



Agenda - Final

Transportation, Infrastructure and Operations Committee

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

Tuesday, November 9, 2021

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>

Water Services

[211001](#)

Authorizing a \$4,889,600.00 construction contract with Leath & Sons, Inc., for the replacement of water mains in the area of State Line Road to Askew Avenue, East 87th Street to East 110th Street; and authorizing a maximum expenditure of \$5,100,000.00.

Attachments: [211001 Goals](#)

[211001 Fact Sheet](#)

[211001 Fiscal Note](#)

[211001 Revised Fact Sheet](#)

211007 Authorizing a \$1,165,000.00 design professional services contract Amendment No. 1 to Contract No. 9522 with Finkle-Williams, Inc., for the Laboratory Facility Renovations and Modifications project for a total contract amount of \$1,516,000.00.

Attachments: [211007 Fact Sheet](#)
[211007 Fiscal Note](#)
[211007 Goals](#)
[211007 Revised Fact Sheet](#)

Public Works

211006 Amending Chapter 70, Code of Ordinances, entitled "Traffic and Vehicles," by repealing Section 70-81, Authority of director of public works, and enacting in lieu thereof a new Section 70-81 of like number and subject matter that establishes a policy to address parking and abandoned vehicles throughout the City.

Attachments: [Ordinance](#)
[211006 Fact Sheet](#)
[211006 Com Ver](#)
[211006 Fiscal Note](#)

211010 Authorizing the Manager of Procurement Services to amend Contract No. EV2321 by adding \$290,730.42 for LAZ Parking Midwest, LLC to provide parking enforcement services, maintenance and citation management; to add a fifth optional renewal year to EV2321; and recognizing this ordinance as having an accelerated effective date.

Attachments: [LAZ Ordinance for parking enforcement FINAL 102021](#)
[211010 Fact Sheet](#)
[211010 Fiscal Note](#)
[211010 Master Contract](#)

HELD IN COMMITTEE

Water Services

210978 Authorizing a \$6,885,000.00 Design-Build Contract Renewal No. 2 with Kissick Construction Company, Inc., for the City-Wide Sewer Infrastructure Rehabilitation within Waterways Project.

Attachments: [210978 Fact Sheet](#)
[210978 Goals](#)
[210978 Fiscal Note](#)

210991 Amending various sections of Chapter 3, "Contracts and Leases," for the purposes of updating the authority of the fairness in construction board and regulating prevailing wage and wage theft.

Attachments: [210991com](#)

210994 Amending various sections of Chapter 18, "Building and Rehabilitation Code" for the purpose of establishing the contractor licensing category of journeyman electrician.

Attachments: [210994 No Fact Sheet](#)
[210994 Com Ver](#)

ADDITIONAL BUSINESS

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

2. Closed Session

Any closed session may be held via teleconference.

- 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.

Adjournment



File #: 211001

ORDINANCE NO. 211001

Authorizing a \$4,889,600.00 construction contract with Leath & Sons, Inc., for the replacement of water mains in the area of State Line Road to Askew Avenue, East 87th Street to East 110th Street; and authorizing a maximum expenditure of \$5,100,000.00.

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. 9419 in the amount of \$4,889,600.00 with Leath & Sons, Inc. for the replacement of water mains in the area of area of State Line Road to Askew Avenue, East 87th Street to East 110th Street, Project No. 80002223. 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 \$5,100,000.00 from Account No 22-8010-807705-B-80002223, Water Main Replacement Program, to satisfy the cost of this contract.

..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.

Tammy L. Queen
Director of Finance

Approved as to form and legality:

Mark P. Jones
Assistant City Attorney



MBE/WBE/DBE Contract Goals Request

Date: April 20, 2021
 To: _____, Human Relations Department
 From: Christian Hoyos, Water Services Department

| | | |
|---------------------------------------------|---------------------------------------------------------------------------------------------------|---------------------------|
| Project Number 80002223 | Project Name WMR in the area of State Line Rd. to Askew Ave., E 97th St. to E 110th St. | |
| Contract ID Number 9419 | Estimated Cost: (cost breakdown attached) \$5,578,884.57 | Solicitation Date: |
| Estimated Project Duration: 180 days | | |

Note: Click the box to select

| | | | |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------|---------------------------------------------------------------------------------------------|---------------------------------------------------------------------|
| Contract Category: | <input checked="" type="checkbox"/> FICB | PREVAILING WAGE: <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO | |
| | <input checked="" type="checkbox"/> Construction | <input type="checkbox"/> Design-Build | <input type="checkbox"/> Non-Municipal Agency |
| | <input type="checkbox"/> Design Professional | <input type="checkbox"/> Other Goods & Services | <input type="checkbox"/> Lease |
| | <input type="checkbox"/> Professional Services | <input type="checkbox"/> Facilities Maintenance/Repair | <input type="checkbox"/> Tenant (MBE/WBE) |
| | <input type="checkbox"/> Other (Enter Type): | | <input type="checkbox"/> Concession |
| Type: | <input checked="" type="checkbox"/> Original | <input type="checkbox"/> Amendment No. | |
| Funding: | <input checked="" type="checkbox"/> City(MBE/WBE) | <input type="checkbox"/> Federal (DBE) | <input type="checkbox"/> State (DBE) |
| | <input type="checkbox"/> Other: | <input type="checkbox"/> Grant# | |
| Construction Workforce Goals: Are the estimated construction labor hours greater than 800 and the estimated cost greater than \$300,000? If yes, complete "Required Crafts" Worksheet and include total number of hours in Description of Work. | | | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No |
| <input checked="" type="checkbox"/> Estimated Cost Breakdown attached - Page 2 | | <input checked="" type="checkbox"/> List of Required Crafts attached - Page 3 | |

Description of work:

This project includes the replacement of approximately 19,000 LF of break prone 2-inch, 4-inch, 6-inch, 8-inch and 12-inch water mains in the area of State Line Road to Askew Avenue from East 97th Street to East 110th Street. Additionally, the abandonment of a 16-inch main on Holmes Road from Holmes Road and East 75th Street to Bannister Road and Troost Avenue, Kansas City, Missouri

cc: _____

FOR HUMAN RELATIONS DEPARTMENT USE ONLY:

No Goals are set for this Project; OR
 The following Goals are approved for this Project 10 % MBE 8 % WBE OR _____ % DBE

Human Relations Department Christian Hoyos Date: 4-29-21

FOR FAIRNESS IN CONSTRUCTION BOARD USE ONLY¹

Approved Disapproved N/A

Reaper M... Date: 5-13-2021

FOR GRANT AGENCY USE ONLY²

Approved Disapproved N/A

_____ Date: _____

¹ DBE Programs apply to specific federal or state grant requirements.

² For Projects subject to prevailing wage requirements only.

ESTIMATED COST BREAKDOWN FOR

PROJECT #: 80002223 PROJECT/CONTRACT NAME: WMR in the area of State Line Rd. to Askew Ave., E 97th St. to E 110th St.

| Department Use | | | |
|---------------------------------------------|------------------------|-----------------------------------------------------------|----------------------|
| Scopes of Work | Dollar Amount | <input type="checkbox"/> DBE <input type="checkbox"/> MBE | WBE |
| Construction Staking & Record Drawings | \$ 50,000.00 | | \$ 50,000.00 |
| Traffic Control | \$ 80,000.00 | | \$ 80,000.00 |
| Trucking | \$ 250,000.00 | | \$ 250,000.00 |
| Pipe Material & Appurtenances | \$ 1,578,870.00 | | |
| Pipe Installation | \$ 2,999,614.57 | | |
| Concrete (Thrust/Straddle Blocks) | \$ 144,000.00 | \$ 144,000.00 | |
| Asphalt Pavement Replacement | \$ 350,000.00 | \$ 350,000.00 | |
| Seeding and Sodding | \$ 46,400.00 | \$ 46,400.00 | |
| Erosion Control | \$ 80,000.00 | \$ 80,000.00 | |
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| | | | |
| Department Recommendation Total | \$ 5,578,884.57 | \$ 620,400.00 | \$ 380,000.00 |
| Department Recommended Goal | | 11% | 7% |
| Human Relations Department Use Only: | | | |
| Scopes of Work | Dollar Amount | <input type="checkbox"/> DBE <input type="checkbox"/> MBE | WBE |
| Construction Staking & Record Drawings | \$ 50,000.00 | Availability | \$ 50,000.00 |
| Traffic Control | \$ 80,000.00 | Availability | \$ 80,000.00 |
| Trucking | \$ 250,000.00 | Availability | \$ 250,000.00 |
| Pipe Material & Appurtenances | \$ 1,578,870.00 | Availability | Availability |
| Pipe Installation | \$ 2,999,614.57 | Availability | Availability |
| Concrete (Thrust/Straddle Blocks) | \$ 144,000.00 | \$ 144,000.00 | Availability |
| Asphalt Pavement Replacement | \$ 350,000.00 | \$ 350,000.00 | Availability |
| Seeding and Sodding | \$ 46,400.00 | \$ 46,400.00 | Availability |
| Erosion Control | \$ 80,000.00 | Availability | \$ 80,000.00 |
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| | | | |
| HRD Recommendation Total | \$ 5,578,884.57 | \$ 540,400.00 | \$ 460,000.00 |
| HRD Recommended Goal | | 10% | 8% |

NOTICE: The scopes of work and dollar amounts listed on this MBE/WBE/DBE Contract Goals Request are using internal estimates only for the purpose of analyzing the availability and capacity of M/W/DBEs to set appropriate target goals. Nothing contained within this form should be used to limit, restrict or mandate M/W/DBE participation in particular scopes of work for responding to formal solicitations, including, but not limited to, Invitations for Bids and Requests for Proposals.

CONTRACT

211001

Ordinance Fact Sheet

Construction/Misc. Form

Brief Title
 Authorizing a construction contract for the replacement
 of water mains in the area of State Line Road to Askew
 Avenue, East 87th Street to East 110th Street.

Reason for Contract
 This construction project will be performed to replace aging, break-prone cast iron pipe (CIP) and polyvinyl chloride (PVC) water mains with ductile iron pipe (DIP).

Discussion
Project Justification
 The Water Services Department is undertaking this construction project to improve distribution system reliability, increase hydraulic conveyance capacity, and support fire protection.

Project Description
 This project includes the replacement of approximately 18,840 linear feet (LF) of break prone 2-inch, 4-inch, 6-inch, 8-inch and 12-inch water mains in the area of State Line Road to Askew Avenue from East 87th Street to East 110th Street, Kansas City, Jackson County, Missouri. Additionally, the project includes abandonment of approximately 11,850 LF of 16-inch transmission main on Holmes Road from Holmes Road and East 75th Street to 9051 Troost Avenue.

- This project will replace water mains in the following areas:
- Replace 660 LF of 8-inch CIP water main with 8-inch DIP along West 98th Street from Belleview Avenue towards Madison Avenue;
 - Replace 1,830 LF of 8-inch CIP water main with 8-inch DIP along Belleview Avenue from West 98th Street to West 100th Terrace;
 - Replace 460 LF of 8-inch CIP water main with 8-inch DIP along West 100th Street from Belleview Avenue to Madison Avenue;
 - Replace 1,040 LF of 2-inch and 8-inch CIP water mains with 6-inch and 8-inch DIP along West 100th Terrace from Holly Street towards the dead-end;
 - Replace 1,780 LF of 2-inch and 8-inch CIP water main with 6-inch and 8-inch DIP along West 101st Street from Wornall Road Street towards the dead-end;
 - Replace 190 LF of 2-inch CIP water main with 6-inch DIP along Madison Avenue from West 101st Street towards the dead-end;
 - Replace 700 LF of 12-inch CIP water main with 12-inch DIP along the back of the State Line Shopping Center from 10111 State Line Road to 10205 State Line Road;
 - Replace 400 LF of 6-inch CIP water main with 6-inch DIP along the private driveway of the Three Fountains Apartments Complex from 100 LF East of the intersection of Jefferson Street and West 101st Terrace towards the dead-end;
 - Replace 1,400 LF of 8-inch CIP water main with 8-inch DIP along Walnut Street from East 97th Street to East 99th Street;
 - Replace 900 LF of 8-inch CIP water main with 8-inch DIP along East 99th Street from Walnut Street to Oakdell Drive;
 - Replace 400 LF of 8-inch CIP water main with 8-inch DIP along to Walnut Drive from West 99th Street to Wyandotte Street;

Reason
 To authorize execution of a construction contract and expenditures.

Roles and Responsibilities

| | |
|---------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Sponsor | Water Services Department |
| Department or Programs Affected | Water Services Department |
| Recommended Awardee | Leath & Sons, Inc. |
| Contract Compliance Certification Obtained? | <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes |
| Opponents | Groups or Individuals None known Reason for Opposition |
| Responsibilities | Design Engineering: Wilson & Company, Inc. Inspections: City staff Construction or Project Management: City staff Service Monitoring: City staff |

Policy/Program Impact

| | |
|-----------------------------------|---------------------------------------------------------------------|
| Policy or Program Emphasis Change | <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes |
| Operational Impact Assessment | |

(Continued on next page)

Contract Central

Details

- Replace 600 LF of 6-inch and 8-inch CIP water mains with 6-inch and 8-inch DIP along Wyandotte Street from Walnut Drive towards the dead-end;
- Replace 1,220 LF of 8-inch CIP water main with 8-inch DIP along Oakdell Drive and McGee Street from East 99th Street to East 100th Terrace;
- Replace 170 LF of 2-inch CIP water main with 6-inch DIP along Linden Circle from East 99th Street towards the dead-end;
- Replace 270 LF of 2-inch CIP water main with 6-inch DIP along Flora Circle from East 99th Street towards the dead-end;
- Replace 350 LF of 2-inch and 6-inch CIP water main with 6-inch DIP along Wayne Avenue from East 99th Street towards the dead-end;
- Replace 250 LF of 2-inch CIP water main with 6-inch DIP along Shepherds Circle from Shepherds Drive towards the dead-end;
- Replace 700 LF of 6-inch CIP water main with 8-inch DIP along Birchwood Drive from Indiana Avenue to Askew Avenue;
- Replace 750 LF of 6-inch CIP water main with 8-inch DIP along Askew Avenue from Birchwood Drive to East 105th Terrace;
- Replace 550 LF of 4-inch CIP water main with 6-inch DIP along Walrond Avenue from St Catherines Lane towards the dead-end;
- Replace 1,050 LF of 6-inch CIP water main with 6-inch DIP along Bellefontaine Avenue from St Catherines Lane towards the dead-end;
- Replace 320 LF of 6-inch CIP water main with 6-inch DIP along East 107th Terrace from St Catherines Lane towards the dead-end;
- Replace 1,200 LF of 6-inch CIP water main with 8-inch DIP along St Catherines Lane from Walrond Avenue towards the dead-end;
- Replace 720 LF of 8-inch CIP water main with 8-inch DIP along East 109th Street and Wabash Avenue from Olive Street to East 109th Terrace;
- Replace 630 LF of 6-inch CIP water main with 6-inch DIP along East 109th Terrace from Park Avenue to Wabash Avenue; and
- Replace 300 LF of 2-inch CIP water main with 6-inch DIP along Park Avenue from East 110th Street towards the dead-end.

This work will include the transfer of customers' water service connections from existing mains to new mains, as well as restoration of roads and properties. The amount of this contract is \$4,889,600.00.

Solicitation

This Project was advertised in accordance with the City's requirements. Public bids were opened on July 13, 2021 with 5 bidders responding.

Grant/Loan Funding N/A

| | | |
|--------------------------------|------------------------|--------|
| LEGISLATIVE FISCAL NOTE | LEGISLATION NUMBER: | 211001 |
|--------------------------------|------------------------|--------|

LEGISLATION IN BRIEF:

Authorizing a \$4,889,600.00 construction contract with Leath & Sons, Inc., for the replacement of water mains in the area of State Line Road to Askew Avenue, East 87th Street to East 110th Street; and authorizing a maximum expenditure of \$5,100,000.00.

What is the purpose of this legislation? CAPITAL

For the purpose of funding for the construction of fixed capitalizable assets

Does this legislation spend money? Yes/No

See Sections 01, 02 and 03 for sources of funding

Does this legislation estimate new Revenues? Yes/No

0

Does this Legislation Increase Appropriations? Yes/No

0

Does this legislation expand the scope of city services, or expand the city's infrastructure? Yes/No

Maintenance of existing assets is included in the budget. For details see Section 00: "Notes" Below

Section 00: Notes:

This water main replacement project was programmed in the FY22 Five-Year Capital Improvement Plan. This project will have an estimated 100 year lifespan with \$5,000.00 estimated costs per year for operations and maintenance as shown in Section 04 below under the current budget of 8010-802310.

Five years of operational and maintenance costs should be included in Section 04 below.

FINANCIAL IMPACT OF LEGISLATION

Section 01: If applicable, where are funds appropriated in the current budget?

| FUND | DEPTID | ACCOUNT | PROJECT | FY 21-22 BUD | FY 22-23 EST |
|------|--------|---------|----------|--------------|--------------|
| 8010 | 807705 | 611060 | 80002223 | 5,100,000.00 | |

Section 02: If applicable, where will new revenues be estimated?

| FUND | DEPTID | ACCOUNT | PROJECT | FY 21-22 BUD | FY 22-23 EST |
|------|--------|---------|---------|--------------|--------------|
| | | | | | |

Section 03: If applicable, where will appropriations be increased?

| FUND | DEPTID | ACCOUNT | PROJECT | FY 21-22 BUD | FY 22-23 EST |
|------|--------|---------|---------|--------------|--------------|
| | | | | | |

NET IMPACT ON OPERATIONAL BUDGET RESERVE STATUS:

SECTION 04: FIVE-YEAR FISCAL IMPACT (Direct and indirect)

| FUND | FUND NAME | FY 21-22 | FY 22-23 | FY 23-24 | FY 24-25 | FY 25-26 | FY 26-27 | All Outyears |
|------------------|-----------|----------|----------|----------|----------|----------|----------|--------------|
| | | | | | | | | |
| TOTAL REV | | - | - | - | - | - | - | - |

| FUND | FUND NAME | FY 21-22 | FY 22-23 | FY 23-24 | FY 24-25 | FY 25-26 | FY 26-27 | All Outyears |
|------------------|------------|-----------|----------|----------|----------|----------|----------|--------------|
| 8010 | Water Fund | 5,100,000 | 5,000 | 5,000 | 5,000 | 5,000 | 5,000 | 475,000 |
| | | | | | | | | |
| | | | | | | | | |
| TOTAL EXP | | 5,100,000 | 5,000 | 5,000 | 5,000 | 5,000 | 5,000 | 475,000 |

NET Per-YEAR IMPACT (5,100,000) (5,000) (5,000) (5,000) (5,000) (5,000) (5,000) (475,000)

NET IMPACT (SIX YEARS) **(5,600,000.00)**

REVIEWED BY Michael Jenkins DATE 10/27/2021

CONTRACT

211001

Ordinance Fact Sheet

Construction/Misc. Form

Revised 11-05-2021

Brief Title
 Authorizing a construction contract for the replacement
 of water mains in the area of State Line Road to Askew
 Avenue, East 87th Street to East 110th Street.

Reason
 To authorize execution of a construction contract and expenditures.

Details

Reason for Contract
 This construction project will be performed to replace aging, break-prone cast iron pipe (CIP) and polyvinyl chloride (PVC) water mains with ductile iron pipe (DIP).

Discussion

Project Justification
 The Water Services Department is undertaking this construction project to improve distribution system reliability, increase hydraulic conveyance capacity, and support fire protection.

Project Description
 This project includes the replacement of approximately 18,840 linear feet (LF) of break prone 2-inch, 4-inch, 6-inch, 8-inch and 12-inch water mains in the area of State Line Road to Askew Avenue from East 87th Street to East 110th Street, Kansas City, Jackson County, Missouri. Additionally, the project includes abandonment of approximately 11,850 LF of 16-inch transmission main on Holmes Road from Holmes Road and East 75th Street to 9051 Troost Avenue.

- This project will replace water mains in the following areas:
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 - Replace 190 LF of 2-inch CIP water main with 6-inch DIP along Madison Avenue from West 101st Street towards the dead-end;
 - Replace 700 LF of 12-inch CIP water main with 12-inch DIP along the back of the State Line Shopping Center from 10111 State Line Road to 10205 State Line Road;
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 - Replace 900 LF of 8-inch CIP water main with 8-inch DIP along East 99th Street from Walnut Street to Oakdell Drive;
 - Replace 400 LF of 8-inch CIP water main with 8-inch DIP along to Walnut Drive from West 99th Street to Wyandotte Street;

Roles and Responsibilities

| | |
|---------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Sponsor | Water Services Department |
| Department or Programs Affected | Water Services Department |
| Recommended Awardee | Leath & Sons, Inc. |
| Contract Compliance Certification Obtained? | <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes |
| Opponents | Groups or Individuals None known Reason for Opposition |
| Responsibilities | Design Engineering: Wilson & Company, Inc. Inspections: City staff Construction or Project Management: City staff Service Monitoring: City staff |

Policy/Program Impact

| | |
|-----------------------------------|---------------------------------------------------------------------|
| Policy or Program Emphasis Change | <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes |
| Operational Impact Assessment | |

(Continued on next page)

Details

- Replace 600 LF of 6-inch and 8-inch CIP water mains with 6-inch and 8-inch DIP along Wyandotte Street from Walnut Drive towards the dead-end;
- Replace 1,220 LF of 8-inch CIP water main with 8-inch DIP along Oakdell Drive and McGee Street from East 99th Street to East 100th Terrace;
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- Replace 270 LF of 2-inch CIP water main with 6-inch DIP along Flora Circle from East 99th Street towards the dead-end;
- Replace 350 LF of 2-inch and 6-inch CIP water main with 6-inch DIP along Wayne Avenue from East 99th Street towards the dead-end;
- Replace 250 LF of 2-inch CIP water main with 6-inch DIP along Shepherds Circle from Shepherds Drive towards the dead-end;
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- Replace 750 LF of 6-inch CIP water main with 8-inch DIP along Askew Avenue from Birchwood Drive to East 105th Terrace;
- Replace 550 LF of 4-inch CIP water main with 6-inch DIP along Walrond Avenue from St Catherines Lane towards the dead-end;
- Replace 1,050 LF of 6-inch CIP water main with 6-inch DIP along Bellefontaine Avenue from St Catherines Lane towards the dead-end;
- Replace 320 LF of 6-inch CIP water main with 6-inch DIP along East 107th Terrace from St Catherines Lane towards the dead-end;
- Replace 1,200 LF of 6-inch CIP water main with 8-inch DIP along St Catherines Lane from Walrond Avenue towards the dead-end;
- Replace 720 LF of 8-inch CIP water main with 8-inch DIP along East 109th Street and Wabash Avenue from Olive Street to East 109th Terrace;
- Replace 630 LF of 6-inch CIP water main with 6-inch DIP along East 109th Terrace from Park Avenue to Wabash Avenue; and
- Replace 300 LF of 2-inch CIP water main with 6-inch DIP along Park Avenue from East 110th Street towards the dead-end.

This work will include the transfer of customers' water service connections from existing mains to new mains, as well as restoration of roads and properties. The amount of this contract is \$4,889,600.00.

Solicitation

This Project was advertised in accordance with the City's requirements. Public bids were opened on July 13, 2021 with 5 bidders responding.

Grant/Loan Funding N/A



File #: 211007

ORDINANCE NO. 211007

Authorizing a \$1,165,000.00 design professional services contract Amendment No. 1 to Contract No. 9522 with Finkle-Williams, Inc., for the Laboratory Facility Renovations and Modifications project for a total contract amount of \$1,516,000.00.

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That the Director of Water Services Department is authorized to execute Amendment No. 1 to Contract No. 9522 in the amount of \$1,165,000.00, for a total contract amount of \$1,516,000.00 with Finkle-Williams, Inc., for the Laboratory Facility Renovations and Modifications project, Project No. 80002229. A copy of this amendment 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 \$1,165,000.00 from Account No. 22-8010-807710-B-80002229, Administration/Service Facility Improvements, to satisfy the cost of this contract.

..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.

Tammy L. Queen
Director of Finance

Approved as to form and legality:

Mark P. Jones
Assistant City Attorney

CONTRACT

211007

Ordinance Fact Sheet

Amendment Form

| Brief Title | Approval Deadline | Reason |
|--------------------------------------------------------------------|-------------------|----------------------------------------------------------|
| Laboratory Facility Renovations and Modifications, Amendment No. 1 | | To authorize execution of an amendment and expenditures. |

Details

| |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>Reason for Contract</p> <p>This Design Professional Services project is for the renovation of the laboratory at the Water Treatment Plant in order to rehabilitate the existing laboratory facility to improve ongoing operations and maximize laboratory quality, efficiency and productivity, and provide a safe working environment for staff members.</p> <p>The laboratory building is located at the Water Treatment Plant's complex at 2 N.E. 32nd Street, in Kansas City, Clay County, Missouri.</p> |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

Discussion

| | | | | | | |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------|--------------|---------------------------|----------------|--------|----------------|
| <p>Contract Summary</p> <p>The City executed the design professional services contract on September 21, 2020, approving a maximum expenditure of \$351,000.00 with Fickle-Williams, Inc. for the Laboratory Facility Renovations and Modifications project.</p> | | | | | | |
| <p>Contract + Proposed Amendment Cost Summary</p> <table border="0"> <tr> <td>Original Contract:</td> <td style="text-align: right;">\$351,000.00</td> </tr> <tr> <td>Proposed Amendment No. 1:</td> <td style="text-align: right;">\$1,165,000.00</td> </tr> <tr> <td>Total:</td> <td style="text-align: right;">\$1,516,000.00</td> </tr> </table> | Original Contract: | \$351,000.00 | Proposed Amendment No. 1: | \$1,165,000.00 | Total: | \$1,516,000.00 |
| Original Contract: | \$351,000.00 | | | | | |
| Proposed Amendment No. 1: | \$1,165,000.00 | | | | | |
| Total: | \$1,516,000.00 | | | | | |

| |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>Project Justification</p> <p>KC Water's laboratory facility provides cost-effective and timely testing services and support for the water and wastewater utilities as well as wholesale customers. The laboratory is certified by Missouri Department of Natural Resources and is able to test samples to meet compliance with federal regulations.</p> <p>The laboratory renovation project is to rehabilitate the existing laboratory facility at the Water Treatment Plant to improve ongoing operations and maximize laboratory quality, efficiency and productivity, and provide a safe working environment for staff members.</p> |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

| |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>Project Description</p> <p>This design professional services project includes detailed programming, space planning, preliminary design, final design, construction documents, cost estimates, and evaluation. The design and subsequent renovations and construction at the laboratory at the Water Treatment Plant must be phased so as to ensure on-going operations at all times from this site.</p> |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

Roles and Responsibilities

| | |
|---------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------|
| Sponsor | Water Services Department |
| Department or Programs Affected | Water Services Department |
| Recommended Awardee | Finkle-Williams, Inc. |
| Contract Compliance Certification Obtained? | <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes |
| Opponents | Groups or Individuals None known Reason for Opposition |
| Responsibilities | Design Engineering: Finkle-Williams, Inc. Inspections: Construction or Project Management: Service Monitoring: |

Policy/Program Impact

| | |
|-----------------------------------|---------------------------------------------------------------------|
| Policy or Program Emphasis Change | <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes |
| Operational Impact Assessment | |

(Continued on reverse side)

| | | |
|--------------------------------|------------------------|--------|
| LEGISLATIVE FISCAL NOTE | LEGISLATION NUMBER: | 211007 |
|--------------------------------|------------------------|--------|

LEGISLATION IN BRIEF:

Authorizing a \$1,165,000.00 design professional services contract Amendment No. 1 to Contract No. 9522 with Finkle-Williams, Inc., for the Laboratory Facility Renovations and Modifications project for a total contract amount of \$1,516,000.00.

What is the purpose of this legislation? CAPITAL

For the purpose of funding for the construction of fixed capitalizable assets

Does this legislation spend money? YES Yes/No
See Sections 01, 02 and 03 for sources of funding

Does this legislation estimate new Revenues? NO Yes/No
0

Does this Legislation Increase Appropriations? NO Yes/No
0

Does this legislation expand the scope of city services, or expand the city's infrastructure? NO Yes/No
Maintenance of existing assets is included in the budget. For details see Section 00: " Notes" Below

Section 00: Notes:

This legislation authorizes Amendment No. 1 to Contract No. 9522 with Finkle-Williams, Inc., for the Laboratory Renovations and Modifications project; authorizes expenditures from previously appropriated funds in the amount of \$1,165,000.00 for a total contract amount of \$1,516,000.00.

Five years of operational and maintenance costs should be included in Section 04 below.

FINANCIAL IMPACT OF LEGISLATION

Section 01: If applicable, where are funds appropriated in the current budget?

| FUND | DEPTID | ACCOUNT | PROJECT | FY 21-22 BUD | FY 22-23 EST |
|------|--------|---------|----------|--------------|--------------|
| 8010 | 807710 | 611040 | 80002229 | 1,165,000.00 | |

Section 02: If applicable, where will new revenues be estimated?

| FUND | DEPTID | ACCOUNT | PROJECT | FY 21-22 BUD | FY 22-23 EST |
|------|--------|---------|---------|--------------|--------------|
| | | | | | |

Section 03: If applicable, where will appropriations be increased?

| FUND | DEPTID | ACCOUNT | PROJECT | FY 21-22 BUD | FY 22-23 EST |
|-----------------------------------------|--------|---------|---------|--------------|--------------|
| | | | | | |
| NET IMPACT ON OPERATIONAL BUDGET | | | | - | - |

RESERVE STATUS:

SECTION 04: FIVE-YEAR FISCAL IMPACT (Direct and indirect)

| FUND | FUND NAME | FY 21-22 | FY 22-23 | FY 23-24 | FY 24-25 | FY 25-26 | FY 26-27 | All Outyears |
|------------------|-----------|----------|----------|----------|----------|----------|----------|--------------|
| | | | | | | | | |
| TOTAL REV | | - | - | - | - | - | - | - |

| FUND | FUND NAME | FY 21-22 | FY 22-23 | FY 23-24 | FY 24-25 | FY 25-26 | FY 26-27 | All Outyears |
|------------------|------------|-----------|----------|----------|----------|----------|----------|--------------|
| 8010 | Water Fund | 1,165,000 | | | | | | |
| TOTAL EXP | | 1,165,000 | - | - | - | - | - | - |

| | | | | | | | | |
|--------------------------------|-----------------------|---|---|---|---|---|---|---|
| NET Per-YEAR IMPACT | (1,165,000) | - | - | - | - | - | - | - |
| NET IMPACT (SIX YEARS) | (1,165,000.00) | | | | | | | |

REVIEWED BY Michael Jenkins DATE 11/1/2021



MBE/WBE/DBE Contract Goals Request

Date: May 31, 2019
 To: Phillip Yelder, Human Relations Department
 From: Leona Walton, Water Services Department

| | | |
|-------------------------------------------|----------------------------------------------------------------------|---------------------------|
| Project Number | Project Name: Laboratory Facility Renovation and Modification | |
| 80002229 | | |
| Contract ID Number | Estimated Cost: (cost breakdown attached) | Solicitation Date: |
| 9522 | \$400,000 | 5/29/2019 |
| Estimated Project Duration: 1 year | | |

Note: Click the box to select

| | | | |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------|---------------------------------------------------------------------|
| <input checked="" type="checkbox"/> FICB PREVAILING WAGE: <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO | | | |
| Contract Category: | <input type="checkbox"/> Construction | <input type="checkbox"/> Design-Build | <input type="checkbox"/> Non-Municipal Agency |
| | <input checked="" type="checkbox"/> Design Professional | <input type="checkbox"/> Other Goods & Services | <input type="checkbox"/> Lease |
| | <input type="checkbox"/> Professional Services | <input type="checkbox"/> Facilities Maintenance/Repair | <input type="checkbox"/> Tenant (MBE/WBE) |
| | <input type="checkbox"/> Other (Enter Type): | | <input type="checkbox"/> Concession |
| Type: | <input checked="" type="checkbox"/> Original <input type="checkbox"/> Amendment No. | | |
| Funding: | <input checked="" type="checkbox"/> City(MBE/WBE) <input type="checkbox"/> Federal (DBE) <input type="checkbox"/> State (DBE) | | |
| | <input type="checkbox"/> Other: <input type="checkbox"/> Grant# | | |
| Construction Workforce Goals: Are the estimated construction labor hours greater than 800 and the estimated cost greater than \$300,000? If yes, complete "Required Crafts" Worksheet and include total number of hours in Description of Work. | | | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |
| <input checked="" type="checkbox"/> Estimated Cost Breakdown attached - Page 2 | | <input type="checkbox"/> List of Required Crafts attached - Page 3 | |

Description of work:

The laboratory renovation project is to rehabilitate and expand the existing laboratory facility at the Water Treatment Plant to improve ongoing operations and maximize laboratory quality, efficiency and productivity, and provide a safe working environment for staff members.

The design team will be required to review and evaluate the existing building spaces (interior and exterior), laboratory workstations, office workstations, storage areas, electrical and mechanical rooms, conference room/library, lunchroom, and equipment arrangements and recommend improvements based on the process and workflow of the laboratory.

cc: _____

FOR HUMAN RELATIONS DEPARTMENT USE ONLY:

No Goals are set for this Project; OR
 The following Goals are approved for this Project 15 % MBE 13 % WBE OR _____ % DBE

Human Relations Department  Date: 06/24/19

FOR FAIRNESS IN CONSTRUCTION BOARD USE ONLY²

Approved Disapproved N/A

_____ _____
 _____ _____
 _____ _____
 _____ _____
 _____ _____

FOR GRANT AGENCY USE ONLY³

Approved Disapproved N/A

_____ _____
 _____ _____
 _____ _____
 _____ _____

¹ DBE Programs apply to specific federal or state grant requirements.
² For Projects subject to prevailing wage requirements only.
³ Federal and state grant agreements may require granting agency approval of contract goals.



CONTRACT

211007

Ordinance Fact Sheet

Amendment Form

Revised 11-05-2021

| Brief Title | Approval Deadline | Reason |
|--------------------------------------------------------------------|-------------------|----------------------------------------------------------|
| Laboratory Facility Renovations and Modifications, Amendment No. 1 | | To authorize execution of an amendment and expenditures. |

Details

Reason for Contract

This Design Professional Services project is for the renovation of the laboratory at the Water Treatment Plant in order to rehabilitate the existing laboratory facility to improve ongoing operations and maximize laboratory quality, efficiency and productivity, and provide a safe working environment for staff members.

The laboratory building is located at the Water Treatment Plant's complex at 2 N.E. 32nd Street, in Kansas City, Clay County, Missouri.

Discussion

Contract Summary

The City executed the design professional services contract on September 21, 2020, approving a maximum expenditure of \$351,000.00 with Fickle-Williams, Inc. for the Laboratory Facility Renovations and Modifications project.

Contract + Proposed Amendment Cost Summary

| | |
|---------------------------|----------------|
| Original Contract: | \$351,000.00 |
| Proposed Amendment No. 1: | \$1,165,000.00 |
| Total: | \$1,516,000.00 |

Project Justification

KC Water's laboratory facility provides cost-effective and timely testing services and support for the water and wastewater utilities as well as wholesale customers. The laboratory is certified by Missouri Department of Natural Resources and is able to test samples to meet compliance with federal regulations.

The laboratory renovation project is to rehabilitate the existing laboratory facility at the Water Treatment Plant to improve ongoing operations and maximize laboratory quality, efficiency and productivity, and provide a safe working environment for staff members.

Project Description

This design professional services project includes detailed programming, space planning, preliminary design, final design, construction documents, cost estimates, and evaluation. The design and subsequent renovations and construction at the laboratory at the Water Treatment Plant must be phased so as to ensure on-going operations at all times from this site.

Roles and Responsibilities

| | |
|---------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------|
| Sponsor | Water Services Department |
| Department or Programs Affected | Water Services Department |
| Recommended Awardee | Finkle-Williams, Inc. |
| Contract Compliance Certification Obtained? | <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes |
| Opponents | Groups or Individuals None known Reason for Opposition |
| Responsibilities | Design Engineering: Finkle-Williams, Inc. Inspections: Construction or Project Management: Service Monitoring: |

Policy/Program Impact

| | |
|-----------------------------------|---------------------------------------------------------------------|
| Policy or Program Emphasis Change | <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes |
| Operational Impact Assessment | |

(Continued on reverse side)



File #: 211006

ORDINANCE NO. 211006

Amending Chapter 70, Code of Ordinances, entitled “Traffic and Vehicles,” by repealing Section 70-81, Authority of director of public works, and enacting in lieu thereof a new Section 70-81 of like number and subject matter that establishes a policy to address parking and abandoned vehicles throughout the City.

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That Chapter 70, Code of Ordinances, entitled “Traffic and Vehicles,” is hereby amended by repealing Section 70-81, Authority of director of public works, and enacting in lieu thereof a new 70-81 of like number and subject matter to read as follows:

Sec. 70-81. Authority of director of public works.

The director of public works acting through the director's delegates is authorized to enforce all ordinances regulating parking and the abandonment of vehicles, articles V and VI of this chapter, within the right-of-way including city-owned parking lots, garages or other properties.

..end

Approved as to form and legality:

Nicole Rowlette
Assistant City Attorney

ORDINANCE NO. 20 _____

Amending Chapter 70, Code of Ordinances, entitled “Traffic and Vehicles,” by repealing Section 70-81, Authority of director of public works, and enacting in lieu thereof a new Section 70-81 of like number and subject matter that establishes a policy to address parking and abandoned vehicles throughout the City.

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That Chapter 70, Code of Ordinances, entitled “Traffic and Vehicles,” is hereby amended by repealing Section 70-81, Authority of director of public works, and enacting in lieu thereof a new 70-81 of like number and subject matter to read as follows:

Sec. 70-81. Authority of director of public works.

The director of public works acting through the director's delegates is authorized to enforce all ordinances regulating parking and the abandonment of vehicles, articles V and VI of this chapter, within the right-of-way including city-owned parking lots, garages or other properties.

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

COMPARED VERSION
NEW ORDINANCE TO CODE BOOKS

ORDINANCE NO. TMP-1149

..title

Amending Chapter 70, Code of Ordinances, entitled “Traffic and Vehicles,” by repealing Section 70-81, Authority of director of public works, and enacting in lieu thereof a new Section 70-81 of like number and subject matter that establishes a policy to address parking and abandoned vehicles throughout the City.

..body

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That Chapter 70, Code of Ordinances, entitled “Traffic and Vehicles,” is hereby amended by repealing Section 70-81, Authority of director of public works, and enacting in lieu thereof a new 70-81 of like number and subject matter to read as follows:

Sec. 70-81. Authority of director of public works.

The director of public works acting through the director's delegates is authorized to enforce all ordinances regulating parking and the abandonment of vehicles, articles V and VI of this chapter, within the right-of-way including city-owned parking lots, garages or other properties.

..end

Approved as to form and legality:

Nelson Munoz
Assistant City Attorney

| | | |
|--------------------------------|------------------------|--------|
| LEGISLATIVE FISCAL NOTE | LEGISLATION NUMBER: | 211006 |
|--------------------------------|------------------------|--------|

LEGISLATION IN BRIEF:
 Amending Chapter 70, Code of Ordinances, Section 70-81, entitled "Traffic and Vehicles" which will establish a policy to address parking and abandoned vehicles throughout the City.

What is the purpose of this legislation? LEGISLATIVE

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

Sections 01-04 should be blank. See section 00 for more information

Yes/No
 Yes/No
 Yes/No
 Yes/No

Section 00: Notes:

*Chapter 70, Code of Ordinances, entitled "Traffic and Vehicles," Section 70-81 needs to be amended to regulate the parking and the abandoned vehicles within the right of way including city-owned parking lots, garages and other properties across the City as well as the Streetcar Transportation Development District. **This legislation does not spend money, increase appropriations or adjust revenue estimates.***

FINANCIAL IMPACT OF LEGISLATION

Section 01: If applicable, where are funds appropriated in the current budget?

| FUND | DEPTID | ACCOUNT | PROJECT | | FY 21-22 BUD | FY 22-23 EST |
|------|--------|---------|---------|--|--------------|--------------|
| | | | | | | |

Section 02: If applicable, where will new revenues be estimated?

| FUND | DEPTID | ACCOUNT | PROJECT | | FY 21-22 BUD | FY 22-23 EST |
|------|--------|---------|---------|--|--------------|--------------|
| | | | | | | |

Section 03: If applicable, where will appropriations be increased?

| FUND | DEPTID | ACCOUNT | PROJECT | | FY 21-22 BUD | FY 22-23 EST |
|------|--------|---------|---------|--|--------------|--------------|
| | | | | | | |

NET IMPACT ON OPERATIONAL BUDGET

| | | |
|--|---|---|
| | - | - |
|--|---|---|

RESERVE STATUS:

SECTION 04: FIVE-YEAR FISCAL IMPACT (Direct and indirect)

| FUND | FUND NAME | FY 21-22 | FY 22-23 | FY 23-24 | FY 24-25 | FY 25-26 | FY 26-27 | All Outyears |
|------------------|-----------|----------|----------|----------|----------|----------|----------|--------------|
| | | - | - | - | - | - | - | - |
| TOTAL REV | | - | - | - | - | - | - | - |

| FUND | FUND NAME | FY 21-22 | FY 22-23 | FY 23-24 | FY 24-25 | FY 25-26 | FY 26-27 | All Outyears |
|------------------|-----------|----------|----------|----------|----------|----------|----------|--------------|
| | | | | | | | | |
| TOTAL EXP | | - | - | - | - | - | - | - |

NET Per-YEAR IMPACT

| | | | | | | | | |
|--|--|---|---|---|---|---|---|---|
| | | - | - | - | - | - | - | - |
|--|--|---|---|---|---|---|---|---|

NET IMPACT (SIX YEARS)

| | | | | | | | | |
|--|--|---|--|--|--|--|--|--|
| | | - | | | | | | |
|--|--|---|--|--|--|--|--|--|

REVIEWED BY Charles Leap DATE 10/27/2021



File #: 211010

ORDINANCE NO. 211010

Authorizing the Manager of Procurement Services to amend Contract No. EV2321 by adding \$290,730.42 for LAZ Parking Midwest, LLC to provide parking enforcement services, maintenance and citation management; to add a fifth optional renewal year to EV2321; and recognizing this ordinance as having an accelerated effective date.

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

WHEREAS, the City has previously entered into a contract with LAZ Parking Midwest LLC (“Contractor”), dated June 28, 2018, (EV2321) for Contractor to provide parking enforcement services with options for renewal; and

WHEREAS, the Contractor has performed the services required by the contract and the City desires that the contract be amended for Contractor to provide parking enforcement services, maintenance and citation management; and

WHEREAS, EV2321 currently has four annual renewal options and the City is adding a fifth annual renewal option; NOW, THEREFORE,

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That the Manager of Procurement Services is hereby authorized to execute Contract No. EV2321 Amendment No. 1 with LAZ Parking Midwest, LLC in the amount of \$290,730.42 to add on-street parking enforcement, maintenance and citation management, for a seven-month pro-rated term beginning December 1, 2021, then following the original contract renewal options and to add a fifth optional renewal year. A copy the of proposed amendment is on file in Procurement Services.

Section 2. That the Director of Public Works is authorized to expend up to the sum of \$290,730.42 from funds previously appropriated to Account No. 22-2160-891273-B Downtown Parking Control to satisfy the costs of this amendment.

Section 3. That the Manager of Procurement Services is authorized to extend the Contract without additional Council authorization.

Section 4. That this ordinance, which appropriates funds, is recognized as an ordinance with an accelerated effective date as provided by Section 503(a)(3)(C) of the City Charter and shall take effect in accordance with that section.

..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.

Tammy L. Queen

Approved as to form and legality:

Nicole Rowlette
Assistant City Attorney

ORDINANCE NO.

Authorizing the Manager of Procurement Services to amend Contract No. EV2321 by adding \$290,730.42 for LAZ Parking Midwest, LLC to provide parking enforcement services, maintenance and citation management; to add a fifth optional renewal year to EV2321; and recognizing this ordinance as having an accelerated effective date.

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

WHEREAS, the City has previously entered into a contract with LAZ Parking Midwest LLC (“Contractor”), dated June 28, 2018, (EV2321) for Contractor to provide parking enforcement services with options for renewal; and

WHEREAS, the Contractor has performed the services required by the contract and the City desires that the contract be amended for Contractor to provide parking enforcement services, maintenance and citation management ; and

WHEREAS, EV2321 currently has four annual renewal options and the City is adding a fifth annual renewal option; NOW, THEREFORE,

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That the Manager of Procurement Services is hereby authorized to execute Contract No. EV2321 Amendment No. 1 with LAZ Parking Midwest, LLC in the amount of \$290,730.42 to add on-street parking enforcement, maintenance and citation management , for a seven-month pro-rated term beginning December 1, 2021, then following the original contract renewal options and to add a fifth optional renewal year. A copy of proposed amendment is on file in Procurement Services.

Section 2. That the Director of Public Works is authorized to expend up to the sum of \$290,730.42 from funds previously appropriated to Account No. 22-2160-891273-B Downtown Parking Control, to satisfy the costs of this amendment.

Section 3. That the Manager of Procurement Services is authorized to extend the Contract without additional Council authorization.

Section 4. That this ordinance, which appropriates funds, is recognized as an ordinance with an accelerated effective date as provided by Section 503(a)(3)(C) of the City Charter and shall take effect in accordance with that section.

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:

Nicole Rowlette
Assistant City Attorney

| LEGISLATIVE FACT SHEET | | Legislation Number: | |
|--------------------------------------------------------------|--|---------------------------------------------------------------------------------------------|-----------------|
| | | Approval Deadline: | |
| LEGISLATION IN BRIEF: | | | |
| | | | |
| What is the reason for this legislation? | | Fact Sheet Color Codes User Entered Field User Select From Menu For OMB Use | |
| | | Sponsor(s) | |
| | | Programs, Departments, or Groups Affected | |
| | | Sub-Program in Budget (page #) | |
| | | | |
| Discussion (including relationship to other Council actions) | | Applicants/Proponents | City Department |
| | | | 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 | LEGISLATION NUMBER: | 211010 |
|--------------------------------|------------------------|--------|

LEGISLATION IN BRIEF:

Authorizing the Manager of Procurement Services to amended EV2321 adding \$290,730.42 for LAZ Parking to provide parking enforcement services within the Streetcar Transportation Development District and to provide parking meter maintenance and collection services, to add a fifth optional renewal year to EV2321 and recongizing this ordinance as having an accelerated effective date.

What is the purpose of this legislation? OPERATIONAL

For the purpose of authorizing expenditures new or planned to conduct municipal services

Does this legislation spend money? YES Yes/No

See Sections 01, 02 and 03 for sources of funding

Does this legislation estimate new Revenues? NO Yes/No

0

Does this Legislation Increase Appropriations? NO Yes/No

Are costs associated with this legislation ongoing (Yes)? Or one-time (No) YES Yes/No

See Section 00: " Notes" Below

Section 00: Notes:

This contract will serve all of the downtown foot print with supplemental parking enforcement. KCPD is handling now but is understaffed and has to cover a larger area. This will allow concentrated efforts in the downtown area. Contract team allows for three remaining years with cost projected below.

Five years of operational costs for ongoing programs should be included in Section 04 below.

FINANCIAL IMPACT OF LEGISLATION

Section 01: If applicable, where are funds appropriated in the current budget?

| FUND | DEPTID | ACCOUNT | PROJECT | FY 21-22 BUD | FY 22-23 EST |
|------|--------|---------|---------|--------------|--------------|
| 2160 | 891273 | B | | 290,730.42 | |

Section 02: If applicable, where will new revenues be estimated?

| FUND | DEPTID | ACCOUNT | PROJECT | FY 21-22 BUD | FY 22-23 EST |
|------|--------|---------|---------|--------------|--------------|
| | | | | | |

Section 03: If applicable, where will appropriations be increased?

| FUND | DEPTID | ACCOUNT | PROJECT | FY 21-22 BUD | FY 22-23 EST |
|------|--------|---------|---------|--------------|--------------|
| | | | | | |

| | | | | | |
|-----------------------------------------|--|--|--|---|---|
| NET IMPACT ON OPERATIONAL BUDGET | | | | - | - |
|-----------------------------------------|--|--|--|---|---|

RESERVE STATUS:

SECTION 04: FIVE-YEAR FISCAL IMPACT (Direct and indirect)

| FUND | FUND NAME | FY 21-22 | FY 22-23 | FY 23-24 | FY 24-25 | FY 25-26 | FY 26-27 | All Outyears |
|------------------|-----------|----------|----------|----------|----------|----------|----------|--------------|
| | | | | | | | | |
| TOTAL REV | | - | - | - | - | - | - | - |

| FUND | FUND NAME | FY 21-22 | FY 22-23 | FY 23-24 | FY 24-25 | FY 25-26 | FY 26-27 | All Outyears |
|------------------|--------------|----------|----------|----------|----------|----------|----------|--------------|
| 2160 | Parking Fund | 290,730 | 571,226 | 799,766 | 819,760 | | | |
| TOTAL EXP | | 290,730 | 571,226 | 799,766 | 819,760 | - | - | - |

| | | | | | | | |
|----------------------------|-----------|-----------|-----------|-----------|---|---|---|
| NET Per-YEAR IMPACT | (290,730) | (571,226) | (799,766) | (819,760) | - | - | - |
|----------------------------|-----------|-----------|-----------|-----------|---|---|---|

| | | | | | | | |
|--------------------------------|-----------------------|--|--|--|--|--|--|
| NET IMPACT (SIX YEARS) | (2,481,482.84) | | | | | | |
|--------------------------------|-----------------------|--|--|--|--|--|--|

REVIEWED BY Charles Leap DATE 10/27/2021

**MASTER CONTRACT FOR PRODUCTS AND SERVICES
THE CITY OF KANSAS CITY, MISSOURI
AMENDMENT NO. 1
CONTRACT NO. EV2321**

This amendment ("Amendment") is between KANSAS CITY, MISSOURI, a constitutionally chartered municipal corporation (CITY) and LAZ PARKING (CONTRACTOR). The parties desire to amend the Contract EV2321 entered into on JULY 1, 2018 for Parking Enforcement Management Services as follows:

WHEREAS, City previously entered into a contract with CONTRACTOR to provide Parking Enforcement Management Services; and

WHEREAS, the parties now wish to amend the contract to an add additional optional renewal year with pricing (5th renewal); and

WHEREAS, The City and contractor agree to add a new scope of work covering additional Parking Enforcement Officers (PEO) to supplement KCPD parking enforcement officers for the purposes of monitoring and enforcing parking violations in City areas. This will add one (1) FT Dedicated Parking Enforcement Supervisor, five (5) Parking Enforcement Officers, one (1) part time Parking Enforcement Officer and one (1) Customer Service Ambassador. Year Four is pro-rated December 1, 2021 through June 30, 2022. Year Five and Year Six may be renewed at the full annual cost and will match the original contract dates in Sec. 2 Initial Term of Contract and Additional Periods. (a) Initial Term.

NOW THEREFORE, the parties agree to the following Amendment No. 1:

Sec. 1. Sections Amended. The following section(s) are hereby UPDATED to the Contract:

Sec. 2. Initial Term of Contract and Additional Periods.

- (a) Initial Term. The initial term of this Contract shall begin on July 1, 2018 and shall end on June 30, 2019.
- (b) Renewal Terms. At any time prior to the expiration of the initial term or any subsequent term, the CITY, in its sole discretion, may renew this Contract for up to five (5) additional one (1) year terms.
- (c) Transition Term. Notwithstanding the expiration of the initial term or any subsequent term or all options to renew, CONTRACTOR and CITY shall continue performance under this Contract until the CITY has a new contract in place with either CONTRACTOR or another provider or until the CITY terminates the Contract.

Attachment B: Pricing Model

This section covers added prices for additional scope and services. All other terms, conditions and pricing still apply. Pricing is required to be firm and fixed pricing. Do not submit travel and living expenses or cost of bonds separately in cost proposal

| OPERATING STATEMENT | | | | | | | | |
|------------------------------------------------------------------------|--|-------------------|-------------------|-------------------|-------------------|-------------------|-------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------|
| LAZ Parking Midwest, LLC KCMO - Meter Operations Kansas City, MO | | | | | | | | |
| | | Year 1 | Year 2 | Year 3 | Year 4 | Year 5 | Year 6 | |
| Meter Operations | | | | | | | | NOTATIONS |
| DIRECT PAYROLL | | | | | | | | |
| Salaries | | \$ 55,542 | \$ 57,209 | \$ 58,925 | \$ 60,693 | \$ 62,514 | \$ 64,076 | Project Manager |
| Hourly Wages | | \$ 34,776 | \$ 35,819 | \$ 36,894 | \$ 38,001 | \$ 39,141 | \$ 40,119 | 40 Hours Per Week of Direct Meter Ops Staffing (Additional 40 Hrs/Wk. Fulfilled by MBE) |
| Annual Performance Bonus | | \$ 3,137 | \$ 3,231 | \$ 3,328 | \$ 3,428 | \$ 3,531 | \$ 3,619 | Employee Bonuses Based Upon Achievement of Annual Performance Goals (i.e. contract compliance, staff turnover, ticket errors and other performance measures) |
| PTO Accruals | | \$ 1,444 | \$ 1,487 | \$ 1,532 | \$ 1,578 | \$ 1,625 | \$ 1,666 | |
| PR Tax - FICA | | \$ 7,020 | \$ 7,230 | \$ 7,447 | \$ 7,671 | \$ 7,901 | \$ 8,098 | |
| PR Tax - FUTA | | \$ 551 | \$ 567 | \$ 584 | \$ 602 | \$ 620 | \$ 635 | |
| PR Tax - SUTA | | \$ 2,478 | \$ 2,552 | \$ 2,628 | \$ 2,707 | \$ 2,789 | \$ 2,858 | |
| Worker's Compensation | | \$ 1,044 | \$ 1,075 | \$ 1,107 | \$ 1,141 | \$ 1,175 | \$ 1,204 | |
| Health Insurance | | \$ 13,455 | \$ 13,859 | \$ 14,274 | \$ 14,703 | \$ 15,144 | \$ 15,522 | Salaried and Hourly Health Insurance |
| 401k Contribution | | \$ 1,389 | \$ 1,430 | \$ 1,473 | \$ 1,517 | \$ 1,563 | \$ 1,602 | |
| Total Direct Payroll & Related | | \$ 120,835 | \$ 124,460 | \$ 128,194 | \$ 132,040 | \$ 136,001 | \$ 139,401 | |
| NON-PAYROLL | | | | | | | | |
| RELAT Third Party - MBE Subcontractor | | \$ 47,058 | \$ 48,470 | \$ 49,924 | \$ 51,421 | \$ 52,964 | \$ 54,288 | Image Staffing, LLC, Assumes Avg. of 40 Hours Per Week at Avg. Rate of \$22.40 to Meter Ops Personnel |
| Uniforms | | \$ 2,436 | \$ 2,509 | \$ 2,584 | \$ 2,662 | \$ 2,742 | \$ 2,810 | Seasonal Uniforms for Direct Personnel and Third Party Personnel |
| Office Supplies | | \$ 2,545 | \$ 2,622 | \$ 2,700 | \$ 2,781 | \$ 2,865 | \$ 2,936 | Supplies for Parking Office |
| Telephone and Communication | | \$ 2,424 | \$ 2,497 | \$ 2,572 | \$ 2,649 | \$ 2,728 | \$ 2,796 | Cell Phones and Service for Ops Staff |
| Total Non-Payroll Related | | \$ 54,463 | \$ 56,097 | \$ 57,780 | \$ 59,513 | \$ 61,299 | \$ 62,831 | |
| ADMINISTRATIVE | | | | | | | | |
| & FEES Performance Bond & Payment Bond | | \$ 5,151 | \$ 5,306 | \$ 5,465 | \$ 5,629 | \$ 5,797 | \$ 5,942 | LAZ Cost to Secure Performance and Payment Bonds (1% of total contract cost for each) |
| Liability Insurance | | \$ 9,382 | \$ 9,664 | \$ 9,954 | \$ 10,252 | \$ 10,560 | \$ 10,824 | |
| Bank Service Fees | | \$ 1,212 | \$ 1,248 | \$ 1,286 | \$ 1,324 | \$ 1,364 | \$ 1,398 | |
| Professional Services | | \$ 15,150 | \$ 15,605 | \$ 16,073 | \$ 16,555 | \$ 17,051 | \$ 17,478 | Human Resources - EE Recruiting, Onboarding, Legal, Audit Fees, IT |
| Management Fee | | \$ 50,500 | \$ 52,015 | \$ 53,575 | \$ 55,183 | \$ 56,838 | \$ 58,259 | |
| Total Admin & Fees | | \$ 81,395 | \$ 83,837 | \$ 86,352 | \$ 88,943 | \$ 91,611 | \$ 93,902 | |
| TOTAL YEAR 1 OPERATING EXPENSES | | \$ 256,694 | \$ 264,394 | \$ 272,326 | \$ 280,496 | \$ 288,911 | \$ 296,134 | |

Sec. 2. Sections Amended. The following section(s) are hereby ADDED to the Contract:

- Attachment A Scope of Work**
- Attachment B Pricing Model**

This section covers added scope and services. All other terms and conditions still apply.

Attachment A Scope of Work

City Parking Enforcement Program and Responsibilities of the Parties

Staffing Requirements to be Provided by Contractor:

- 1 FT Dedicated Parking Enforcement Supervisor
- 5.5 Parking Enforcement Officers (PEO) Base Rate \$17/hr.
- 1 FT CSA to support administrative system for citation resolution
- Establish PEO 2 at \$19/hr. Would allow for an advancement to a slightly higher rate based on longevity and other benchmarks (If approved, will need to include an escalation into contract)

Enforcement Program:

- Primary Hours of Enforcement:
 - o Monday through Friday (6:00 am to 8:00 pm)
 - o As needed, hours and days can be modified while staying in the weekly allowance below
- CITY will provide 2 vehicles for enforcement including maintenance and fuel
 - o 1 will be used for License Plate Recognition (LPR) Enforcement (LPR provided by CONTRACTOR)
 - o 1 vehicle for Supervisor and PEO Transport as well as LPR Enforcement as available
- Meter District will require on-foot patrol (single space meters) to be provided by Contractor which will include:
 - 260 Total Enforcement Hours Per Week
 - Approximately 210 Productive Hours

| | Monday | Tuesday | Wednesday | Thursday | Friday | Hours |
|-------------------------------------|--------------------|--------------------|--------------------|--------------------|--------------------|--------------|
| Parking Enforcement Supervisor | 8:00 am - 4:00 pm | 40 |
| Parking Enforcement Officer (early) | 6:00 am - 2:00 pm | 40 |
| Parking Enforcement Officer | 8:00 am - 4:00 pm | 40 |
| Parking Enforcement Officer | 8:00 am - 4:00 pm | 40 |
| Parking Enforcement Officer | 8:00 am - 4:00 pm | 40 |
| Parking Enforcement Officer | 10:00 am - 6:00 pm | 40 |
| Parking Enforcement Officer (late) | 4:00 pm- 8:00 pm | 20 |
| Customer Service Ambassador | 8:00 am - 4:00 pm | 40 |

Citation Management System:

- Passport Citation Management System – Priced Separately and provided by City
 - o Requires Integration with Thin Blue Line, the E-Citation mobile ticketing software utilized by the Kansas City Police Department, if Thin Blue Line is to be used by any party

- o Police Issued Parking Citations transferred to Passport Citation Management System for collections and administrative citation resolution
- Budget includes Handheld Devices with Zebra Bluetooth Printers (7 devices) which City will provide to Contractor
- Genetec LPR (2 Vehicles) will be provided by CONTRACTOR at no cost using decommissioned units
- Annual license and storage fees for LPR included in Operating Budget
- Does not include mounting to City Vehicles (est. \$14,950) City Is responsible for mounting cost.

Immobilization Option:

- This responsibility may become part of Contractor's Scope in the future at the option of the City
- Barnacle Immobilization Devices will be utilized and provided by City to Contractor
- Used for Scofflaw Enforcement and/or to Facilitate Tows
- Will be priced separately as expense neutral option. City will review and approve cost before Contractor begins project.
 - o No upfront cost or license fees – Expenses paid through Release fee

Key Enforcement Benchmarks:

- Industry Average Citation Issuance Per Hour Per PEO – 5 (within metered and timed zones districts) – this is an industry baseline but actual issuance will vary depending on public user behavior and compliance generated.
- Approximate productive hours per shift – 6.5 hours
- Approximate curb miles patrolled (vehicular patrol) – 30 miles per day per officer

Attachment B: Pricing Model

This section covers added prices for additional scope and services. All other terms, conditions and pricing still apply. Pricing is required to be firm and fixed pricing. Do not submit travel and living expenses or cost of bonds separately in cost proposal. Prices below for Additional Enforcement Measures Only.

Year Four is pro-rated December 1, 2021 through June 30, 2022. Year Five and Year Six may be renewed at the full annual cost and will match the original contract dates in Sec. 2 Initial Term of Contract and Additional Periods. (a) Initial Term.

| PAYROLL AND BENEFITS | YEAR 4 | YEAR 5 | YEAR 6 | NOTES |
|-----------------------------------------|---------------------|------------------|------------------|------------------------------------------------------|
| Labor | \$160,643 | \$282,273 | \$289,330 | 1 FT Supervisor, 5.5 PEO's, 1 FT CSA, 7.5 Total FTE |
| Vacation/Sick | \$6,426 | \$11,291 | \$11,574 | |
| Payroll Taxes | \$16,707 | \$29,356 | \$30,090 | |
| Worker's Compensation | \$8,353 | \$14,678 | \$15,045 | |
| 401k Company Match | \$4,177 | \$7,339 | \$7,522 | |
| Health Insurance | \$22,706 | \$39,898 | \$40,896 | |
| TOTAL PAYROLL AND BENEFITS | \$219,012 | \$384,835 | \$394,456 | |
| ADMINISTRATIVE COSTS | | | | |
| Audit Fees | \$1,458 | \$2,563 | \$2,627 | One Annual Performance Audit |
| IT Fees | \$4,550 | \$7,995 | \$8,195 | LAZ BI, Office 365 Fees |
| Employee Hiring Costs, Background Check | \$1,196 | \$2,101 | \$2,154 | |
| Payroll Processing | \$2,506 | \$4,403 | \$4,513 | |
| TOTAL ADMINISTRATIVE COSTS | \$9,710 | \$17,062 | \$17,489 | |
| LIABILITY INSURANCE | | | | |
| LIABILITY INSURANCE | \$4,550 | \$7,995 | \$8,195 | Vehicle Insurance (3 Vehicles) and GKL |
| Management Fee | \$29,167 | \$51,250 | \$52,531 | |
| UNIFORMS | \$2,392 | \$4,203 | \$4,308 | |
| SUPPLIES | | | | |
| Computer | \$1,750 | \$3,075 | \$3,152 | 2 Office Set-ups, Supervisor and CSA |
| Handheld Devices | \$6,125 | \$10,763 | \$11,032 | 2 Office Set-ups, Supervisor and CSA |
| Copier Lease | \$875 | \$1,538 | \$1,576 | |
| Enforcement Supplies | \$2,800 | \$4,920 | \$5,043 | 50,000 Citations, Plain Ticket Stock, Misc. Supplies |
| Citation Management System | \$0 | \$0 | \$0 | Pricing Separately through Passport |
| Fuel | \$0 | \$0 | \$0 | Provided by City |
| Vehicle R&M | \$0 | \$0 | \$0 | Provided by City |
| Radios | \$0 | \$0 | \$0 | |
| Office Supplies | \$1,400 | \$2,460 | \$2,522 | Misc. Office Supplies - Adjudication Support |
| LPR License Fees | \$4,900 | \$8,610 | \$8,825 | License and Storage Fees for Genetec LPR |
| Communication/Cellular | \$5,250 | \$9,225 | \$9,456 | Cellular for Enforcement Handhelds |
| TOTAL SUPPLIES | \$23,100 | \$40,590 | \$41,605 | |
| OFFICE EXPENSE | | | | |
| Furniture | \$1,750 | \$3,075 | \$3,152 | |
| Utilities | \$0 | \$0 | \$0 | |
| Rent | \$0 | \$0 | \$0 | |
| Telephone/Internet | \$1,050 | \$1,845 | \$1,891 | |
| TOTAL OFFICE EXPENSE | \$2,800 | \$4,920 | \$5,043 | |
| TOTAL OPERATING EXPENSES | \$290,730.42 | \$510,855 | \$523,626 | |

Sec. 3. Sections not Amended. All other sections of the Contract shall remain in full force and effect.

Sec. 4. Effectiveness; Date. This amendment will become effective when all the parties have signed it. The date this amendment is signed by the last party to sign it will be deemed the date of this amendment.

Each party is signing this amendment on the date stated opposite that party's signature.

CONTRACTOR

I hereby certify that I have authority to execute this document on behalf of Contractor

Date: _____

By: _____

Title: _____

KANSAS CITY, MISSOURI

Date: _____

By: _____

Title: _____

Approved as to form:

Assistant City Attorney



File #: 210978

ORDINANCE NO. 210978

Authorizing a \$6,885,000.00 Design-Build Contract Renewal No. 2 with Kissick Construction Company, Inc., for the City-Wide Sewer Infrastructure Rehabilitation within Waterways Project.

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That the Director of the Water Services Department is authorized to execute Contract Renewal No. 2, Contract No. 1493-2, in the amount of \$6,885,000.00 with Kissick Construction Company, Inc., for the City-Wide Sewer Infrastructure Rehabilitation within Waterways Project, Project No. 81000756. 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 \$6,885,000.00, from Account No. 22-8110-807769-B-81000756, Overflow Control Program, to satisfy the cost of this contract.

..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.

Tammy L. Queen
Director of Finance

Approved as to form and legality:

Mark P. Jones
Assistant City Attorney

CONTRACT

210978

Ordinance Fact Sheet

Construction/Misc. Form

| Brief Title | Approval Deadline | Reason |
|-----------------------------------------------------------------------------------------------------------------------------------|-------------------|-----------------------------------------------------------------------------|
| Authorizing a design-build contract Renewal No. 2 for the City-Wide Sewer Infrastructure Rehabilitation within Waterways Project. | | To authorize execution of a design-build contract renewal and expenditures. |

Details

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 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. The City's Smart Sewer Program is currently in year 11 of a 30-year implementation period.

This project will rehabilitate sewers and sewer assets exposed within waterways and to help restore capacity to the wastewater collection system that exists in proximity to nearby waterways.

Discussion

Project Justification

The purpose of this project is to rehabilitate existing sewer infrastructure which may have been damaged or exposed due to the asset's age and proximity to nearby eroding or migrating waterways. Damaged and exposed sewer segments located near waterways are at risk of receiving large amounts of inflow and infiltration when exposed to creek flows and stream migration. Investigating and rehabilitating these assets will help to reduce large sources of inflow and infiltration to the City's sewer system and prevent exfiltration of wastewater to the environment.

Project Summary

City Council passed Ordinance No. 170032 on January 26, 2017, authorizing execution of Contract No. 1275 with Kissick Construction Company, Inc. with a maximum expenditure of \$6,885,000.00 for design-build of the City-Wide Sewer Infrastructure Rehabilitation within Waterways Project.

Contract No. 1275 provided for design-build services to rehabilitate approximately 9,500 linear feet of existing sewer infrastructure at fifteen (15) sites and also allowed for emergency sewer repairs needed at nine (9) sites within or near waterways. Also the contract included sewer investigations at an additional seventeen (17) sites with known exposures to determine the condition, required repairs, and prioritization of repairs that would be performed under future contract renewals.

City Council passed Ordinance No. 180345 on June 7, 2018, authorizing execution of Contract No. 1493 with Kissick Construction Company, Inc. in the amount of \$6,885,000.00 for Contract Renewal No. 1.

Contract No. 1493 provided for design-build services to rehabilitate approximately 6,400 linear feet of existing sewer infrastructure at ten (10) site locations and emergency sewer repairs located near waterways at seven (7) sites. The contract amount also allowed for investigation and final design services for an additional 3,800 linear feet of existing sewer infrastructure at six (6) sites, and sewer investigations at ten (10) sites to determine the condition, required repairs, and prioritization of repairs that would be performed under future contract renewals.

Roles and Responsibilities

| | |
|---------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Sponsor | Water Services Department |
| Department or Programs Affected | Smart Sewer Program |
| Recommended Awardee | Kissick Construction Company, Inc. |
| Contract Compliance Certification Obtained? | <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes |
| Opponents | Groups or Individuals None known Reason for Opposition |
| Responsibilities | Design Engineering: CDM Smith, Inc. Inspections: City Staff Construction or Project Management: City Staff Service Monitoring: City Staff |

Policy/Program Impact

| | |
|-----------------------------------|---------------------------------------------------------------------|
| Policy or Program Emphasis Change | <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes |
| Operational Impact Assessment | |

(Continued on reverse side)



MBE/WBE/DBE Contract Goals Request

Date **1/15/2016**

REVISED

To: **Philip Yelder, Human Relations Department**
From: **Andy Shively, Water Services Department**

| | | | |
|----------------------------------------------|--|------------------------------------------------------------------------|------------------------------------------|
| Project Number: 81000756 | | Project Name: City Wide Sewer MH Stabilization within Waterways | |
| Contract ID Number: 1275 | | Estimated Cost: (cost breakdown attached) \$4,000,000 | Solicitation Date: March, 2016 |
| Estimated Project Duration: 20 months | | | |

Note: Click the box to select

| | | | |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------|---------------------------------------------------------------------------------------------|---------------------------------------------------------------------|
| FICB | | PREVAILING WAGE: <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO | |
| Contract Category: | <input type="checkbox"/> Construction | <input checked="" type="checkbox"/> Design-Build | <input type="checkbox"/> Non-Municipal Agency |
| | <input type="checkbox"/> Design Professional | <input type="checkbox"/> Other Goods & Services | <input type="checkbox"/> Lease |
| | <input type="checkbox"/> Professional Services | <input type="checkbox"/> Facilities Maintenance/Repair | <input type="checkbox"/> Tenant (MBE/WBE) |
| | <input type="checkbox"/> Other (Enter Type): | | <input type="checkbox"/> Concession |
| Type: | <input checked="" type="checkbox"/> Original | <input type="checkbox"/> Amendment No. | |
| Funding: | <input checked="" type="checkbox"/> City (MBE/WBE) | <input type="checkbox"/> Federal (DBE) | <input type="checkbox"/> State (DBE) |
| | <input type="checkbox"/> Other: | <input type="checkbox"/> Grant# | |
| Construction Workforce Goals: Are the estimated construction labor hours greater than 800 and the estimated cost greater than \$300,000? If yes, complete "Required Crafts" Worksheet and include total number of hours in Description of Work | | | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No |
| <input type="checkbox"/> Estimated Cost Breakdown attached - Page 2 | | <input type="checkbox"/> List of Required Crafts attached - Page 3 | |

Description of work:

Construction activities will consist of stream stabilization, bank stabilization, manhole rehabilitation or replacement, pipe encasement, tree removal, erosion control, and site restoration.

cc:

FOR HUMAN RELATIONS DEPARTMENT USE ONLY:

No Goals are set for this Project; OR
 The following Goals are approved for this Project

Human Relations Department *[Signature]* Date: **1/20/16**

13% MBE **9%** WBE OR _____ % DBE

FOR FAIRNESS IN CONSTRUCTION BOARD USE ONLY¹

[Signature] for Ray Malone, chair Approved Disapproved N/A
Date: **1/21/16**

FOR GRANT AGENCY USE ONLY²

Approved Disapproved N/A
Date: _____

¹ DBE Programs apply to specific federal or state grant requirements.

² For Projects subject to prevailing wage requirements only.

³ Federal and state grant agreements may require granting agency approval of contract goals.

ESTIMATED COST BREAKDOWN FOR
PROJECT # 81000756: PROJECT/CONTRACT NAME City Wide Sewer MH Stabilization within
Waterways

| Department Use | | | |
|---------------------------------------------|------------------------|-----------------------------------------------------------|----------------------|
| Scopes of Work | Dollar Amount | <input type="checkbox"/> DBE <input type="checkbox"/> MBE | WBB |
| Design | \$ 400,000.00 | \$ 84,000.00 | |
| Surveying | \$ 50,000.00 | | \$ 50,000.00 |
| Traffic Control | \$ 50,000.00 | | |
| Clearing and Grubbing | \$ 110,000.00 | \$ 110,000.00 | |
| CIPP/Sewer Rehab | \$ 400,000.00 | | |
| Pipe Bursting (18") | \$ 125,000.00 | | |
| Dewatering | \$ 75,000.00 | \$ - | |
| By-Pass Pumping | \$ 125,000.00 | | |
| Toe Protection & Rip Rap (Rock) | \$ 300,000.00 | | |
| Manhole Replacement | \$ 200,000.00 | | |
| Manhole Rehabilitation, Misc | \$ 100,000.00 | | |
| Abandon Existing Sewers - Flowable Fill | \$ 50,000.00 | \$ 50,000.00 | |
| Erosion Control | \$ 120,000.00 | | |
| Bank Stabilization | \$ 900,000.00 | | |
| Sanitar Sewer Piping | \$ 150,000.00 | | |
| Demolition | \$ 200,000.00 | | \$ 200,000.00 |
| Trucking and Hauling | \$ 100,000.00 | | \$ 100,000.00 |
| Concrete work (pipe encasement, misc) | \$ 170,000.00 | \$ 170,000.00 | |
| Excavation & backfill | \$ 275,000.00 | | |
| Seeding/Sodding/Site Restoration | \$ 100,000.00 | \$ 100,000.00 | |
| Department Recommendation Total | \$ 4,000,000.00 | \$ 514,000.00 | \$ 350,000.00 |
| Department Recommended Goal | | 13% | 9% |
| Human Relations Department Use Only: | | | |
| Scopes of Work: | Dollar Amount | <input type="checkbox"/> DBE <input type="checkbox"/> MBE | WBB |
| Design | \$ 400,000.00 | \$ 100,000.00 | optional |
| Surveying | \$ 50,000.00 | optional | \$ 50,000.00 |
| Traffic Control | \$ 50,000.00 | | |
| Clearing and Grubbing | \$ 110,000.00 | \$ 110,000.00 | |
| CIPP/Sewer Rehab | \$ 400,000.00 | | |
| Pipe Bursting (18") | \$ 125,000.00 | | |
| Dewatering | \$ 75,000.00 | \$ - | |
| By-Pass Pumping | \$ 125,000.00 | optional | optional |
| Toe Protection & Rip Rap (Rock) | \$ 300,000.00 | | |
| Manhole Replacement | \$ 200,000.00 | optional | optional |
| Manhole Rehabilitation, Misc | \$ 100,000.00 | optional | optional |
| Abandon Existing Sewers - Flowable Fill | \$ 50,000.00 | \$ 50,000.00 | |
| Erosion Control | \$ 120,000.00 | optional | optional |
| Bank Stabilization | \$ 900,000.00 | | |
| Sanitar Sewer Piping | \$ 150,000.00 | optional | optional |
| Demolition | \$ 200,000.00 | optional | \$ 200,000.00 |
| Trucking and Hauling | \$ 100,000.00 | optional | \$ 100,000.00 |
| Concrete work (pipe encasement, misc) | \$ 170,000.00 | \$ 170,000.00 | optional |
| Excavation & backfill | \$ 275,000.00 | optional | optional |

ESTIMATED COST BREAKDOWN FOR

PROJECT # 81000756; PROJECT/CONTRACT NAME City Wide Sewer MH Stabilization within Waterways

| | | | |
|----------------------------------|------------------------|----------------------|----------------------|
| Seeding/Sodding/Site Restoration | \$ 100,000.00 | \$ 100,000.00 | optional |
| | | | |
| | | | |
| HRD Recommendation Total | \$ 4,000,000.00 | \$ 250,000.00 | \$ 250,000.00 |
| HRD Recommended Goal | | 13% | 9% |

NOTICE: The scopes of work and dollar amounts listed on this MBE/WBE/DBE Contract Goals Request are using internal estimates only for the purpose of analyzing the availability and capacity of M/W/DBEs to set appropriate target goals. Nothing contained within this form should be used to limit, restrict or mandate M/W/DBE participation in particular scopes of work for responding to formal solicitations, including, but not limited to, Invitations for Bids and Requests for Proposals.



File #: 210991

ORDINANCE NO. 210991

Amending various sections of Chapter 3, “Contracts and Leases,” for the purposes of updating the authority of the fairness in construction board and regulating prevailing wage and wage theft.

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That Chapter 3 of the Code of Ordinances entitled “Contracts and Leases” is hereby amended by repealing Sections 3-451, 3-453, and 3-622 and enacting in lieu thereof new sections of like number and subject matter to read as follows:

Sec. 3-451. Fairness in construction board.

(a) Establishment and authority. There is hereby established the fairness in construction board. The board's authority is limited to city construction bids, proposals and contracts, and those incentive projects, in which the estimated cost thereof is more than \$300,000.00. The board's authority is limited to setting goals for each such contract, to make determinations as to whether good faith have been made and the assessment and amount of liquidated damages on incentive agency projects when the applicable agency and the director fail to mutually agree, and hearing and investigating appeals set forth in section 3-453 hereof arising from city bids, proposals and contracts under its jurisdiction. The board is also authorized, pursuant to Sections 3-453 and 3-622, to hear appeals regarding penalties imposed by the director for failure to pay prevailing wage or otherwise engaging in wage theft.

(b) Board composition. The board shall be composed of seven members and six alternates appointed by the mayor, each of whom is experienced in construction management, as follows:

- (1) One member and one alternate recommended by the Builders' Association; and
- (2) One member and one alternate recommended by the Heavy Constructors' Association; and
- (3) One member and one alternate recommended by the Minority Contractors' Association of Kansas City; and
- (4) One member and one alternate recommended by the Kansas City Hispanic Association Contractors Enterprise, Inc.; and

- (5) One member and one alternate recommended jointly by the Women Construction Owners and Executives and National Association of Women in Construction; and
- (6) One member and one alternate jointly recommended by the specialty contractors associations; and
- (7) Chairperson appointed by the mayor and submitted to the entities named in section 3-451(b) (1)—(6) for approval. Any one of the named entities can veto the mayor's submission and require another submission.

(c) Term. The terms of all board members shall be for a period of four years, however, all members shall continue in office as such until the respective successors shall have been appointed. Board members serving as of the effective date of this division shall retain their seats for the remainder of their unexpired terms.

(d) Alternates. In the event a board member is unable to attend a meeting of the board or has a conflict of interest with regard to a particular contract or issue, the alternate shall temporarily serve in such member's stead. The term of an alternate shall expire at the expiration of the term of the board member.

(e) Ineligibility. The following persons are ineligible to serve on the board:

- (1) Members of the city council; and
- (2) Employees of the city; and
- (3) Nonresidents of the city, unless the nonresident works in the city metropolitan area or is appointed to represent the interests of an organization that maintains an office in the city metropolitan area.

(f) Conflict of interest. In the event a board member has a conflict of interest in a contract or issue that comes before the board, the member shall be temporarily replaced by the alternate. In the event an alternate has a conflict of interest in a bid, contract or issue that comes before the board, the alternate shall recuse himself.

(g) Absence of chairperson. In the event the chairperson is not in attendance at any board meeting, a majority of board members shall select a member to act as chairman for that meeting.

(h) Quorum. Four members of the board shall constitute a minimum quorum unless otherwise increased by board rules.

Sec. 3-453. Responsibilities of the fairness in construction board.

(a) Goal setting. Prior to solicitation, the director and appropriate city staff or, in case of an incentive project, the director and a representative of the developer of the incentive project shall present to the board MBE/WBE goals for each proposed construction contract as

recommended by the director and city staff or developer, as applicable. The board shall determine within fifteen (15) calendar days of being notified of the same, whether any goals are appropriate and, if so, shall set the goals in conformance with section 3-431 hereof. The goals shall be included in the invitation for bid or request for proposals. Except as otherwise provided in this division, no invitation for bid or request for proposals shall be released until goals have been requested and set, or until the city department soliciting the contract has been notified by the director that goals will not be established.

(b) Any bidder or proposer on a city construction project having a construction contract for which the board has jurisdiction pursuant to section 3-431(c) may, prior to award of the construction contract (except in the case of a substitution, in which case shall necessarily occur after the award of a contract) may, prior to award of the construction contract, appeal to the board any determination by the director concerning the following issues:

- (1) Waiver of the individual contract goals pursuant to section 3-437(a); or
- (2) Substitution of an MBE/WBE listed on a contractor utilization plan pursuant to section 3-441; or
- (3) Substitution of an MBE/WBE listed on a contractor utilization plan pursuant to section 3-443; or
- (4) Modification of the percentage of the participation on a contractor utilization plan pursuant to section 3-443.

(c) Any contractor having a contract for which the board has jurisdiction pursuant to section 3-431(e), may prior to the award of a construction contract (except in the case of a substitution, in which case shall necessarily occur after the award of a contract) appeal to the board any determination by the director concerning the following issues:

- (1) MBE/WBE contract credit towards meeting the percentage of MBE/WBE participation identified in the contractor utilization plan; or
- (2) Substitution of an MBE/WBE listed on a contractor utilization plan pursuant to section 3-443; or
- (3) Modification of the percentage of the participation on a contractor utilization plan pursuant to section 3-443.
- (4) The assessment or amount of liquidated damages.

(d) Any entity subject to a penalty for failure to pay prevailing wage or otherwise engaging in wage theft pursuant to Section 3-622 may appeal to the board any such determination by the director.

(e) Appeals shall be made to the board by filing with the director within fifteen (15) calendar days after notice of the director's determination through a written request for review by

the board, stating the grounds of such appeal with specificity. The director shall promptly forward a copy of any appeal to the chairperson and members of the board.

(f) To the extent a bidder, proposer, or contractor is notified that any determination made by the director is final and appealable to the board, and such bidder, proposer, or contractor fails to file an appeal of such final determination within fifteen (15) calendar days of such final determination, such failure to file a timely appeal shall constitute a waiver of the right of a bidder, proposer, or contractor to appeal the director's determination and such person shall be estopped to deny the validity of any determination which could have been timely appealed.

(g) Authority of board.

(1) The board shall have authority to decide appeals, and may reverse, affirm or modify determinations of the director, as applicable set forth in subsections (b) (c), and (d) hereof. The board shall have the power to inquire into all the facts and circumstances of appeals within its jurisdiction and may hold hearings for such purpose. The board shall not hold hearings to inquire into those matters which the board, upon recommendation by the city attorney or her designee, deems to be frivolous and without merit and whose determination shall be final.

(2) Except for those appeals which are found to be frivolous in accordance with section 3-353(f)(1), the board shall hold a hearing within thirty (30) calendar days of the date of filing of a timely appeal. The failure to hold a hearing or determine an appeal frivolous within the prescribed time shall result in the director's determination being overturned without further action, unless the delay was requested or caused by the party filing the appeal.

(3) The board shall issue a written report of its decision within the later of thirty (30) calendar days of the filing of a timely appeal or fourteen (14) calendar days from the conclusion of the hearing and its decision shall be final for all purposes. Notwithstanding the foregoing, the city council shall retain the right to waive any provision of this article in accordance with section 3-437(b).

(h) Any bidder, proposer or contractor whose interests will be affected by any appeal may be permitted by the board to intervene in the appeal.

(i) In the event an appeal is pending before the board and the project is presented to the city council for consideration prior to the board's issuance of its decision, the city council shall be notified by including in the fact sheet notification that there is an appeal pending before the board. The city council may elect to delay award of the project until after the board issues its decision.

(j) For incentive agency projects, when the applicable incentive agency and the director are unable to reach a mutual determination within thirty (30) days, the board shall have the authority to make determinations as to whether good faith efforts have been made and on the assessments and amount of liquidated damages, pursuant to sections 3-437, 3-441, 3-443, and 3-

447. The board shall have the power to inquire into all the facts and circumstances and hold hearings for such purpose. When agreement cannot be reached after the requisite thirty (30) days, the director or applicable agency shall notify the board of such disagreement within five (5) days. Upon notification by the director or applicable agency, the board shall hold a hearing within thirty (30) calendar days. The board shall issue its determination as to whether good faith efforts have been made within fifteen (15) calendar days from the conclusion of the hearing and its decision shall be final for all purposes. Notwithstanding the foregoing, the city council shall retain the right to waive any provision of this section.

Sec. 3-622. Prevailing wage and wage theft prevention.

(a) The following definitions shall apply to this section:

- (1) *Board* shall mean the Fairness in Construction Board
- (2) *City* means the City of Kansas City, Missouri
- (3) *Director* means the director of the civil rights and equal opportunity department or such director's delegate.
- (4) *Prevailing Wage Rate* shall mean the prevailing hourly rate of wages as set forth in RSMo Sections 290.210 to 290.340 and the Annual Wage Order which is paid to a workman engaged in work of a similar character within the locality.
- (5) *Wage theft* shall mean the withholding or denial of wages or employee benefits rightfully owed to a workman or employee.
- (6) *Workman* means a person employed to perform labor for which a prevailing wage rate is applicable.

(b) Unless superseded by federal or state law, no less than the prevailing wage rate shall be paid to a workman performing work as part of the construction, reconstruction, improvement, enlargement, alteration, painting and decorating, or major repair on any of the following:

- (1) All construction contracts entered into by the city for which the total project cost exceeds \$75,000.00.
- (2) Any new development plan, or substantial modification to an existing plan, that is approved by the city council or any economic development agency created by the city and that seeks ad valorem real and/or personal property tax abatement, exemption or redirection for which the total project cost exceeds \$75,000.00 conducted as part of the plan.
- (3) Any projects on property leased by the city for which the total project cost exceeds \$75,000.00.

(c) The director shall promulgate rules and regulation as are necessary to carry out the provisions of this section. All such rules and regulations shall be provided to the economic development agencies created by the city and authorized to approve tax abatement, exemption or redirection within ten days of their promulgation. The director may enter into agreements with for-profit, non-profit, civic and labor organizations to carry out the provisions of this section. The director is authorized to investigate complaints of violations submitted by any individual or organization.

(d) Notwithstanding the foregoing provisions of this section, the city council and any economic development agency created by the city shall retain the discretion to authorize the abatement, redirection or exemption, in whole or in part, of ad valorem real property taxes to the full extent authorized by any provision of law. The city council and any economic development agency created by the city shall give particular consideration to the following exceptions ("extraordinary qualifications") in determining whether to authorize any abatement or exemption structure, or approve any development plan providing for incentives to be conveyed on a project-specific basis that is not in compliance with this section:

- (1) Located in a severely distressed census tract that has continuously maintained such status for not less than ten years immediately prior to the effective date of the request.
- (2) Projects that support affordable housing and extremely affordable housing by meeting the requirements of Committee Substitute for Ordinance No. 201038, as Amended, for such housing.
- (3) Projects that connect residents living in continuously distressed census tracts to new employment opportunities by:
 - a. Providing at least 100 new entry-level jobs to Kansas City with an annual salary of at least \$32,000.00, or \$42,000.00 inclusive of wages and benefits; and
 - b. Incorporating options for mass public transportation or locating in an established high-frequency transit corridor.
- (4) Projects that involve the renovation or rehabilitation of a building has been designated by a government entity as a local or national historic landmark or contribute to a historic district, or projects that have filed an application with the National Park Service to be placed on the National Register of Historic Places, in which case the exclusion would be subject to such designation being approved.

Determination of eligibility for extraordinary qualifications shall be made upon receipt by the city or any economic development agency created by the city of an application or request for ad valorem real and/or personal property tax abatement, exemption or redirection.

(e) In addition to penalties imposed pursuant to RSMo. Section 290.340, any contractor, subcontractor, developer or any other entity who performs work on a city contract, or receives tax incentive, abatement, or redirection from an economic development agency created by the city, or contracts for the construction of a project or development on land owned by the city shall be subject to the following penalties if determined by the director to have not paid prevailing wage or otherwise engaged in wage theft:

- (1) termination of contract; and
- (2) loss of tax incentive, abatement, or redirection; and
- (3) debarment from future work pursuant to Section 3-321

(f) Upon a finding of non-compliance with this section, the director has the discretion to impose any of the above penalties. Any entity subject to penalty may appeal the determination of the director to the board in conformance with the appeal process outlined in Section 3-453.

(g) This section shall apply only to projects that have not yet submitted an application for the abatement, redirection or exemption of taxes to the city or any economic development agency created by the city and shall not be construed in a manner as to apply to any tax abatement or transaction authorized by the city, any economic development agency created by the city, or any other public entity prior to May 14, 2021. Notwithstanding the foregoing, the requirements of this ordinance shall be imposed on any project that has submitted to the city or any economic development agency created by the city an application for the abatement, redirection or exemption of taxes prior to its effective date but has not received final approval from the relevant authorizing body within three years of May 14, 2021.

..end

Approved as to form and legality:

Eluard Alegre
Assistant City Attorney



File #: 210994

ORDINANCE NO. 210994

Amending various sections of Chapter 18, “Building and Rehabilitation Code” for the purpose of establishing the contractor licensing category of journeyman electrician.

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That Chapter 18 of the Code of Ordinances entitled “Building and Rehabilitation Code” is hereby amended by repealing Sections 18-14, 18-324, 18-327, and 18-339 and enacting in lieu thereof new sections of like number and subject matter to read as follows:

Sec. 18-14. Required licenses; exceptions.

(a) *Mechanical work.* Any person, firm or organization doing mechanical work or causing such work to be done shall first be licensed as a mechanical contractor or shall be doing such work as a direct employee of a licensed mechanical contractor and under the supervision of that licensed mechanical contractor’s qualified supervisor. Licensure shall be in accordance with, and all work shall be limited to the scope of work as defined in, division 3 of Article XII of this chapter.

(b) *Pipe fitting work.* Any person, firm or organization doing pipe fitting work or causing such work to be done shall first be licensed as a pipe fitting contractor or shall be doing such work as a direct employee of a licensed pipe fitting contractor and under the supervision of that licensed pipe fitting contractor’s qualified supervisor. Licensure shall be in accordance with, and all work shall be limited to the scope of work as defined in, division 3 of Article XII of this chapter.

(c) *Plumbing work.* Any person, firm or organization doing plumbing work or causing such work to be done shall first be licensed as a plumbing contractor, or shall be doing such work as a direct employee of a licensed plumbing contractor and under the supervision of that licensed plumbing contractor’s qualified supervisor. In addition, except for One or Two Family Dwellings or Townhouses under the scope of Article III, all such work shall be performed by the holder of a journeyman plumber or master plumber certificate of qualification, or other direct plumbing employee with on-site supervision by a certified journeyman or master plumber. Certification and licensure shall be in accordance with, and all work shall be limited to the scope of work as defined in, division 3 of article XII of this chapter.

(d) *Installation or servicing of gas-fired appliances.* Any person, firm or organization installing or servicing gas-fired appliances shall first be licensed as a gas-fired appliance contractor or as a plumbing contractor or shall be doing such work as a direct employee of a licensed gas-fired appliance or plumbing contractor and under the supervision of that licensed gas-fired appliance contractor's or licensed plumbing contractor's qualified supervisor. Certification and licensure shall be in accordance with, and all work shall be limited to the scope of work as defined in, division 3 of Article XII of this chapter.

(e) *Electrical work.* Any person, firm or organization doing electrical work or causing such work to be done shall first be licensed as an electrical contractor or shall be doing such work as a direct employee of a licensed electrical contractor and under the supervision of that licensed electrical contractor's qualified supervisor. In addition, except for One or Two Family Dwellings or Townhouses under the scope of Article III, all such work shall be performed by the holder of a journeyman electrician or master electrician certificate of qualification, or other direct electrical employee with on-site supervision by a certified journeyman or master electrician. Certification and licensure shall be in accordance with, and all work shall be limited to the scope of work as defined in, division 3 of article XII of this chapter.

(f) *Installation or servicing of automatic sprinkler systems, non-water based fire extinguishing systems, or standpipe and hose systems.* Any person, firm or organization who engages in the installation, alteration, modernization, repair, maintenance, or service of automatic sprinkler systems, non-water based fire extinguishing systems, or standpipe and hose systems regulated by chapter 9 of the *International Building Code* and Article II of this chapter shall first be licensed as a fire protection contractor or shall be doing such work as a direct employee of a licensed fire protection contractor and under the supervision of that licensed fire protection contractor's qualified supervisor. Licensure shall be in accordance with, and all work shall be limited to the scope of work as defined in, division 3 of Article XII of this chapter.

(g) *Installation or servicing of elevators, escalators, walks, lifts, and hoists.* Any person, firm or organization who engages in the installation, alteration, modernization, repair, maintenance, testing, inspection, or service of elevators, escalators, walks, lifts, or hoists shall first be licensed as an elevator contractor or shall be doing such work as a direct employee of a licensed elevator contractor and under the supervision of that licensed elevator contractor's qualified supervisor. Licensure shall be in accordance with, and all work shall be limited to the scope of work as defined in, division 3 of Article XII of this chapter.

(h) *Erection or maintenance of signs.* Any person, firm or organization who engages in the business of maintaining, erecting, painting, or removing signs or marquees shall first be licensed as a sign contractor or shall be doing such work as a direct employee of a licensed sign contractor and under the supervision of that licensed sign contractor's qualified supervisor. Licensure shall be in accordance with, and all work shall be limited to the scope of work as defined in, division 3 of Article XII of this chapter.

(i) *Demolition of buildings.* Any person, firm, or organization who contracts to demolish any building for another shall first be licensed in the appropriate class of demolition contractors or shall be doing such work as a direct employee of a licensed demolition contractor

and under the supervision of that licensed demolition contractor's qualified supervisor. Licensure shall be in accordance with, and all work shall be limited to the scope of work as defined in, division 3 of Article XII of this chapter.

(j) *Residential building.* Any person, firm, or organization who contracts to construct, structurally alter or enlarge any one- or two-family detached dwelling or townhouse including detached accessory buildings in excess of 400 square feet in area thereto as regulated by article III of this chapter shall first be licensed as a residential building contractor or shall be doing such work as a direct employee of a licensed residential building contractor under the supervision of that licensed residential building contractor's qualified supervisor or as a building trades subcontractor, not otherwise required to be licensed under this section, to a licensed residential building contractor holding a valid building permit and under the direction of that licensed residential building contractor's qualified supervisor. Licensure shall be in accordance with, and all work shall be limited to the scope of work as defined in, division 3 of Article XII of this chapter.

(k) *Exceptions to license requirements.*

- (1) Permits for work as required by this chapter may be issued to any person to do any work regulated by this chapter in a single-family dwelling used exclusively for living purposes, including the usual accessory buildings and quarters in connection with such buildings, provided that such person is the bona fide owner of any such dwelling and accessory buildings and quarters, provided that the dwelling and accessory buildings are occupied by the owner, and provided that the owner and his or her immediate relatives shall personally purchase all material and perform all labor in connection therewith; where the work is included in a building permit issued according to this exception, the owner may contract and direct the work of building trades subcontractor(s), not otherwise required to be licensed under section 18-14.
- (2) Public utility companies will not be required to obtain licenses for their firms or corporations or for their employees when engaged in the installation, operation, and maintenance of equipment which will be used for the production, generation, transmission, or distribution of the product or service from the source of the product or service through the facilities owned or operated by such utility company to the point of the customer service, including the metering.
- (3) Provisions of this chapter requiring employment of certified or licensed mechanics, craftsmen, or engineers shall not apply to maintenance or operation of equipment and accessories used for operations, production, or processing by public utilities, government agencies, manufacturing or processing plants, or commercial enterprises which maintain a regular maintenance and operating staff supervised by a professional engineer registered by the state. However, work under such supervision shall be performed to comply in all respects with all applicable provisions of this chapter, including provisions for permits and inspections.

- (4) The property owner or owner of the business on the property may install a temporary sign, as defined in this chapter, after obtaining the required permit.
- (5) The owner of record may demolish any one-story building which is at least ten feet from all property lines or any two-story building which is at least 15 feet from all property lines. Such work must be done by the owner or by members of the owner's immediate family.
- (6) Licensing as a sign contractor is not required for the issuance of permits to construct a residential subdivision entry sign provided such sign contains no electrical components, is constructed as an integral part of a monument or wall and identifies only the name of the subdivision. Such sign may also identify the name of the developer of the subdivision.
- (7) Licensing as a sign contractor is not required for the issuance of permits to construct a monument sign where the entire sign is etched or engraved on stone or similar materials provided such sign contains no electrical components and is constructed as an integral part of the monument.

Sec. 18-324. Title and scope of division; definition.

- (a) This division shall be known as the licensing division, and may be cited as such.
- (b) Where the term "director of city planning and development" is used in this division, this shall mean the director of city planning and development or his authorized representative.
- (c) For the purposes of this article and other sections of this code pertinent to licensing, the term "employee" shall not apply to consultants, contract labor, or subcontractors employed by the licensed contractor. Such individuals or entities shall be considered contractors in their own right and, as such, shall be required to obtain their own licenses as required by this chapter.
- (d) For the purposes of this article and other sections of this Code pertinent to licensing, the term "direct employee" shall mean an employee (as defined in this section) of a licensed contractor working in a regulated construction trade who has not achieved a supervisor certificate of qualification. For plumbing work, the term "direct employee" shall mean an employee working in the trade of plumbing who has not achieved a master or journeyman plumber certificate of qualification. For electrical work, the term "direct employee" shall mean an employee working in the trade of electrical who has not achieved a master or journeyman electrician certificate of qualification.

Sec. 18-327. License classes; prerequisites for licensing.

- (a) *Classes; authorized work.* There shall be various classes of licenses under this division, and the holder of each license shall be authorized to do the following:

- (1) *Demolition contractor class I.* Demolition of any building, structure, or portion thereof, without limitation of height or size. All such work shall be performed by a licensed demolition contractor class I and shall be performed by or under the supervision of the holder of a demolition supervisor class I certificate of qualification.
- (2) *Demolition contractor class II.* Demolition of any building not more than three stories in height, excluding the basement. All such work shall be performed by a licensed demolition contractor class II and shall be performed by or under the supervision of the holder of a demolition supervisor class I or demolition supervisor class II certificate of qualification.
- (3) *Electrical contractor class I.* Installation, alteration, repair, or removal of any electrical equipment regulated by this chapter. All such work shall be performed by a licensed electrical contractor class I and shall be performed by or under the supervision of the holder of a master electrician certificate of qualification. In addition, except for One or Two Family Dwellings or Townhouses under the scope of Article III, all such work shall be performed by the holder of a journeyman electrician or master electrician certificate of qualification, or other direct electrical employee with on-site supervision by a certified journeyman or master electrician.
- (4) *Electrical contractor class II.*
 - a. Maintenance or repair of an existing facility on property owned by the licensee or his employer;
 - b. Assembly, installation, wiring, and connection of electric lighting fixtures and extending existing circuits not more than ten feet;
 - c. Connection of new or replacement gas-fired heating equipment to existing electrical circuits, extension of existing circuits not more than ten feet, and installation of control circuits; or
 - d. Assembly, installation, wiring, and connection of electric signs when such connection is limited to extension of existing circuits not more than ten feet.

All such work shall be performed by a licensed electrical contractor class II and shall be performed by or under the supervision of the holder of a master (limited) electrician or master electrician certificate of qualification.

- (5) *Electrical contractor class III.* Installation, alteration, repair, or removal of communication; fire alarm; burglar alarm; remote control; and other low-energy power, low-voltage power, signal, sound recording, and similar equipment

regulated by this chapter. All such work shall be performed by a licensed electrical contractor class III and shall be performed by or under the supervision of the holder of an electrical supervisor or master electrician certificate of qualification.

- (6) *Elevator contractor class I.* Installation, alteration, modernization, maintenance, service, testing, or repair of any electric or electrohydraulic passenger or freight elevators, escalators, or moving walks. All such work shall be performed by a licensed elevator contractor class I and shall be performed by or under the supervision of the holder of an elevator supervisor class I certificate of qualification.
- (7) *Elevator contractor class II.* Installation, alteration, modernization, maintenance, service, testing, or repair of any hand-powered freight elevator, electric or hand-powered dumbwaiter, manlift, private residence elevator, chairlift, workmen's hoist, material hoist, conveyor, and related equipment. An elevator contractor class II license is also required for any person, firm, or corporation engaged only in the maintenance, service, or minor alteration of equipment covered by an elevator contractor class I license when such equipment is owned or operated by the person, firm, or corporation. All such work shall be performed by a licensed elevator contractor class II and shall be performed by or under the supervision of the holder of an elevator supervisor class I or elevator supervisor class II certificate of qualification.
- (8) *Elevator contractor class III.* Installation, alteration, modernization, maintenance, service, testing, or repair of Personnel Hoists and Employee Elevators on Construction and Demolition Sites in accordance with ANSI A10.4. All such work shall be performed by a licensed elevator contractor class III and shall be performed by or under the supervision of the holder of an elevator supervisor class I, II or III certificate of qualification.
- (9) *Fire protection contractor class I.* The installation, alteration, modernization, maintenance, servicing, repair, testing, and inspection of automatic sprinkler systems and standpipe systems for any and all types of occupancies, inclusive of all related underground fire lines and fire services and inclusive of, but not limited to, all appurtenances such as fire pumps; water storage tanks; fire control systems; automatic and manual water-spray and deluge systems; special extinguishing systems using carbon dioxide, foam, dry chemicals, or inert gas; and other such systems used for the control or extinguishment of fire. Backflow prevention devices are permitted to be installed, but they must be tested in accordance with city and state regulations. All such work shall be performed by a licensed fire protection contractor class I and shall be performed by or under the supervision of the holder of a fire protection supervisor class I certificate of qualification. A fire protection contractor class I shall place with the director of finance a cash deposit in the amount of \$500.00. Should the contractor in any event fail to pay bills rendered by the city for any obligation, permit, service, or material, the amount of

such bills shall be deducted from the deposit. Failure of the contractor to pay such bills or his failure to maintain the deposit in the full amount of \$500.00 shall be cause for denial of the issuance of further permits.

- (10) *Fire protection contractor class II.* Installation, maintenance, testing, or repair of only dry, wet, or combination standpipe systems as defined in chapter 9 of the *International Building Code* or article II of this chapter; and installation of fire hydrant lines. All such work shall be performed by a licensed fire protection contractor class II and shall be performed by or under the supervision of the holder of a fire protection supervisor class I or fire protection supervisor class II certificate of qualification. A fire protection contractor class II shall place with the director of finance a cash deposit in the amount of \$500.00. Should the contractor in any event fail to pay bills rendered by the city for any obligation, permit, service, or material, the amount of such bills shall be deducted from the deposit. Failure of the contractor to pay such bills or his failure to maintain the deposit in the full amount of \$500.00 shall be cause for denial of the issuance of further permits.
- (11) *Fire protection contractor class III.* Installation, maintenance, testing, or repair of only special systems using carbon dioxide, foam, dry chemicals, or inert gas for the control or extinguishment of fire. All such work shall be performed by a licensed fire protection contractor class III and shall be performed by or under the supervision of the holder of a fire protection supervisor class I or fire protection supervisor class III certificate of qualification.
- (12) *Gas-fired appliance contractor.* Installation, erection, alteration, repair, servicing, or resetting of gas-fired appliances other than warm air heating units, but including water heaters of not more than 100 gallons' storage capacity; and installation of low-voltage wiring not exceeding 48 volts when such wiring is not enclosed in conduit or raceway. All such work shall be performed by a licensed gas-fired appliance contractor and shall be performed by or under the supervision of the holder of a gas-fired appliance supervisor or master plumber certificate of qualification.
- (13) *Mechanical contractor.* Installation, alteration, servicing, replacement, repair, or maintenance of heating, duct, ventilation and mechanical refrigeration systems; connection of a humidifier which is part of a heating system to an existing potable water supply system within a building; connection of gas piping from the nearest cutoff valve to the burner of a warm air heating system; connection of low voltage control wiring to an existing control box; electrical power connection from the equipment disconnect switch serving the equipment or the nearest existing junction box; and installation, alteration, servicing, replacement, removal, or repair of air conditioning units; and where refrigerant piping must be installed or where a refrigerant-containing part must be cut into for connection or assembly. All such work shall be performed by a licensed mechanical contractor and shall

be performed by or under the supervision of the holder of a mechanical supervisor certificate of qualification.

Additionally, the installation of a replacement residential water heater that is connected to existing piping systems and is under the administration of the Department of Neighborhood and Community Services Property Preservation Division may be performed by a licensed mechanical contractor.

- (14) *Pipe fitting contractor.* Installation, maintenance, repair, and servicing of refrigeration equipment; installation and servicing of low-pressure hot water and steam heating systems; installation of any system containing or connected to a boiler designed to operate under a steam pressure greater than 15 pounds per square inch; installation of any system containing or connected to an unfired pressure vessel designed to operate under a pressure greater than 15 pounds per square inch; installation of industrial or chemical piping designed to operate under a pressure greater than 15 pounds per square inch; installation of pipe insulation; and installation of low-voltage wiring which does not exceed 48 volts when such wiring is not enclosed in conduit or raceway. All such work shall be performed by a licensed pipe fitting contractor and shall be performed by or under the supervision of the holder of a master pipe fitter certificate of qualification.
- (15) *Plumbing contractor.* Installation, maintenance, repair, servicing, and testing of all sanitary plumbing and potable water supply piping, and appliances connected thereto, including gas piping, and the complete installation of water heaters; the installation of piping for transmission of chemicals and gases where regulated by this Code; the installation of gas ranges, domestic gas incinerators, gas dryers, and other gas-fired appliances; the installation of steam heating plants carrying pressures not exceeding 15 pounds per square inch gauge steam pressure; the installation of hot water heating plants carrying pressures not exceeding 30 pounds per square inch gauge hot water pressure; and installation of low-voltage wiring not exceeding 48 volts for gas-fired appliances and water heaters when such wiring is not enclosed in conduit or raceway. All such work shall be performed by a licensed plumbing contractor and shall be performed under the supervision of the holder of a master plumber certificate of qualification. In addition, except for One or Two Family Dwellings or Townhouses under the scope of Article III, all such work shall be performed by the holder of a journeyman plumber or master plumber certificate of qualification, or other direct plumbing employee with on-site supervision by a certified journeyman or master plumber. As a condition for obtaining and maintaining a plumbing contractor license and before any permit for work requiring excavation on any street, alley, public place, or easement shall be issued, the applicant for such license or permit shall have placed with the director of finance a cash deposit of not less than \$500.00. This money shall be maintained and held as a special deposit to protect the city on account of any expense it may incur in repairing, refilling, paving, or resurfacing any cut or excavation, or for repairing any damages to any city-owned utility as a result of work done under such permit. Should the contractor fail to pay bills rendered by the city for any obligation, permit, service, or material, the

amount of such bills shall be deducted from the deposit. Failure of the contractor to pay such bills or failure to maintain the deposit in full shall be cause for denial of issuance of further permits. Certain excavation permits shall require the contractor to post additional restoration deposit fees of up to \$50,000.00 with the director of finance in accordance with chapter 64.

- (16) Residential building contractor. Constructing, structurally altering or enlarging any one- or two-family detached dwelling or townhouse including detached accessory buildings in excess of 400 square feet in area thereto as regulated by article III of this chapter. All such work shall be performed by a licensed residential building contractor and shall be performed by or under the supervision of that licensed residential building contractor's qualified supervisor or by building trades subcontractor(s), not otherwise required to be licensed under this article, to the licensed residential building contractor holding a valid building permit and under the direction of that licensed residential contractor's qualified supervisor.
- (17) *Sign contractor.* Installation, maintenance, or repair of off-premise advertising (billboards or other outdoor advertising making use of rental panels or paint boards) and/or on-premise advertising (outdoor advertising making use of media other than rental panels or paint boards). All such work shall be performed by a licensed sign contractor and shall be performed by or under the supervision of the holder of a sign supervisor certificate of qualification. If electrical wiring is involved, an electrical contractor class I or class II license is also required.
 - (b) *Indemnity insurance.*
 - (1) *Required.* The following classifications shall, as a condition precedent to issuance, maintenance, or renewal of a license, furnish to the department of city planning and development a certificate of insurance issued by a company approved by the director of finance: demolition contractor class I, demolition contractor class II, fire protection contractor class I, fire protection contractor class II, plumbing contractor, residential building contractor and sign contractor.
 - (2) *Policy requirements.* The contractor shall provide a certificate of insurance indicating insurance meeting the following requirements:
 - a. The policy shall provide for liability insurance with a minimum aggregate limit of \$1,000,000.00 per occurrence.
 - b. The city shall be added as an additional insured to such policy by separate endorsement; except that no such endorsement shall be required for a residential building contractor unless such contractor will be performing work in the public right-of-way.

- c. The policy shall contain a separate endorsement requiring the insurance company to notify the city in writing of any change in or cancellation of such policy at least 30 days prior thereto, or ten days in the event of cancellation due to nonpayment of premium.
 - d. The insurance certificate shall be produced by a company having a current A.M. Best rating of B+ V or better and licensed to do business in the state of Missouri.
 - e. Before the license is issued, and annually thereafter, the contractor shall deposit with the city a certificate of insurance evidencing that the coverage required by this subsection is in force and that the endorsements required by subsections (b)(2)b and c of this section have been issued.
- (3) Failure to maintain the required insurance shall be grounds for automatic suspension of a license and for denial of further permits and inspections.

Sec. 18-339. Classification of certificates of qualification.

(a) *Generally.* There shall be various classes of certificates of qualification under this division, and the holder of each certificate type shall be authorized to do the work specified for that class.

(b) *Supervisor certificates.* A supervisor certificate of qualification shall be required for certain contractor licenses as set forth in this division and shall allow the holder to serve as supervisor as follows:

| Supervisor | Licensee |
|--------------------------------------|-------------------------------------------------------|
| Demolition supervisor class I | Demolition contractor class I or II |
| Demolition supervisor class II | Demolition contractor class II |
| Electrical supervisor | Electrical contractor class III |
| Elevator supervisor class I | Elevator contractor class I or II |
| Elevator supervisor class II | Elevator contractor class II or III |
| Elevator supervisor class III | Elevator contractor class III |
| Fire protection supervisor class I | Fire protection contractor class I, II, or III |
| Fire protection supervisor class II | Fire protection contractor class II |
| Fire protection supervisor class III | Fire protection contractor class III |
| Gas-fired appliance supervisor | Gas-fired appliance contractor |
| Mechanical supervisor | Mechanical contractor |
| Master electrician | Electrical contractor class I, II, or III |
| Master (limited) electrician | Electrical contractor class II |
| Master pipe fitter | Pipe fitting contractor or refrigeration contractor |
| Master plumber | Plumbing contractor or gas-fired appliance contractor |

| | |
|---------------------------------|---------------------------------|
| Residential building contractor | Residential building supervisor |
| Sign supervisor | Sign contractor |

(c) *Operators' certificates.* An operator's certificate of qualification shall be required to operate and maintain the following equipment and shall entitle the holder to operate and maintain the equipment for which he is certified; except that equipment and accessories used for operations, production, or processing by public utilities, government agencies, manufacturing or processing plants, or commercial enterprises may be operated and maintained by a regular operating and maintenance staff when supervised by a professional engineer registered by the state. The work done under such supervision shall comply with all applicable provisions of this code, including required permits and inspections.

- (1) *Operating engineer.* An operating engineer certificate shall entitle the holder to take charge of and to operate and maintain all steam-generating boilers, steam engines, internal-combustion engines, turbines, condensers, compressors, generators, motors, blowers, fuel-burning equipment, and refrigeration systems and all auxiliary apparatus, together with any necessary maintenance of piping used in connection therewith. The certificate is required for operating the following:
 - a. Steam-generating boilers carrying 125 or more pounds of pressure.
 - b. Boilers carrying 100 or more pounds of pressure when used for driving machinery.
 - c. Any system containing a Group 3 refrigerant.
 - d. Any system with a capacity greater than ten tons containing a Group 2 refrigerant.
- (2) *Steam operating engineer.* A steam operating engineer certificate shall entitle the holder to operate and maintain the same steam equipment and accessories as an operating engineer, as follows: All steam-generating boilers, steam engines, internal-combustion engines, turbines, condensers, compressors, generators, motors, blowers, fuel-burning equipment, and all auxiliary apparatus, together with any necessary maintenance of piping used in connection therewith. The certificate is required for operating the following:
 - a. Steam-generating boilers carrying 125 or more pounds of pressure.
 - b. Boilers carrying 100 or more pounds of pressure when used for driving machinery.
- (3) *Refrigeration operating engineer.* A refrigeration operating engineer certificate shall entitle the holder to operate and maintain any refrigeration system. The certificate is required for:

- a. Any system containing a Group 3 refrigerant.
 - b. Any system with a capacity greater than ten tons containing a Group 2 refrigerant.
- (4) *Fireman.* A fireman certificate shall entitle the holder to operate and maintain boilers carrying less than 100 pounds of pressure for the purpose of driving machinery, and to operate other steam tanks or steam boilers carrying less than 125 pounds of pressure. The certificate is not required for the operation of steam tanks or steam boilers carrying pressures of 15 pounds or less.
- (5) *Plant fireman.* A plant fireman certificate shall entitle the holder to operate and maintain the same equipment and accessories as a fireman but shall limit the holder to a designated plant or system of plants with similar equipment.
- (d) *Journeyman plumber certificate of qualification.* A journeyman plumber certificate of qualification shall entitle the holder to labor at the trade of plumbing as an employee of a licensed plumbing contractor.
- (e) *Journeyman electrician certificate of qualification.* A journeyman electrician certificate of qualification shall entitle the holder to labor at the trade of electrical as an employee of a licensed electrical contractor.

..end

Approved as to form and legality:

Eluard Alegre
Assistant City Attorney

**No Fact Sheet
for
Ordinance
210994**

ORDINANCE NO. TMP-1174

..title

Amending various sections of Chapter 18, “Building and Rehabilitation Code” for the purpose of establishing the contractor licensing category of journeyman electrician.

..body

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That Chapter 18 of the Code of Ordinances entitled “Building and Rehabilitation Code” is hereby amended by repealing Sections 18-14, 18-324, 18-327, and 18-339 and enacting in lieu thereof new sections of like number and subject matter to read as follows:

Sec. 18-14. Required licenses; exceptions.

(a) *Mechanical work.* Any person, firm or organization doing mechanical work or causing such work to be done shall first be licensed as a mechanical contractor or shall be doing such work as a direct employee of a licensed mechanical contractor and under the supervision of that licensed mechanical contractor’s qualified supervisor. Licensure shall be in accordance with, and all work shall be limited to the scope of work as defined in, division 3 of Article XII of this chapter.

(b) *Pipe fitting work.* Any person, firm or organization doing pipe fitting work or causing such work to be done shall first be licensed as a pipe fitting contractor or shall be doing such work as a direct employee of a licensed pipe fitting contractor and under the supervision of that licensed pipe fitting contractor’s qualified supervisor. Licensure shall be in accordance with, and all work shall be limited to the scope of work as defined in, division 3 of Article XII of this chapter.

(c) *Plumbing work.* ~~Any person, firm or organization doing plumbing work or causing such work to be done shall first be licensed as a plumbing contractor, or shall be a certified journeyman or master plumber~~ doing such work as a direct employee of a licensed plumbing contractor and under the supervision of that licensed plumbing contractor's qualified supervisor. In addition, except for One or Two Family Dwellings or Townhouses under the scope of Article III, all such work shall be performed by the holder of a journeyman plumber or master plumber certificate of qualification, or other direct plumbing employee with on-site supervision by a certified journeyman or master plumber. ~~All plumbing work shall be performed under the supervision of that licensed plumbing contractor’s qualified supervisor.~~ Certification and

licensure shall be in accordance with, and all work shall be limited to the scope of work as defined in, division 3 of ~~Article~~ article XII of this chapter.

(d) *Installation or servicing of gas-fired appliances.* Any person, firm or organization installing or servicing gas-fired appliances shall first be licensed as a gas-fired appliance contractor or as a plumbing contractor or shall be doing such work as a direct employee of a licensed gas-fired appliance or plumbing contractor and under the supervision of that licensed gas-fired appliance contractor's or licensed plumbing contractor's qualified supervisor. Certification and licensure shall be in accordance with, and all work shall be limited to the scope of work as defined in, division 3 of Article XII of this chapter.

(e) *Electrical work.* ~~Any~~ Any person, firm or organization doing electrical work or causing such work to be done shall first be licensed as an electrical contractor or shall be doing such work as a direct employee of a licensed electrical contractor and under the supervision of that licensed electrical ~~contractor's~~ contractor's qualified supervisor. ~~Licensure~~ In addition, except for One or Two Family Dwellings or Townhouses under the scope of Article III, all such work shall be performed by the holder of a journeyman electrician or master electrician certificate of qualification, or other direct electrical employee with on-site supervision by a certified journeyman or master electrician. Certification and licensure shall be in accordance with, and all work shall be limited to the scope of work as defined in, division 3 of ~~Article~~ article XII of this chapter.

(f) *Installation or servicing of automatic sprinkler systems, non-water based fire extinguishing systems, or standpipe and hose systems.* Any person, firm or organization who engages in the installation, alteration, modernization, repair, maintenance, or service of automatic sprinkler systems, non-water based fire extinguishing systems, or standpipe and hose systems regulated by chapter 9 of the *International Building Code* and Article II of this chapter shall first be licensed as a fire protection contractor or shall be doing such work as a direct employee of a licensed fire protection contractor and under the supervision of that licensed fire protection contractor's qualified supervisor. Licensure shall be in accordance with, and all work shall be limited to the scope of work as defined in, division 3 of Article XII of this chapter.

(g) *Installation or servicing of elevators, escalators, walks, lifts, and hoists.* Any person, firm or organization who engages in the installation, alteration, modernization, repair, maintenance, testing, inspection, or service of elevators, escalators, walks, lifts, or hoists shall first be licensed as an elevator contractor or shall be doing such work as a direct employee of a licensed elevator contractor and under the supervision of that licensed elevator contractor's qualified supervisor. Licensure shall be in accordance with, and all work shall be limited to the scope of work as defined in, division 3 of Article XII of this chapter.

(h) *Erection or maintenance of signs.* Any person, firm or organization who engages in the business of maintaining, erecting, painting, or removing signs or marquees shall first be licensed as a sign contractor or shall be doing such work as a direct employee of a licensed sign

contractor and under the supervision of that licensed sign contractor's qualified supervisor. Licensure shall be in accordance with, and all work shall be limited to the scope of work as defined in, division 3 of Article XII of this chapter.

(i) *Demolition of buildings.* Any person, firm, or organization who contracts to demolish any building for another shall first be licensed in the appropriate class of demolition contractors or shall be doing such work as a direct employee of a licensed demolition contractor and under the supervision of that licensed demolition contractor's qualified supervisor. Licensure shall be in accordance with, and all work shall be limited to the scope of work as defined in, division 3 of Article XII of this chapter.

(j) *Residential building.* Any person, firm, or organization who contracts to construct, structurally alter or enlarge any one- or two-family detached dwelling or townhouse including detached accessory buildings in excess of 400 square feet in area thereto as regulated by article III of this chapter shall first be licensed as a residential building contractor or shall be doing such work as a direct employee of a licensed residential building contractor under the supervision of that licensed residential building contractor's qualified supervisor or as a building trades subcontractor, not otherwise required to be licensed under this section, to a licensed residential building contractor holding a valid building permit and under the direction of that licensed residential building contractor's qualified supervisor. Licensure shall be in accordance with, and all work shall be limited to the scope of work as defined in, division 3 of Article XII of this chapter.

(k) *Exceptions to license requirements.*

(1) Permits for work as required by this chapter may be issued to any person to do any work regulated by this chapter in a single-family dwelling used exclusively for living purposes, including the usual accessory buildings and quarters in connection with such buildings, provided that such person is the bona fide owner of any such dwelling and accessory buildings and quarters, provided that the dwelling and accessory buildings are occupied by the owner, and provided that the owner and his or her immediate relatives shall personally purchase all material and perform all labor in connection therewith; where the work is included in a building permit issued according to this exception, the owner may contract and direct the work of building trades subcontractor(s), not otherwise required to be licensed under section 18-14.

(2) Public utility companies will not be required to obtain licenses for their firms or corporations or for their employees when engaged in the installation, operation, and maintenance of equipment which will be used for the production, generation, transmission, or distribution of the product or service from the source of the

product or service through the facilities owned or operated by such utility company to the point of the customer service, including the metering.

- (3) Provisions of this chapter requiring employment of certified or licensed mechanics, craftsmen, or engineers shall not apply to maintenance or operation of equipment and accessories used for operations, production, or processing by public utilities, government agencies, manufacturing or processing plants, or commercial enterprises which maintain a regular maintenance and operating staff supervised by a professional engineer registered by the state. However, work under such supervision shall be performed to comply in all respects with all applicable provisions of this chapter, including provisions for permits and inspections.
- (4) The property owner or owner of the business on the property may install a temporary sign, as defined in this chapter, after obtaining the required permit.
- (5) The owner of record may demolish any one-story building which is at least ten feet from all property lines or any two-story building which is at least 15 feet from all property lines. Such work must be done by the owner or by members of the owner's immediate family.
- (6) Licensing as a sign contractor is not required for the issuance of permits to construct a residential subdivision entry sign provided such sign contains no electrical components, is constructed as an integral part of a monument or wall and identifies only the name of the subdivision. Such sign may also identify the name of the developer of the subdivision.
- (7) Licensing as a sign contractor is not required for the issuance of permits to construct a monument sign where the entire sign is etched or engraved on stone or similar materials provided such sign contains no electrical components and is constructed as an integral part of the monument.

Sec. 18-324. Title and scope of division; definition.

- (a) This division shall be known as the licensing division, and may be cited as such.
- (b) Where the term "director of city planning and development" is used in this division, this shall mean the director of city planning and development or his authorized representative.
- (c) For the purposes of this article and other sections of this code pertinent to licensing, the term "employee" shall not apply to consultants, contract labor, or subcontractors

employed by the licensed contractor. Such individuals or entities shall be considered contractors in their own right and, as such, shall be required to obtain their own licenses as required by this chapter.

(d) For the purposes of this article and other sections of this ~~code~~Code pertinent to licensing, the term "direct employee" shall mean an employee (as defined in this section) of a licensed contractor working in a regulated construction trade who has not achieved a supervisor certificate of qualification. For plumbing work, the term "direct employee" shall mean an employee working in the trade of plumbing who has not achieved a master or journeyman plumber certificate of qualification. For electrical work, the term "direct employee" shall mean an employee working in the trade of electrical who has not achieved a master or journeyman electrician certificate of qualification.

Sec. 18-327. License classes; prerequisites for licensing.

(a) *Classes; authorized work.* There shall be various classes of licenses under this division, and the holder of each license shall be authorized to do the following:

- (1) *Demolition contractor class I.* Demolition of any building, structure, or portion thereof, without limitation of height or size. All such work shall be performed by a licensed demolition contractor class I and shall be performed by or under the supervision of the holder of a demolition supervisor class I certificate of qualification.
- (2) *Demolition contractor class II.* Demolition of any building not more than three stories in height, excluding the basement. All such work shall be performed by a licensed demolition contractor class II and shall be performed by or under the supervision of the holder of a demolition supervisor class I or demolition supervisor class II certificate of qualification.
- (3) *Electrical contractor class I.* Installation, alteration, repair, or removal of any electrical equipment regulated by this chapter. All such work shall be performed by a licensed electrical contractor class I and shall be performed by or under the supervision of the holder of a master electrician certificate of qualification. In addition, except for One or Two Family Dwellings or Townhouses under the scope of Article III, all such work shall be performed by the holder of a journeyman electrician or master electrician certificate of qualification, or other direct electrical employee with on-site supervision by a certified journeyman or master electrician.
- (4) *Electrical contractor class II.*

- a. Maintenance or repair of an existing facility on property owned by the licensee or his employer;
- b. Assembly, installation, wiring, and connection of electric lighting fixtures and extending existing circuits not more than ten feet;
- c. Connection of new or replacement gas-fired heating equipment to existing electrical circuits, extension of existing circuits not more than ten feet, and installation of control circuits; or
- d. Assembly, installation, wiring, and connection of electric signs when such connection is limited to extension of existing circuits not more than ten feet.

All such work shall be performed by a licensed electrical contractor class II and shall be performed by or under the supervision of the holder of a master (limited) electrician or master electrician certificate of qualification.

- (5) *Electrical contractor class III.* Installation, alteration, repair, or removal of communication; fire alarm; burglar alarm; remote control; and other low-energy power, low-voltage power, signal, sound recording, and similar equipment regulated by this chapter. All such work shall be performed by a licensed electrical contractor class III and shall be performed by or under the supervision of the holder of an electrical supervisor or master electrician certificate of qualification.
- (6) *Elevator contractor class I.* Installation, alteration, modernization, maintenance, service, testing, or repair of any electric or electrohydraulic passenger or freight elevators, escalators, or moving walks. All such work shall be performed by a licensed elevator contractor class I and shall be performed by or under the supervision of the holder of an elevator supervisor class I certificate of qualification.
- (7) *Elevator contractor class II.* Installation, alteration, modernization, maintenance, service, testing, or repair of any hand-powered freight elevator, electric or hand-powered dumbwaiter, manlift, private residence elevator, chairlift, workmen's hoist, material hoist, conveyor, and related equipment. An elevator contractor class II license is also required for any person, firm, or corporation engaged only in the maintenance, service, or minor alteration of equipment covered by an elevator contractor class I license when such equipment is owned or operated by the person, firm, or corporation. All such work shall be performed by a licensed

elevator contractor class II and shall be performed by or under the supervision of the holder of an elevator supervisor class I or elevator supervisor class II certificate of qualification.

- (8) *Elevator contractor class III.* Installation, alteration, modernization, maintenance, service, testing, or repair of Personnel Hoists and Employee Elevators on Construction and Demolition Sites in accordance with ANSI A10.4. All such work shall be performed by a licensed elevator contractor class III and shall be performed by or under the supervision of the holder of an elevator supervisor class I, II or III certificate of qualification.
- (9) *Fire protection contractor class I.* The installation, alteration, modernization, maintenance, servicing, repair, testing, and inspection of automatic sprinkler systems and standpipe systems for any and all types of occupancies, inclusive of all related underground fire lines and fire services and inclusive of, but not limited to, all appurtenances such as fire pumps; water storage tanks; fire control systems; automatic and manual water-spray and deluge systems; special extinguishing systems using carbon dioxide, foam, dry chemicals, or inert gas; and other such systems used for the control or extinguishment of fire. Backflow prevention devices are permitted to be installed, but they must be tested in accordance with city and state regulations. All such work shall be performed by a licensed fire protection contractor class I and shall be performed by or under the supervision of the holder of a fire protection supervisor class I certificate of qualification. A fire protection contractor class I shall place with the director of finance a cash deposit in the amount of \$500.00. Should the contractor in any event fail to pay bills rendered by the city for any obligation, permit, service, or material, the amount of such bills shall be deducted from the deposit. Failure of the contractor to pay such bills or his failure to maintain the deposit in the full amount of \$500.00 shall be cause for denial of the issuance of further permits.
- (10) *Fire protection contractor class II.* Installation, maintenance, testing, or repair of only dry, wet, or combination standpipe systems as defined in chapter 9 of the *International Building Code* or article II of this chapter; and installation of fire hydrant lines. All such work shall be performed by a licensed fire protection contractor class II and shall be performed by or under the supervision of the holder of a fire protection supervisor class I or fire protection supervisor class II certificate of qualification. A fire protection contractor class II shall place with the director of finance a cash deposit in the amount of \$500.00. Should the contractor in any event fail to pay bills rendered by the city for any obligation, permit, service, or material, the amount of such bills shall be deducted from the deposit. Failure of the contractor to pay such bills or his failure to maintain the deposit in the full amount of \$500.00 shall be cause for denial of the issuance of further permits.

- (11) *Fire protection contractor class III.* Installation, maintenance, testing, or repair of only special systems using carbon dioxide, foam, dry chemicals, or inert gas for the control or extinguishment of fire. All such work shall be performed by a licensed fire protection contractor class III and shall be performed by or under the supervision of the holder of a fire protection supervisor class I or fire protection supervisor class III certificate of qualification.
- (12) *Gas-fired appliance contractor.* Installation, erection, alteration, repair, servicing, or resetting of gas-fired appliances other than warm air heating units, but including water heaters of not more than 100 gallons' storage capacity; and installation of low-voltage wiring not exceeding 48 volts when such wiring is not enclosed in conduit or raceway. All such work shall be performed by a licensed gas-fired appliance contractor and shall be performed by or under the supervision of the holder of a gas-fired appliance supervisor or master plumber certificate of qualification.
- (13) *Mechanical contractor.* Installation, alteration, servicing, replacement, repair, or maintenance of heating, duct, ventilation and mechanical refrigeration systems; connection of a humidifier which is part of a heating system to an existing potable water supply system within a building; connection of gas piping from the nearest cutoff valve to the burner of a warm air heating system; connection of low voltage control wiring to an existing control box; electrical power connection from the equipment disconnect switch serving the equipment or the nearest existing junction box; and installation, alteration, servicing, replacement, removal, or repair of air conditioning units; and where refrigerant piping must be installed or where a refrigerant-containing part must be cut into for connection or assembly. All such work shall be performed by a licensed mechanical contractor and shall be performed by or under the supervision of the holder of a mechanical supervisor certificate of qualification.

Additionally, the installation of a replacement residential water heater that is connected to existing piping systems and is under the administration of the Department of Neighborhood and Community Services Property Preservation Division may be performed by a licensed mechanical contractor.

- (14) *Pipe fitting contractor.* Installation, maintenance, repair, and servicing of refrigeration equipment; installation and servicing of low-pressure hot water and steam heating systems; installation of any system containing or connected to a boiler designed to operate under a steam pressure greater than 15 pounds per square inch; installation of any system containing or connected to an unfired pressure vessel designed to operate under a pressure greater than 15 pounds per

square inch; installation of industrial or chemical piping designed to operate under a pressure greater than 15 pounds per square inch; installation of pipe insulation; and installation of low-voltage wiring which does not exceed 48 volts when such wiring is not enclosed in conduit or raceway. All such work shall be performed by a licensed pipe fitting contractor and shall be performed by or under the supervision of the holder of a master pipe fitter certificate of qualification.

- (15) *Plumbing contractor.* Installation, maintenance, repair, servicing, and testing of all sanitary plumbing and potable water supply piping, and appliances connected thereto, including gas piping, and the complete installation of water heaters; the installation of piping for transmission of chemicals and gases where regulated by this ~~code~~Code; the installation of gas ranges, domestic gas incinerators, gas dryers, and other gas-fired appliances; the installation of steam heating plants carrying pressures not exceeding 15 pounds per square inch gauge steam pressure; the installation of hot water heating plants carrying pressures not exceeding 30 pounds per square inch gauge hot water pressure; and installation of low-voltage wiring not exceeding 48 volts for gas-fired appliances and water heaters when such wiring is not enclosed in conduit or raceway. All such work shall be performed by a licensed plumbing contractor and shall be performed under the supervision of the holder of a master plumber certificate of qualification. In addition, except for One or Two Family Dwellings or Townhouses under the scope of Article III, all such work shall be performed by the holder of a journeyman plumber or master plumber certificate of qualification, or other direct plumbing employee with on-site supervision by a certified journeyman or master plumber. ~~All plumbing work shall be performed under the supervision of the holder of a master plumber certificate of qualification.~~ As a condition for obtaining and maintaining a plumbing contractor license and before any permit for work requiring excavation on any street, alley, public place, or easement shall be issued, the applicant for such license or permit shall have placed with the director of finance a cash deposit of not less than \$500.00. This money shall be maintained and held as a special deposit to protect the city on account of any expense it may incur in repairing, refilling, paving, or resurfacing any cut or excavation, or for repairing any damages to any city-owned utility as a result of work done under such permit. Should the contractor fail to pay bills rendered by the city for any obligation, permit, service, or material, the amount of such bills shall be deducted from the deposit. Failure of the contractor to pay such bills or failure to maintain the deposit in full shall be cause for denial of issuance of further permits. Certain excavation permits shall require the contractor to post additional restoration deposit fees of up to \$50,000.00 with the director of finance in accordance with chapter 64.
- (16) *Residential building contractor.* Constructing, structurally altering or enlarging any one- or two-family detached dwelling or townhouse including detached accessory buildings in excess of 400 square feet in area thereto as regulated by article III of this chapter. All such work shall be performed by a licensed residential building contractor and shall be performed by or under the supervision

of that licensed residential building contractor's qualified supervisor or by building trades subcontractor(s), not otherwise required to be licensed under this article, to the licensed residential building contractor holding a valid building permit and under the direction of that licensed residential contractor's qualified supervisor.

- (17) *Sign contractor.* Installation, maintenance, or repair of off-premise advertising (billboards or other outdoor advertising making use of rental panels or paint boards) and/or on-premise advertising (outdoor advertising making use of media other than rental panels or paint boards). All such work shall be performed by a licensed sign contractor and shall be performed by or under the supervision of the holder of a sign supervisor certificate of qualification. If electrical wiring is involved, an electrical contractor class I or class II license is also required.
- (b) *Indemnity insurance.*
 - (1) *Required.* The following classifications shall, as a condition precedent to issuance, maintenance, or renewal of a license, furnish to the department of city planning and development a certificate of insurance issued by a company approved by the director of finance: demolition contractor class I, demolition contractor class II, fire protection contractor class I, fire protection contractor class II, plumbing contractor, residential building contractor and sign contractor.
 - (2) *Policy requirements.* The contractor shall provide a certificate of insurance indicating insurance meeting the following requirements:
 - a. The policy shall provide for liability insurance with a minimum aggregate limit of \$1,000,000.00 per occurrence.
 - b. The city shall be added as an additional insured to such policy by separate endorsement; except that no such endorsement shall be required for a residential building contractor unless such contractor will be performing work in the public right-of-way.
 - c. The policy shall contain a separate endorsement requiring the insurance company to notify the city in writing of any change in or cancellation of such policy at least 30 days prior thereto, or ten days in the event of cancellation due to nonpayment of premium.
 - d. The insurance certificate shall be produced by a company having a current A.M. Best rating of B+ V or better and licensed to do business in the state of Missouri.

e. Before the license is issued, and annually thereafter, the contractor shall deposit with the city a certificate of insurance evidencing that the coverage required by this subsection is in force and that the endorsements required by subsections (b)(2)b and c of this section have been issued.

(3) Failure to maintain the required insurance shall be grounds for automatic suspension of a license and for denial of further permits and inspections.

Sec. 18-339. Classification of certificates of qualification.

(a) *Generally.* There shall be various classes of certificates of qualification under this division, and the holder of each certificate type shall be authorized to do the work specified for that class.

(b) *Supervisor certificates.* A supervisor certificate of qualification shall be required for certain contractor licenses as set forth in this division and shall allow the holder to serve as supervisor as follows:

| Supervisor | Licensee |
|--------------------------------------|-------------------------------------------------------|
| Demolition supervisor class I | Demolition contractor class I or II |
| Demolition supervisor class II | Demolition contractor class II |
| Electrical supervisor | Electrical contractor class III |
| Elevator supervisor class I | Elevator contractor class I or II |
| Elevator supervisor class II | Elevator contractor class II or III |
| Elevator supervisor class III | Elevator contractor class III |
| Fire protection supervisor class I | Fire protection contractor class I, II, or III |
| Fire protection supervisor class II | Fire protection contractor class II |
| Fire protection supervisor class III | Fire protection contractor class III |
| Gas-fired appliance supervisor | Gas-fired appliance contractor |
| Mechanical supervisor | Mechanical contractor |
| Master electrician | Electrical contractor class I, II, or III |
| Master (limited) electrician | Electrical contractor class II |
| Master pipe fitter | Pipe fitting contractor or refrigeration contractor |
| Master plumber | Plumbing contractor or gas-fired appliance contractor |
| Residential building contractor | Residential building supervisor |
| Sign supervisor | Sign contractor |

(c) *Operators' certificates.* An operator's certificate of qualification shall be required to operate and maintain the following equipment and shall entitle the holder to operate and maintain the equipment for which he is certified; except that equipment and accessories used for operations, production, or processing by public utilities, government agencies, manufacturing or

processing plants, or commercial enterprises may be operated and maintained by a regular operating and maintenance staff when supervised by a professional engineer registered by the state. The work done under such supervision shall comply with all applicable provisions of this code, including required permits and inspections.

- (1) *Operating engineer.* An operating engineer certificate shall entitle the holder to take charge of and to operate and maintain all steam-generating boilers, steam engines, internal-combustion engines, turbines, condensers, compressors, generators, motors, blowers, fuel-burning equipment, and refrigeration systems and all auxiliary apparatus, together with any necessary maintenance of piping used in connection therewith. The certificate is required for operating the following:
 - a. Steam-generating boilers carrying 125 or more pounds of pressure.
 - b. Boilers carrying 100 or more pounds of pressure when used for driving machinery.
 - c. Any system containing a Group 3 refrigerant.
 - d. Any system with a capacity greater than ten tons containing a Group 2 refrigerant.
- (2) *Steam operating engineer.* A steam operating engineer certificate shall entitle the holder to operate and maintain the same steam equipment and accessories as an operating engineer, as follows: All steam-generating boilers, steam engines, internal-combustion engines, turbines, condensers, compressors, generators, motors, blowers, fuel-burning equipment, and all auxiliary apparatus, together with any necessary maintenance of piping used in connection therewith. The certificate is required for operating the following:
 - a. Steam-generating boilers carrying 125 or more pounds of pressure.
 - b. Boilers carrying 100 or more pounds of pressure when used for driving machinery.
- (3) *Refrigeration operating engineer.* A refrigeration operating engineer certificate shall entitle the holder to operate and maintain any refrigeration system. The certificate is required for:
 - a. Any system containing a Group 3 refrigerant.

