



Agenda

Transportation, Infrastructure and Operations Committee

Chairperson Kevin O'Neill
Vice Chair Melissa Robinson

Councilmember Eric Bunch

Councilmember Johnathan Duncan

Councilmember Lindsay French

Tuesday, June 9, 2026

9:00 AM

26th Floor, Council Chamber

Meeting Link: <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>

Public Testimony is Limited to 2 Minutes

FIRST READINGS

Water

[260490](#) Sponsor: Director of Water Services Department

Authorizing the Director of Water Services to execute a \$339,893.00 professional, specialized or technical services contract with McClure Engineering Co., for the 2026 Flood Warning System Maintenance project; authorizing five successive renewal options with further City Council approval; and recognizing this ordinance as having an accelerated effective date.

[260491](#) Sponsor: Director of Water Services Department

Authorizing the Manager of Procurement Services to execute an \$8,500,000.00 construction contract with SAK Construction Company, LLC, for the City Wide Sewer Main Rehabilitation Indefinite Delivery, Indefinite Quantity (IDIQ) - Fiscal Year 2027, Renewal No. 1 project; authorizing a maximum expenditure of \$12,000,000.00; authorizing one successive renewal option with further City Council approval; and recognizing this ordinance as having an accelerated effective date.

[260492](#) Sponsor: Director of Water Services Department

Authorizing the Director of Water Services to executed an \$8,461,700.00 construction contract with MegaKC Corporation, for the Green Infrastructure Project 1-1: Mill Creek Park Green Infrastructure Phase 2-Retention Ponds project; authorizing a maximum expenditure of \$9,300,000.00; and recognizing this ordinance as having an accelerated effective date.

[260493](#) Sponsor: Director of the Water Services Department

Authorizing the Director of Water Services to execute a \$12,000,000.00 design professional services contract with Burns & McDonnell Engineering Company, Inc., for FY27 Smart Sewer Program Management Services; and recognizing this ordinance as having an accelerated effective date.

Bunch

Bunch

[260500](#) Sponsor: Councilmember Eric Bunch

Amending Chapter 70, Code of Ordinances, by repealing and replacing Section 70-39 pertaining to the authority of the Director of Public Works to close streets for the purpose of creating standards for the closure of high-frequency bus corridors .

Lucas

Lucas

260508 Sponsor: Mayor Quinton Lucas

Amending Chapter 70, Code of Ordinances, by repealing and replacing Section 70-1, Definitions; and amending Chapter 70, Code of Ordinances, by enacting a new Section 70-706 entitled “Electric bicycles - rights and privileges - label, requirements - modifications require new label - product safety standards - authorized to ride, where, exceptions - class 3 electric bicycles, special provisions” for the purpose of aligning definitions, operating requirements, and rights and privileges associated with electric bicycles with state law.

HELD IN COMMITTEE

ADDITIONAL BUSINESS

1. There may be general discussion for current Transportation, Infrastructure, and Operations Committee issues.

2. Closed Session

- 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.

3. Those who wish to comment on proposed ordinances can email written testimony to 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
- 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

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.

Adjournment



File #: 260490

ORDINANCE NO. 260490

Sponsor: Director of Water Services Department

Authorizing the Director of Water Services to execute a \$339,893.00 professional, specialized or technical services contract with McClure Engineering Co., for the 2026 Flood Warning System Maintenance project; authorizing five successive renewal options with further City Council approval; and recognizing this ordinance as having an accelerated effective date.

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. 516 in the amount of \$339,893.00 with McClure Engineering Co., for the 2026 Flood Warning System Maintenance project, Project No. 60820071. A copy of the contract is on file in the office of Water Services.

Section 2. That the Director of Water Services is authorized to expend up to the sum of \$339,893.00 from Account No. 27-2320-802331-619060, Stormwater Flood Monitoring, to satisfy the cost of this contract.

Section 3. That the Director of Water Services is hereby authorized to execute five successive one-year renewal options for this contract with additional Council approval with such funds as appropriated by the Council in future annual budgets.

Section 4. That this ordinance, relating to the design, repair, maintenance or construction of a public improvement, is recognized as an ordinance with an accelerated effective date as provided by Section 503(a)(3)(D) of the City Charter and shall take effect in accordance with Section 503, City Charter.

..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.

Brenton Siverly
Director of Finance

Approved as to form:

Mark P. Jones
Senior Associate City Attorney



City of Kansas City, Missouri

Docket Memo

Ordinance/Resolution #: 260490

Submitted Department/Preparer: Water

Revised 01/30/25

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 the Director of Water Services to execute a \$339,893.00 professional, specialized or technical services contract with McClure Engineering Co., for the 2026 Flood Warning System Maintenance project; authorizing five successive renewal options with further City Council approval; and recognizing this ordinance as having an accelerated effective date.

Discussion

Project Justification

This professional, specialized or technical services contract operates, maintains, calibrates, repairs, and improves any and all aspects of the City's ALERT flood warning system.

The system relies on a network of 74 City and partner sites (stations), to inform on the travel, risk, and impacts of floodwaters on metropolitan streams and regional and bi-state rivers. These stations are located in Kansas City, Jackson, Platte and Clay Counties, Missouri and in Wyandotte and Johnson Counties, Kansas.

This system collects real time data for rainfall accumulation, rain intensity, stream stage and water surface elevations (adding) along with weather instrumentation.

Project Description

The operations and maintenance of these stations includes: 1) scheduled (i.e. preventive) maintenance, 2) reliability centered (i.e. data driven) maintenance, 3) unscheduled maintenance (including emergency repairs), and maintenance of additional equipment. The contractor shall furnish all labor, equipment (except as stated in the contract), materials, transportation, and supervision required to perform the work specified in this contract.

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 Fiscal Year 27. Work on the project is anticipated to be completed by 365 days from the Notice to Proceed date.

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 [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.
 - Develop a multimodal regional transportation system for all users.
 - Develop environmentally sustainable 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

N/A

Service Level Impacts

This work will allow the City to meet its current service level commitments. This system provides 15 minutes to 18 hours of lead time for various scales and severities of flood risks to our community.

Staff Recommendation

Water Services Department

Select One: Sponsored
 Directive: Res/Ord # [Click to enter Res/Ord. No.](#)

Select One: Recommend
 Do Not Recommend
 Not Applicable

[Click or tap here to provide reasoning.](#)

Other Impacts

1. What will be the potential health impacts to any affected groups?
This system will help the City to warn, prevent, identify and inform, assist on health impacts from flooding before, during and after a flood occurs such as those of 2017. This system is crucial to (1) identifying where flood risk and damages have potentially occurred to assist in identification and Disaster Declaration needs of our Emergency Management Office, and forecasting when and where flood risks will be to direct response actions
2. How have those groups been engaged and involved in the development of this ordinance?
Infrastructure Departments and the Emergency Manager's Office fully support this system. This system is working to include weather conditions sensors surface water sensors and water quality sensors to aid the City in forecasting flood risks, preparation for floods and post-flood response actions, and adding to the City's database for water quality in surface waterbodies.

3. How does this legislation contribute to a sustainable Kansas City?
Kansas City owns and operates a flood warning system containing 74 stations. All of these operate by solar power 24/7 providing critical information for rain conditions on site and downstream. In addition, the system has been upgraded to migrate from services equipped with an on-premise server to entirely cloud-based services, reducing the need for physical equipment.

Kansas City partners with the Unified Government of Kansas City, KS, Johnson County, KS, City of Overland Park, KS (25 sites/149 sensors), Metro METAR Sites (Airports), and USGS for a total in the metropolitan area of 207 sites with 475 sensors of in field data collected every day 24/7.

All data is shared and received by telemetry between all partners and all field sites are solar power based. Primary receiving/repeating facilities for data use live power, backup generators and UPS backup, while generators start, allowing all systems to safely operate sustainably. These systems are very efficient and low energy, long lasting, and resilient in the field.

4. Does this legislation create or preserve new housing units?
No (Press tab after selecting)

N/A

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.

No - CREO's review is not applicable (Press tab after selecting)
Please provide reasoning why not:

CREO KC waived M/WBE goals on this project on February 20, 2026 due to the highly specialized nature and high visibility of this project's scope of services.

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

No(Press tab after selecting)

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

Yes (Press tab after selecting)

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



File #: 260491

ORDINANCE NO. 260491

Sponsor: Director of Water Services Department

Authorizing the Manager of Procurement Services to execute an \$8,500,000.00 construction contract with SAK Construction Company, LLC, for the City Wide Sewer Main Rehabilitation Indefinite Delivery, Indefinite Quantity (IDIQ) – Fiscal Year 2027, Renewal No. 1 project; authorizing a maximum expenditure of \$12,000,000.00; authorizing one successive renewal option with further City Council approval; and recognizing this ordinance as having an accelerated effective date.

WHEREAS, City Council passed Ordinance No. 250257 on April 17, 2025 authorizing an \$8,500,000.00 construction contract with SAK Construction Company, LLC, for the City Wide Sewer Main Rehabilitation Indefinite Delivery, Indefinite Quantity (IDIQ) – Fiscal Year 2026 project with a maximum expenditure of \$12,000,000.00; and authorizing two successive renewal options with further City Council approval; and

WHEREAS, this proposed ordinance is for a \$8,500,000.00 construction contract with SAK Construction, LLC, for the first of two renewal options for this contract, and is also authorizing a maximum expenditure of \$12,000,000.00; NOW, THEREFORE,

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That the Manager of Procurement Services is authorized to execute Contract No. EV3788-1 in the amount of \$8,500,000.00 with SAK Construction Company, LLC, for the City Wide Sewer Main Rehabilitation IDIQ – Fiscal Year 2027, Renewal No. 1 project, Project No. 81001032. A copy of the contract is on file with the Water Services Department.

Section 2. That the Director of the Water Services Department is authorized a maximum expenditure of \$12,000,000.00 from Account No. 27-8110-807790-611060-81001032, Sewers, to satisfy the cost of this contract.

Section 3. That the Director of Water Services is hereby authorized to execute one successive one-year renewal option for this contract with additional Council approval with such funds as appropriated by the Council in future annual budgets.

Section 4. That this ordinance, relating to the design, repair, maintenance or construction of a public improvement, is recognized as an ordinance with an accelerated effective date as

provided by Section 503(a)(3)(D) of the City Charter and shall take effect in accordance with Section 503, City Charter.

..end

The City has no financial obligation under this Ordinance and Contract until the Chief Procurement Officer issues a Purchase Order which will be signed by the City's Director of Finance certifying there is a balance, otherwise encumbered, to the credit of the appropriation to which the expenditure is to be charged, and a cash balance, otherwise encumbered, in the treasury, to the credit of the fund from which payment will be made, each sufficient to meet the obligation incurred in the Purchase Order.

Brenton Siverly
Director of Finance

Approved as to form:

Mark P. Jones
Senior Associate City Attorney



City of Kansas City, Missouri

Docket Memo

Ordinance/Resolution #: 260491

Submitted Department/Preparer: Water

Revised 01/30/25

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 the Manager of Procurement Services to execute an \$8,500,000.00 construction contract with SAK Construction Company, LLC, for the City Wide Sewer Main Rehabilitation Indefinite Delivery, Indefinite Quantity (IDIQ) - Fiscal Year 2027, Renewal No. 1 project; authorizing a maximum expenditure of \$12,000,000.00; authorizing one successive renewal option with further City Council approval; and recognizing this ordinance as having an accelerated effective date.

Discussion

Project Justification

This contract will assist the Water Services Department's Sewer Line Maintenance Division in the rehabilitation of public sanitary sewers, sewer laterals, and manholes located within the public right-of-way or easements throughout Kansas City, Missouri.

The repairs will restore structural integrity and operability to deteriorated sanitary sewers, will provide customers with reliable wastewater services, and will improve customer satisfaction by providing timely response to 311 service requests.

Project Description/Contract Summary/Ordinance Summary

The scope of services for this contract consists of repairs of public sanitary sewers located within the public right-of-way or easements throughout Kansas City, Missouri.

Work will consist of the following:

- Cleaning and closed-circuit television (CCTV) inspection of sanitary sewers in preparation for rehabilitation.
- Cured-in-place pipe (CIPP) rehabilitation of sanitary sewer mainlines and laterals.
- Open-cut excavation repair of sanitary sewers as necessary for trenchless rehabilitation.

Construction work orders will be issued to the Contractor to execute repairs.

Unit prices for the work to be completed under this contract were established based on original bids received. Therefore, the Water Services Department proposes a not to exceed \$8,500,000.00 contract to satisfy the cost of issued construction work orders.

City Council passed Ordinance No. 250257 on April 17, 2025 authorizing a \$8,500,000.00 construction contract with a maximum expenditure of \$12,000,000.00, and authorizing two successive renewal options with further City Council approval.

The City executed the original \$8,500,000.00 contract on May 6, 2025. A \$3,500,000.00 change order for additional work issued was executed by the City (authorized under Ordinance No. 250257) on April 16, 2026.

This proposed ordinance is for the first of two renewal options for this contract in the amount not to exceed \$8,500,000.00 with a maximum expenditure of \$12,000,000.00.

Term

The term of Renewal No. 1 contract is 460 calendar days.

Solicitation

This project was advertised in accordance with the City's requirements. Public bids were opened on January 14, 2025 with 2 bidders responding.

MBE/WBE Goals

CREO KC established goals of 10% MBE and 10% WBE on this project on November 8, 2024 as part of the Annual Goal Program.

Awardee/Subcontracting Participation

SAK Construction LLC was selected for this project as the lowest, most responsive, and most responsible bidder with a contract amount of \$8,500,000.00, with subcontracting participation of 10% MBE and 10% WBE.

Other Bidder/Subcontracting Participation

The only other bid received with proposed subcontracting participation are as follows:

- Insituform Technologies USA LLC / \$12,047,284.00 / 10% MBE & 10% WBE participation

Estimated Project Cost

The estimated opinion of probable construction costs for this renewal is \$8,500,000.00.

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.
- Develop a multimodal regional transportation system for all users.
- Develop environmentally sustainable 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. 250257 on April 17, 2025 authorizing an \$8,500,000.00 construction contract with SAK Construction Company, LLC, for the City Wide Sewer Main Rehabilitation Indefinite Delivery, Indefinite Quantity (IDIQ) - Fiscal Year 2026 project with a maximum expenditure of \$12,000,000.00; and authorizing two successive renewal options with further City Council approval.

Service Level Impacts

Service Level Impacts on this project are to line 28 sewer miles annually.

Staff Recommendation

Water Services Department

Select One: Sponsored
 Directive: Res/Ord # [Click to enter Res/Ord. No.](#)

Select One: Recommend
 Do Not Recommend
 Not Applicable

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?

N/A

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

This project will contribute to a sustainable Kansas City by renewing existing sewer assets thereby extending the system's useful life.

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

No (Press tab after selecting)

N/A

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 the construction project for the original contract on February 6, 2025, and was approved on February 11, 2025 with 10% MBE and 10% WBE participation.

The Contractor Utilization Plan was submitted to CREO KC for the construction project for Renewal No. 1 on April 28, 2026, and was approved on May 12, 2026 with 10% MBE and 12% WBE participation.

There are Affirmative Action Program requirements on this project.

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

No(Press tab after selecting)

N/A for this renewal.

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

No(Press tab after selecting)



Project Number-81001032
SSP City Wide Sewer Main Rehabilitation

CREO Document Upload:#1

Subject: CUP/LOI Document Upload | Contract EV3788
Initiator: Newman-Buckner, Marzella
Date Created: 02.06.2025 04:52PM
Department: Water Services

Process Information

Document Type: CUP/LOI
Date Submitted: 02.06.2025
Date Received: 01.16.2025
Contract Number: EV3788
Prime Contractor: SAK CONSTRUCTION LLC
Amount of Project: 8500000.00
%MBE 10
%WBE 10
%DBE

Special Instructions:

This contract was No. WSD1759 changed to an EV contract (EV3788) between project creation in Trimble and advertisement. Requesting any updates to processes or guidance on how to make this change and manage an EV contract through Trimble.

Contractor Utilization Plan Approval Form

Prepared by: Jacob Groh
by:

e-Builder users: Approval Form must be completed and attached in PDF format where indicated. CUP/LOIs must be attached where indicated, or as supporting documents.

Date: 2/6/25

Contract/Project Number: EV3788 / 81001032	Project Name: City Wide Sewer Main Rehabilitation - Fiscal Year 2026
Developer/Prime: SAK Construction, LLC	Contact Name: Boyd Hirtz
Address: 864 Hoff Road, O'Fallon, MO 63366	Email: bidcippc@sakon.com

Full Contract Value: \$ 8,500,000.00

Funding: City State Federal CO-OP Grant: Other:
 Project Requirements: M/WBE DBE Section 3 N/A
 Tax Incentive: LCRA TIF PIEA N/A Other:
 Prevailing Wage: Yes No
 Davis-Bacon: Yes No

Construction Employment Program: Yes: Workforce goals are 10% Minority & 2% Women. There are over 800 Workforce hours and project cost is \$300,000 or more.
 NO: Workforce hours are less than 800 and project cost is less than \$300,000.

Contract Goals:	Contractor Utilization Plan Achievement:
Self-Perform: <u>80</u> %	Self-Perform: <u>79.83</u> %
MBE: <u>10</u> %	MBE: <u>10</u> %
WBE: <u>10</u> %	WBE: <u>10.17</u> %
Non-certified firms: <u>0</u> %	Non-certified firms: <u>0</u> %

Contract Type (select one): Construction Design-Build Design Professional Professional Services
 General Services Facilities Maintenance/Repair/Renovation Concessions Co-operative
 Revenue Sharing Non-Municipal Agency Other Goods & Services Other _____

Project Manager: Jacob Groh Email: jacob.groh@kcmo.org
 Additional Information:
 See attachments for CUP Approval.

This document is submitted with all available facts. Intentionally falsifying this document or omitting pertinent facts is grounds for disciplinary action pursuant to KCMO Human Resources Rules & Policy Manual (eff. August 4, 2014).

FOR CIVIL RIGHTS & EQUAL OPPORTUNITY DEPARTMENT (CREO) USE ONLY:

The Contractor Utilization Plan is:
 Approved Disapproved
10 % MBE 10 % WBE _____ % DBE

The Request for Good Faith Efforts Waiver is:
 Approved Disapproved Not Applicable

Appeal Sent to FICB or Incentive Agency? Yes _____ FICB _____ Incentive Agency No

CREO Signature: *Rebecca Amezquita-Hogan* Date: 2/11/2025

Comments:
 Approved at 10/10 RAH



Inter-Departmental Communication

Date: February 11, 2025

To: Councilman Kevin O'Neill; Chair; Transportation, Infrastructure & Operations Committee

From: Jaime Guillen; Director; Civil Rights & Equal Opportunity Department

Subject: CUP Summary #: (Ordinance Number)

CONTRACTOR: SAK Construction, LLC
 Address: 864 Hoff Road,
 O'Fallon, MO 63366
 Contract #: EV3788 / 81001032- City Wide Sewer Main
 Rehabilitation -Fiscal Year 2026
 Contract Amount: \$8,500,000.00
 MBE Goal: 10%
 WBE Goal: 10%
 Total MBE Achieved: 10%
 Total WBE Achieved: 10%

MBE SUBCONTRACTORS:
 Name: TanTyTum Contractors LLC
 Address: 15605 E 76th St
 Kansas City, MO 64139
 Scope of Work: Excavation / Point Repairs / New Manhole
 construction / Open Cut Lateral Replacement /
 Manhole Locating & Opening
 Subcontract Percentage: \$850,000.00
 Ownership: Tayrien, Chris
 Structure: Native-American Male Code: 17

WBE SUBCONTRACTORS:
 Name: She Digs It, LLC
 Address: 600 SE Central Dr
 Blue Springs, MO 64014
 Scope of Work: Excavation / Point Repairs / New Manhole
 construction / Open Cut Lateral Replacement /
 Manhole Locating & Opening
 Subcontract Percentage: \$850,000.00
 Ownership: Gerstner, Cheryl
 Structure: Caucasian Female Code: 27

WBE SUBCONTRACTORS:

Name: A + Engineering Services, LLC
Address: 14935 NW 61st St.
Parkville, MO 64152
Scope of Work: Broker
Subcontract Percentage: \$15,000.00 (\$150,000 X 10%)
Ownership: McIntire, Angela
Structure: Caucasian Female Code: 27

Page 2: EV3788 / 81001032- City Wide Sewer Main Rehabilitation -Fiscal Year 2026

Comments:

The prime contractor has submitted a CUP (Contractor Utilization Plan) meeting the project goals of 10% MBE and 10% WBE. After review of the CUP, the prime contractor will meet or exceed goals at 10% MBE and 10% WBE.



File #: 260492

ORDINANCE NO. 260492

Sponsor: Director of Water Services Department

Authorizing the Director of Water Services to executed an \$8,461,700.00 construction contract with MegaKC Corporation, for the Green Infrastructure Project 1-1: Mill Creek Park Green Infrastructure Phase 2-Retention Ponds project; authorizing a maximum expenditure of \$9,300,000.00; and recognizing this ordinance as having an accelerated effective date.

WHEREAS, this proposed ordinance is for authorization of a construction project for the Green Infrastructure Project 1-1: Mill Creek Park Green Infrastructure Phase 2-Retention Ponds; NOW, THEREFORE,

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. 1804 in the amount of \$8,461,700.00 with MegaKC Corporation for the Green Infrastructure Project 1-1: Mill Creek Park Green Infrastructure Phase 2-Retention Ponds project, Project No. 81000955. A copy of the contract is on file in the office of Water Services.

Section 2. That the Director of Water Services Department is authorized to expend up to maximum of \$9,300,000.00 from Account No. 27-8110-807769-611060-81000955, Overflow Control Program, to satisfy the cost of this contract.

Section 4. That this ordinance, relating to the design, repair, maintenance or construction of a public improvement, is recognized as an ordinance with an accelerated effective date as provided by Section 503(a)(3)(D) of the City Charter and shall take effect in accordance with Section 503, City Charter.

..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.

Brenton Siverly
Director of Finance

Approved as to form:

Mark P. Jones
Senior Associate City Attorney



City of Kansas City, Missouri

Docket Memo

Ordinance/Resolution #: 260492

Submitted Department/Preparer: WaterPlease Select

Revised 01/30/25

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 the Director of Water Services to execute an \$8,461,700.00 construction contract with MegaKC Corporation, for the Green Infrastructure Project 1-1: Mill Creek Park Green Infrastructure Phase 2-Retention Ponds project; authorizing a maximum expenditure of \$9,300,000.00; 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 16 of a 30-year implementation period. The purpose of this project is to contribute to a sustainable Kansas City by implementing Green Infrastructure to reduce typical year Combined Sewer Overflows (CSO) in the Brush Creek Basin. This project will improve water quality, reduce heat-island effect, and will add resiliency to the community's sewer system through integration of green infrastructure.

Construction Contract Description

The scope of work to be provided under the construction contract includes construction of stormwater storage basins consisting of surface storage basins and underground storage modules, decorative concrete maintenance paths, retaining walls, and pedestrian features including relocation of a portion of the existing jogging trail with rubberized surface. This will be the second phase of the overall green infrastructure project with Phase 3 to follow which will consist of landscaping the stormwater retention basins and surrounding site.

Term

The term of the construction project will be 455 calendar days.

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.
 - Develop a multimodal regional transportation system for all users.
 - Develop environmentally sustainable 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. 210341 on April 29, 2021, which authorized a \$750,000.00 design professional services Contract No. 1611 with HDR Engineering, Inc., for conceptual, preliminary, and final design of the Green Infrastructure Project 1-1: Mill Creek Park project; and

City executed a \$75,000.00 Amendment No. 1 on May 3, 2023 with HDR Engineering, Inc., which authorized additional work related to lighting design, pedestrian access improvements, and changes to layout of the green infrastructure; and

City Council passed Ordinance No. 240611 on July 25, 2024, which authorized a \$751,978.00 Amendment No. 2 with HDR Engineering Inc., which authorized value engineering services to reduce overall cost of the project, design water transmission main relocation, and additional structural design to accommodate construction over an existing combined sewer; and

City Council passed Ordinance No. 250373 on May 8, 2025, which authorized a \$2,195,500.00 construction contract with MegaKC Corporation, for the Green Infrastructure Project 1-1: Mill Creek Park-Package #1 - North Plaza project with a maximum expenditure of \$2,415,000.00; authorized a \$1,750,000.00 design professional services Amendment No, 3 with HDR Engineering, Inc., for a total contract amount of \$3,326,978.00 for construction phase services for Phase 1 through Phase 3 and re-design services to incorporate value engineering recommendations for Phase 2 and Phase 3.

Service Level Impacts

This green infrastructure project will store separated stormwater and release it slowly into the combined sewer system. This will reduce combined sewer overflow volume released to Brush Creek and provide additional capacity within the combined sewer system.

Staff Recommendation

Water Services Department

Select One: Sponsored
 Directive: Res/Ord # [Click to enter Res/Ord. No.](#)

Select One: Recommend
 Do Not Recommend
 Not Applicable

[Click or tap here to provide reasoning.](#)

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 is located in Mill Creek Park, a popular and well-used park. The project area also includes some residential but is primarily near the Country Club Plaza, a high-profile shopping, dining, and business destination. A public meeting will be held at a suitable location so the construction team (contractor, design professional, and city representative) can meet with the stakeholders, businesses and residents to discuss the construction phase of the project. The construction phase communications will build on previous public engagement efforts related to this project, including a 2021 survey that received 96 responses, a virtual public meeting in 2021, and three stakeholder meetings with the Mill Creek Park Board to discuss priorities and needs for the park.

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)

N/A

Click or tap here to enter text.

5. Department staff certifies the submission of any application Affirmative Action Plans or Certificates of Compliance, Contractor Utilization Plans (CUPs), and Letters of Intent to Subcontract (LOIs) to CREO prior to, or simultaneously with, the legislation entry request in Legistar.

Yes - I have submitted documents for CREO Review (Press tab after selecting)
Please attach or copy and paste CREO's review.

The Contractor Utilization Plan was submitted to CREO KC for review on May 1, 2026, and is pending approval.

There are Affirmative Action Program requirements on this project.

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.

- MegaKC Corporation
- Infrastructure Solutions, LLC

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



Project Number-81000955
SSP Green Infrastructure Project 1-1: Mill Creek Park

CREO Document Upload:#3

Subject: CUP/LOI Document Upload | Contract WSD1804
Initiator: Driskell, Jamie
Date Created: 05.01.2026 02:41PM
Department: Water Services

Process Information

Document Type: CUP/LOI
Date Submitted: 05.01.2026
Date Received:
Contract Number: WSD1804
Prime Contractor: MEGAKC CORPORATION
Amount of Project: 8461700.00
%MBE 10
%WBE 10
%DBE

Special Instructions:

Contractor Utilization Plan Approval Form

Prepared J Driskell
by:

e-Builder users: Approval Form must be completed and attached in PDF format where indicated. CUP/LOIs must be attached where indicated, or as supporting documents.

Date: 5/1/26

Contract/Project Number: 1804/81000955	Project Name: GI Project 1-1: Mill Creek pArk Phase 2 - Retetnion Ponds
Developer/Prime: MegaKC Corporation	Contact Name: Tyler Wesselman
Address: 1491 Iron Street, North KC MO 64116	Email: megabids@megakc.com

Full Contract Value: \$ 8,461,700.00

Funding: City State Federal CO-OP Grant: Other:

Project Requirements: M/WBE DBE Section 3 N/A

Tax Incentive: LCRA TIF PIEA N/A Other:

Prevailing Wage: Yes No

Davis-Bacon: Yes No

Construction Employment Program: Yes: Workforce goals are 10% Minority & 2% Women. There are over 800 Workforce hours and project cost is \$300,000 or more.
 NO: Workforce hours are less than 800 and project cost is less than \$300,000.

Contract Goals:	Contractor Utilization Plan Achievement:
Self-Perform: ____%	Self-Perform: ____%
MBE: <u>10</u> %	MBE: <u>10</u> %
WBE: <u>10</u> %	WBE: <u>10</u> %
Non-certified firms: ____%	Non-certified firms: ____%

Contract Type (select one): Construction Design-Build Design Professional Professional Services
 General Services Facilities Maintenance/Repair/Renovation Concessions Co-operative
 Revenue Sharing Non-Municipal Agency Other Goods & Services Other _____

Project Manager: Kyle Tonjes Email: kltonjes@burnsmcd.com
 Additional Information:

This document is submitted with all available facts. Intentionally falsifying this document or omitting pertinent facts is grounds for disciplinary action pursuant to KCMO Human Resources Rules & Policy Manual (eff. August 4, 2014).

FOR CIVIL RIGHTS & EQUAL OPPORTUNITY DEPARTMENT (CREO) USE ONLY:

The Contractor Utilization Plan is:


Approved Disapproved


10 % MBE 10 % WBE _____ % DBE

The Request for Good Faith Efforts Waiver is:

Approved Disapproved Not Applicable

Appeal Sent to FICB or Incentive Agency? Yes _____ FICB _____ Incentive Agency No

CREO Signature:  Date: 5/22/2026

Comments:
 CREO EEI CM approves this CUP at 10% MBE and 10% WBE. 



Inter-Departmental Communication

Date: May 22, 2026

To: Councilman Kevin O'Neill; Chair; Transportation, Infrastructure & Operations Committee

From: Jaime Guillen; Director; Civil Rights & Equal Opportunity Department

Subject: CUP Summary – GI Project 1-1: Mill Creek Park Phase 2 - Retention Ponds

CONTRACTOR: MegaKC, Corporation
Address: 1491 Iron St.
North Kansas City, MO 64116
Contract # WSD1804 / 81000955
Project Title: Green Infrastructure Project 1-1: Mill Creek Park
Phase 2 - Retention Ponds
Contract Amount: \$8,461,700.00
MBE Goal 10%
WBE Goal: 10%
Total MBE Achieved: 10%
Total WBE Achieved: 10%

MBE SUBCONTRACTORS:

Name: Carpio Masonry, LLC
Address: 2521 S Holloway Rd.
Oak Grove, MO 64075
Scope of Work: Stone Masonry
Subcontract Percentage: 1%
Ownership: Carpio, Jose
Structure: Latin American Male Code: 16

MBE SUBCONTRACTORS:

Name: Whatever It Takes Electrical Contractors, LLC
Address: 9709 E 56th St.
Raytown, MO 64133
Scope of Work: Trenching, Conduit, Wiring, Electrical, and Lighting
Subcontract Percentage: 5%
Ownership: Rolls, John
Structure: African-American Male Code: 15

MBE SUBCONTRACTORS:

Name: Erosion Specialists, LLC
Address: 8300 N Green Hills Rd.
Kansas City, MO 64151
Scope of Work: Erosion Control Services
Subcontract Percentage: 1%
Ownership: Roberts, Christopher
Structure: Native American Male Code: 17

MBE SUBCONTRACTORS:

Name: Tenoch Construction, Inc.
Address: 912 Scott Ave.
Kansas City, KS 64105
Scope of Work: Sidewalk and Concrete Flatwork
Subcontract Percentage: 2%
Ownership: Segura-Ulrich, Sonya
Structure: Latina American Female Code: 20

MBE SUBCONTRACTORS:

Name: J&J Survey, LLC
Address: 8680 N Green Hills Rd.
Kansas City, MO 64154
Scope of Work: Construction Surveying
Subcontract Percentage: 1%
Ownership: Young, Chanette
Structure: African American Female Code: 19

WBE SUBCONTRACTORS:

Name: Abay Construction, Inc.
Address: 5440 N Oak Trafficway, Suite 150
Kansas City, MO 64118
Scope of Work: Demolition of Utilities, Storm Sewer Piping, and
Site Utilities
Subcontract Percentage: 7%
Ownership: Tekeste, Tehawerk
Structure: African American Female Code: 23

WBE SUBCONTRACTORS:

Name: Realm Construction, Inc.
Address: 604 SE Industrial Dr.
Blue Springs, MO 64014
Scope of Work: Placing and Tying Concrete Reinforcement
Subcontract Percentage: 2%
Ownership: Phillips, Cathy
Structure: Caucasian Female Code:27

WBE SUBCONTRACTORS:

Name: Thorne & Son Asphalt Paving Co.
Address: 11705 E 350 Hwy., Suite D
Raytown, MO 64138
Scope of Work: Asphalt Paving
Subcontract Percentage: 1%
Ownership: Mozee, Kelly
Structure: Caucasian Female Code: 27

WBE SUBCONTRACTORS:

Name: EJ & Sons Construction, LLC
Address: 3910 Norton
Kansas City, MO 64130
Scope of Work: Dump Trucking
Subcontract Percentage: 1%
Ownership: Jones, Elwanda
Structure: African American Female Code: 23

Comments:

The prime contractor has submitted a CUP (Contractor Utilization Plan) meeting the project goals of 10% MBE and 10% WBE. The Prime Contractor is meeting the MBE goal of 10% with 10% MBE participation. The Prime Contractor is meeting the WBE goal of 10% with 10% WBE participation. Based on the preceding information, CREO KC EEI approves this CUP with 10% MBE and 10% WBE.



City of Kansas City, Missouri

Docket Memo

Ordinance/Resolution #: 260492 - **Revised**

Submitted Department/Preparer: WaterPlease Select

Revised 01/30/25

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 the Director of Water Services to execute an \$8,461,700.00 construction contract with MegaKC Corporation, for the Green Infrastructure Project 1-1: Mill Creek Park Green Infrastructure Phase 2-Retention Ponds project; authorizing a maximum expenditure of \$9,300,000.00; 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 16 of a 30-year implementation period. The purpose of this project is to contribute to a sustainable Kansas City by implementing Green Infrastructure to reduce typical year Combined Sewer Overflows (CSO) in the Brush Creek Basin. This project will improve water quality, reduce heat-island effect, and will add resiliency to the community's sewer system through integration of green infrastructure.

Construction Contract Description

The scope of work to be provided under the construction contract includes construction of stormwater storage basins consisting of surface storage basins and underground storage modules, decorative concrete maintenance paths, retaining walls, and pedestrian features including relocation of a portion of the existing jogging trail with rubberized surface. This will be the second phase of the overall green infrastructure project with Phase 3 to follow which will consist of landscaping the stormwater retention basins and surrounding site.

Term

The term of the construction project will be 455 calendar days.

MBE/WBE Goals

CREO KC established goals of 10% MBE and 10% WBE on the Phase 2 construction project on January 26, 2026.

Solicitation

The construction project was advertised in accordance with the City's requirements on March 20, 2026, and bids were opened on April 21, 2026, with two (2) bidders responding.

Awardee/Subcontracting Participation

MegaKC Corporation submitted the lowest, responsible, and responsive bid of \$8,461,700.00, with subcontracting participation of 10% MBE and 10% WBE.

Other Bidder/Subcontracting Participation

- Infrastructure Solutions, LLC / \$9,900,000.00 / 10% MBE and 10% WBE

Estimated Opinion of Probable Construction Costs

The Engineer's Opinion of Probable Construction Cost was \$10,188,000.00.

Fiscal Impact

1. Is this legislation included in the adopted budget? Yes No
2. What is the funding source?
27-8110-807769-611060-81000955 = \$9,300,000.00
Sewer Fund Overflow Control Program
3. How does the legislation affect the current fiscal year?
Work on this project will begin in FY27 and finish in FY28. Invoices will be submitted by the Contractor 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 Phase 2 of the project is anticipated to be completed within 455 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 [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.
 - Develop a multimodal regional transportation system for all users.
 - Develop environmentally sustainable 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. 210341 on April 29, 2021, which authorized a \$750,000.00 design professional services Contract No. 1611 with HDR Engineering, Inc., for conceptual, preliminary, and final design of the Green Infrastructure Project 1-1: Mill Creek Park project; and

City executed a \$75,000.00 Amendment No. 1 on May 3, 2023 with HDR Engineering, Inc., which authorized additional work related to lighting design, pedestrian access improvements, and changes to layout of the green infrastructure; and

City Council passed Ordinance No. 240611 on July 25, 2024, which authorized a \$751,978.00 Amendment No. 2 with HDR Engineering Inc., which authorized value engineering services to reduce overall cost of the project, design water transmission main relocation, and additional structural design to accommodate construction over an existing combined sewer; and

City Council passed Ordinance No. 250373 on May 8, 2025, which authorized a \$2,195,500.00 construction contract with MegaKC Corporation, for the Green Infrastructure Project 1-1: Mill Creek Park-Package #1 - North Plaza project with a maximum expenditure of \$2,415,000.00; authorized a \$1,750,000.00 design professional services Amendment No, 3 with HDR Engineering, Inc., for a total contract amount of \$3,326,978.00 for construction phase services for Phase 1 through Phase 3 and re-design services to incorporate value engineering recommendations for Phase 2 and Phase 3.

Service Level Impacts

This green infrastructure project will store separated stormwater and release it slowly into the combined sewer system. This will reduce combined sewer overflow volume released to Brush Creek and provide additional capacity within the combined sewer system.

Staff Recommendation

Water Services Department

Select One: Sponsored
 Directive: Res/Ord # [Click to enter Res/Ord. No.](#)

Select One: Recommend
 Do Not Recommend
 Not Applicable

[Click or tap here to provide reasoning.](#)

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 is located in Mill Creek Park, a popular and well-used park. The project area also includes some residential but is primarily near the Country Club Plaza, a high-profile shopping, dining, and business destination. A public meeting will be held at a suitable location so the construction team (contractor, design professional, and city representative) can meet with the stakeholders, businesses and residents to discuss the construction phase of the project. The construction phase communications will build on previous public engagement efforts related to this project, including a 2021 survey that received 96 responses, a virtual public meeting in 2021, and three stakeholder meetings with the Mill Creek Park Board to discuss priorities and needs for the park.

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)

N/A

[Click or tap here to enter text.](#)

5. Department staff certifies the submission of any application Affirmative Action Plans or Certificates of Compliance, Contractor Utilization Plans (CUPs), and Letters of Intent to Subcontract (LOIs) to CREO prior to, or simultaneously with, the legislation entry request in Legistar.

Yes - I have submitted documents for CREO Review (Press tab after selecting)

Please attach or copy and paste CREO's review.

The Contractor Utilization Plan was submitted to CREO KC for review on May 1, 2026, and was approved on May 22, 2026 with 10% MBE and 10% WBE participation.

There are Affirmative Action Program requirements on this project.

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.

- MegaKC Corporation
- Infrastructure Solutions, LLC

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



File #: 260493

ORDINANCE NO. 260493

Sponsor: Director of the Water Services Department

Authorizing the Director of Water Services to execute a \$12,000,000.00 design professional services contract with Burns & McDonnell Engineering Company, Inc., for FY27 Smart Sewer Program Management Services; and recognizing this ordinance as having an accelerated effective date.

WHEREAS, under Ordinance No. 210347, the Water Services Department exercised the option to renew its design professional services contract with Burns & McDonnell Engineering Company, Inc. for the continuation of Overflow Control Program Management Services for renewals 4 - 7 of 9 one-year renewal options in accordance with RFQ/P solicitation for design professional services under Contract No. 1355, Overflow Control Program Management (Ordinance No. 170375). This RFQ/P solicitation was for one year with nine (9) one-year options to renew at the sole discretion of the City. The City previously exercised renewal options 1 - 8 of 9 one-year renewals under Contract Nos. 1538 (Ordinance No. 170375), 1597 (Ordinance No. 170375), 1597-3 (Ordinance 170375), 1635 (Ordinance No. 210347), 1635-1 (Ordinance No. 220314), 1635-2 (Ordinance No. 230518), and 1635-3 (Ordinance No. 240608); 1767 (Ordinance 250509); and

WHEREAS, this proposed design professional services renewal contract No. 1767-1 will have a 12-month base period, in the amount of \$12,000,000.00, NOW, THEREFORE,

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. 1767-1, in the amount of \$12,000,000.00, with Burns & McDonnell Engineering Company, Inc., for FY27 Smart Sewer Program Management Services, Project No. 60810092. 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 to expend up to \$12,000,000.00 from the following accounts, to satisfy the cost of this contract:

27-8110-807769-610300-60810092	Smart Sewer Program Management	\$9,924,537.00
27-8110-807769-611040-81000920	In-Line Storage Additional OK Creek Storage Facilities	\$345,910.50
27-8110-807769-611040-81000998	Stormwater Collection & Green Infrastructure: 37th & Norton	\$345,910.50

27-8110-807769-611040-81000756	City-Wide Sewer Infrastructure Rehabilitation within Waterways	\$345,910.50
27-8110-807769-611040-81001033	Sewer Separation & Green Infrastructure: Diversion Structures 56, 58, 62, and 113	\$345,910.50
27-8110-807769-611040-81000955	Green Infrastructure Project 1-1: Mill Creek Park	\$345,910.50
27-8110-807769-611040-81001048	High Rate Treatment: Blue River Wastewater Treatment Plant	\$345,910.50
TOTAL		\$12,000,000.00

Section 3. That this ordinance is recognized as an ordinance with an accelerated effective date as provided by Section 503(a)(3)(D) of the City Charter and shall take effect in accordance with Section 503, City Charter.

..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.

Brenton Siverly
Director of Finance

Approved as to form:

Mark P. Jones
Senior Associate City Attorney



City of Kansas City, Missouri

Docket Memo

Ordinance/Resolution #: 260493

Submitted Department/Preparer: Water

Revised 01/30/25

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 \$12,000,000.00 design professional services contract with Burns & McDonnell Engineering Company, Inc., for FY27 Smart Sewer Program Management Services; and recognizing this ordinance as having an accelerated effective date.

Discussion

Reason for Contract

The City of Kansas City, Missouri entered into a Consent Decree with the United States EPA to reduce the volume of overflows from the City's sewer system over a 30-year period. The City's Smart Sewer Program is currently in year 16 of a 30-year implementation period. This project will provide program management services to assist the City with continued implementation of its Smart Sewer Program

Contract Description

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

- Program management and administration to provide oversight and direction for program activities, project controls, compliance reporting, sewer asset management and data management support services;
- Contract administration support services for the development and implementation of Smart Sewer Program projects;
- Design and construction administration support services, and project management services for the implementation of Smart Sewer Program projects;
- Public communications and outreach services to support the implementation of the Smart Sewer Program including development of informational content and collateral, public outreach activities, and strategic communications;
- Sewer collection system planning, performance assessment, and sewer rehabilitation support services, including sewer manhole condition inspections, temporary flow monitoring, and modeling analyses for implementation of the Smart Sewer Program, and support of the City's Annual Sewer Rehabilitation program; and

- Green Infrastructure planning and implementation support services to reduce combined sewer overflows, improve the water quality of local streams, to integrate green infrastructure with grey structural overflow control measures and other City public capital improvement projects to optimize community benefits.

Under ordinance 210347, the Water Services Department exercised the option to renew its Design Professional Services Agreement with Burns & McDonnell Engineering Company, Inc. for the continuation of Overflow Control Program Management Services for renewals 4 - 8 of 9 one-year renewal options in accordance with RFQ/P solicitation for Design Professional Services under City Contract 1355 - Overflow Control Program Management (Ordinance No. 170375). This RFQ/P solicitation was for one year with nine (9) one-year options to renew at the sole discretion of the City. The City previously exercised renewal options 1 - 7 of 9 one-year renewals under City Contract Numbers 1538 (Ordinance No. 170375), 1597 (Ordinance No. 170375), 1597-3 (Ordinance No. 170375), 1635 (Ordinance No. 210347), 1635-1 (Ordinance No. 220314), 1635-2 (Ordinance No. 230518), 1635-3 (Ordinance No. 240608), and 1767 (Ordinance No. 250509).

Term

The term of the design professional contract will be 365 calendar days.

MBE/WBE Goals

Subcontracting goals on the original project were approved by the Human Relations Department (now known as the Civil Rights & Equal Opportunity Department) on April 5, 2021 with 15% MBE and 10% WBE goals.

With this design professional services agreement, the participation will be 16% MBE and 9% WBE.

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.

A Citywide selection committee met on January 23, 2017 and consisted of the following individuals:

- Jermaine Reed, Councilperson for Council District 3
- Troy Schulte, City Manager
- Terry Leeds, Director of Water Services

Fiscal Impact

1. Is this legislation included in the adopted budget? Yes No
2. What is the funding source?
Sewer Fund

27-8110-807769-610300-60810092 = \$9,924,537.00 / Smart Sewer Program Management

27-8110-807769-611040-81000920 = \$345,910.50 / In-Line Storage Additional OK Creek Storage Facilities

27-8110-807769-611040-81000998 = \$345,910.50 / Stormwater Collection & Green Infrastructure: 37th & Norton

27-8110-807769-611040-81000756 = \$345,910.50 / City-Wide Sewer Infrastructure Rehabilitation within Waterways

27-8110-807769-611040-81001033 = \$345,910.50 / Sewer Separation & Green Infrastructure: Diversion Structures 56, 58, 62, and 113

27-8110-807769-611040-81000955 = \$345,910.50 / Green Infrastructure Project 1-1: Mill Creek Park

27-8110-807769-611040-81001048 = \$345,910.50 / High Rate Treatment: Blue River Wastewater Treatment Plant
3. How does the legislation affect the current fiscal year?
Work on this project will begin in FY27. Invoices will be submitted by Design Professional on a monthly basis.
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 necessary. Work on the project is anticipated to be complete within 365 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
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.
 - Develop a multimodal regional transportation system for all users.
 - Develop environmentally sustainable strategies that improve quality of life and foster economic growth.
 - Ensure adequate resources are provided for continued maintenance of existing infrastructure.
 - Focus on delivery of safe connections to schools.

Prior Legislation

Ordinance No. 170375 was approved by City Council on July 8, 2017 authorizing a \$12,962,000.00 Design Professional Services Contract with Burns & McDonnell Engineering Company, Inc., for the Smart Sewer Program Management Project; authorizing a maximum expenditure of \$48,000,000.00; authorizing three successive renewal options without further City Council approval; and recognizing this ordinance as having an accelerated effective date.

Ordinance No. 210347 was approved by City Council on April 29, 2021 authorizing an \$11,988,000.00 design professional services agreement with Burns & McDonnell

Engineering Company, Inc., for the Smart Sewer Program Management Services Project; authorizing a maximum expenditure of \$48,000,000.00; and authorizing three successive renewal options without further City Council approval.

Ordinance No. 220314 was approved by City Council on April 21, 2022 authorizing a \$12,000,000.00 design professional services contract with Burns & McDonnell Engineering Company, Inc., for the Smart Sewer Program Management Services, Renewal No. 1 project; and establishing an effective date.

Ordinance No. 230518 was approved by City Council on June 22, 2023 authorizing a \$12,000,000.00 design professional services contract with Burns & McDonnell Engineering Company, Inc., for FY24 Smart Sewer Program Management Services.

Ordinance No. 240608 was approved by City Council on July 25, 2024 authorizing a \$12,000,000.00 design professional services contract with Burns & McDonnell Engineering Company, Inc., for FY25 Smart Sewer Program Management Services.

Ordinance No. 250509 was approved by City Council on July 17, 2025 authorizing a \$11,100,000.00 design professional services contract with Burns & McDonnell Engineering Company, Inc., for FY26 Smart Sewer Program Management Services.

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 program management services to assist the City with continued implementation of its Smart Sewer Program.

Staff Recommendation

Director of Water Services

Select One: Sponsored
 Directive: Res/Ord # [Click to enter Res/Ord. No.](#)

Select One: Recommend
 Do Not Recommend
 Not Applicable

Click or tap here to provide reasoning.

Other Impacts

1. What will be the potential health impacts to any affected groups?
This project will provide program management services to assist the City in 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?
To engage affected groups, a public outreach plan is developed and executed for each Smart Sewer project. Outreach materials are developed to support public involvement, including public meetings with stakeholders. During the construction phase of each project, work progress updates are distributed to stakeholders via email and the City's Smart Sewer website.
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 May 7, 2026, and is pending approval.

There are Affirmative Action Program requirements on this project.
6. Does this legislation seek to approve a contract resulting from an Invitation for Bid?

No(Press tab after selecting)

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



File #: 260500

ORDINANCE NO. 260500

Sponsor: Councilmember Eric Bunch

Amending Chapter 70, Code of Ordinances, by repealing and replacing Section 70-39 pertaining to the authority of the Director of Public Works to close streets for the purpose of creating standards for the closure of high-frequency bus corridors.

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That Chapter 70, Traffic and Vehicles, is hereby amended by repealing Section 70-39, Authority of director to close streets, sidewalks and other travelways; authority to establish emergency parking regulations, and enacting in lieu thereof a new section of like number and subject matter, to read as follows:

Sec. 70-39. Authority of director to close streets, sidewalks and other travelways; authority to establish emergency parking restrictions.

(a) *Definitions.* As used in this section:

Alley means a street or highway intended to provide access to the rear or side of lots or buildings in urban districts and not intended for the purpose of through vehicular traffic.

Active work zone means where construction, maintenance or utility workers are on the roadway or sidewalk or on the shoulder of the roadway and workers are adjacent to an active travel lane.

Average daily traffic (ADT) means the following expected average daily traffic for the road classifications in the city's major street plan, approved by City Council Ordinance 40346, October 7, 1971 as amended, unless an applicant provides traffic counts obtained under the supervision of a professional engineer, in which case those counts, if approved by the city, may be used in lieu of the values specified herein.

Classification	Expected ADT	ADT to be used
Expressways	At least 15,000 veh. per day	15,000 veh. per day
Primary arterials	At least 10,000 veh. per day	10,000 veh. per day
Secondary arterials	5,000 to 10,000 veh. per day	5,000 veh. per day
Other streets	Less than 5,000 veh. per day	500 veh. per day

Block means a piece or parcel of land entirely surrounded by public highways, streets, streams, railway rights-of-way or parks, or a combination thereof. The Director of codes administration shall decide any question regarding the limits or extent of a block. For permitting, a block is referenced as the segment of a street or road situated between two intersecting streets.

Cycle Track means a path or portion of road specifically designed for bicycles and not motor vehicles.

Detour distance means:

- (1) The distance of a lane closure including approaches if only a portion of the public right-of-way is closed so that traffic is diverted to different lanes in the same public right-of-way as determined by a traffic control plan approved by the Director of Public Works; and
- (2) The distance of the alternate route as determined by a traffic control plan approved by the Director resulting from a complete closure of the public right-of-way.

Director means the Director of Public Works of Kansas City unless otherwise defined herein.

Emergency means a condition that poses a clear and immediate danger to life or health, or a significant loss of property or requires immediate repair or replacement in order to restore service to a customer.

High-frequency bus corridor means any segment of street within city limits offering a minimum of four city-funded buses per hour.

Major street plan means the original document approved by the council by Ordinance No. 40346 on October 7, 1971, as amended from time to time.

Non-roadway area means a paved path for pedestrians located alongside a road.

Person means an individual, firm, association, partnership, limited liability company, corporation or any other organization.

Right-of-way means an area of land designated and reserved for public travel whether vehicular or pedestrian and includes a street, a median, a parkway, pedestrian sidewalk and bikeway.

Traffic control permit fee formula means the basic formula to determine the amount of the fee for closing driving lanes of a road to be applied as follows:

The ADT for the designated classification of the road is multiplied by the number of days for closure of the street or part thereof multiplied by the detour distance in linear miles, multiplied by the unit cost, multiplied by the specified factor for direction of travel, multiplied by the specified factor for driving lanes.

Unit cost (UC) shall be \$0.17 per linear mile which shall be adjusted annually to the nearest cent by the Director to reflect the change in the consumer price index (all items/all urban consumers/Kansas City, Missouri/Kansas) published by the United States Department of Labor, Bureau of Labor Statistics.

Weekend means the period from Friday evening at 5:00 p.m. through Monday morning at 7:00 a.m.

(b) *Traffic control permits.* The Director shall have authority to close or issue a permit to close any street, sidewalk, or any other city maintained public right-of-way or part thereof when, in the Director's opinion, the closing is necessary for construction, maintenance, or for the protection of public health or safety or other special condition. Except for an emergency, no street, sidewalk or other city maintained portion of public right-of-way shall be closed by any person to traffic for any purpose without first obtaining a traffic control permit from the Director of Public Works. In the event a person causes a closure required by an emergency, such person shall file an application for a traffic control permit and pay the appropriate fees associated therewith the next regular business day after the closure. The Director shall have authority to establish reasonable regulations for the issuance, use, revocation and denial of such permits. Nothing in this section shall authorize the use of a public sidewalk for a commercial purpose.

(c) *Application fee.* An application fee of \$90.29 shall accompany each application for a traffic control permit the application fee is to defray the various costs incurred by the city in investigating and processing the applications and issuing the permit and inspection of the site of the traffic control. The application fee is not refundable.

(d) *Form of application.* An application for a traffic control permit shall be completed on a form furnished by the Director and shall include a detailed traffic control plan.

(e) *Traffic control plan.* A traffic control plan submitted to the Director for approval shall comply with the requirements of the Manual of Uniform Traffic Control Devices (MUTCD) in force on the date of the application and shall include a dimensioned drawing that identifies the following:

- (1) The location of the right-of-way to be closed, including all approaches.
- (2) The location of a detour route.
- (3) The location of all traffic control devices required for the closure of the right-of-way and signage for the detour route(s). No traffic control device shall be placed

more than 300 feet from an active work zone unless approved by the Director prior to the placement of the traffic control device.

- (4) If applicant does not provide a traffic control plan, upon request by the applicant, the Department of Public Works will prepare a plan and applicant shall pay the city a nonrefundable fee in the amount of the direct costs and overhead incurred by the Department of Public Works as determined by the Director. In no event will such fee be less than \$153.90.
- (5) The traffic control plan shall anticipate the performance of continuous construction activities. If construction activities are not being continuously performed within the entire active work zone for a period of 48 hours, excluding weekends, the permit holder must immediately restore the work zone and remove traffic control devices unless exempted by the Director.
- (6) The posted speed limit inside the active work zone shall be reduced by ten miles per hour on roadway classified as expressways, primary arterials, and secondary arterials. The minimum speed limit in an active work zone shall be 25 miles per hour.
- (7) A pedestrian route may be permitted for a temporary closure for fifteen (15) calendar days or less without providing for an alternative protected accessible route. If a pedestrian route must be permitted for a temporary closure for more than fifteen (15) consecutive calendar days, an alternate protected accessible route must be maintained on the same side of the street. At no time shall the pedestrian route be closed on both sides of the street at the same time or for more than one continuous block. Audible pedestrian warning devices shall be placed and maintained at each end of the closure alerting pedestrians of the closure and the detour route. The Director shall have the authority to grant waivers to the requirements of this subsection upon written request submitted to the Multimodal Transportation Commission (unless another review body is otherwise designated by the Director) for review and recommendation. Waivers may be granted in situations including the inability to maintain two-way vehicular traffic on a two-way road or the inability to maintain one-way traffic on a one-way road or accommodate streetcar operations. Failure to comply with the requirements of this subsection may result in the following penalties, upon administrative adjudication as provided by section 70-42 of this chapter, for each day of non-compliance:
 - a. First violation: Permit fees doubled.
 - b. Second violation: Fine of \$250.
 - c. Third violation: Fine of \$500.

(f) *Traffic control permit fees.* In addition to the application fee, and a traffic control plan preparation fee if applicable, a traffic control permit fee shall be charged for the closure of the public right-of-way. The amount of the traffic control permit fee shall be the sum of the fees for

each direction of travel determined by applying the traffic control fee formula using the following factors:

- (1) Factor for direction of travel. For a two-way street, the factor for each direction of travel shall be 0.58. For a one-way street, the factor for direction of travel shall be 1.17.
- (2) Factor for driving lanes. The factor for driving lanes shall be as set out in the following chart:

Total number of driving lanes for the direction of travel	Number of driving lanes closed for the direction of travel				
	1	2	3	4	5
1 lane	1.15				
2 lanes	0.46	1.17			
3 lanes	0.23	0.69	1.17		
4 lanes	0.17	0.46	0.75	1.17	
5 lanes	0.12	0.40	0.64	0.81	1.17

- (3) For lane closures between 9:00 a.m. and 4:00 p.m., if the lane is otherwise opened for public travel, the traffic control permit fee shall be reduced by 50 percent. For lane closures between 6:00 p.m. and 7:00 a.m., if the lane is otherwise opened for public travel, the traffic control permit fee shall be reduced by 70 percent if the closure of a lane is limited to Saturday, Sunday or a holiday, the traffic control permit fee shall be reduced by 70 percent.
- (4) For each alley within a block, the traffic control permit fee shall be \$1.79 per day or portion thereof.
- (5) Turn lanes and lanes for bus stops shall be treated as driving lanes.
- (6) For intersections, the lanes for each direction of travel of the intersecting street shall be treated separately.
- (7) The minimum detour distance to be used to calculate the traffic control permit fee shall be 0.0641 miles.
- (8) Parking lanes with meters: For parking lanes with meters, the traffic control permit fee shall be \$3.56 per meter per day or portion thereof, except for Saturday, Sunday and holidays.
- (9) Parking lanes without meters: For regulated parking lanes without meters, the traffic control permit fee shall be \$0.65 cents per day or portion thereof for each 20 feet of such right-of-way closed.

- (10) A parking lane with designated hours for parking shall be considered a driving lane if it is closed during the hours when parking is prohibited.
- (11) Sidewalk, non-roadway area, cycle track, and certain trails: For sidewalks, non-roadway areas, cycle tracks, and trails managed by the Director of Public Works, the traffic control permit fee shall be calculated the same as closure of adjacent driving lanes. The ADT for the sidewalks, non-roadway areas, cycle tracks, and trails managed by the Director of Public Works shall be based on the adjacent roadway classification. If sidewalk, non-roadway area, cycle track, or trail managed by the Director of Public Works is closed in conjunction with the adjacent lane closure, the traffic control permit fee for the sidewalk, non-roadway area, cycle track, or trail managed by the Director of Public Works shall be reduced by 50 percent and the amount will be deducted from the street closure fee.

(g) *Annual permits.* In lieu of a traffic control permit issued by the Director under the requirements contained in subsections (c), (d), (e), and (f) of this section, the Director may issue an annual traffic control permit for each construction or maintenance vehicle used in a partial blockage of a street, sidewalk, or other city maintained public right-of-way to a qualified applicant complying with all of the following conditions:

- (1) Those utilities and other companies operating under a franchise agreement with the city, telecommunications companies paying the occupational license taxes required by sections 40-360 and 40-361, Code of Ordinances, city departments, and contractors acting as an agent for same, if experienced in proper traffic control procedures and approved by the Director, and the approved agents) for the recognized statewide utility locating network, of which the city is a member, are eligible for annual traffic control permits.
- (2) An annual traffic control permit issued for and exclusively assigned to a particular vehicle of the qualified applicant.
- (3) An annual traffic control permit shall not apply to more than one right-of-way closure during the same time period.
- (4) An annual traffic control permit shall not apply to closures involving more than one-half of the total number of traffic lanes of a street, to closures that extend beyond 500 feet, and closures that include an intersection of two streets.
- (5) The annual traffic control permit will only exempt the permit holder from the requirements for an individual traffic control permit if:
 - a. The reason for the closure is nondestructive work in the public right-of-way; or

- b. An excavation including all pavement is completely restored and open for normal traffic flow in the street, sidewalk or other city maintained right-of-way within 72 hours, provided that temporary street surface repairs with cold mix asphalt patching material are acceptable during the months of November through March.
- (6) If approved by the Director for an annual traffic control permit, payment of the annual traffic control permit fee to the city in the amount of \$361.15.
- (7) The Director is authorized to establish reasonable regulations for the issuance, use, and revocation of annual traffic control permits.

(h) *Plumbing traffic control permits.* For closure of a street, not identified as a major street in the city's major street plan, required for water/sewer main connections and disconnections performed by a plumber who has obtained a permit to excavate in such right-of-way for making a connection or disconnection of a private water or sewer line to a city main line, such plumber may obtain a plumbing traffic control permit for the life of such excavation permit, by payment of an additional fee of \$28.73 per excavation permit.

(i) *Time for restoration of traffic control devices.* All permanent traffic control devices including pavement markings and signs disturbed by work performed pursuant to a traffic control permit shall be restored by the permit holder within 72 hours after completion of the work

(j) *High-frequency bus corridors.* For closure of a street that is a high-frequency bus corridor, an applicant shall submit an application for a traffic control permit not less than 30 days prior to the proposed closure. In addition to the requirements of subsection (e) above, a traffic control plan for the closure of a street affecting a high-frequency bus corridor shall also provide for the following:

- (1) A designated temporary route map for all affected bus routes;
- (2) A plan for temporary signage at all regular and temporary bus stops. The plan shall provide that temporary route maps and signage must be posted no later than 10 business days prior to the commencement of the closure at all regular bus stops affected by the closure and at all temporary bus stops created as part of the reroute. The plan shall also provide that the required maps and signage shall be clearly visible and provide detailed information regarding alternative routes and stops; and
- (3) A plan to mitigate the impacts to the bus and pedestrian traffic.

(k) *Festivals.* For closure of a street required by a festival, the applicant shall certify that no less than ten days prior to the proposed festival, all owners or property managers of property adjacent to the street closure have been notified in writing of the (1) name of the event; (2) name of the sponsor organization, if any, including mailing address and telephone number; and (3)

date, starting and ending times of the event The applicant is responsible for collecting and managing recyclable materials and trash generated in conjunction with the festival in accordance with procedures established by the Director, and for post-event cleanup of the streets, sidewalks and public ways. The applicant for a festival permit shall meet all the requirements set forth in this section including the provisions of the application fee, traffic control plan fee if applicable, and the traffic control permit fee.

(1) *Neighborhood block party permits.*

- (1) The neighborhood block party permit authorizes the applicant to barricade a specified portion of a street, not identified as a major street in the city's major street plan, using city approved barricades, denying access to through traffic (except emergency vehicles and residents who reside within the barricaded area) to conduct a neighborhood block party. No fee shall be charged for a neighborhood block party permit.
- (2) The applicant must be either a neighborhood resident or the neighborhood homes association group. The applicant shall be made on a form provided by the Director at his office in City Hall. The applicant must provide evidence on the application form that all of the residents who live in the blocked off area have been notified in writing of the proposed neighborhood block party and that a minimum of 60 percent of these residents are in favor.
- (3) Neighborhood block parties shall be conducted only between the hours of 7:00 a.m. and 10:00 pm. The applicant is responsible for collecting and managing recyclable materials and trash generated in conjunction with the neighborhood block party in accordance with procedures established by the Director and for post-event cleanup of the streets, sidewalks and public ways.

(m) *Trailers or dumpsters.* The fee to place a trailer or dumpster in the sidewalk, nonroadway area of the right-of-way or street right-of-way shall consist of an application fee of \$60.53 and a traffic control permit fee resulting from that obstruction within the right-of-way. For the placement of a single trailer or dumpster, not in excess of 50 feet in length, used for purposes of construction or demolition work, placed in the sidewalk, non-roadway area of the right-of-way or the curb lane of street right-of-way areas of a street, not identified as a major street in the city's major street plan, an applicant may elect to pay a flat traffic control fee of \$12.31 per day or portion thereof instead of the other traffic control permit fees provided in this section, in which case there shall be no application fee charged.

(n) *Waiver.* Fees set forth in this section shall not apply to the following:

- (1) Except for the water services department and the aviation department, city departments and their contractors performing roadway or roadway feature related work, including landscaping, maintenance or repair.
- (2) Firms or agencies required by the city to relocate utilities.

- (3) Transportation facility improvement projects funded by federal, state or local governments.
- (4) When the Director finds that it is necessary to close the street for the immediate protection of public safety.
- (5) That portion of a project by a private developer that involves improvements to existing infrastructure and facilities in the public right-of-way, including but not limited to utilities, sidewalks, acceleration lanes, deceleration lanes, turn lanes and traffic signals, so long as the increase of the operating capacity or revised geometries of said infrastructure and facilities is not primarily required to serve the development.

(o) *Double fees.* Absent an emergency situation, as defined by the Director in rules and regulations which reflect the need for prompt action to protect the public safety, the fees established by this section shall be doubled for any permit and associated inspection if work is commenced prior to obtaining a permit.

(p) *Emergency parking restrictions.* The Director may establish emergency parking restrictions or prohibitions upon any street or part thereof upon the request of any responsible applicant when the parking restrictions are necessary for construction or other special conditions. The applicant shall notify the Public Works Department immediately when construction is complete or when any special conditions cease to exist.

(q) *Traffic control devices.* The Director may install, allow or require responsible applicants to install, traffic control devices giving notice of the approved emergency parking restrictions or prohibitions permitted under subsection (o) of this section. If an applicant installs traffic control devices, then the applicant shall immediately notify the Public Works Department when the traffic control devices are installed and shall immediately remove the traffic control devices when construction is complete or the special conditions end.

(r) *Use of fees for traffic control purposes.* All fees collected pursuant to this section shall be allocated to the Public Works Department to be used for traffic control purposes.

(s) *Adjustment of fees.* The city manager shall have the authority to adjust the fees listed in this section to reflect the change in the consumer price index (all items/all urban consumers/Midwest urban) published by the United States Department of Labor, Bureau of Labor Statistics. The adjustments, if any, shall be made annually by the Director in conjunction with the adoption of the annual budget of the city by filing a notice with the city clerk.

..end

Approved as to form:

Andrew Bonkowski
Assistant City Attorney



File #: 260508

ORDINANCE NO. 260508

Sponsor: Mayor Quinton Lucas

Amending Chapter 70, Code of Ordinances, by repealing and replacing Section 70-1, Definitions; and amending Chapter 70, Code of Ordinances, by enacting a new Section 70-706 entitled “Electric bicycles — rights and privileges — label, requirements — modifications require new label — product safety standards — authorized to ride, where, exceptions — class 3 electric bicycles, special provisions” for the purpose of aligning definitions, operating requirements, and rights and privileges associated with electric bicycles with state law.

WHEREAS, the City of Kansas City Code of Ordinances Chapter 70, Article 1, Section 70-1 defines “Bicycle” to include an electric-assisted bicycle, as defined in the same section; and

WHEREAS, the City of Kansas City Code of Ordinances Chapter 70, Article 1, Section 70-1 defines an Electric-assisted bicycle as, a bicycle with two or three wheels that has a saddle and fully operable pedals for human propulsion and has an electric motor that: (1) Has a power output of not more than 1,000 watts, (2) Is incapable of propelling the bicycle at a speed of more than 20 miles per hour, (3) Is incapable of further increasing the speed of the device when human power alone is used to propel the vehicle at a speed of more than 20 miles per hour, and (4) Disengages or ceases to function when the vehicle's brakes are applied; and

WHEREAS, adopting a definition of “Electric bicycle” in place of “Electric-assisted bicycle” as distinct from “Bicycle,” and asserting specific regulations to address electric bicycles creates alignment between the City of Kansas City Code of Ordinances and the Missouri Revised Statutes, and enhances the interest of public safety on sidewalks, streets, and bike lanes; and

WHEREAS, the current definition of “Electric-assisted bicycle” in the Kansas City Code of Ordinances is inconsistent with the definition of “Electric bicycle” in the Missouri revised statutes and does not define electric bicycle classes and ridership requirements and restrictions; and

WHEREAS, it is in the interest of the City of Kansas City to further define and enforce regulations on electric bicycles, especially concerning riders under the age of 16; and

WHEREAS, City Council desires to redefine and classify electric bicycles, and to clarify regulations affecting electric bicycles in the Code of Ordinances to align with the Missouri Revised Statutes to promote public safety; NOW, THEREFORE,

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That Chapter 70, Code of Ordinances of the City of Kansas City, Missouri, is hereby amended by repealing Section 70-1 and enacting in lieu thereof a new section of like number and subject matter, to read as follows:

Sec. 70-1. Definitions.

(a) The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Accident means a collision between a vehicle and another vehicle, railroad train, person or stationary object, or the overturn or upset of a vehicle which results in property damage, personal injury or death; or any entry into or emerging from a moving vehicle by a person which results in personal injury or death to such person.

Alley means a street or highway intended to provide access to the rear or side of lots or buildings in urban districts and not intended for the purpose of through vehicular traffic.

All-terrain vehicle means any motorized vehicle manufactured and used exclusively for off-highway use which is 50 inches or less in width, with an unladen dry weight of 600 pounds or less, traveling on three, four or more low-pressure tires, with a seat designed to be straddled by the operator and handlebars for steering control.

Ambulance means any motor vehicle constructed, reconstructed, arranged, equipped, used or meant for use of transporting ill, injured or otherwise incapacitated persons from one place to another.

Authorized emergency vehicle means such fire department vehicles, police vehicles and ambulances as are publicly owned, and such other publicly or privately owned vehicles as are designated such by law, or by the board of police commissioners of the city.

Automated traffic control system means a system consisting of devices with one or more motor vehicle sensors working in conjunction with traffic control signals to automatically produce photographs, micrographs, a videotape or other recorded images of motor vehicles entering an intersection in violation of red traffic signal indications or otherwise violating traffic control ordinances.

Automated traffic control system records means photographs, micrographs, videotape or other recorded images of motor vehicles entering an intersection in violation of red traffic signal indications or otherwise violating traffic control ordinances.

Bicycle means every vehicle capable of being propelled solely by human power upon which any person may ride, having two tandem wheels. And including any device generally recognized as a bicycle though equipped with two front or rear wheels.

Bicycle Lane or Bike Lane means a portion of the roadway that has been designated by striping, signage, or pavement markings for the preferential or exclusive use of bicycles, scooters, and other small mobility devices.

Boulevard means a street which is under jurisdiction of the board of parks and recreation commissioners.

Bus means a motor vehicle designed and constructed for the general transportation of passengers for hire and possessing a manufacturer's rated seating capacity for a driver and eight or more passengers.

Business district means the territory contiguous to and including a highway when within any 600 feet along such highway there are buildings in use for business or industrial purposes, including but not limited to hotels, banks or office buildings, railroad stations and public buildings which occupy at least 300 feet of frontage on one side or 300 feet collectively on both sides of the highway.

Commercial driver's license. See "License."

Commercial motor vehicle means any self-propelled or towed vehicle used on public highways to transport passengers or property when:

- (1) The vehicle has a gross vehicle weight rating or gross combination weight rating of 10,001 or more pounds;
- (2) The vehicle is designed to transport more than 15 passengers, including the driver; or
- (3) The vehicle is used in the transportation of hazardous materials in a quantity requiring placarding under regulations issued by the secretary of transportation under the Hazardous Materials Transportation Act (49 USC App. 1801-1813).

Commuter vehicle means a motor vehicle parked in an area where at least one side or 50 percent of a street or block is zoned residential, by a person not a resident thereof.

Construction zone, used interchangeably with "work zone," in this chapter, means any area upon or around any highway as defined in RSMo § 302.010, which is visibly marked as an area where construction, maintenance, or other work is occurring, and includes the lanes of a highway leading up to the area upon which an activity described herein is being performed, beginning at the point where appropriate signs directing motor vehicles to merge from one lane into another lane are posted.

Controlled access street or highway means every highway, street or roadway in respect to which owners or occupants of abutting lands and other persons have no legal right of access to or from the highway, street or roadway, except at such points only and in such manner as may be determined by the public authority having jurisdiction over such highway, street or roadway.

Crosswalk means:

- (1) That part of a roadway at an intersection included within the connections of the lateral lines of the sidewalks on opposite sides of the highway measured from the curbs or, in the absence of curbs, from the edges of the traversable roadway; and in the absence of a sidewalk on one side of the roadway, that part of a roadway included within the extension of the lateral lines of the existing sidewalk at right angles to the center.
- (2) Any portion of a roadway at an intersection or elsewhere distinctly indicated for pedestrian crossing by lines or other markings on the surface.

Curb loading zone means a space adjacent to the curb reserved for the exclusive use of vehicles during the loading or unloading of passengers or materials.

Dealer means any person engaged in the sale or exchange of new, used or reconstructed motor vehicles or trailers.

Director means the director of the public works department of this city.

Divided street or highway means a street or highway divided into two or more roadways by leaving an intervening space or by a physical barrier or by a clearly indicated dividing section so constructed as to impede vehicular traffic.

Drag race means the operation of two or more vehicles from a point side by side at accelerating speeds in a competitive attempt to outdistance each other, or the operation of one or more vehicles over a common selected course, from the same point to the same point, for the purpose of comparing the relative speeds or power of acceleration of such vehicle or vehicles within a certain distance or time limit.

Driver means every person who drives or is in actual physical control of a vehicle.

Driver's license means any license to operate a motor vehicle issued under the laws of this state.

Dwelling unit means a building or portion thereof designed exclusively for residential occupancy by one family and provided with sanitation and cooking facilities.

Electric bicycle means a bicycle equipped with fully operable pedals, a saddle or seat for the rider, and an electric motor of less than 750 watts that meets the requirements of one of the following three classes:

- (1) *Class 1 electric bicycle* means an electric bicycle equipped with a motor that provides assistance only when the rider is pedaling and that ceases to provide assistance when the bicycle reaches the speed of twenty miles per hour;

- (2) *Class 2 electric bicycle* means an electric bicycle equipped with a motor that may be used exclusively to propel the bicycle and that is not capable of providing assistance when the bicycle reaches the speed of twenty miles per hour; or
- (3) *Class 3 electric bicycle* means an electric bicycle equipped with a motor that provides assistance only when the rider is pedaling and that ceases to provide assistance when the bicycle reaches the speed of twenty-eight miles per hour;

Emergency vehicle. See "Authorized emergency vehicle."

Explosive means any chemical compound or mechanical mixture that is commonly used or intended for the purpose of producing an explosion and which contains any oxidizing and combustible units or other ingredients in such proportions, quantities or packing that an ignition by fire, by friction, by concussion, by percussion or by detonator of any part of the compound or mixture may cause such a sudden generation of highly heated gases that the resultant gaseous pressures are capable of producing destructive effects on contiguous objects or of destroying life or limb.

Farm tractor means every motor vehicle designed and used primarily as a farm implement, for drawing plows, mowing machines and other implements of husbandry.

Flammable liquid means any liquid which has a flashpoint of 70 degrees Fahrenheit or less, as determined by a Tagliabue or equivalent closed-cup test device.

Gross combination weight rating (GCWR) means the value specified by the manufacturer as the maximum loaded weight of a combination (articulated) vehicle. In the absence of a value specified by the manufacturer, GCWR will be determined by adding the GVWR of the power unit and the total weight of the towed unit and any load thereon.

Gross vehicle weight rating (GVWR) means the value specified by the manufacturer as the maximum loaded weight of a single vehicle.

Gross weight means the weight of a vehicle or vehicle combination without load plus the weight of any load thereon.

Highway means the entire width between the boundary lines of every way publicly maintained when any part thereof is open to the use of the public for purposes of vehicular travel.

House trailer means:

- (1) A trailer or semitrailer which is designed, constructed and equipped as a dwelling place, living abode or sleeping place, either permanently or temporarily, and is equipped for use as a conveyance on streets and highways; or

- (2) A trailer or semitrailer whose chassis and exterior shell is designed and constructed for use as a house trailer, as defined in subsection (1) of this definition, but which is used instead, permanently or temporarily, for the advertising, sale, display or promotion of merchandise or services, or for any other commercial purpose except the transportation of property for hire or the transportation of property for distribution by a private carrier.

Human-powered vehicle means every vehicle designed to be moved solely by human power.

Implement of husbandry means every vehicle designed or adapted and used exclusively for agricultural operations and only incidentally operated or moved upon the highways or streets.

Intersection means:

- (1) The area embraced within the prolongation or connection of the lateral curb lines or, if none, then the lateral boundary lines of the roadways of two highways which join one another at, or approximately at, right angles, or the area within which vehicles traveling upon different highways or streets joining at any other angle may come in conflict.
- (2) Where a street or highway includes two roadways 30 feet or more apart, then every crossing of each roadway of such divided street or highway by an intersecting street or highway shall be regarded as a separate intersection. If such intersecting street or highway also includes two roadways 30 feet or more apart, then every crossing of two roadways of such street or highway shall be regarded as a separate intersection.
- (3) The junction of an alley with a street or highway shall not constitute an intersection.

Issuing authority means the director or a person or party authorized by the director to issue residential parking permits for a residential permit parking area or street.

Laned roadway means a roadway which is divided into two or more clearly marked lanes for vehicular traffic.

License and license to operate a motor vehicle means any driver's license or any other license or permit to operate a motor vehicle or streetcar issued under, or granted by, the laws of this state, including:

- (1) Any temporary license or instruction permit.
- (2) The privilege of any person to drive a motor vehicle, whether or not such person holds a valid license.

- (3) Any nonresident's operating privilege as defined in this section.
- (4) Commercial driver's license (CDL): a license to operate any commercial motor vehicle issued by the driver's state of residence.
- (5) Class A CDL: required to operate any combination of vehicles with a GCWR of 26,001 or more pounds provided the GVWR of the vehicles being towed is in excess of 10,000 pounds.
- (6) Class B CDL: required to operate any single vehicle with a GVWR of 26,001 or more pounds, or any such vehicle towing a vehicle not in excess of 10,000 pounds GVWR.
- (7) Class C CDL: required to operate any single vehicle, or combination of vehicles, that meets neither the definition of class A nor that of class B as contained in this section, but that either is designed to transport 16 or more passengers including the driver, or is used in the transportation of materials found to be hazardous for the purposes of the Hazardous Materials Transportation Act and which require the motor vehicle to be placarded under the Hazardous Materials Regulations as set out in 49 CFR part 172, subpart F.
- (8) Class E license: required to operate any vehicle for hire not required to have a Class A, B or C CDL.
- (9) Class F license: required to operate any private vehicle which is transporting less than 15 persons and not transporting hazardous materials requiring placarding.
- (10) Class M license: required for operation of a motorcycle only.

Lienholder means a person holding a security interest in a vehicle.

Loading zone means a space reserved for the exclusive use of vehicles during the loading or unloading of passengers or property.

Lodging room means a room rented as sleeping and living quarters, but without kitchen facilities, and with or without an individual bathroom. In a suite of rooms without kitchen facilities, each room which provides sleeping accommodations shall be counted as one lodging room for the purpose of this chapter.

Lodginghouse means a building, other than a hotel, where a room without meals or cooking privileges for five or more persons is provided for compensation.

Metal tire means every tire the surface of which in contact with the highway or street is wholly or partly of metal or other hard, nonresilient material.

Moped means a motor-driven cycle both with pedals to permit propulsion by human power and with a motor which produces not to exceed two brake horsepower and which is not capable of propelling the vehicle at a speed in excess of 30 miles per hour on level ground. If an internal combustion engine is used, the displacement shall not exceed 50 cubic centimeters; and the moped shall have a power drive system that functions directly or automatically without clutching or shifting by the operator after the drive system is engaged.

Motor home means every motor vehicle designed, used or maintained primarily as a mobile dwelling, office or commercial space.

Motor vehicle means every vehicle which is self-propelled, and every vehicle which is propelled by electric power obtained from overhead trolley wires but not operated upon rails, except vehicles moved solely by human power.

Motorcycle means every motor vehicle having a seat or saddle for the use of the rider and designed to travel on not more than three wheels in contact with the ground, but excluding a tractor.

Motor-driven cycle means every motorcycle, motor scooter or motorized bicycle having an engine with less than 150 cubic centimeters displacement or with five brake horsepower or less.

Motorman means a person who propels, drives, operates or who is in charge of a streetcar vehicle.

Nonresident means every person who is not a resident of this state.

Nonresident's operating privilege means the privilege conferred upon a nonresident by the laws of this state pertaining to the operation by such person of a motor vehicle, or the use of a vehicle owned by such person, in this state.

Official time standard means whenever certain hours are named in this chapter, they shall mean standard time or daylight saving time, as may be in current use in this city.

Official traffic control devices means all signs, signals, markings and devices not inconsistent with this chapter placed or erected by authority of a public body or official having jurisdiction, for the purpose of regulating, warning or guiding traffic.

Off-road vehicle means any vehicle designed for or capable of cross-country travel on or immediately over land, water, ice, snow, marsh, swampland or other natural terrain without benefit of a road or trail:

- (1) Including, without limitation, the following:
 - a. Jeeps;

- b. All-terrain vehicles;
 - c. Dune buggies;
 - d. Multiwheel drive or low-pressure tire vehicles;
 - e. Vehicle using an endless belt or tread, or a combination of tread and low-pressure tires;
 - f. Motorcycles, trail bikes, minibikes and related vehicles; and
 - g. Any other means of transportation deriving power from any other source other than muscle or wind; and
- (2) Excluding the following:
- a. Registered motorboats;
 - b. Aircraft;
 - c. Any military, fire or law enforcement vehicle;
 - d. Farm-type tractors and other self-propelled equipment for harvesting and transporting farm or forest products;
 - e. Any vehicle being used for farm purposes, earth-moving or construction while being used for such purposes on the work site;
 - f. Self-propelled lawnmowers, or lawn or garden tractors, or golf carts, while being used exclusively for their designed purposes; and
 - g. Any vehicle being used for the purpose of transporting a handicapped person.

Operator means every person who drives or is in actual physical control of a vehicle.

Out of service means a temporary prohibition against the operation of a particular commercial motor vehicle, or the operation of a particular motor carrier.

Out of service order means a declaration by the Federal Highway Administration or any authorized enforcement officer of a federal, state, commonwealth or Puerto Rico, Canadian, Mexican or any local jurisdiction, that a driver, or a commercial motor vehicle, or a motor carrier operation, is out of service.

Owner means a person, other than a lienholder, having a property interest in or title to a vehicle. The term includes a person entitled to the use and possession of a vehicle subject to a security interest in another person, but excludes a lessee under a lease not intended as security.

Park and parking mean the standing of a vehicle, whether occupied or not, otherwise than temporarily for the purpose of and while actually engaged in loading or unloading property or passengers.

Passenger car means every motor vehicle, except motorcycles and motor-driven cycles, designed for carrying ten passengers or less and used for the transportation of persons.

Passenger loading zone means a place reserved for the exclusive use of vehicles while receiving or discharging passengers.

Pedestrian means any person afoot.

Personal identification card means a document issued by the department of revenue of the state for the sole purpose of identifying the bearer and not authorized for use as a driver's license.

Pole trailer means every vehicle without motive power designed to be drawn by another vehicle and attached to the towing vehicle by means of a reach or pole, or by being boomed or otherwise secured to the towing vehicle, and ordinarily used for transporting long or irregularly shaped loads such as poles, pipes or structural members capable, generally, of sustaining themselves as beams between the supporting connections.

Police officer means every officer of the police department or any officer authorized to direct or regulate traffic or to make arrests for violations of traffic regulations.

Private road or driveway means every way or place in private ownership and used for vehicular travel by the owner and those having express or implied permission from the owner, but not by other persons.

Railroad means a carrier of persons or property upon cars operated upon stationary rails.

Railroad sign or signal means any sign, signal or device erected by authority of a public body or official or by a railroad intended to give notice of the presence of railroad tracks or the approach of a railroad car.

Railroad train means a steam engine, electric or other motor, with or without cars coupled thereto, operated upon rails.

Registration means the registration certificate or certificates and registration plates issued under laws pertaining to the registration of vehicles.

Residence district means the territory contiguous to and including a street or highway not comprising a business district when the property on such street or highway for a distance of 300 feet or more is in the main improved with residences or residences and buildings in use for business.

Residential parking area means a contiguous or nearly contiguous area containing public streets or parts thereof primarily abutted by residential property or residential and nonbusiness property such as schools, parks, churches, hospitals and nursing homes.

Residential parking permit means a permit issued by the city or an issuing authority which confers certain parking privileges upon the driver of the car to which it is affixed.

Residential permit parking area or street means a residential parking area or a street where vehicles with an affixed residential parking permit may be parked in excess of posted parking.

Right-of-way means the right of one vehicle or pedestrian to proceed in a lawful manner in preference to another vehicle or pedestrian approaching under such circumstances of direction, speed and proximity as to give rise to danger of collision unless one grants precedence to the other.

Roadway means that portion of a street or highway improved, designed or ordinarily used for vehicular travel, exclusive of the sidewalk, berm or shoulder, even though such sidewalk, berm or shoulder is used by persons riding bicycles or other human-powered vehicles. If a street or highway includes two or more separate roadways, the term "roadway" as used in this chapter shall refer to any such roadway separately but not to all such roadways collectively.

Safety zone means the area or space officially set apart within a roadway for the exclusive use of pedestrians and which is protected or is so marked or indicated by adequate signs as to be plainly visible at all times while set apart as a safety zone.

School bus means every motor vehicle that complies with the provisions of this chapter and is used to transport pupils to or from school or in connection with school activities, but not including buses operated by common carriers in urban transportation of pupils.

School zone means any area upon or around any street, highway, roadway, or intersection which is visibly marked as an area where a school is located. The term "school zone" also includes the lanes of such street, highway, roadway or intersection leading up to the area upon which an activity described in this subsection is being performed, beginning at the point where appropriate signs or traffic control devices are posted or placed.

Semitrailer means every vehicle, with or without motive power, other than a pole trailer, designed for carrying persons or property and for being drawn by a motor vehicle and so constructed that some part of its weight and that of its load rests upon or is carried by another vehicle.

Sidewalk means that portion of a street between the curblines, or the lateral lines of a roadway and the adjacent property lines, intended for use by pedestrians.

Solid rubber tire means every tire of rubber or other resilient material which does not depend upon compressed air for the support of the load.

Stand and *standing* mean the halting of a vehicle, whether occupied or not, otherwise than temporarily for the purpose of and while actually engaged in receiving or discharging passengers.

Stop, when required, means complete cessation of movement.

Stop and *stopping, when prohibited,* mean any halting, even momentarily, of a vehicle, whether occupied or not, except when necessary to avoid conflict with other traffic or in compliance with the direction of a police officer or traffic control sign or signal.

Street means the entire width between boundary lines of every way publicly maintained when any part thereof is open to the use of the public for purposes of vehicular travel.

Streetcar or *streetcar vehicle* means an electrically driven rail transit vehicle designed for local public transportation that runs on rails let into the surface of the road and that is usually powered by electricity received from an overhead wire.

Streetcar authority means any person or entity contracting with the city to oversee and administer the management and operations of any streetcar system.

Streetcar operator means the professional transportation company hired by the city or streetcar authority pursuant to a contract to manage and operate any streetcar system.

Streetcar service line means any rail, track, appurtenance, or facility located within a public right-of-way that is authorized by the city to be used for streetcars.

Streetcar stop or station means a designated stop or shelter or any facility operated for a streetcar service line or served by a streetcar operator, including a reasonable area immediately adjacent to any designated stop along the route traveled by any streetcar operated by a streetcar operator, and parking areas provided by a streetcar operator adjacent to a station.

Taxicab means a public passenger motor vehicle with a rated passenger-carrying capacity of five or less, exclusive of the driver, furnished for hire on a call or demand basis to transport persons, packages or messages where the route traveled and trip destination are controlled by the passenger and at a charge or fare based upon time and mileage and recorded and indicated on a taximeter.

Through highway or street means every highway or street or portion thereof on which vehicular traffic is given preferential right-of-way, and at the entrances to which vehicular traffic from intersecting highways or streets is required by law to yield the right-of-way to vehicles on such through highway or street in obedience to a stop sign, yield sign or other official traffic control device, when such signs or devices are erected as provided in this chapter.

Tow vehicle means any motor vehicle designed or equipped to, or which does in fact provide for hire, and towing service, including but not limited to towing, lifting, or extraction of any vehicle, pushing of vehicles, engine starting, roll back pick up or recovery, and the carrying or transporting of any vehicle.

Tow vehicle operator means any person who drives a tow vehicle, operates the equipment mounted on or contained within a tow vehicle, or assists in the operation of a tow vehicle or its equipment, including any and all acts and functions incident to the movement of a tow vehicle from place to place, as well as all acts involved in the towing of any vehicle by the tow vehicle.

Traffic means pedestrians, ridden or herded animals, vehicles and other conveyances, either singly or together, while using any street or highway for purposes of travel.

Traffic control signal means any device, whether manually, electrically or mechanically operated, by which traffic is alternately directed to stop and permitted to proceed.

Trailer means every vehicle with or without motive power, other than a pole trailer, designed for carrying persons or property and for being drawn by a motor vehicle and so constructed that no part of its weight rests upon the towing vehicle.

Truck means every motor vehicle designed, used or maintained primarily for the transportation of property.

Truck tractor means every motor vehicle designed and used primarily for drawing other vehicles and not so constructed as to carry a load other than a part of the weight of the vehicle and load so drawn.

Vehicle means every device in, upon or by which any person or property is or may be transported or drawn upon a street or highway, excepting devices used exclusively upon stationary rails or tracks.

Vehicle identification number means the numbers and letters, if any, designated for the purpose of identifying the vehicle or the unique identifier assigned to each vehicle by the manufacturer pursuant to regulations.

(b) Whenever any words and phrases used in this chapter are not defined in this section but are defined in the state or federal laws regulating the operation of vehicles, any such definition in the state or federal law shall be deemed to apply to such words and phrases used in this chapter, except when the context otherwise requires.

Section 2. That Chapter 70, Code of Ordinances, is hereby amended by enacting a new Section 70-706 entitled “Electric bicycles — rights and privileges — label, requirements — modifications — require new label — product safety standards — authorized to ride, where, exceptions — class 3 electric bicycles, special provisions.”, to read as follows:

Sec. 70-706. Electric bicycles — rights and privileges — label, requirements — modifications

require new label — product safety standards — authorized to ride, where, exceptions — class 3 electric bicycles, special provisions.

(a) Except as otherwise provided in this section, every person riding an electric bicycle shall be granted all of the rights and shall be subject to all of the duties applicable to the operator of a bicycle. An electric bicycle shall be considered a vehicle to the same extent as a bicycle.

(b) An electric bicycle or a person operating an electric bicycle is not subject to provisions of law that are applicable to motor vehicles, all-terrain vehicles, off-road vehicles, off-highway vehicles, motor vehicle rentals, motor vehicle dealers or franchises, or motorcycle dealers or franchises, including vehicle registration, certificates of title, drivers' licenses, and financial responsibility.

(c) Manufacturers and distributors of electric bicycles shall apply a permanent label to each electric bicycle. The label, which shall be affixed to the electric bicycle in a prominent location, shall contain the classification number, top assisted speed, and motor wattage of the electric bicycle. The text on the label shall be Arial font and in at least nine-point type.

(d) No person shall tamper with or modify an electric bicycle so as to change the motor-powered speed capability or engagement of an electric bicycle unless he or she replaces the label required under subsection 3 of this section with a new label indicating the new classification.

(e) An electric bicycle shall comply with the equipment and manufacturing requirements for bicycles adopted by the United States Consumer Product Safety Commission, 16 CFR 1512.

(f) An electric bicycle shall operate in a manner so that the electric motor is disengaged or ceases to function when the rider stops pedaling or when the brakes are applied.

(g) An electric bicycle may be ridden where bicycles are permitted to travel, subject to the following provisions:

- (1) An electric bicycle may be ridden on bicycle or multi-use paths where bicycles are permitted;
- (2) Following notice and a public hearing, a municipality or local authority having jurisdiction over a bicycle or multi-use path may prohibit the operation of a class 1 electric bicycle or class 2 electric bicycle on that path if it finds that such a restriction is needed for safety reasons or compliance with other laws or legal obligations;
- (3) A municipality or local authority having jurisdiction over a bicycle or multi-use path may prohibit the operation of a class 3 electric bicycle on that path; and

(4) The provisions of this subsection shall not apply to a trail that is specifically designated as nonmotorized and that has a natural surface tread that is made by clearing and grading the native soil with no added surfacing materials. A local authority having jurisdiction over a trail described in this subsection may regulate the use of an electric bicycle on that trail.

(h) The use of class 3 electric bicycles shall be subject to the following provisions:

(1) No person under sixteen years of age shall operate a class 3 electric bicycle. A person under sixteen years of age may ride as a passenger on a class 3 electric bicycle that is designed to accommodate passengers; and

(2) All class 3 electric bicycles shall be equipped with a speedometer that is capable of displaying the speed an electric bicycle is traveling in miles per hour.

..end

Approved as to form:

Andrew Bonkowski
Assistant City Attorney

**No
Docket
Memo
For
260508**

Contractor Utilization Plan Approval Form

Prepared J Driskell
by:

e-Builder users: Approval Form must be completed and attached in PDF format where indicated. CUP/LOIs must be attached where indicated, or as supporting documents.

Date: 5/1/26

Contract/Project Number: 1804/81000955	Project Name: GI Project 1-1: Mill Creek pArk Phase 2 - Retetnion Ponds
Developer/Prime: MegaKC Corporation	Contact Name: Tyler Wesselman
Address: 1491 Iron Street, North KC MO 64116	Email: megabids@megakc.com

Full Contract Value: \$ 8,461,700.00

Funding: City State Federal CO-OP Grant: Other:

Project Requirements: M/WBE DBE Section 3 N/A

Tax Incentive: LCRA TIF PIEA N/A Other:

Prevailing Wage: Yes No

Davis-Bacon: Yes No

Construction Employment Program: Yes: Workforce goals are 10% Minority & 2% Women. There are over 800 Workforce hours and project cost is \$300,000 or more.
 NO: Workforce hours are less than 800 and project cost is less than \$300,000.

Contract Goals:	Contractor Utilization Plan Achievement:
Self-Perform: ____%	Self-Perform: ____%
MBE: <u>10</u> %	MBE: <u>10</u> %
WBE: <u>10</u> %	WBE: <u>10</u> %
Non-certified firms: ____%	Non-certified firms: ____%

Contract Type (select one): Construction Design-Build Design Professional Professional Services
 General Services Facilities Maintenance/Repair/Renovation Concessions Co-operative
 Revenue Sharing Non-Municipal Agency Other Goods & Services Other _____

Project Manager: Kyle Tonjes Email: kltonjes@burnsmcd.com
 Additional Information:

This document is submitted with all available facts. Intentionally falsifying this document or omitting pertinent facts is grounds for disciplinary action pursuant to KCMO Human Resources Rules & Policy Manual (eff. August 4, 2014).

FOR CIVIL RIGHTS & EQUAL OPPORTUNITY DEPARTMENT (CREO) USE ONLY:

The Contractor Utilization Plan is:


Approved Disapproved


10 % MBE 10 % WBE _____ % DBE

The Request for Good Faith Efforts Waiver is:

Approved Disapproved Not Applicable

Appeal Sent to FICB or Incentive Agency? Yes _____ FICB _____ Incentive Agency No

CREO Signature:  Date: 5/22/2026

Comments:
 CREO EEI CM approves this CUP at 10% MBE and 10% WBE. 



Contractor Utilization Plan Approval Form

Prepared by: Jacob Groh
by:

e-Builder users: Approval Form must be completed and attached in PDF format where indicated. CUP/LOIs must be attached where indicated, or as supporting documents.

Date: 2/6/25

Contract/Project Number: EV3788 / 81001032	Project Name: City Wide Sewer Main Rehabilitation - Fiscal Year 2026
Developer/Prime: SAK Construction, LLC	Contact Name: Boyd Hirtz
Address: 864 Hoff Road, O'Fallon, MO 63366	Email: bidcippc@sakon.com

Full Contract Value: \$ 8,500,000.00

Funding: City State Federal CO-OP Grant: Other:

Project Requirements: M/WBE DBE Section 3 N/A

Tax Incentive: LCRA TIF PIEA N/A Other:

Prevailing Wage: Yes No

Davis-Bacon: Yes No

Construction Employment Program: Yes: Workforce goals are 10% Minority & 2% Women. There are over 800 Workforce hours and project cost is \$300,000 or more.
 NO: Workforce hours are less than 800 and project cost is less than \$300,000.

Contract Goals:	Contractor Utilization Plan Achievement:
Self-Perform: <u>80</u> %	Self-Perform: <u>79.83</u> %
MBE: <u>10</u> %	MBE: <u>10</u> %
WBE: <u>10</u> %	WBE: <u>10.17</u> %
Non-certified firms: <u>0</u> %	Non-certified firms: <u>0</u> %

Contract Type (select one): Construction Design-Build Design Professional Professional Services
 General Services Facilities Maintenance/Repair/Renovation Concessions Co-operative
 Revenue Sharing Non-Municipal Agency Other Goods & Services Other _____

Project Manager: Jacob Groh Email: jacob.groh@kcmo.org
 Additional Information:
 See attachments for CUP Approval.

This document is submitted with all available facts. Intentionally falsifying this document or omitting pertinent facts is grounds for disciplinary action pursuant to KCMO Human Resources Rules & Policy Manual (eff. August 4, 2014).

FOR CIVIL RIGHTS & EQUAL OPPORTUNITY DEPARTMENT (CREO) USE ONLY:

The Contractor Utilization Plan is:

Approved Disapproved

10 % MBE 10 % WBE _____ % DBE

The Request for Good Faith Efforts Waiver is:

Approved Disapproved Not Applicable

Appeal Sent to FICB or Incentive Agency? Yes _____ FICB _____ Incentive Agency No

CREO Signature: Rebecca Amezquita-Hogan Date: 2/11/2025

Comments:

Approved at 10/10 RAH

