

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
3 Germania Street Overlay and Pedestrian Improvements from Gravois Avenue to Interstate 55
4 (the "Germania Improvement Project"); authorizing and directing the City of St. Louis (the
5 "City"), by and through its Board of Public Service, to let contracts and provide for the design,
6 construction, materials, and equipment for the Germania Improvement Project; authorizing the
7 Board of Public Service to employ labor and consultants, pay salaries, fees and wages, acquire
8 any and all said real and personal property rights and interests, in whole or in part, including
9 easements (by lease, purchase, or otherwise), as necessary for completion of the Germania
10 Improvement Project, and to enter into supplemental agreements with the Missouri Highway and
11 Transportation Commission, Federal Highway Administration, utilities, railroads, and other
12 governmental agencies as necessary for completion of the Germania Improvement Project, all in
13 accordance with the federal Transportation Equity Act for the 21st Century (23 U.S.C. § 110, *et*
14 *seq.*), with any contract containing sections for: description of the work, material guarantees,
15 estimated expenditure allocations, fund reversion authorization, applicable federal and state wage
16 rate requirements, equal opportunity provisions, the Mayor's Executive Orders, and contract
17 advertising statutes; requiring that all work provided for herein shall be carried out in accordance
18 with detailed plans and specifications adopted and approved by the Board of Public Service
19 before bids are advertised therefor; directing that all construction contracts let by authority of this
20 Ordinance provide for federal and state prevailing wage requirements, including prevailing wage
21 holiday and overtime pay, and compliance with all applicable statutes of the State of Missouri
22 including Sections 290.210 through 290.340 of the Revised Statutes of Missouri, 2000, as

1 amended, the City Charter, City ordinances including the “Complete Streets Policy, ” (City
2 Ordinance 68663), when applicable, and the Revised Code of the City, as amended; requiring
3 that all contractors shall comply with the provisions of Sections 285.525 through 285.555 of the
4 Revised Statutes of Missouri, 2000, as amended, by requiring enrollment and participation in a
5 federal work authorization program and agreeing not to knowingly employ unauthorized aliens;
6 requiring that all contractors shall comply with the provisions of Section 292.675 of the Revised
7 Statutes of Missouri, 2000, as amended, by providing a ten-hour Occupational Safety and Health
8 Administration construction safety program for their on-site employees; requiring that all
9 contractors shall comply with the provisions of Section 34.057 of the Revised Statutes of
10 Missouri, 2000, as amended, (Prompt Payment/Retainage), as applicable; requiring the
11 furnishing of a bond by every contractor on this public works project pursuant to the provisions
12 of Section 107.170 of the Revised Statutes of Missouri, 2000, as amended; requiring compliance
13 with Section 34.353 of the Revised Statutes of Missouri, 2000, as amended (Domestic Product
14 Procurement Act – Buy American); requiring all specifications approved by the Board of Public
15 Service and contracts let by authority of this Ordinance shall provide for: compliance with the
16 Mayor’s Executive Orders on Equal Opportunity and maximum MBE/WBE/DBE utilization
17 goals, except when superseded or prohibited by federal or state law or regulation; requiring all
18 advertisements for bids pursuant to this Ordinance be subject to the provisions of Section 8.250
19 of the Revised Statutes of Missouri, 2000, as amended; appropriating the total estimated cost of
20 the Germania Improvement Project of One Million, Six Hundred Thousand Dollars
21 (\$1,600,000.00) from various sources including the Federal Highway Administration Moving
22 Ahead for Progress in the 21st Century Act (MAP-21), and the One-Half Cent Ward Capital
23 Improvement Fund; authorizing and directing the Comptroller of the City to draw warrants from

1 time to time and disburse funds appropriated by this Ordinance and to receive and disburse grant
2 funds in accordance with the Transportation Equity Act of the 21st Century (23 U.S.C. § 110, *et*
3 *seq.*) upon the signature and certification of vouchers by the President of the Board of Public
4 Service; and containing a public work emergency clause.

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

6 **SECTION ONE.** There is hereby authorized a public works and improvement project for
7 the Germania Street Overlay and Pedestrian Improvements from Gravois Avenue to Interstate 55
8 (the "Germania Improvement Project").

9 **SECTION TWO.** The City of St. Louis (the "City"), by and through its Board of Public
10 Service (the "Board of Public Service"), is hereby authorized and directed to let contracts and
11 provide for the design, construction, materials, and equipment for the Germania Improvement
12 Project, to employ labor and consultants, pay salaries, fees and wages, to acquire any and all said
13 real and personal property rights or interests, in whole or in part, including easements (by lease,
14 purchase, or otherwise) for the completion of the Germania Improvement Project, to enter into
15 supplemental agreements with the Missouri Highway and Transportation Commission, Federal
16 Highway Administration, utilities, railroads, and other governmental agencies, all in accordance
17 with the federal Transportation Equity Act for the 21st Century (23 U.S.C. § 110, *et seq.*), with
18 any contracts containing sections for: description of the work, material guarantees, estimated
19 expenditure allocations, fund reversion authorization, applicable federal and state wage rate
20 requirements, equal opportunity provisions, the Mayor's Executive Orders, and contract
21 advertising statutes.

22 **SECTION THREE.** The work provided for herein shall be carried out in accordance

1 with detailed plans and specifications to be adopted and approved by the Board of Public Service
2 before bids are advertised therefor.

3 **SECTION FOUR.** All construction contracts let under authority of this Ordinance shall
4 provide that no less than the prevailing hourly rate of wages in the City shall be paid, as
5 determined in accordance with the Federal Davis-Bacon Act and by the Department of Labor and
6 Industrial Relations of the State of Missouri (Sections 290.210 through 290.340 of the Revised
7 Statutes of Missouri, 2000, as amended) for each craft or type of work needed in the actual labor
8 on the jobs herein authorized, as well as the general prevailing rate of pay for legal holidays and
9 overtime work shall be paid to all workers on the Germania Improvement Project. All contracts
10 let in connection with the construction provided for herein shall be subject to, and in
11 conformance with all applicable statutes of the State of Missouri, the City Charter, City
12 ordinances including the “Complete Streets Policy, ” (City Ordinance 68663), when applicable,
13 and Revised Code of the City, as amended, including any applicable City codes, rules and
14 regulations. All contracts let in connection with the construction provided for herein shall
15 require contractor’s enrollment and participation in a federal work authorization program and an
16 affirmation that contractor does not knowingly employ unauthorized alien employees pursuant to
17 Sections 285.525 through 285.555 of the Revised Statutes of Missouri, 2000, as amended,
18 require contractor provide a ten-hour Occupational Safety and Health Administration
19 construction safety program for their on-site employees as required by the provisions of Section
20 292.675 of the Revised Statutes of Missouri, 2000, as amended, as applicable, require the
21 contractor(s) to comply with the provisions of Section 34.057 of the Revised Statutes of
22 Missouri, 2000, as amended (Prompt Payment/Retainage), require the furnishing of a bond by
23 every contractor on this public works project pursuant to the provisions of Section 107.170 of the

1 Revised Statutes of Missouri, 2000, as amended, and require contractor(s) to comply with
2 Section 34.353 of the Revised Statutes of Missouri 2000, as amended (Domestic Product
3 Procurement Act – Buy American).

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

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

10 **SECTION SEVEN.** The total estimated cost of the Germania Improvement Project is
11 One Million, Six Hundred Thousand Dollars (\$1,600,000.00) of which the federal share is One
12 Million, Two Hundred Eighty Thousand Dollars (\$1,280,000.00) from the Federal Highway
13 Administration Moving Ahead for Progress in the 21st Century Act (MAP-21) to be appropriated
14 from the Federal Aid to Urban Program Match Share Fund, also known as the Federal Aid to
15 Urban Program Revolving Fund, established by Ordinance 56931, and the remaining local match
16 share is Three Hundred Twenty Thousand Dollars (\$320,000.00) to be obtained from the One-
17 Half Cent Ward Capital Improvement Fund. Said improvements shall be contracted and executed
18 in parts as funds are accrued in the Match Share Fund and are adequate to pay the City’s share of
19 the cost.

20 **SECTION EIGHT.** The Comptroller of the City is hereby authorized and directed to
21 draw warrants from time to time and disburse funds appropriated by this Ordinance and is further
22 authorized and directed to receive and disburse grant funds in accordance with the

1 Transportation Equity Act of the 21st Century (23 U.S.C. § 110, *et seq.*), upon the signature and
2 certification of vouchers by the President of the Board of Public Service. Reimbursement funds
3 received shall be deposited into the Federal Aid to Urban Program Match Share Fund,
4 established by Ordinance 56931.

5 **SECTION NINE.** The Board of Public Service is hereby authorized to accept on behalf
6 of the City monetary donations from other governmental agencies and others to assist in paying
7 for the work authorized in this Ordinance. Funds received shall be deposited into the Germania
8 Improvement Project Account.

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