

ORDINANCE #68340
Board Bill No. 43

An Ordinance, recommended by the Board of Public Service of the City of St. Louis, establishing public works and improvement projects for the design and/or construction of twelve (12) American Recovery and Reinvestment Act of 2009 Projects involving various infrastructure improvements (the "ARRA Projects") including Compton Avenue Viaduct Repairs Over Union Pacific Railroad, Vandeventer Avenue Streetscape (Kingshighway to Shaw), Dr. Martin Luther King Pedestrian Lighting (City Limits to Arlington), Loughborough Avenue Bridge Widening Over Union Pacific Railroad, Manchester Avenue Pedestrian Lighting (Taylor to Sarah), Overlay and Pedestrian Improvements (Goodfellow from Delmar to Natural Bridge, and Skinker from Clayton to Page), South Grand Improvements (Arsenal to McDonald), Morgan Ford Road Signal Interconnection and Upgrades (Arsenal to City Limits), Grand Center/Grand Boulevard Streetscape (Lindell to Page), South Broadway Streetscape (Courtois to Upton), Removal of North Tucker Boulevard Bridge (Washington to Cass), and Municipal Terminal Dock Improvements (One North Market); and authorizing and directing the City of St. Louis (the "City"), by and through its Board of Public Service, to let contracts and provide for the design, construction, materials, and equipment for the ARRA Projects, authorizing the Board of Public Service to employ labor and consultants, pay salaries, fees and wages, acquire real property interests, and to enter into supplemental agreements with the Missouri Highway and Transportation Commission, Federal Highway Administration, railroads, utilities, and other governmental agencies for the ARRA Projects all in accordance with the American Reinvestment and Recovery Act of 2009, with any contract containing sections for: description of the work, material guarantees, estimated expenditure allocations, fund reversion authorization, applicable federal and state wage rate requirements, equal opportunity provisions, the Mayor's Executive Orders, and contract advertising statutes; requiring that all work provided for herein shall be carried out in accordance with detailed plans and specifications adopted and approved by the Board of Public Service before bids are advertised therefor; directing that all construction contracts let by authority of this Ordinance provide for federal and state prevailing wages requirements including prevailing wage holiday and overtime pay and compliance with all applicable statutes of the State of Missouri, the City Charter and the Revised Code of the City, as amended; requiring all specifications approved by the Board of Public Service and contracts let by authority of this Ordinance provide for compliance with the Mayor's Executive Orders on Equal Opportunity and maximum MBE/WBE/DBE utilization goals, except when superseded or prohibited by federal or state law or regulation; requiring all advertisements for bids pursuant to this Ordinance be subject to the provisions of Section 8.250 RSMo., as amended; and appropriating the total estimated cost of the twelve (12) ARRA Projects of Thirty-two Million, Five Hundred Thirty-four Thousand, Three Hundred Ninety-five Dollars (\$32,534,395.00) from the American Recovery and Reinvestment Act of 2009; authorizing and directing the Comptroller of the City to draw warrants from time to time and disburse funds appropriated by this ordinance and to receive and disburse grant funds in accordance with the American Recovery and Reinvestment Act of 2009 upon the signature and certification of vouchers by the President of the Board of Public Service; and containing a public work emergency clause.

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

SECTION ONE. There are hereby authorized public works and improvement projects for the design and/or construction of twelve (12) American Recovery and Reinvestment Act of 2009 Projects involving various infrastructure improvements (the "ARRA Projects") including Compton Avenue Viaduct Repairs Over Union Pacific Railroad, Vandeventer Avenue Streetscape (Kingshighway to Shaw), Dr. Martin Luther King Pedestrian Lighting (City Limits to Arlington), Loughborough Avenue Bridge Widening Over Union Pacific Railroad, Manchester Avenue Pedestrian Lighting (Taylor to Sarah), Overlay and Pedestrian Improvements (Goodfellow from Delmar to Natural Bridge, and Skinker from Clayton to Page), South Grand Improvements (Arsenal to McDonald), Morgan Ford Road Signal Interconnection and Upgrades (Arsenal to City Limits), Grand Center/Grand Boulevard Streetscape (Lindell to Page), South Broadway Streetscape (Courtois to Upton), Removal of North Tucker Boulevard Bridge (Washington to Cass), and Municipal Terminal Dock Improvements (One North Market).

SECTION TWO. The City of St. Louis (the "City"), by and through its Board of Public Service, is hereby authorized and directed to let contracts and provide for the design, construction, materials, and equipment, for the ARRA Projects, to employ labor and consultants, pay salaries, fees and wages, acquire real property interests for the ARRA Projects, to enter into supplemental agreements with the Missouri Highway and Transportation Commission, Federal Highway Administration, railroads, utilities, and other governmental agencies, all in accordance with the American Recovery and Reinvestment Act of 2009, with any contracts containing sections for: description of the work, material guarantees, estimated expenditure allocations, fund reversion authorization, applicable federal and state wage rate requirements, equal opportunity provisions, the Mayor's Executive Orders, and contract advertising statutes.

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

SECTION FOUR. All construction contracts let under authority of this Ordinance shall provide that no less than the

prevailing hourly rate of wages in the City, as determined in accordance with the Federal Davis-Bacon Act and by the Department of Labor and Industrial Relations of the State of Missouri (Sections 290.210 through 290.340 RSMo. 2000, as amended,) for each craft or type of work needed in the actual labor on the jobs herein authorized, as well as the general prevailing rate of pay for legal holidays and overtime work shall be paid to all workers on the ARRA Projects. All contracts let in connection with the construction provided for herein shall be subject to, and in conformance with all applicable statutes of the State of Missouri and the City Charter and Revised Code of the City, as amended.

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

SECTION SIX. All advertisement for bids pursuant to this Ordinance shall be subject to Section 8.250 RSMo. 2000, as amended.

SECTION SEVEN. The total estimated cost of the twelve (12) ARRA Projects is Thirty-two Million, Five Hundred Thirty-four Thousand, Three Hundred Ninety-five Dollars (\$32,534,395.00) of which one hundred percent (100%) of the estimated cost is from the American Recovery and Reinvestment Act of 2009 to be appropriated from the Federal Aid to Urban Program Revolving Fund established by Ordinance 56931 for ARRA Projects administered by the Board of Public Service. Said improvements shall be contracted and executed in parts as funds are accrued in the Revolving Funds and are adequate to pay the City's share of the cost. ARRA Projects administered by the Board of Public Service include Compton Avenue Viaduct Repairs Over Union Pacific Railroad – Seven Hundred Fifty Thousand Dollars (\$750,000.00); Vandeventer Avenue Streetscape (Kingshighway to Shaw) – Seven Hundred Seventy-eight Thousand, Three Hundred Sixty-three Dollars (\$778,363.00); Dr. Martin Luther King Pedestrian Lighting (City Limits to Arlington) – One Million, Two Hundred Thousand Dollars (\$1,200,000.00); Loughborough Avenue Bridge Widening Over Union Pacific Railroad – Six Hundred Thirty-One Thousand, Thirty-two Dollars (\$631,032.00); Manchester Avenue Pedestrian Lighting (Taylor to Sarah) – One Million, Four Hundred Fifty Thousand Dollars (\$1,450,000.00); Overlay and Pedestrian Improvements (Goodfellow from Delmar to Natural Bridge, and Skinker from Clayton to Page) – Two Million, Five Hundred Seventy-Five Thousand Dollars (\$2,575,000.00); South Grand Improvements (Arsenal to McDonald) – One Million, Eight Hundred Thousand Dollars (\$1,800,000.00); Morgan Ford Road Signal Interconnection and Upgrades (Arsenal to City Limits) – Two Million, Four Hundred Fifty Thousand Dollars (\$2,450,000.00); Grand Center/Grand Boulevard Streetscape (Lindell to Page) – Two Million Dollars (\$2,000,000.00); South Broadway Streetscape (Courtois to Upton) – One Million, Five Hundred Thousand Dollars (\$1,500,000.00); Removal of North Tucker Boulevard Bridge (Washington to Cass) – Seventeen Million Dollars (\$17,000,000.00); and Municipal Terminal Dock Improvements (One North Market) – Four Hundred Thousand Dollars (\$400,000.00).

SECTION EIGHT. The Comptroller of the City is hereby authorized and directed to draw warrants from time to time and disburse funds appropriated by this ordinance and is further authorized and directed to receive and disburse grant funds in accordance with the American Reinvestment and Recovery Act of 2009, upon the signature and certification of vouchers by the President of the Board of Public Service. Reimbursement funds received shall be deposited into the Federal Aid to Urban Program Revolving Fund established by Ordinance 56931 for projects administered by the Board of Public Service.

SECTION NINE. The Board of Public Service is hereby authorized to accept on behalf of the City monetary donations from other governmental agencies and others to assist in paying for the work authorized in this Ordinance. Funds received shall be deposited into the Federal Aid to Urban Program Revolving Fund established by Ordinance 56931 for projects administered by the Board of Public Service.

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

Approved: May 18, 2009