



City of Kansas City, Missouri

Docket Memo

Ordinance/Resolution #

Submitted Department/Preparer: Please Select

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 \$4,600,000.00 design professional services contract with Burns & McDonnell Engineering Company, Inc., for Regulatory Compliance and Capital Improvement Planning Optimization.

Discussion

Project Justification: In 2010, the City of Kansas City, Missouri entered into a Consent Decree with the United States EPA to reduce wet weather overflows from the City's sewer systems. The City's Smart Sewer Program is currently in year 13 of a 30-year implementation period. This project will provide consent decree modification and compliance services to assist the City with seeking its fourth consent decree modification from the US Environmental Protection Agency to address projected changes in the City's financial circumstances. Pending new regulatory compliance obligations involving changes in the City's NPDES permit will result in additional compliance costs which will adversely impact the City's current funding plan for Consent Decree projects.

Project Description: The scope of services to be performed under this contract includes the following supplemental program management services:

Under this Design Professional Services (DPS) Agreement, the Program Manager will provide Consent Decree modification technical support services and collection system hydraulic modeling services to verify performance of completed projects and achievement of performance criteria for the 2024 Phase 1 Interim Milestone, as defined in the Consent Decree. Program Manager will also provide data management support services, green infrastructure post-construction performance monitoring and training services, and evaluation of alternative wet weather overflow control measures to optimize wastewater system performance and Consent Decree compliance.

This project impacts Cass, Clay, Jackson, and Platte Counties, in Kansas City, Missouri and will have a 24-month base period in the amount of \$4,600,000.00.

Solicitation: The Request for Proposals/Qualifications for this project was advertised in accordance with the City's requirements. One proposal was received on December 29, 2016.

Consultant Selection/Subcontracting Participation: Burns & McDonnell Engineering Company, Inc. was selected for this project in accordance with Code of Ordinance Section 3-31(b)(1) Citywide selection with subcontracting participation of 15% MBE and 10% WBE.

Other Proposals Received: None



City of Kansas City, Missouri

Docket Memo

Estimated Project Cost: The City's estimated cost for this project is \$4,600,000.00.

Fiscal Impact

1. Is this legislation included in the adopted budget? Yes No

2. What is the funding source?

24-8110-807769-610300-60810118, \$4,600,000.00, Overflow Control Program

3. How does the legislation affect the current fiscal year?

Work on this project will begin in FY24. Invoices will be submitted by the Design Professional on a monthly basis.

4. Does the legislation have 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 necessary. Work on the project is anticipated to be complete within 730 calendar days from Notice to Proceed.

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

Additional Discussion (if needed)

Click or tap here to enter text.



City of Kansas City, Missouri

Docket Memo

Citywide Business Plan (CWBP) Impact

View the [FY23 Citywide Business Plan](#)

Which CWBP goal is most impacted by this legislation?

Infrastructure and Accessibility (Press tab after selecting.)

Which objectives are impacted by this legislation (select all that apply):

- Enhance the City's connectivity, resiliency, and equity through a safe, efficient, convenient, inclusive, accessible, sustainable and better connected multi-modal transportation system *Enhance the City's connectivity, resiliency, and equity through a safe, efficient, convenient, inclusive, accessible, sustainable, and better-connected multi-modal transportation system.*
- Develop environmentally sound and sustainable infrastructure strategies that improve quality of life and foster economic growth *Develop environmentally sound and sustainable infrastructure strategies that improve quality of life and foster economic growth*
- Increase and support local workforce development and minority, women, and locally-owned businesses *Increase and support local workforce development and minority, women, and locally owned businesses*
- Engage in efforts to strategically invest in the City's infrastructure and explore emerging technologies *Engage in efforts to strategically invest in the City's infrastructure and explore emerging technologies*

Prior Legislation

N/A

Service Level Impacts

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. This project will provide consent decree modification and compliance services to assist the City with seeking its fourth consent decree modification from the US Environmental Protection Agency to address projected changes in the City's financial circumstances.

Other Impacts

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

This project will provide program management supplemental services to assist the City in seeking a consent decree modification to address long-term compliance cost



City of Kansas City, Missouri

Docket Memo

affordability concerns while meeting the requirements of the Consent Decree to improve the performance, capacity, and reliability of the City's sewer system, thereby reducing sewer overflows, protecting public health, and improving water quality of local streams and rivers.

2. How have those groups been engaged and involved in the development of this ordinance?

The 2020 – 2024 Adopted Citywide Business Plan includes the development of environmentally sound and sustainable infrastructure strategies and a tactic to reduce financial impacts of the City's Smart Sewer Program by proactively working with the EPA to adjust the timeline for project completion. Obtaining input from City leadership will be essential prior to submittal of the City's proposed consent decree modification to EPA for approval.

3. How does this legislation contribute to a sustainable Kansas City?

This project helps promote environmental quality, social equity, economic vitality, and financially sustainable infrastructure investments.

4. Does the ordinance/resolution include Civil Rights antidiscrimination requirements in compliance with the Code of Ordinances (Chapter 38, titled "Civil Rights")?

Yes. Goals on the project were established by the Civil Rights & Equal Opportunity Department (formerly known as the Human Relations Department) at 15% MBE and 10% WBE. This approval pre-dates CREO KC's Annual Goal Program.

5. Has the ordinance/resolution been submitted for review of economic equity & inclusion requirements in compliance with the Code of Ordinances (Chapter 3, titled "Contracts and Leases")?

Yes. The Contractor Utilization Plan, Letters of Intent to Subcontract and Timetable documents were submitted to CREO KC for review on June 14, 2023, and are pending approval.