

BOARD BILL NO. 120CS INTRODUCED BY ALDERMAN JOSEPH RODDY

1 An Ordinance recommended by the Board of Public Service of the City of St. Louis (the
2 “Board of Public Service”), establishing a multi-phased public works and improvement project
3 for the design and construction of various roadway infrastructure and safety improvements
4 including, but not limited to, roadway widening, resurfacing, traffic signal upgrades, pedestrian
5 access modifications, lighting, and aesthetic enhancements all in accordance with the City’s
6 “Complete Streets Policy” (City Ordinance 68663), when applicable, designated herein as the
7 Vandeventer Transportation Corridor Project running north along Vandeventer Avenue from the
8 intersection of Shaw Avenue to the intersection of Laclede Avenue (the “Project”), and
9 designating herein Phase I of the Project as the area along Vandeventer Avenue between I-
10 64/US40 and Laclede Avenue (“Phase I”); and authorizing and directing the City of St. Louis
11 (the “City”), by and through its Board of Public Service, to let contracts and provide for the
12 design, construction, materials, and equipment for the Project, authorizing the Board of Public
13 Service to employ labor and consultants, pay salaries, fees and wages, acquire any and all real
14 and personal property rights and interests, in whole or in part, including easements (by lease,
15 purchase, eminent domain, condemnation, or otherwise) as necessary and to enter into
16 supplemental agreements with the Missouri Highway and Transportation Commission, Federal
17 Highway Administration, utilities, other governmental agencies, and third parties, as applicable,
18 for the Project all in accordance with the federal Transportation Equity Act for the 21st Century
19 (23 U.S.C. 110, et. seq.) when applicable, with any contract containing sections for: description
20 of work, material guarantees, estimated expenditure allocations, fund reversion authorization,
21 applicable federal and state wage rate requirements, equal opportunity provisions, the Mayor
22 Executive Orders, and contract advertising statutes; and any other necessary agreements;
23 requiring that all construction work provided for herein shall be carried out in accordance with

1 detailed plans and specifications adopted and approved by the Board of Public Service before
2 bids are advertised therefore; directing that all construction contracts let by authority of this
3 Ordinance provide for federal and state prevailing wage requirements including prevailing wage
4 holiday and overtime pay and compliance with all applicable statutes of the State of Missouri,
5 the City Charter and the Revised Code of the City, as amended; requiring all specifications
6 approved by the Board of Public Service and contracts let by authority of this Ordinance provide
7 for: compliance with the Mayor's Executive Orders on Equal Opportunity and maximum
8 MBE/WBE/DBE utilization goals, except when superseded or prohibited by federal or state law
9 or regulation; contractor's compliance with the provisions of Sections 285.525 thru 285.555 of
10 the Revised Statutes of Missouri, as amended, by requiring enrollment and participation in a
11 federal work authorization program and no knowing employment of unauthorized aliens;
12 contractor's compliance with the provisions of Section 292.675 of the Revised Statutes of
13 Missouri, as amended, by providing a ten-hour Occupational Safety and Health Administration
14 construction safety program for their on-site employees; contractor's compliance with the
15 provisions of Section 34.057 of the Revised Statutes of Missouri, as amended, (Prompt
16 Payment/Retainage), as applicable; requiring all advertisements for bids pursuant to this
17 Ordinance be subject to the provisions of Section 8.250 of the Revised Statutes of Missouri, as
18 amended; and appropriating the total estimated cost of Phase I of the Project in excess of One
19 Million Dollars (\$1,000,000.00) from various City sources provided no City funds shall be
20 expended without a source of reimbursement from a third party; authorizing and directing the
21 Comptroller of the City to draw warrants from time to time and disburse funds appropriated by
22 this ordinance and to receive and disburse grant funds, as applicable, in accordance with the
23 Transportation Equity Act of the 21st Century (23 U.S.C. 110, et seq.), as applicable, upon the

1 signature and certification of vouchers by the President of the Board of Public Service; and
2 containing a public work emergency clause.

3 **BE IT ORDAINED BY THE CITY OF ST. LOUIS AS FOLLOWS:**

4 **SECTION ONE.** There is hereby authorized a multi-phased public works and improvement
5 project for the design and construction of various roadway infrastructure and safety
6 improvements including, but not limited to, roadway widening, resurfacing, traffic signal
7 upgrades, pedestrian access modifications, lighting, and aesthetic enhancements all in
8 accordance with the City's "Complete Streets Policy" (City Ordinance 68663), when applicable,
9 designated herein as the Vandeventer Avenue Transportation Corridor Project (the "Project")
10 running north along Vandeventer Avenue from the intersection of Shaw Avenue to the
11 intersection of Laclede Avenue, with Phase I of the Project designated as the area along
12 Vandeventer Avenue between I-64/US40 and Laclede Avenue ("Phase I").

13 **SECTION TWO.** The City of St. Louis (the "City"), by and through its Board of Public Service
14 (the "Board of Public Service"), is hereby authorized and directed to let contracts and provide for
15 the design, construction, materials, and equipment, for the Project, to employ labor and
16 consultants, pay salaries, fees and wages, acquire any and all said real and personal property
17 rights or interests, in whole or in part, including easements (by lease, purchase, eminent domain,
18 condemnation, or otherwise) as necessary for the completion of the Project, to enter into
19 supplemental agreements with the Missouri Highway and Transportation Commission, Federal
20 Highway Administration, utilities, other governmental agencies, and third parties, all in
21 accordance with the federal Transportation Equity Act for the 21st Century (23 U.S.C. 110, et
22 seq.), as applicable; and any other necessary agreements; with any construction contracts
23 containing sections for: description of the work, material guarantees, estimated expenditure

1 allocations, fund reversion authorization, applicable federal and state wage rate requirements,
2 equal opportunity provisions, the Mayor's Executive Orders, and contract advertising statutes.

3 **SECTION THREE.** The work provided for herein shall be carried out in accordance with
4 detailed plans and specifications to be adopted and approved by the Board of Public Service
5 before bids are advertised therefore.

6 **SECTION FOUR.** All construction contracts let under authority of this Ordinance shall provide
7 that no less than the prevailing hourly rate of wages in the City, as determined in accordance
8 with the Federal Davis-Bacon Act, if applicable, and by the Department of Labor and Industrial
9 Relations of the State of Missouri (Sections 290.210 through 290.340 RSMo. 2000, as amended,)
10 for each craft or type of work needed in the actual labor on the jobs herein authorized, as well as
11 the general prevailing rate of pay for legal holidays and overtime work shall be paid to all
12 workers on the Project. All contracts let in connection with the construction provided for herein
13 shall be subject to and in conformance with all applicable statutes of the State of Missouri and
14 the City Charter and Revised Code of the City, as amended. All contracts let in connection with
15 the construction provided for herein shall require contractor's enrollment and participation in a
16 federal work authorization program and an affirmation that contractor does not knowingly
17 employ unauthorized alien employees pursuant to Sections 285.525 thru 285.555 of the Revised
18 Statutes of Missouri, as amended, require contractor provide a ten-hour Occupational Safety and
19 Health Administration construction safety program for their on-site employees as required by the
20 provisions of Section 292.675 of the Revised Statutes of Missouri, as amended, and, as
21 applicable, require the contractor(s) to comply with the provisions of Section 34.057 of the
22 Revised Statutes of Missouri, as amended (Prompt Payment/Retainage).

1 **SECTION FIVE.** All specifications approved by the Board of Public Service and contracts let
2 under the authority of this Ordinance shall provide for compliance with the Mayor's Executive
3 Orders on Equal Opportunity and maximum MBE/WBE/DBE utilization goals, except when
4 otherwise superseded or prohibited by federal or state law or regulation.

5 **SECTION SIX.** All advertisement for bids pursuant to this Ordinance shall be subject to
6 Section 8.250 of the Revised Statutes of Missouri, as amended.

7 **SECTION SEVEN.** The total estimated cost of Phase I of the Project is in excess of One
8 Million Dollars (\$1,000,000.00) and while such funds will be appropriated from various City
9 sources, under no circumstances shall City funds be expended without a source of reimbursement
10 from a third party.

11 **SECTION EIGHT.** The Comptroller of the City is hereby authorized and directed to draw
12 warrants from time to time and disburse funds appropriated by this ordinance and is further
13 authorized and directed to receive and disburse grant funds, when applicable, in accordance with
14 the Transportation Equity Act of the 21st Century (23 U.S.C. 110, et seq.), upon the signature
15 and certification of vouchers by the President of the Board of Public Service. Reimbursement
16 funds received, when applicable, shall be deposited into the Federal Aid to Urban Program
17 Match Share Fund Ordinance 56931.

18 **SECTION NINE.** The Board of Public Service is hereby authorized to accept on behalf of the
19 City monetary contributions and reimbursements from other governmental agencies and others to
20 assist in paying for the work authorized in this Ordinance. Funds received shall be deposited
21 into a City account established for Phase 1 of the Project.

22 **SECTION TEN.** This being an ordinance providing for public work and improvement, it is
23 hereby declared to be an emergency measure as defined in Article IV, Sections 19 and 20 of the

- 1 City Charter and shall become effective immediately upon its passage and approval by the
- 2 Mayor of the City.