



City of Kansas City, Missouri

Docket Memo

Ordinance/Resolution #: 240669

Submitted Department/Preparer: Water

Revised 6/10/24

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 \$4,256,137.00 construction contract with MegaKC Corporation, for the Green Infrastructure Project 1-2: Paseo Gateway/KCU project; authorizing a maximum expenditure of \$4,682,000.00; authorizing a \$500,000.00 design professional services Amendment No. 1 to Contract No. 1650 with McClure Engineering Company, for the Green Infrastructure Project 1-2: Paseo Gateway/KCU project for a total contract amount of \$863,000.00; 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 30-year implementation period.

The purpose of this project is to reduce combined sewer overflows at Outfall 074. The Green Infrastructure Project 1-2: Paseo Gateway/KCU, herein referred to as "Project", by the Water Services Department is an additional phase of the Independence & Paseo Intersection Improvements Project (Project Number 70142204) by the Parks & Recreation Department. This Project is for green infrastructure in the Northeast Industrial District (NEID) basin to capture and treat stormwater runoff for approximately 18 impervious acres tributary to Outfall 074.

The Project includes construction of green infrastructure (extended wet detention basins), instrumentation to manage the flow of stormwater within the green infrastructure, and site amenities, the funds for which are to be reimbursed by Kansas City University, who leases the public right-of-way and has agreed to maintain the green infrastructure facility.

Construction Contract Description

The scope of work to be provided under the construction contract includes fine grading, pond liner, native vegetation landscaping, instrumentation & controls, electrical power supply, retaining walls, storm sewer relocation, and concrete flatwork. The total amount of the proposed construction contract is \$4,256,137.00.

Term

The term of this project will be 480 calendar days.

Solicitation

Green Infrastructure Project 1-2: Paseo Gateway/KCU was advertised in accordance with the City's requirements on April 22, 2024, and bids were opened on June 4, 2024, with two (2) bidders responding.

Awardee/Subcontracting Participation

MegaKC Corporation submitted the lowest, responsible, and responsive bid of \$4,256,137.00, with subcontracting participation of 13% MBE and 13% WBE.

Other Bidders/Subcontracting Participation

Gunter Construction Company was the only other bidder on this project. They submitted a bid in the amount of \$4,508,004.00, with subcontracting participation of 13% MBE and 13% WBE.

Construction MBE/WBE Goals

CREO KC established goals of 13% MBE and 13% WBE on this construction project on January 31, 2023 as part of the Annual Goal Program.

Estimated Opinion of Probable Construction Costs

The Engineer's Opinion of Probable Construction Cost was \$4,268,647.00.

Design Professional Services Contract Amendment Description

The City executed a \$363,000.00 design professional services contract with McClure Engineering Company on September 18, 2022 for design and bid phase services of the Green Infrastructure Project 1-2: Paseo Gateway/KCU project.

The proposed \$500,000.00 Amendment No. 1 will provide for construction phase services including project management and administration services, construction office and field support services, and resident project representative services.

Solicitation Waiver

McClure Engineering Company is the design professional for the Green Infrastructure Project 1-2: Paseo Gateway/KCU design professional services project after a specialized waiver was approved pursuant to Code of Ordinance Sec. 3-7(a)(3). They had been the contractor with the Parks & Recreation Department for the Independence Avenue and Paseo Intersection Improvements Project (Project No. 70142204).

Design Professional Services MBE/WBE Goals

CREO KC established goals of 14% MBE and 14% WBE on this design professional services project on April 11, 2022 as part of the Annual Goal Program.

Fiscal Impact

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

2. What is the funding source?
25-8110-807769-611060-81000975 = \$4,682,000.00, Overflow Control Program (Sewer Fund)
25-8110-807769-611040-81000975 = \$500,000.00, Overflow Control Program (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 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 480 calendar days from when work begins.

5. Does the legislation generate revenue, leverage outside funding, or deliver a return on investment?
Yes. Kansas City University has agreed to reimburse the City for agreed upon amenities in the amount of \$858,743.68. Reimbursement will occur at project completion and acceptance by Kansas City University.

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 [Adopted 2025-2029 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

None

Service Level Impacts

This green infrastructure project will reduce the amount of stormwater entering the City's combined sewer system during wet weather by capturing and treating stormwater runoff for approximately 18 impervious acres tributary to Outfall 074. It will help restore sewer conveyance capacity and reduce the occurrence of wet-weather overflows within the City's existing combined sewer system, thereby protecting public health and the environment.

Other Impacts

1. What will be the potential health impacts to any affected groups?
The project will protect public health and the environment by restoring sewer conveyance capacity, increasing the service life of the existing sewer system, and improving 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 located at the intersection of Independence Avenue & The Paseo Boulevard within City right-of-way for The Paseo Boulevard, just west of the Kansas City University campus. Kansas City University and the Parks & Recreation Department have been invited to and attended meetings with the Water Services Department to discuss the project status, schedule, and funding. Both Kansas City University and the Parks & Recreation Department have had opportunities to review the design documents throughout various stages of design.

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 for the construction project was submitted to CREO KC for review on July 3, 2024, and was approved on July 12, 2024 with 13% MBE and 13% WBE participation.

The original Contractor Utilization Plan for the design professional services project was submitted to CREO KC for review on May 4, 2022, and was approved on August 4, 2022 with 12% MBE and 14% WBE participation.

McClure Engineering is committed to meeting the 12% MBE and 14% WBE goals on this project with this amendment.

There are Affirmative Action Program requirements on both the construction and design professional services contracts.

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.

Gunter Construction Company

MegaKC Corporation

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