

1           An Ordinance, recommended by the Board of Public Service of the City of St. Louis (the  
2 "Board of Public Service"), establishing a public works and improvement project for the Grand  
3 Center Great Streets Improvements on Washington Boulevard Project involving the widening of  
4 sidewalks, lighting, and other roadway improvements from Grand Boulevard to the Sheldon  
5 Concert Hall (the "Grand Center Washington Boulevard Improvement Project"); authorizing and  
6 directing the City of St. Louis (the "City"), by and through its Board of Public Service, to let  
7 contracts, coordinate, and provide for the planning, design, construction, materials, and  
8 equipment for the Grand Center Washington Boulevard Improvement Project; authorizing the  
9 Board of Public Service to employ labor and consultants, pay salaries, fees and wages, as  
10 necessary for the completion of the Grand Center Washington Boulevard Improvement Project,  
11 and to enter into supplemental agreements with the Missouri Highway and Transportation  
12 Commission, Federal Highway Administration, Grand Center Incorporated, utilities, and other  
13 governmental agencies and organizations as necessary for completion of the Grand Center  
14 Washington Boulevard Improvement Project, all in accordance with the federal Transportation  
15 Equity Act for the 21<sup>st</sup> Century (23 U.S.C. § 110, *et seq.*), with any contract containing sections  
16 for: description of the work, material guarantees, estimated expenditure allocations, fund  
17 reversion authorization, applicable federal and state wage rate requirements, equal opportunity  
18 provisions, the Mayor's Executive Orders, and contract advertising statutes; requiring that all  
19 work provided for herein shall be carried out in accordance with detailed plans and specifications  
20 adopted and approved by the Board of Public Service before bids are advertised therefor;  
21 directing that all construction contracts let by authority of this Ordinance provide for federal and  
22 state prevailing wage requirements, including prevailing wage holiday and overtime pay, and  
23 compliance with all applicable statutes of the State of Missouri, including Sections 290.210

1 through 290.340 of the Revised Statutes of Missouri, 2000, as amended, the City Charter, City  
2 ordinances, including but not limited to, the “Complete Streets Policy”, (City Ordinance 69955),  
3 when applicable, and the Revised Code of the City, as amended; requiring that all contractors  
4 shall comply with the provisions of Sections 285.525 through 285.555 of the Revised Statutes of  
5 Missouri, 2000, as amended, by requiring enrollment and participation in a federal work  
6 authorization program and agreeing not to knowingly employ unauthorized aliens; requiring that  
7 all contractors shall comply with the provisions of Section 292.675 of the Revised Statutes of  
8 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 contractors 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  
12 furnishing of a bond by every contractor on this public works project pursuant to the provisions  
13 of Section 107.170 of the Revised Statutes of Missouri, 2000, as amended; requiring compliance  
14 with Section 34.353 of the Revised Statutes of Missouri, 2000, as amended (Domestic Product  
15 Procurement Act – Buy American); requiring all specifications approved by the Board of Public  
16 Service and contracts let by authority of this Ordinance shall provide for: compliance with the  
17 Mayor’s Executive Orders on Equal Opportunity and maximum MBE/WBE/DBE utilization  
18 goals, except when superseded or prohibited by federal or state law or regulation; requiring all  
19 advertisements for bids pursuant to this Ordinance be subject to the provisions of Section 8.250  
20 of the Revised Statutes of Missouri, 2000, as amended; appropriating the total estimated cost for  
21 the Planning, Engineering Design, and Construction of the Grand Center Washington Boulevard  
22 Improvement Project of One Million, Six Hundred Thousand Dollars (\$1,600,000.00) from  
23 various sources including the Federal Highway Administration Moving Ahead for Progress in

1 the 21<sup>st</sup> Century Act (MAP-21), and Grand Center Incorporated; authorizing and directing the  
2 Comptroller of the City to draw warrants from time to time and disburse funds appropriated by  
3 this Ordinance and to receive and disburse grant funds in accordance with the Transportation  
4 Equity Act of the 21<sup>st</sup> Century (23 U.S.C. § 110, *et seq.*) upon the signature and certification of  
5 vouchers by the President of the Board of Public Service; and containing a public work  
6 emergency clause.

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

8 **SECTION ONE.** There is hereby authorized a public works and improvement project for  
9 the Grand Center Washington Boulevard Improvement Project involving the widening of  
10 sidewalks, lighting, and other roadway improvements from Grand Boulevard to the Sheldon  
11 Concert Hall (the “Grand Center Washington Boulevard Improvement Project”).

12 **SECTION TWO.** The City of St. Louis (the "City"), by and through its Board of Public  
13 Service (the "Board of Public Service"), is hereby authorized and directed to let contracts,  
14 coordinate, and provide for the planning, design, construction, materials, and equipment for the  
15 Grand Center Washington Boulevard Improvement Project, to employ labor and consultants, pay  
16 salaries, fees and wages, as necessary for the completion of the planning, design, construction,  
17 materials, and equipment for the Grand Center Washington Boulevard Improvement Project, to  
18 enter into supplemental agreements with the Missouri Highway and Transportation Commission,  
19 Federal Highway Administration, Grand Center Incorporated, utilities, and other governmental  
20 agencies and organizations, all in accordance with the federal Transportation Equity Act for the  
21 21<sup>st</sup> Century (23 U.S.C. § 110, *et seq.*), with any contracts containing sections for: description of  
22 the work, material guarantees, estimated expenditure allocations, fund reversion authorization,

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

3         **SECTION THREE.** Grand Center Incorporated will contract and pay for one hundred  
4 percent (100%) of the cost for the engineering design and acquire all real and personal property  
5 rights and interests in whole or in part, including easements, as necessary, for the Grand Center  
6 Washington Boulevard Improvement Project. The City will coordinate with Grand Center  
7 Incorporated and their engineering consultants to review and assist in development of detailed  
8 plans and specifications that are acceptable to the City. Grand Center Incorporated shall deliver  
9 the detailed plans and specifications to the City in a format acceptable to the City.

10         **SECTION FOUR.** The City shall advertise for bids, and manage the construction of the  
11 Grand Center Washington Boulevard Improvement Project. The work provided for herein shall  
12 be carried out in accordance with the detailed plans and specifications to be adopted and  
13 approved by the Board of Public Service before bids are advertised therefor.

14         **SECTION FIVE.** All construction contracts let under authority of this Ordinance shall  
15 provide that no less than the prevailing hourly rate of wages in the City shall be paid, as  
16 determined in accordance with the Federal Davis-Bacon Act and by the Department of Labor and  
17 Industrial Relations of the State of Missouri (Sections 290.210 through 290.340 of the Revised  
18 Statutes of Missouri, 2000, as amended) for each craft or type of work needed in the actual labor  
19 on the jobs herein authorized, as well as the general prevailing rate of pay for legal holidays and  
20 overtime work shall be paid to all workers on the Grand Center Washington Boulevard  
21 Improvement Project. All contracts let in connection with the construction provided for herein  
22 shall be subject to, and in conformance with all applicable statutes of the State of Missouri, the

1 City Charter, City ordinances, including but not limited to, the “Complete Streets Policy”, (City  
2 Ordinance 69955), when applicable, and the Revised Code of the City, as amended, including  
3 any applicable City codes, rules and regulations. All contracts let in connection with the  
4 construction provided for herein shall require contractor’s enrollment and participation in a  
5 federal work authorization program and an affirmation that contractor does not knowingly  
6 employ unauthorized alien employees pursuant to Sections 285.525 through 285.555 of the  
7 Revised Statutes of Missouri, 2000, as amended, require contractor provide a ten-hour  
8 Occupational Safety and Health Administration construction safety program for their on-site  
9 employees as required by the provisions of Section 292.675 of the Revised Statutes of Missouri,  
10 2000, as amended, as applicable, require the contractor(s) to comply with the provisions of  
11 Section 34.057 of the Revised Statutes of Missouri, 2000, as amended (Prompt  
12 Payment/Retainage), require the furnishing of a bond by every contractor on this public works  
13 project pursuant to the provisions of Section 107.170 of the Revised Statutes of Missouri, 2000,  
14 as amended, and require contractor(s) to comply with Section 34.353 of the Revised Statutes of  
15 Missouri, 2000, as amended (Domestic Product Procurement Act – Buy American).

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

20 **SECTION SEVEN.** All advertisement for bids pursuant to this Ordinance shall be  
21 subject to Section 8.250 of the Revised Statutes of Missouri, 2000, as amended.

22 **SECTION EIGHT.** The total estimated cost for the Planning, Engineering Design, and

1 Construction of the Grand Center Washington Boulevard Improvement Project is One Million,  
2 Six Hundred Thousand Dollars (\$1,600,000.00) of which the federal share is One Million  
3 Dollars (\$1,000,000.00) from the Federal Highway Administration Moving Ahead for Progress  
4 in the 21<sup>st</sup> Century Act (MAP-21) to be appropriated from the Federal Aid to Urban Program  
5 Match Share Fund, also known as the Federal Aid to Urban Program Revolving Fund,  
6 established by Ordinance 56931, and the remaining non-federal share is Six Hundred Thousand  
7 Dollars (\$600,000.00) to be obtained from Grand Center Incorporated through the execution of a  
8 Cooperative Agreement. Said improvements shall be contracted and executed in parts as funds  
9 are accrued in the Match Share Fund and are adequate to pay the City's share of the cost.

10 **SECTION NINE.** 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 21<sup>st</sup> 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 established  
16 by Ordinance 56931.

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

21 **SECTION ELEVEN.** This being an Ordinance providing for public work and  
22 improvement, it is hereby declared to be an emergency measure as defined in Article IV,

- 1 Sections 19 and 20 of the City Charter and shall become effective immediately upon its passage
- 2 and approval by the Mayor of the City.