

## BOARD BILL NO. 76CS INTRODUCED BY ALDERMAN FREEMAN BOSLEY, SR.

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 design and  
3 construction of various preventive maintenance procedures on eight (8) "Off-System" bridges  
4 including Gravois Underpass (Bridge ID No. 400.10), Chippewa Underpass (Bridge ID No.  
5 400.09), Laurel and Waterman Over MetroLink (Bridge ID No. 250.08), Morganford Over  
6 Union Pacific Railroad (Bridge ID No. 230.071), Alabama Over River Des Peres (Bridge ID No.  
7 100.011), Knox Over River Des Peres (Bridge ID No. 100.070), Sulphur Over River Des Peres  
8 (Bridge ID No. 100.120), and Sublette Over River Des Peres (Bridge ID No. 100.111), all of  
9 which are bridges located on local roads or "Non Federal-Aid" routes (the "Off-System Bridge  
10 Maintenance Project – Phase Two"); authorizing and directing the City of St. Louis (the "City"),  
11 by and through its Board of Public Service, to exchange City Bridge Rehabilitation and  
12 Replacement Program ("BRO") funds for Soft Credit Match Funds from another Missouri  
13 County, and to let contracts and provide for the design, construction, materials, and equipment  
14 for the Off-System Bridge Maintenance Project – Phase Two; authorizing the Board of Public  
15 Service to employ labor and consultants, pay salaries, fees and wages, acquire any and all said  
16 real and personal property rights and interests, in whole or in part, including easements (by lease,  
17 purchase, condemnation, or otherwise), as necessary for completion of the Off-System Bridge  
18 Maintenance Project – Phase Two, and to enter into supplemental agreements with the Missouri  
19 Highway and Transportation Commission, Federal Highway Administration, utilities, railroads,  
20 and other governmental agencies as necessary for completion of the Off-System Bridge  
21 Maintenance Project – Phase Two, all in accordance with the federal Transportation Equity Act  
22 for the 21<sup>st</sup> Century (23 U.S.C. § 110, *et seq.*), these agreements may include, but are not limited  
23 to, sections for: description of the work, material guarantees, estimated expenditure allocations,  
24 fund reversion authorization, applicable federal and state wage rate requirements, equal  
25 opportunity provisions, the Mayor's Executive Orders, and contract advertising statutes;  
26 requiring that all work provided for herein shall be carried out in accordance with detailed plans

May 31, 2013

Page 1 of 6

Board Bill No. 76CS Sponsor: Alderman Bosley, Sr.

1 and specifications adopted and approved by the Board of Public Service before bids are  
2 advertised therefor; directing that all construction contracts let by authority of this Ordinance  
3 provide for federal and state prevailing wage requirements, including prevailing wage holiday  
4 and overtime pay, and compliance with all applicable statutes of the State of Missouri (Sections  
5 290.210 through 290.340 of the Revised Statutes of Missouri 2000, as amended), the City  
6 Charter, City ordinances, and the Revised Code of the City, as amended; requiring all  
7 specifications approved by the Board of Public Service and contracts let by authority of this  
8 Ordinance shall provide for: compliance with the Mayor's Executive Orders on Equal  
9 Opportunity and maximum MBE/WBE/DBE utilization goals, except when superseded or  
10 prohibited by federal or state law or regulation; requiring that all contractor's shall comply with  
11 the provisions of Sections 285.525 through 285.555 of the Revised Statutes of Missouri 2000, as  
12 amended, by requiring enrollment and participation in a federal work authorization program and  
13 agreeing not to knowingly employ unauthorized aliens; requiring that all contractor's shall  
14 comply with the provisions of Section 292.675 of the Revised Statutes of Missouri 2000, as  
15 amended, by providing a ten-hour Occupational Safety and Health Administration construction  
16 safety program for their on-site employees; requiring that all contractor's shall comply with the  
17 provisions of Section 34.057 of the Revised Statutes of Missouri 2000, as amended, (Prompt  
18 Payment/Retainage), as applicable; requiring the furnishing of a bond by every contractor on this  
19 public works project pursuant to the provisions of Section 107.170 of the Revised Statutes of  
20 Missouri 2000, as amended; requiring compliance with Section 34.353 of the Revised Statutes of  
21 Missouri 2000, as amended (Domestic Product Procurement Act – Buy American); requiring all  
22 advertisements for bids pursuant to this Ordinance be subject to the provisions of Section 8.250  
23 of the Revised Statutes of Missouri 2000, as amended; appropriating the total estimated cost of  
24 the Off-System Bridge Maintenance Project – Phase Two of Eight Hundred Fifty Thousand  
25 Dollars (\$850,000.00) from various sources including the Off-System BRO funds, and Soft  
26 Match Credit Funds obtained from another Missouri County in exchange for City BRO Funds;

**May 31, 2013**

**Page 2 of 6**

**Board Bill No. 76CS**

**Sponsor: Alderman Bosley, SR**

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

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

7 SECTION ONE. There is hereby authorized a public works and improvement project for the  
8 design and construction of various preventive maintenance procedures on “Off-System” bridges,  
9 which are bridges located on local roads or “Non Federal-Aid” routes (the “Off-System Bridge  
10 Maintenance Project – Phase Two”). Maintenance is scheduled for the following eight (8) “Off-  
11 System” bridges: Gravois Underpass (Bridge ID No. 400.10), Chippewa Underpass (Bridge ID  
12 No. 400.09), Laurel and Waterman Over MetroLink (Bridge ID No. 250.08), Morganford Over  
13 Union Pacific Railroad (Bridge ID No. 230.071), Alabama Over River Des Peres (Bridge ID No.  
14 100.011), Knox Over River Des Peres (Bridge ID No. 100.070), Sulphur Over River Des Peres  
15 (Bridge ID No. 100.120), and Sublette Over River Des Peres (Bridge ID No. 100.111).

16 SECTION TWO. The City of St. Louis (the "City"), by and through its Board of Public Service  
17 (the "Board of Public Service"), is hereby authorized and directed to exchange City Bridge  
18 Rehabilitation and Replacement Program (“BRO”) funds for Soft Credit Match Funds from  
19 another Missouri County, to let contracts and provide for the design, construction, materials, and  
20 equipment, for the Off-System Bridge Maintenance Project – Phase Two, to employ labor and  
21 consultants, pay salaries, fees and wages, to acquire any and all said real and personal property  
22 rights or interests, in whole or in part, including easements (by lease, purchase, condemnation, or  
23 otherwise) for the completion of the Off-System Bridge Maintenance Project – Phase Two, to  
24 enter into supplemental agreements with the Missouri Highway and Transportation Commission,  
25 Federal Highway Administration, utilities, railroads, and other governmental agencies, all in

1 accordance with the federal Transportation Equity Act for the 21<sup>st</sup> Century (23 U.S.C. § 110, *et*  
2 *seq.*), these agreements may include, but are not limited to, sections for: description of the work,  
3 material guarantees, estimated expenditure allocations, fund reversion authorization, applicable  
4 federal and state wage rate requirements, equal opportunity provisions, the Mayor's Executive  
5 Orders, and contract advertising statutes.

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

9 SECTION FOUR. All construction contracts let under authority of this Ordinance shall provide  
10 that no less than the prevailing hourly rate of wages in the City shall be paid, as determined in  
11 accordance with the Federal Davis-Bacon Act and by the Department of Labor and Industrial  
12 Relations of the State of Missouri (Sections 290.210 through 290.340 of the Revised Statutes of  
13 Missouri 2000, as amended) for each craft or type of work needed in the actual labor on the jobs  
14 herein authorized, as well as the general prevailing rate of pay for legal holidays and overtime  
15 work shall be paid to all workers on the Off-System Bridge Maintenance Project – Phase Two.  
16 All contracts let in connection with the construction provided for herein shall be subject to, and  
17 in conformance with all applicable statutes of the State of Missouri, the City Charter, City  
18 ordinances, and Revised Code of the City, as amended, including any applicable City codes,  
19 rules and regulations. All contracts let in connection with the construction provided for herein  
20 shall require contractor's enrollment and participation in a federal work authorization program  
21 and an affirmation that contractor does not knowingly employ unauthorized alien employees  
22 pursuant to Sections 285.525 through 285.555 of the Revised Statutes of Missouri 2000, as  
23 amended, require contractor provide a ten-hour Occupational Safety and Health Administration  
24 construction safety program for their on-site employees as required by the provisions of Section  
25 292.675 of the Revised Statutes of Missouri 2000, as amended, as applicable, require the

1 contractor(s) to comply with the provisions of Section 34.057 of the Revised Statutes of Missouri  
2 2000, as amended (Prompt Payment/Retainage), require the furnishing of a bond by every  
3 contractor on this public works project pursuant to the provisions of Section 107.170 of the  
4 Revised Statutes of Missouri 2000, as amended, and require contractor(s) to comply with Section  
5 34.353 of the Revised Statutes of Missouri 2000, as amended (Domestic Product Procurement  
6 Act – Buy American).

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

11 SECTION SIX. All advertisement for bids pursuant to this Ordinance shall be subject to Section  
12 8.250 of the Revised Statutes of Missouri 2000, as amended.

13 SECTION SEVEN. The total estimated cost of the Off-System Bridge Maintenance Project –  
14 Phase Two is Eight Hundred Fifty Thousand Dollars (\$850,000.00) of which the federal share is  
15 Six Hundred Eighty Thousand Dollars (\$680,000.00) from the Off-System Bridge Replacement  
16 and Rehabilitation Program (“BRO”) to be appropriated from the Federal Aid to Urban Program  
17 Match Share Fund, also known as the Federal Aid to Urban Program Revolving Fund,  
18 established by Ordinance 56931, and the remaining local match share is One Hundred Seventy  
19 Thousand Dollars (\$170,000.00) from Soft Credit Match Funds which are to be obtained from  
20 another Missouri County by exchanging City BRO funds. Said improvements shall be contracted  
21 and executed in parts as funds are accrued in the Match Share Fund and are adequate to pay the  
22 City’s share of the cost.

23 SECTION EIGHT. The Comptroller of the City is hereby authorized and directed to draw

1 warrants from time to time and disburse funds appropriated by this Ordinance and is further  
2 authorized and directed to receive and disburse grant funds in accordance with the  
3 Transportation Equity Act of the 21<sup>st</sup> Century (23 U.S.C. § 110, *et seq.*), upon the signature and  
4 certification of vouchers by the President of the Board of Public Service. Reimbursement funds  
5 received shall be deposited into the Federal Aid to Urban Program Match Share Fund Ordinance  
6 56931.

7 SECTION NINE. The Board of Public Service is hereby authorized to accept on behalf of the  
8 City monetary donations from other governmental agencies and others to assist in paying for the  
9 work authorized in this Ordinance. Funds received shall be deposited into the Off-System  
10 Bridge Maintenance Project – Phase Two fund.

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

15  
16  
17