

# **Agenda**

# **Transportation, Infrastructure and Operations Committee**

Quinton Lucas, Chair Teresa Loar, Vice Chair Eric Bunch, Vice Chair Katheryn Shields Melissa Robinson Kevin O'Neill

Wednesday, October 12, 2022

9:00 AM

26th Floor, Council Chamber

# 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

# **Director of Aviation**

220901 Sponsor: Director of Aviation Department

Authorizing an Amendment No. 7 between the City of Kansas City, Missouri, Aviation Department and Executive Beechcraft, Inc. at the Charles B. Wheeler Downtown Airport.

Attachments: 220901 Fact Sheet

220901 Fiscal Note

HELD IN COMMITTEE

220621

Authorizing the Director of Public Works to execute a Franchise Agreement with Spire Missouri, Inc. granting a non-exclusive 10-year franchise to operate a natural gas distribution plant and system within territory of the City of Kansas City, Missouri.

Attachments: 220621 Fact Sheet 220621 Fiscal Note

#### **Fowler**

220693

Amending Chapter 62, Article II of the Code of Ordinances entitled Solid Waste, by repealing Section 62-41, "Residential refuse collection - Eligibility," and enacting in lieu thereof a new section of like number and subject matter which amends residents eligible for residential refuse collection.

<u>Attachments</u>: 220693 No Fact Sheet 220693 Fiscal Note

# **Director of Water Services**

**220874** Sponsor: Director of Water Services Department

Authorizing a \$9,100,000.00 Construction Contract with Goodwin Bros. Construction Co., for the Birmingham Pump Station Screen Replacement; authorizing a maximum expenditure of \$10,222,300.00; and authorizing a \$603,143.68 Design Professional Services Amendment No. 1 to Contract No. 1588, for the Birmingham Pump Station Screen Replacement project with Lion CSG, LLC, for a total contract amount of \$931,766.68; and recognizing this ordinance as having an accelerated effective date.

Attachments: 220874 Fact Sheet

220874 Fiscal Note

220874 Committee Substitute Fiscal Note

220874 Committee Substitute Fact Sheet

Ordinance 220874-Docket Memo 1588-Lion CSG

Ordinance 220874-Docket Memo 1662- Goodwin

220854 TIO 10-12-22 KCW Presentation

## ADDITIONAL BUSINESS

1. There may be a general discussion regarding 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



# Kansas City

414 E. 12th Street Kansas City, MO 64106

# **Legislation Text**

File #: 220901

## ORDINANCE NO. 220901

Sponsor: Director of Aviation Department

Authorizing an Amendment No. 7 between the City of Kansas City, Missouri, Aviation Department and Executive Beechcraft, Inc. at the Charles B. Wheeler Downtown Airport.

WHEREAS, the City entered a Fixed Base Operations and Lease Agreement with Executive Beechcraft, Inc. on December 28, 2005, and that lease was subsequently amended ("Lease"); and

WHEREAS, to accommodate FAA design criteria for the installation of new taxiway pavement at the Charles B. Wheeler Downtown Airport, the amount and designation of leased premises must be changed; and

WHEREAS, it is necessary and desirable to update certain terms specific to lease of airport property; NOW THEREFORE

# BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That the Director of Aviation is hereby authorized to enter into the 7<sup>th</sup> Amended Fixed Base Operations and Lease Agreement. A copy of the Lease Amendment is on file in the Aviation Director's Office.

Approved as to form and legality:
Charlotte Ferns Senior Associate City Attorney

Kansas City Page 1 of 1

LEGISLATIVE FACT SHEET	Legislation Number:	220901		
	Approval Deadline:			
LEGISLATION IN BRIEF:				
What is the reason for this legislation?	Fact Sh	neet Color Codes		
	Use	r Entered Field		
		Select From Menu		
		For OMB Use		
		Sponsor(s)		
	Programs, Depar	tments, or Groups Affected		
	Sub-Progr	am in Budget (page #)		
		City Department		
Discussion (including relationship to other Council	Applicants/			
actions)	Proponents	Other		
	Staff Recommendation			
	Board or Commission			
	Recommendation			
	Future Impacts			
	Cost of Legislation			
	current Fiscal Year			
	Costs in Future Fiscal Years?			
Citywide Business Plan Goal	Annual Revenue			
	Increase/Decrease			
Citywide Business Plan Objective	Applicable Dates:			
	Prepared by:			
	Date Prepared:			
Citywide Business Plan Strategy	Reviewed by:			
	Date Reviewed			
	Reference Numbers			

LEGISLATIVE FISCAL NOTE				.ATION 1BER:	22	20901			
LEG	ISLATION II	N BRIEF:							
Autho	orizing an Ame	endment Num	ber 7 between the City	of Kansas City, Misso Wheeler Downto		epartment and	Executive Beecl	ncraft, Inc. at t	the Charles B.
What	is the purp	ose of this	legislation?				OPERATIONAL		
	For the purpose of authorizing expenditures new or planned to conduct municipal services								
	this legisle	•	-					NO	Yes/No
	e Section 00 Sthis legisle		Below B <b>ate new Revenues</b>	2				NO	Yes/No
0	cins icgisit	acion estim	ate new nevenues	·				110	163/110
Does	Does this Legislation Increase Appropriations?  NO  Yes/No								
See		for five ye	<b>this legislation ong</b> ars of ongoing cost:					YES	Yes/No
Five yea	The change in leasehold will result in a reduction of rent by \$140/year. Five years of operational costs for ongoing programs should be included in Section 04 below.								
				IANCIAL IMPACT					
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Sectio	ກ 02: If ann	licable wh	ere will new reven	ues he estimated	17				
	FUND	DEPTID	ACCOUNT	PROJECT	•	FY 22-2	23 BUD	FY 23	-24 EST
Sectio	n 03: If app	licable, wh	ere will appropriat	tions be increased	ł?				
	FUND	DEPTID	ACCOUNT	PROJECT		FY 22-2	23 BUD	FY 23	-24 EST
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NET	Per-YEAR		-	-	-	_	-	_	_
NE	T IMPACT	( SIX YEARS	5)					-	
REVIE	WED BY	Mel	issa Cooper, AAE		DATE		10/4/	2022	



# Kansas City

414 E. 12th Street Kansas City, MO 64106

# Legislation Text

File #: 220621

## ORDINANCE NO. 220621

Authorizing the Director of Public Works to execute a Franchise Agreement with Spire Missouri, Inc. granting a non-exclusive 10-year franchise to operate a natural gas distribution plant and system within territory of the City of Kansas City, Missouri.

WHEREAS, Ordinance No. 100833, enacted October 7, 2010, granted a franchise to Missouri Gas Energy to supply, sell and furnish natural gas to Kansas City and its inhabitants for a period of ten years; and

WHEREAS, Spire Missouri Inc., successor in interest to The Empire District Gas Company, has requested a new franchise authorizing it to continue to provide natural gas service to Kansas City, Missouri and its inhabitants; NOW, THEREFORE,

# BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That the Director Public Works is authorized to execute the Franchise Agreement with Spire Missouri Inc. granting a non-exclusive 10-year franchise to operate a natural gas distribution plant and system within territory of the City of Kansas City, Missouri. A copy of the Franchise Agreement in substantial form is on file in the office of the Director of Public Works.

end 	
	Approved as to form and legality:
	Matthew W. Cooper Associate City Attorney

Kansas City Page 1 of 1

# **GENERAL**

# **Ordinance Fact Sheet**

220621

**Ordinance Number** 

#### **Brief Title**

#### **Approval Deadline**

#### Reason

Positions/Recommendations

Authorizing the Director of Public Works to execute a Franchise Agreement with Spire Missouri Inc.

To grant a non-exclusive 10-year franchise to operate a natural gas distribution plant and system within territory of the City of Kansas City, Missouri.

#### Details

#### Reason for Legislation

Authorizing the Director of Public Works to execute a Franchise Agreement with Spire Missouri Inc. granting a non-exclusive 10-year franchise to operate a natural gas distribution plant and system within territory of the City of Kansas City, Missouri.

#### Discussion

Ordinance No. 100833, enacted October 7, 2010, granted a franchise to Missouri Gas Energy to supply, sell and furnish natural gas to Kansas City and its inhabitants for a period of ten years.

Spire Missouri Inc., successor in interest to The Empire District Gas Company, has requested a new franchise authorizing it to continue to provide natural gas service to Kansas City, Missouri and its inhabitants.

This ordinance will authorize the Director Public to execute the Franchise Agreement with Spire Missouri Inc. granting a non-exclusive 10-year franchise to operate a natural gas distribution plant and system within territory of the City of Kansas City, Missouri. A copy of the Franchise Agreement in substantial form is on file in the office of the Director of Public Works.

Sponsor	City Engineer
Programs, Departments, or Groups Affected	Public Works
Applicants / Proponents	Applicant  City Department Public Works  Other
Opponents	Groups or Individuals  Basis of opposition
Staff Recommendation	
Board or Commission Recommendation	By  For Against No action taken  For, with revisions or conditions (see details column for conditions)
Council Committee Actions	Do pass  Do pass (as amended)  Committee Sub.  Without Recommendation  Hold  Do not pass

Discussion (continued)	Policy/Program Impact
	Policy or Program Change No Yes
	Operational Impact
	Assessment
	Finances
	Cost & Revenue Projections
	Including Indirect Costs
	Financial Impact
	rmanciai impact
	Fund Source (s)
	and Appropriation Account Codes

# Applicable Dates:

# Fact Sheet Prepared by:

Homer Janssens Right of Way Reviewer Department of Public Works

# Reference Numbers

LEGISLATIVE FISCAL NOTE				ATION 1BER:		220621			
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LLO	IJEATION	V DIVILI .							
Authori	izing the Direc		Works to execute a Francural gas distribution plac	_				10-year franc	hise to operate
What	is the purpo	ose of this l	legislation?	·			OPERATIONAL		
			For the purpose of autho	orizing expenditures new	or planned to co	onduct municipal :	services		
Does	this legislo	ation spend	l money?					NO	Yes/No
	See Section 00: " Notes" Below								
	_		ate new Revenues?	•				NO	Yes/No
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	Section 00		<b>ase Appropriations</b> Relow	r			l	NO	Yes/No
			this legislation ong	oina (Yes)? Or on	e-time (No)		[	NO	Yes/No
	Section 00		-	3 (,			ı	-	.,
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NET	Per-YEAR	IMPACT	-	-	-	-	-	-	-
NE	T IMPACT	•	<u> </u>					-	
<b>REVIEV</b>	WED BY		Nick Crafton		DATE		8/3/2	2022	



# Kansas City

414 E. 12th Street Kansas City, MO 64106

# Legislation Text

File #: 220693

## ORDINANCE NO. 220693

Amending Chapter 62, Article II of the Code of Ordinances entitled Solid Waste, by repealing Section 62-41, "Residential refuse collection - Eligibility," and enacting in lieu thereof a new section of like number and subject matter which amends residents eligible for residential refuse collection.

### BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That Chapter 62, Article II of the Code of Ordinances is hereby amended by repealing Section 62-41, entitled "Residential refuse collection-eligibility" and enacting in lieu thereof a new section of like number and subject matter, to read as follows:

# Sec. 62-41. Residential refuse collection-eligibility.

- (a) Eligible buildings and dwelling units. The City will provide public curbside refuse collection and disposal services to each habitable dwelling unit in a residential building containing six or fewer units, which fronts on a public or private (subject to subsection b) street. Residential buildings containing more than six units may be eligible for service if each unit has separate sidewalk and driveway access which fronts a public or private (subject to subsection b) street.
- (b) Residential buildings on private streets or drives may be provided refuse services upon entering into an agreement with the City whereby the owners of such residential buildings waive any claims against the City for damage to the private street or drive due to refuse collection.
- (c) Every person not receiving city-provided refuse collection services shall provide for the collection and disposal of refuse in accordance with the provisions of article I of this chapter and the rules and regulations adopted thereunder.

d 	
	Approved as to form and legality:
	Dustin E. Johnson

Assistant City Attorney

Kansas City Page 2 of 2

No Fact Sheet for Ord.

220693

	LEGISLATIVE FISCAL NOTE				ATION 1BER:		220693		
LFG	SISLATION II	N BRIFF:			NUIV	IBEK.		220093	
LLO	IISLATION	N DIVILI .							
Amendi			the Code of Ordinances of ew section of like numb						
What	is the purp	ose of this l	legislation?				LEGISLATIVE		
foi	for the purpose of editing, repealing, or creating a provision in the city's code of ordinances; or for stating non-monetary support. This Fiscal note should be blank								
Secti	Sections 01-04 should be blank. See section 00 for more information  NO  Yes/No								
	NO Yes/No								
							Ī	NO	Yes/No
								NO	Yes/No
Section	n 00: Notes	·							•
Section	ii oo. ivotes	1							
			Fiscal i	mpact cannot be de	termined at thi	s time.			
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FUND	FUND	NAME	FY 22-23	FY 23-24	FY 24-25	FY 25-26	FY 26-27	FY 27-28	All Outyears
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	Per-YEAR		-	-	-	-	-	-	-
		( SIX YEARS	-		DATE		0/46	-	_
KEVIE\	WED BY		Robyn Cottin		DATE		8/16/	2022	



# Kansas City

414 E. 12th Street Kansas City, MO 64106

# Legislation Text

File #: 220874

..end

# COMMITTEE SUBSTITUTE FOR ORDINANCE NO. 220874

Sponsor: Director of Water Services Department

Authorizing a \$9,100,000.00 Construction Contract with Goodwin Bros. Construction Co., for the Birmingham Pump Station Screen Replacement; authorizing a maximum expenditure of \$10,222,300.00; and authorizing a \$603,143.68 Design Professional Services Amendment No. 1 to Contract No. 1588, for the Birmingham Pump Station Screen Replacement project with Lion CSG, LLC, for a total contract amount of \$931,766.68; 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. 1662 in the amount of \$9,100,000.00 with Goodwin Bros. Construction Co., for the Birmingham Pump Station Screen Replacement project, Project No. 81000928. 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 a maximum expenditure of \$10,222,300.00, from Account No. 23-8110-807777-B-81000928, Sewer Pump Stations, to satisfy the cost of this contract.

Section 3. That the Director of the Water Services Department is authorized to execute Design Professional Services Amendment No. 1 to Contract No. 1588 in the amount of \$603,143.68, for a total contract amount of \$931,766.68, with Lion CSG, LLC, for the Birmingham Pump Station Screen Replacement project, Project No. 81000928. A copy of the contract is on file in the office of Water Services.

Section 4. That the Director of the Water Services Department is authorized a maximum expenditure of \$603,143.68, from Account No. AL-8189-807777-B-81000928, in the amount of \$300,000.00, and 23-8110-807777-B-81000928, in the amount of \$303,143.68, Sewer Pump Stations, to satisfy the cost of this amendment.

Section 5. 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.

\_\_\_\_\_

Kansas City Page 1 of 2

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.

Tammy L. Queen Director of Finance

Approved as to form and legality:

Mark P. Jones Senior Associate City Attorney

Kansas City Page 2 of 2

# **CONTRACT**

# 220874

# **Ordinance Fact Sheet**

# Construction/Misc. Form

Brief Title	Approval Deadline	Reason	
Authorizing a Construction Co	ntract and	To authorize exe	ecution of a Construction Contract and expenditures; to
Design Professional Services	Amendment	authorize execut	tion of Design Professional Services Amendment; and to
No. 1 to the Birmingham Pum	p Station	recognize this or	dinance as having an accelerated effective date.
Screen Replacement projects			
Details		Roles and Respon	nsibilities
Reason for Contract		Sponsor	Water Services Department
services contract for the Birm projects, and recognizing this date. The request for the accordinance is to expedite execute 90-day bid period.	ontract and amendment to ta design professional ningham Pump Station Screen Replacement sordinance as having an accelerated effective celerated effective date on this proposed cution of the construction project in order to meet on is located at 11011 Birmingham Road, lissouri.	Department or Programs Affected Recommended Awardee Contract Compliance	Water Services Department  Garney Companies, Inc.
		Certification	No XX Yes
		Obtained?	
Birmingham Pump Station fa improve the efficiency of scre- maintenance on the bar scre- measurements, increase the	s to increase safety and efficiency to the cility through upgrades and odor control, eenings removal, reduce the amount of ens, increase accuracy of wet well equipment service life due to reduced sulfate service life of rotating equipment.	Opponents	Groups or Individuals  None known  Reason for Opposition
Design Professional Service The City executed this \$328, services on September 3, 20 The Design Professional Ser replacement of screens, assocontrol system, and general located at 11011 Birmingham This proposed \$603,143.68	ces Contract Summary 623.00 SLBE-WSDEPS design professional 20.  vices contract included design services for the ociated controls, implementation of an odor repairs for the Birmingham Pump Station, in Road, Kansas City, Clay County, Missouri.  Amendment No. 1 will be for construction ned while construction occurs.	Responsibilities	Design Engineering:  Lion CSG, LLC Inspections:  Lion CSG, LLC Construction or Project Management:  Lion CSG, LLC Service Monitoring:  City Staff
Original Contract:	\$328,623.00	Policy/Program Ir	mpact
screenings equipment of the replacement of the existing s	\$931,766.68	Policy or Program Emphasis Change	XX No Yes
amount of \$929,300.00 for a  The request for the accelerate	on contract is \$9,293,000.00 plus contingency total of \$10,222,300.00.  ted effective date on this proposed ordinance is construction project in order to meet the 90-day	Operational Impact Assessment	

(Continued on reverse side)

**Details** Finances

# **Construction Contract Solicitation**

The construction project was advertised in accordance with the City's requirements. Public bids were opened on July 19, 2022 with two (2) bidders responding. Garney Companies, Inc. submitted the lowest, responsible and responsive bid.

#### **Grant/Loan Funding**

N/A

Civil Rights and Equal Opportunity Department (CREO KC) Approval

In accordance with Resolution No. 130371, Section 1(b), there are no MBE/WBE subcontracting requirements for the Design Professional Services Contract No. 1588. This contract is being performed under the expanded SLBE-WSDEPS program.

Subcontracting goals on the construction project are 12% MBE and 12% WBE. Subcontracting information was submitted to CREO KC for review and determination on July 25, 2022. Good Faith Efforts (GFE) were submitted and evaluated, and the Contractor Utilization Plan (CUP) was disapproved on August 11, 2022. The contractor appealed the decision to the Fairness in Construction Board. On September 15, 2022, the Garney Companies GFE appeal was deemed approved due to time limits being exceeded for a hearing date. As such, Garney Companies' 48 hour documentation is approved as it was submitted with 12.7% MBE & 0.5 WBE participation.

#### Fairness in Construction Board

There is no appeal on this contract pending before the Fairness in Construction Board at this time.

#### Youth Employment Program

N/A

#### 1% for Art

N/A

#### How will this contribute to a sustainable Kansas City?

This project will increase the screening capabilities of the Birmingham pump station, which will lead to lower maintenance costs for the pumps at the pump station and also the Birmingham Wastewater Treatment plant (Birmingham WWTP receives all its flow from Birmingham pump station).

Bid Opening Date: 7/19/2022

Notice of Intent to Contract: TBA

Is it good for the children? Yes.

<b>Estimated</b>	Duration	of Contract:	558 calenda	ir davs

Fact Sheet Prepared by: Date:

Leona Walton 9/19/2022

Contracts Manager

Reviewed by: Date:

Jeff Martin 9/22/2022

Chief Engineering Officer

Reference Numbers: Contract No. 1662 (Construction)

Contract No. 1588 (Design Professional Services)

Project No. 81000928

City's Estimate			
of Cost		\$	5,400,000.00
Bid or	Lowest and Best Contract		
Proposal Data	Cost Submitted	\$	9,293,000.00 *
	Recommended Awardee: Garr	ney Compan	ies, Inc.
Bid Date:			
7/19/2022			
	No. of Bids Submitted: 2		
	Selected lowest, responsible an	d responsive l	bid
	Other Bidders or		Contract Costs
	Contractors Considered	_	Submitted
	Goodwin Bros.	\$	9,572,000.00 *
		\$	
		\$	
		\$	
		\$	
	* Cost includes Bid with	\$	
	Alternates 1, 2, and 5.	<u>      \$                              </u>	
Fund Sources	23-8110-807777-B-8100092	28 (Const.) =	\$10,222,300.00
and Appropriation			
Account Codes	AL-8189-807777-B-8100092	•	,
For These	23-8110-807777-B-8100092	28 (DPS Ame	end. No. 2) = \$303,143.68
Contracts	Sewer Pump Stations		Project No. 81000928
Source of			
Future ⊃perating ⊢unas			
Proposed			
Construction			
Contract		\$	9,293,000.00
Construction		Ψ	0,200,000.00
Contingency		\$	929,300.00
zerigeriej		Ψ	020,000.00
1588 Amendment 1		\$	603,143.68
Engineering &		· ·	222,1000
Administration		\$	-
		•	
ΓΟΤΑL		\$	10,825,443.68

Council Committee Actions							
Do Pass		Hold					
Do Pass (as amended)		W/o Recommendation					
Committee Sub.		Do Not Pass					

							_			_				
I F(3ISLATIVE FISCAL NOTE									SLATION					
					_			NUM	IBER:	2	20874			
	ISLATION II		ustion	Contract with Carnon C	omnan	ios Ins. for t	-ho I	Dirminaham I	Dumn Station Co	roor	Panlasaman	+. ~	uthorizina a	
maximu Birming	ım expenditur	e of \$10,222, ation Screen F	300.00 <sub>.</sub> Replace	Contract with Garney C ; and, authorizing a \$60: ement project with Lion (	3,143.6	8 Design Pro	fess	ional Service	s Amendment N	o. 1	to Contract N	Vo.	1588, for the	is
What	is the purp	ose of this	egisla	ation?							CAPITAL			
					dina fo	r the construct	ion o	f fived capitali	zablo accoto					
				For the purpose of fun	aing joi	the constructi	on o	ј јіхеа сарітана	zabie assets					
	s this legisle	-		<del>-</del>									YES	Yes/No
See Sections 01, 02 and 03 for sources of funding														
Does this legislation estimate new Revenues?													NO	Yes/No
0											,			
Does	s this Legisl	ation Incre	ase A	ppropriations?									NO	Yes/No
0											,			
Does	s this legislo	ation expar	nd the	scope of city service	es, o	r expand ti	he c	ity's infras	structure?				NO	Yes/No
Mo	aintenance	of existing	assets	s is included in the b	udget	t. For detai	ls se	ee Section	00: " Notes" l	Belo	ow .			
	n 00: Notes													
	•	-		00 construction contract			-	_	•		\$603,143.68	des	sign professio	nal
services	amenament.	Estimatea ai	inuai o	perating expenses of \$3	00,000	i per year wit	n an	i estimatea ii	jespan oj 20 yed	ars.				
ive yea	ers of operation	nal and main	tenanc	e costs should be includ	ed in S	ection 04 bel	ow.							
						MPACT OF								
Sectio	n 01: If app	licable, wh	ere a	re funds appropriat	ed in	the currer	ıt b	udget?						
	FUND	DEPTID		ACCOUNT	PR	OJECT			FY 22-	FY 22-23 BUD		FY 23-24 I		ST
	8110	807777		611060	810	00928				),22	22,300.00			
	8189	807777		611040	810	00928			\$ 300,000.0					
	8110	807777		611040	810	00928			\$	30	03,143.68			
Sectio	n 02: If app	licable, wh	ere w	vill new revenues be	e esti	mated?								
	FUND	DEPTID		ACCOUNT	PR	OJECT			FY 22-	23	BUD		FY 23-24 E	ST
Sectio	n 03: If app	licable, wh	ere w	vill appropriations b	e inc	reased?								
	FUND	DEPTID		ACCOUNT	PR	OJECT			FY 22-	23	BUD		FY 23-24 E	ST
	NET IMPA	CT ON OPE	RATIC	NAL BUDGET							-			-
					RE	SERVE STA	TU.	S:						
				SECTION 04: FIVE-	YEAR	FISCAL IMI	PAC	T (Direct a	nd indirect)					
FUND	FUND	NAME		FY 22-23		FY 23-24		FY 24-25	FY 25-26		FY 26-27		FY 27-28	
		TOTAL REV		-		-		-	-		-		-	
FUND	FUND	NAME		FY 22-23		FY 23-24		FY 24-25	FY 25-26		FY 26-27		FY 27-28	
8110	Sewer	r Fund		\$ 10,525,433.68	\$	300,000.00	\$	300,000.00	\$ 300,000.00	\$	300,000.00	\$	300,000.00	
8189	Sewer Reve	enue Bonds		\$ 300,000.00										
	Т	OTAL EXP		10,825,434	\$	300,000.00	\$	300,000.00	\$ 300,000.00	\$	300,000.00	\$	300,000.00	
NET	Per-YEAR	IMPACT		(10,825,434)	\$	(300,000.00)	\$	(300,000.00)	\$ (300,000.00)	\$	(300,000.00)	\$	(300,000.00)	
	NET IMPA	ACT			\$						(12	,32	25,433.68)	
REVIEWED BY Jacob Tucker						DA	TE.			9/27/	<mark>/20</mark>	22		

# LEGISLATIVE FISCAL NOTE

LEGISLATION NUMBER:

220874 COMMITTEE SUBSTITUTE

LEGISLATION IN BRIEF:

Authorizing a \$9,100,000.00 Construction Contract with Goodwin Bros. Construction Co., for the Birmingham Pump Station Screen Replacement; authorizing a maximum expenditure of \$10,222,300.00; and authorizing a \$603,143.68 Design Professional Services Amendment No. 1 to Contract No. 1588, for the Birmingham Pump Station Screen Replacement project with Lion CSG, LLC, for a total contract amount of \$931,766.68; and recognizing this ordinance as having an accelerated effective date.

What is the purpose of this legislation?										CAPITAL						
				For the purpose	of fund	ling	for the constru	ıctic	on of fixed capi	apitalizable assets						
Does	this legisle	ation spend	d moi	ney?											YES	Yes/No
See	e Sections 0	1, 02 and 0	03 for	sources of fur	nding											
Does	s this legisl	ation estim	nate n	ew Revenues	?										NO	Yes/No
0													Ī			i
Does	s this Legisl	ation Incre	ease A	hppropriation.	s?										NO	Yes/No
											ľ		\/=0	Ī		
Does this legislation expand the scope of city services, or expand the city's infrastructure?											YES	Yes/No				
See Section 04 for five years of ongoing maintenance costs.  Section 00: Notes:																
			20,000	00 construction o	contra	ot i	uith a mavim	um	ovnanditura	of (	10 222 200 (	20 n	luc a \$602.1/	12 6	0 docian	
				ated annual oper						-					_	
					_						an estimated	, c.	span oj 20 ye	ur J.		
Five yea	irs of operation	onal and main	tenanc	e costs should be						7/1						
Soctio	n 01: If ann	dicable wh	oro a	re funds appi					LEGISLATIO							
Sectio	FUND	DEPTID		CCOUNT	-		o iii tile co DJECT	116	iii buuget	:	FY 22-2	) 2 I	RIID		FY 23-24	FST
1	8110	807777		611060			00928			\$			2,300.00		1123-24	LJI
	8189	807777		611040			00928			\$ 300,000.00						
	8110	807777		611040			00928			\$ 303,143.68						
Sectio	n 02: If app			vill new rever				?					-,			
	FUND	DEPTID		CCOUNT			DJECT				FY 22-2	23 I	BUD		FY 23-24	EST
Sectio	n 03: If app	licable, wh	nere v	vill approprai	tions	be	increased	?	'				•			
	FUND	DEPTID	A	CCOUNT	F	2RC	DJECT				FY 22-2	23 I	BUD		FY 23-24	EST
	NET IMPA	CT ON OPE	RATIO	ONAL BUDGET									-			-
							SERVE STA				1.1.1.					
			•	SECTION 04: F	·IVE-Y	ΕA		MP	•	t a		:)				
FUND	FUND	NAME		FY 22-23			FY 23-24		FY 24-25		FY 25-26		FY 26-27		FY 27-28	
		TOTAL REV		_			<u>-</u>		_		_		<u>-</u>		_	
FUND	FUND			FY 22-23			FY 23-24		FY 24-25		FY 25-26		FY 26-27		FY 27-28	
8110	Sewer			\$10,525,433.68	· I	\$	300,000.00	\$	300,000.00	\$	300,000.00	\$	300,000.00	\$	300,000.00	
8189	Sewer Reve			\$ 300,000.00			,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,		,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,		,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,		,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,	•	,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,	
				, 23.33												
					•											
	T	OTAL EXP		10,825,434		\$	300,000.00	\$	300,000.00	\$	300,000.00	\$	300,000.00	\$	300,000.00	ı
NET	Per-YEAR	IMPACT		(10,825,434)		\$	(300,000.00)	\$	(300,000.00)	\$	(300,000.00)	\$	(300,000.00)	\$	(300,000.00)	
	NET IMPA	\CT				\$							(12	,32	5,433.68)	
REVIE	WED BY							D/	\TE							

# **CONTRACT**

# 220874 Committee Substitute

# **Ordinance Fact Sheet**

# Construction/Misc. Form

Brief Title	Approval Deadline	Reason						
Authorizing a Construction Con	tract and	To authorize execution of a Construction Contract and expenditures; to						
Design Professional Services A	Amendment	authorize execution of Design Professional Services Amendment; and to						
No. 1 to the Birmingham Pump	Station	recognize this ordinance as having an accelerated effective date.						
Screen Replacement projects.								
Details		Roles and Respon	nsibilities					
No. 1 to the Birmingham Pump Screen Replacement projects.  Details  Reason for Contract  Authorizing a construction corservices contract for the Birmiprojects, and recognizing this date. The request for the accordinance is to expedite execute 90-day bid period.  The Birmingham Pump Station Kansas City, Clay County, Mission  Project Justification The purpose of this project is Birmingham Pump Station factimprove the efficiency of screen maintenance on the bar screen measurements, increase the ecorrosion, and increase the second a	Intract and amendment to a design professional ingham Pump Station Screen Replacement ordinance as having an accelerated effective elerated effective date on this proposed ution of the construction project in order to meet in is located at 11011 Birmingham Road, assouri.  Ito increase safety and efficiency to the cility through upgrades and odor control, enings removal, reduce the amount of ens, increase accuracy of wet well equipment service life due to reduced sulfate ervice life of rotating equipment.  BES Contract Summary (23.3.00 SLBE-WSDEPS design professional 20.)  Frices contract included design services for the citated controls, implementation of an odor epairs for the Birmingham Pump Station, Road, Kansas City, Clay County, Missouri.	recognize this or	dinance as having an accelerated effective date.					
screenings equipment of the E replacement of the existing so upgrades to the air handling s the new equipment.  The amount of the construction amount of \$1,122,300.00 for a	\$328,623.00 \$603,143.68 \$931,766.68  cription Instruction contract includes upgrades to the Birmingham Pump Station. including creens, structural improvements, and crystem, odor control, and electrical work for on contract is \$9,100,000.00 plus contingency	Policy/Program In Policy or Program Emphasis Change  Operational Impact Assessment	City Staff  npact  XX No Yes					

(Continued on reverse side)

Details Finances

#### **Construction Contract Solicitation**

The construction project was advertised in accordance with the City's requirements. Public bids were opened on July 19, 2022 with two (2) bidders responding. Goodwin Bros. Construction Co. and Garney Company submitted Bids. Transportation, Infrastructure, and Operations Committee has requested a committee substitution to enter into a construction contract with Goodwin Bros Construction Co.

#### **Grant/Loan Funding**

N/A

# Civil Rights and Equal Opportunity Department (CREO KC) Approval

In accordance with Resolution No. 130371, Section 1(b), there are no MBE/WBE subcontracting requirements for the Design Professional Services Contract No. 1588. This contract is being performed under the expanded SLBE-WSDEPS program. Lion LSG anticipates exceeding 20% MBE and 7% WBE on the full contract utilizing TREKK, Premier Engineering, and Taliaferro & Browne.

Subcontracting goals on the construction project are 12% MBE and 12% WBE. Garney submitted a CUP at MBE 12.66% and WBE 0.73% utilizing WITEC, LMG Construction Services, and Wilkerson Crane. Garney's good faith efforts were reviewed and rejected by CREO. Garney appealed the determination to the Fairness in Construction Board. The Board did not meet within the deadline for the appeal hearing. Therefore, Garney's good faith efforts and CUP were approved.

Goodwin's CUP of MBE 29.1% and WBE 14.1% utilizing WITEC, Genesis, Realm, and CJ Industries was submitted to CREO KC for review and determination on October 5, 2022, and was approved on October 11, 2022 with 29% MBE and 14% WBE participation.

#### Fairness in Construction Board

There is no appeal on this contract pending before the Fairness in Construction Board at this time.

#### Youth Employment Program

N/A

#### 1% for Art

N/A

## How will this contribute to a sustainable Kansas City?

This project will increase the screening capabilities of the Birmingham pump station, which will lead to lower maintenance costs for the pumps at the pump station and also the Birmingham Wastewater Treatment plant (Birmingham WWTP receives all its flow from Birmingham pump station).

Bid Opening Date: 7/19/2022

Notice of Intent to Contract: TBA

Is it good for the children? Yes.

Estimated Duration of Contract: 558 calendar days

Fact Sheet Prepared by: Date:

Leona Walton Contracts Manager

Date:

Reviewed by: Jeff Martin

9/22/2022

9/19/2022

Chief Engineering Officer

Reference Numbers: Contract No. 1662 (Construction)

Contract No. 1588 (Design Professional Services)

Project No. 81000928

City's Estimate										
of Cost			\$	5,400,000.00						
Bid or	Lowest, Res	ponsible, Responsive	Contract							
Proposal Data	Cost Submit	ted	\$	9,086,000.00 *						
Bid Date:	Recommend	ded Awardee: Garney	/ Company							
7/19/2022										
	No. of Bids	Submitted: 2								
	Committee	Substitution for a Cons	truction Contract for	or						
	Goodwin Br	os. Construction Co di	os. Construction Co drafted per TIO Committee							
	Detailed Bid	Information								
Bidder	Goodwin E	iros.	Garney Co	mpany						
MBE/WBE	MBE 29.19	%, WBE 14.1%	MBE 12.66%,	WBE 0.73%						
Base Bio	d*	\$9,000,000.00		\$8,986,000.00						
Base Bid & Allo	owance*	\$9,100,000.00		\$9,086,000.00						
Alternative 1* Diffe	rent Screen									
Manufactu	rers	-\$50,000.00		-\$35,000.00						
Alternative 2* Rem	oving Fillets									
from chan	nels	\$292,000.00		\$27,000.00						
Alternative 3* Ext	ending Bid									
Pricing to 120	Ü	\$600,000.00		\$318,000.00						
Alternative 4* Ext	ending Bid									
Pricing to 150	J	\$750,000.00		\$470,000.00						
Alternative 5* Od	lor Control									
System		\$230,000.00		\$215,000.00						
	*Bolded ite	m is the lowest								
Fund Sources	23-8110-8	07777-B-81000928 (	(Const.) = \$10,22	22,300.00						
and Appropriation										
Account Codes	AL-8189-80	7777-B-81000928 (DP	S Amend. No. 2) =	= \$300,000.00						
For These	23-8110-807	7777-B-81000928 (DPS Amend. No. 2) = \$303,143.68								
Contracts	Sew	er Pump Stations	Projec	ct No. 81000928						
Source of		·								
Future Operating Funas										
Proposed										
Construction										
Contract			\$	9,100,000.00						
Construction										
Contingency			\$	\$1,122,300.00						

Council Committee Act	ions	
Do Pass		Hold
Do Pass (as amended)		W/o Recommendation
Committee Sub.		Do Not Pass

\$

\$

\$

1588 Amendment 1

Engineering &

Administration

TOTAL

603,143.68

10,825,443.68

# **Inter-Departmental Communication**

Date: October 11, 2022

To: Mayor Quinton Lucas, Chair: Transportation, Infrastructure & Operations

Committee

From: Andrea Dorch; Director; Civil Rights & Equal Opportunity Department

Subject: Docket Memo #:220874

CONTRACTOR: Lion CSG, LLC

Address: 915 Olive, Suite 902

St. Louis, MO 63101

Contract # 1588 / 81000928 – Birmingham Pump Station

Screen Replacement, Amendment 1

Contract Amount: \$931,766.68 (\$603,143.68 on Amendment 1)

#### Comments:

This contract is a SLBE-WSDEPS contract. There are no MBE/WBE goals set on SLBE-WSDEPS contracts. Lion CSG is a certified SLBE-WSDEPS.

Original Contract Amount: \$328,623.00
Proposed Amendment 1: \$603,143.68
Proposed Contract Amount: \$931,766.68

# **Inter-Departmental Communication**

Date: October 11, 2022

To: Mayor Quinton Lucas, Chair: Transportation, Infrastructure & Operations

Committee

From: Andrea Dorch; Director; Civil Rights & Equal Opportunity Department

Subject: Docket Memo #:220874

**CONTRACTOR**: Goodwin Brothers Construction Co.

Address: 4885 Baumgartner Rd.

St. Louis, MO 63129

Contract # 1662 / 81000928 – Birmingham Pump Station

Screen Replacement

Contract Amount: \$9,100,000.00\*

MBE Goal 12% WBE Goal: 12% Total MBE Achieved: 29% Total WBE Achieved: 14%

**MBE SUBCONTRACTORS:** 

Name: Whatever It Takes Electrical Contractors, LLC

Address: 9709 E. 56<sup>th</sup> St.

Raytown, MO 64133

Scope of Work: Supply / Install Electrical Materials

Dollar Amount: \$950,000 Ownership: Rolls, John

Structure: African-American Male Code 15

MBE SUBCONTRACTORS:

Name: Genesis Environmental Solutions, Inc.

Address: 8422 S. 7 Highway

Blue Springs, MO 64014

Scope of Work: Preparation / Coatings Application

Dollar Amount: \$1,700,000

Ownership: Thomas, M. Shaun

Structure: Native American Male Code 17

# Page 2- 1662 / 81000928 – Birmingham Pump Station Screen Replacement

# WBE SUBCONTRACTORS:

Name: CJ Industries, LLC
Address: 610 S. 78<sup>th</sup> St., Suite 1

Kansas City, KS 66111

Scope of Work: Screens & Gates Supply /Millwright Install

Dollar Amount: \$1,200,000 Ownership: Rocha, Melinda

Structure: Native American Female Code 21

# **WBE SUBCONTRACTORS:**

Name: Realm Construction, Inc.
Address: 604 SE Industrial Dr.
Blue Springs, MO 64014

Supply / Install Rebar

Dollar Amount: \$86,000 Ownership: Taylor, Linda

Structure: Caucasian Female Code 27

#### Comments:

Scope of Work:

\*Note: Contract amount includes an Allowance amount of \$100,000 for unforeseen site conditions. The Dept. indicated that the contract will also include a contingency amount of \$910,000 (10%) for a total contract amount of \$10,010,000. The participation was calculated on the base bid amount and the Allowance (\$9,100,000). Both the Allowance and the contingency amount may or may not be used. The goals will apply to the entire contract including any amount paid from the Allowance and contingency amounts.

 Base Bid:
 \$9,000,000.00

 Allowance:
 \$100,000.00

 Base Contract Amount:
 \$9,100,000.00

 Contingency Amount:
 \$910,000.00

 Total Contract Amount:
 \$10,010,000.00



# TRANSPORTATION, INFRASTRUCTURE & OPERATIONS COMMITTEE

OCTOBER 12, 2022



# COMMITTEE SUBSTITUTE FOR ORDINANCE NO. 220874 (Held in Committee)

Birmingham Pump Station Screen Replacement Construction and Design Professional Services Amendment No. 1

Authorizing a \$9,100,000.00 Construction Contract with Goodwin Bros. Construction Co., for the Birmingham Pump Station Screen Replacement; authorizing a maximum expenditure of \$10,222,300.00; and authorizing a \$603,143.68 Design Professional Services Amendment No. 1 to Contract No. 1588, for the Birmingham Pump Station Screen Replacement project with Lion CSG, LLC, for a total contract amount of \$931,766.68; and recognizing this ordinance as having an accelerated effective date.



# **Bid Information**

	Garney	Goodwin
Base Bid	\$ 8,986,000	\$ 9,000,000
Allowance	\$ 100,000	\$ 100,000
Total Base Bid	\$ 9,086,000	\$ 9,100,000
Alternate 1 Alternate Screen manufacturer (Parkson)	\$ (35,000)	\$ (50,000)
Alternate 2 Structural modifications of influent channels	\$ 27,000	\$ 292,000
Alternate 3 120 day Escalation	\$ 318,000	\$ 600,000
Alternate 4 150 day Escalation	\$ 470,000	\$ 750,000
Alternate 5 Chemical Odor Control	\$ 215,000	\$ 230,000
Total with Alternates 1,2,5:	\$ 9,293,000	\$ 9,572,000
*Lower Price is bold		



# MBE/WBE Participation

Goals 12%/12%

Contractor	MBE	WBE
Garney	12.7%	0.73%
GOODWIN BROTHERS CONSTRUCTION CO.	29.1%	14.1%





# THANK YOU



# Design Contract - SLBE-WSDEPS







