

BOARD BILL NO. 196 INTRODUCED BY ALDERMAN DIONNE FLOWERS

1 An Ordinance, recommended by the Board of Public Service of the City of St. Louis (the "Board
2 of Public Service"), establishing a public works and improvement project for the North
3 Broadway Improvements involving various roadway infrastructure improvements and
4 enhancements from Thrush Avenue to Walter Avenue (the "North Broadway Improvement
5 Project"); authorizing and directing the City of St. Louis (the "City"), by and through its Board
6 of Public Service, to let contracts and provide for the design, construction, materials, and
7 equipment for the North Broadway Improvement Project; authorizing the Board of Public
8 Service to employ labor and consultants, pay salaries, fees and wages, acquire any and all said
9 real and personal property rights and interests, in whole or in part, including easements (by lease,
10 purchase, condemnation, or otherwise), as necessary for completion of the North Broadway
11 Improvement Project, and to enter into supplemental agreements with the Missouri Highway and
12 Transportation Commission, Federal Highway Administration, utilities, railroads, and other
13 governmental agencies as necessary for completion of the North Broadway Improvement
14 Project, all in accordance with the federal Transportation Equity Act for the 21st Century (23
15 U.S.C. § 110, *et seq.*), these agreements may include, but are not limited to, sections for:
16 description of the work, material guarantees, estimated expenditure allocations, fund reversion
17 authorization, applicable federal and state wage rate requirements, equal opportunity provisions,
18 the Mayor's Executive Orders, and contract advertising statutes; requiring that all work provided
19 for herein shall be carried out in accordance with detailed plans and specifications adopted and
20 approved by the Board of Public Service before bids are advertised therefor; directing that all
21 construction contracts let by authority of this Ordinance provide for federal and state prevailing
22 wage requirements, including prevailing wage holiday and overtime pay, and compliance with
23 all applicable statutes of the State of Missouri (Sections 290.210 through 290.340 of the Revised
24 Statutes of Missouri 2000, as amended), the City Charter, City ordinances including the
25 "Complete Streets Policy," (City Ordinance 68663), when applicable, and the Revised Code of
26 the City, as amended; requiring all specifications approved by the Board of Public Service and

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1 contracts let by authority of this Ordinance shall provide for: compliance with the Mayor's
2 Executive Orders on Equal Opportunity and maximum MBE/WBE/DBE utilization goals, except
3 when superseded or prohibited by federal or state law or regulation; requiring that all
4 contractor's shall comply with the provisions of Sections 285.525 through 285.555 of the
5 Revised Statutes of Missouri 2000, as amended, by requiring enrollment and participation in a
6 federal work authorization program and agreeing not to knowingly employ unauthorized aliens;
7 requiring that all contractor's shall comply with the provisions of Section 292.675 of the Revised
8 Statutes of Missouri 2000, as amended, by providing a ten-hour Occupational Safety and Health
9 Administration construction safety program for their on-site employees; requiring that all
10 contractor's shall comply with the provisions of Section 34.057 of the Revised Statutes of
11 Missouri 2000, as amended, (Prompt Payment/Retainage), as applicable; requiring the furnishing
12 of a bond by every contractor on this public works project pursuant to the provisions of Section
13 107.170 of the Revised Statutes of Missouri 2000, as amended; requiring compliance with
14 Section 34.353 of the Revised Statutes of Missouri 2000, as amended (Domestic Product
15 Procurement Act – Buy American); requiring all advertisements for bids pursuant to this
16 Ordinance be subject to the provisions of Section 8.250 of the Revised Statutes of Missouri
17 2000, as amended; appropriating the total estimated cost of the North Broadway Improvement
18 Project of Two Million, Six Hundred Fifty Thousand Dollars (\$2,650,000.00) from various
19 sources including the Federal Highway Administration Moving Ahead for Progress in the 21st
20 Century (MAP-21), and the One-Half Cent Ward Capital Improvement Fund; authorizing and
21 directing the Comptroller of the City to draw warrants from time to time and disburse funds
22 appropriated by this Ordinance and to receive and disburse grant funds in accordance with the
23 Transportation Equity Act of the 21st Century (23 U.S.C. § 110, *et seq.*) upon the signature and
24 certification of vouchers by the President of the Board of Public Service; and containing a public
25 work emergency clause.

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

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Sponsor: Alderman Flowers

1 SECTION ONE. There is hereby authorized a public works and improvement project for the
2 North Broadway Improvement Project involving various roadway infrastructure improvements
3 and enhancements from Thrush Avenue to Walter Avenue (the “North Broadway Improvement
4 Project”).

5 SECTION TWO. The City of St. Louis (the "City"), by and through its Board of Public Service
6 (the "Board of Public Service"), is hereby authorized and directed to let contracts and provide for
7 the design, construction, materials, and equipment, for the North Broadway Improvement
8 Project, to employ labor and consultants, pay salaries, fees and wages, to acquire any and all said
9 real and personal property rights or interests, in whole or in part, including easements (by lease,
10 purchase, condemnation, or otherwise) for the completion of the North Broadway Improvement
11 Project, to enter into supplemental agreements with the Missouri Highway and Transportation
12 Commission, Federal Highway Administration, utilities, railroads, and other governmental
13 agencies, all in accordance with the federal Transportation Equity Act for the 21st Century (23
14 U.S.C. § 110, *et seq.*), these agreements may include, but are not limited to, sections for:
15 description of the work, material guarantees, estimated expenditure allocations, fund reversion
16 authorization, applicable federal and state wage rate requirements, equal opportunity provisions,
17 the Mayor’s Executive Orders, and contract advertising statutes.

18 SECTION THREE. The work provided for herein shall be carried out in accordance with
19 detailed plans and specifications to be adopted and approved by the Board of Public Service
20 before bids are advertised therefor.

21 SECTION FOUR. All construction contracts let under authority of this Ordinance shall provide
22 that no less than the prevailing hourly rate of wages in the City shall be paid, as determined in
23 accordance with the Federal Davis-Bacon Act and by the Department of Labor and Industrial
24 Relations of the State of Missouri (Sections 290.210 through 290.340 of the Revised Statutes of
25 Missouri 2000, as amended) for each craft or type of work needed in the actual labor on the jobs

1 herein authorized, as well as the general prevailing rate of pay for legal holidays and overtime
2 work shall be paid to all workers on the North Broadway Improvement Project. All contracts let
3 in connection with the construction provided for herein shall be subject to, and in conformance
4 with all applicable statutes of the State of Missouri, the City Charter, City ordinances, and
5 Revised Code of the City, as amended, including any applicable City codes, rules and
6 regulations. All contracts let in connection with the construction provided for herein shall
7 require contractor's enrollment and participation in a federal work authorization program and an
8 affirmation that contractor does not knowingly employ unauthorized alien employees pursuant to
9 Sections 285.525 through 285.555 of the Revised Statutes of Missouri 2000, as amended, require
10 contractor provide a ten-hour Occupational Safety and Health Administration construction safety
11 program for their on-site employees as required by the provisions of Section 292.675 of the
12 Revised Statutes of Missouri 2000, as amended, as applicable, require the contractor(s) to
13 comply with the provisions of Section 34.057 of the Revised Statutes of Missouri 2000, as
14 amended (Prompt Payment/Retainage), require the furnishing of a bond by every contractor on
15 this public works project pursuant to the provisions of Section 107.170 of the Revised Statutes of
16 Missouri 2000, as amended, and require contractor(s) to comply with Section 34.353 of the
17 Revised Statutes of Missouri 2000, as amended (Domestic Product Procurement Act – Buy
18 American).

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

23 SECTION SIX. All advertisement for bids pursuant to this Ordinance shall be subject to Section
24 8.250 of the Revised Statutes of Missouri 2000, as amended.

25 SECTION SEVEN. The total estimated cost of the North Broadway Improvement Project is

1 Two Million, Six Hundred Fifty Thousand Dollars (\$2,650,000.00) of which the federal share is
2 Two Million, One Hundred Twenty Thousand Dollars (\$1,120,000.00) from the Federal
3 Highway Administration Moving Ahead for Progress in the 21st Century (MAP-21) to be
4 appropriated from the Federal Aid to Urban Program Match Share Fund, also known as the
5 Federal Aid to Urban Program Revolving Fund, established by Ordinance 56931, and the
6 remaining local match share is Five Hundred Thirty Thousand Dollars (\$530,000.00) to be
7 appropriated from the One-Half Cent Ward Capital Improvement Fund. Said improvements shall
8 be contracted and executed in parts as funds are accrued in the Match Share Fund and are
9 adequate to pay the City's share of the cost.

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

17 SECTION NINE. The Board of Public Service is hereby authorized to accept on behalf of the
18 City monetary donations from other governmental agencies and others to assist in paying for the
19 work authorized in this Ordinance. Funds received shall be deposited into the North Broadway
20 Improvement Project Account.

21 SECTION TEN. This being an Ordinance providing for public work and improvement, it is
22 hereby declared to be an emergency measure as defined in Article IV, Sections 19 and 20 of the
23 City Charter and shall become effective immediately upon its passage and approval by the
24 Mayor of the City.