year and extend into FY25 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 510 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. 180343 on May 24, 2018, which authorized a \$715,000.00 design professional services contract with Geroge Butler Associates, Inc. for conceptual and preliminary design, and authorized a maximum expenditure of \$1,050,000.00 for final design of the I/I Reduction: Birmingham 2 project.

Service Level Impacts

This project will remove inflow and infiltration (I/I) from the separate sewer system reducing peak flows to downstream systems and rehabilitate the system to restore the service life of existing sewers.

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 of inflow and infiltration into the existing system, increasing the service life of the existing sewer system, and increasing 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. A public meeting will be held at a suitable location so the construction team (contractor, design professional, and city representative) can meet with the residents to discuss the construction.
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)
5. Department staff certifies the submission of any application Affirmative Action Plans or Certificates of Compliance, Contractor Utilization Plans (CUPs), and Letters of Intent to Subcontract (LOIs) to CREO prior to, or simultaneously with, the legislation entry request in Legistar.

Yes - I have submitted documents for CREO Review (Press tab after selecting)
Please attach or copy and paste CREO's review.
The Contractor Utilization Plan was submitted to CREO KC for review on November 27, 2023, and was approved December 5, 2023 with 10% MBE and 10% 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.

Havens Construction Company, Inc \$9,346,640.00

Kissick Construction Company, Inc \$10,624,029.00

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

No(Press tab after selecting)