



# City of Kansas City, Missouri

## Docket Memo

Ordinance/Resolution #

Submitted Department/Preparer: Water Services

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 \$6,234,332.30 construction contract with The Havens Construction Company, Inc., for the Sewer Separation: Outfall 054 project; authorizing a maximum expenditure of 6,860,000.00; and authorizing a \$900,000.00 Design Professional Services Amendment No. 2 to Contract 1573 with CDM Smith, Inc. for a total contract amount of \$1,696,756.00

### 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 13 of a 25-year implementation period. The purpose of this project is to separate approximately 35 acres of the City's combined sewer system near E. 17<sup>th</sup> St and White Avenue, integrate green infrastructure, and rehabilitate the existing sewer system to eliminate typical year combined sewer overflows at Outfall 054 located within the Lower Blue River Basin.

#### Construction Contract Description

The scope of work to be provided under the construction contract includes 3,063 linear feet (LF) of new storm sewer construction ranging in diameter from 15-inches to 24-inches with associated manholes and curb inlets, a bioretention basin at E. 17<sup>th</sup> Street and Belmont Avenue, two underground stormwater storage facilities, rehabilitation of 7,256 LF of sewer mains ranging in diameter from 8-inches through 30-inches, total pipe replacement of 1,321 LF of sewer main ranging in diameter from 8-inches through 15-inches, and repairs to 45 manholes and 131 service laterals. The amount of the proposed construction contract is \$6,234,332.30 plus a contingency amount of \$625,667.70 for a total of \$6,860,000.00.

The term of this project will be 480 calendar days.

#### Solicitation

The Sewer Separation: Outfall 054 was advertised in accordance with the City's requirements on February 7<sup>th</sup>, 2023, and bids were opened on March 7<sup>th</sup>, 2023, with two (2) bidders responding.



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### Awardee/Subcontracting Participation

The Havens Construction Company, Inc. submitted the lowest, responsible, and responsive bid of \$6,234,332.30, with subcontracting participation of 10% MBE and 10% WBE.

### Other Bidders/Subcontracting Participation

Infrastructure Solutions, LLC was the only other bidder on this project. They submitted a bid in the amount of \$6,961,800.00, with subcontracting participation of 10% MBE and 10% WBE.

### Estimated Opinion of Probable Construction Costs

The Engineer's Opinion of Probable Construction Cost was \$8,190,244.00.

### Design Professional Services Contract Amendment Description

Proposed Amendment No. 2 to Design Professional Services Contract Number 1573 in the amount of \$900,000.00, for a total contract amount of \$1,698,756.00 will provide for construction phase services including project management and administration services, construction office and field support services, and resident project representative services.

## **Fiscal Impact**

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

2. What is the funding source?

AL-8193-807769-611060-81000917 = \$6,860,000.00 / Overflow Control Program

24-8110-807769-611040-81000917 = \$900,000.00 / Overflow Control Program

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

Work on this project will begin in the current fiscal year and extend into FY24 and FY25.

Invoices will be submitted by the Contractor and Design Professional on a monthly basis after construction begins.

4. Does the legislation have fiscal impact in future fiscal years? Please notate the difference between one-time and recurring costs.



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Funds encumbered in the current fiscal year will be disbursed over subsequent fiscal years as construction proceeds. Work on the project is anticipated to be complete within 480 calendar days from when work begins.

- 5. Does the legislation generate revenue, leverage outside funding, or deliver a return on investment?

No.

### Office of Management and Budget Review

(OMB Staff will complete this section.)

- 1. This legislation is supported by the general fund.  Yes  No
- 2. This fund has a structural imbalance.  Yes  No

### Additional Discussion (if needed)

Click or tap here to enter text.

### Citywide Business Plan (CWBP) Impact

View the [FY23 Citywide Business Plan](#)

Which CWBP goal is most impacted by this legislation?

Infrastructure and Accessibility (Press tab after selecting.)

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

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

City Council passed Ordinance No. 200479 on July 16, 2020, authorizing a \$490,000 Design Professional Services Contract Number 1573 with CDM Smith, Inc. for conceptual and preliminary design of the Sewer Separation: Outfall 054 project.

Amendment No. 1 to this contract was approved by the City on June 16, 2021 in the amount of \$306,756.00 for final design and preparation of construction contract documents.

### Service Level Impacts

Click or tap here to provide a description of how this ordinance will impact service levels. List any related key performance indicators and impact.

### Other Impacts

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

The project will contribute to health impacts by reducing the volume and frequency of combined sewer overflows and increasing the water quality of the City's waterways.

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

To engage affected groups, a Design Phase hybrid public meeting was held November 9, 2021, seven (7) stakeholder meetings were held in the Spring and Summer of 2021, affected customers received postcard invitations to the public meeting, and the public meeting was recorded and posted online on KCMOWater YouTube.

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

This project helps promote environmental quality, social equity, and economic vitality.



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

Yes. Goals for the construction contract were approved by the Civil Rights and Equal Opportunity (CREO KC) Department under the Annual Goal Program at 10% MBE and 10% WBE on 08/02/2022.

The goals on the design professional services contract were approved by the Human Relations Department (now known as CREO KC) on July 15, 2019 at 15% MBE and 10% WBE and will remain unchanged with this proposed Amendment No. 2.

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

Contractor Utilization Plan, LOI, and Timetable documents were submitted to CREO KC for review on April 6, 2023.