

St. Louis City Ordinance 63196

FLOOR SUBSTITUTE

BOARD BILL NO. [94] 165

INTRODUCED BY ALDERMAN JO ANNE WAYNE

An Ordinance recommended by the Airport Commission, the Board of Public Service and the Board of Estimate and Apportionment establishing a Public Works and Improvement Program at Lambert-St. Louis International Airport ("Lambert"), for the design, construction and construction management service for a new two level East Terminal Facility consisting of but not limited to a twelve gate concourse level with retail areas and public access, an apron level with office, bag make-up, storage, mechanical, electrical and other related airline area, a two-level terminal building with a ticketing level and a bag claim area with all related services and areas, a three level parking garage with rental car areas, a multi-level roadway with curbside check-in facilities, all modifications required to the existing East Terminal structure, a new apron for twelve (12) gates and work necessary for connecting the existing aprons, all site modifications as required and an East Terminal Metro Link Station and connection to the new terminal and other necessary and related work at a total estimated cost of Seventy-five Million Dollars (\$75,000,000.00); authorizing an initial appropriation of Seven Million Nine Hundred Thousand Dollars (\$7,900,000.00) from the Airport Construction Improvement Project Fund and providing for supplemental appropriations by ordinance into this Ordinance as funds become available for the purpose of continuing the projects authorized under this Ordinance and authorizing the receipt of and deposit into this Ordinance of monies advanced or reimbursed by any Lambert tenant relative to these authorized projects; authorizing and directing the Board of Public Service to let contracts therefor and otherwise provide for the aforementioned work; directing that all contracts let under authority of this Ordinance be in compliance with all applicable minority and women or disadvantaged business enterprise requirements and in compliance with all applicable Federal, State and local laws, ordinances, regulations, court decisions and executive orders relating to equal employment opportunity and in compliance with the other provisions concerning minority, women and disadvantaged business enterprise subcontractors and material suppliers as set forth in this Ordinance; authorizing and directing the Comptroller of the City of St. Louis to draw warrants from time to time on the Treasurer of the City of St. Louis for payment of expenses authorized herein upon submission of properly certified vouchers in conformance with procedures established by said Comptroller; authorizing the

Director of Airports to make such applications and provide such data and to take whatever action necessary to seek reimbursement from the Federal Aviation Administration under the Airport Improvement Program, the Passenger Facility Charge Program and/or any applicable Federal legislation for all or any portion of the costs incurred for projects herein authorized where such costs are deemed eligible and monies made available for reimbursement under Federal law and/or contract; and containing an emergency clause.

WHEREAS, one of the major air carriers in executing long term lease agreements has indicated a need for twelve (12) domestic gates at Lambert's East Terminal; and

WHEREAS, existing facilities do not provide for the expansion needs relative to continued operations at Lambert of this major carrier; and

WHEREAS, it is the desire of the City of St. Louis to provide for the construction of a new East Terminal and other related projects to expand and maintain a viable major airport facility for the metropolitan region; and

WHEREAS, the construction of these facilities will maintain and expand Lambert's status as a major airport facility in this country and provide a higher level of service to the traveling public.

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

Section One. There is hereby established a Public Works and Improvement Program at Lambert-St. Louis International Airport for the design, construction and construction management service for a new East Terminal Facility consisting of but not limited to a twelve (12) gate concourse level with retail areas and public access, an apron level with office, bag make-up, storage, mechanical, electrical and other related airline areas, a two-level terminal building with a ticketing level and a bag claim area with all related services and areas, a three-level parking garage with rental car areas, a multi-level roadway with curbside check-in facilities, all modifications required to the East Terminal structure, a new apron for twelve (12) gates and work necessary connecting the existing aprons, all site modifications as required and an East Terminal Metro Link Station and connection to the new terminal and other necessary and related work at a total estimated cost of Seventy-five Million Dollars (\$75,000,000.00).

Section Two. There is hereby appropriated an initial sum of Seven Million Nine Hundred Thousand Dollars (\$7,900,000.00) from the Airport Construction Improvement Fund. As additional funds become available supplemental appropriations by ordinance into this Ordinance may be provided

for the purpose of continuing projects authorized under this Ordinance and the receipt of and deposit into this Ordinance of monies advanced or reimbursed by any Lambert tenant relative to the projects authorized in this Ordinance is hereby authorized.

Section Three. The Board of Public Service is hereby authorized to let contracts, purchase material and equipment, employ labor, pay salaries, wages and fees, and otherwise provide for work herein authorized under Section One of this Ordinance according to plans and specifications approved by the Board of Public Service.

Section Four. All contracts let under authority of this Ordinance shall be in compliance with all applicable minority and women or disadvantaged business enterprise requirements and in compliance with all applicable Federal, State and local laws, ordinances, regulations, court decisions and executive orders relating to equal employment opportunity.

Section Five. The Board of Public Service and the Airport Authority shall require any general contractor or subcontractor seeking bids from others to perform work authorized by this Ordinance to give notice by mail to all minority and women or, in the case of federally assisted contracts, disadvantaged business enterprise ("DBE") subcontractors and material suppliers within the metropolitan St. Louis Area or other areas, as applicable, then engaged in the trade in or for which the bid is being taken and to consider any bids of such subcontractors or material suppliers. Such notice shall be required to be given only to those minority and women or DBE subcontractors or material suppliers whose names and addresses are on file with the general contractor at least thirty (30) days prior to the date on which such bids are invited. The Airport Authority shall provide the general contractor with lists of minority, women and DBE subcontractors and material suppliers which shall be the exclusive source for qualified minority, women and DBE subcontractors and suppliers. The general contractor and any subcontractor shall have the absolute right to reject any subcontractor or material supplier which in their judgement is unqualified, less qualified than other bidders or incompetent, and this paragraph shall not require the general contractor or any subcontractor to discriminate against any contractor or subcontractor or material supplier. It is recognized that factors other than lowest bid may enter into the award of contracts let under authority of this Ordinance. Minority, women or DBE subcontractors or material suppliers formed or created for the express purpose of making a bid pursuant to the provisions of this Section or with the intent to subcontract substantially all of the work bid shall not be a bona fide subcontractor or material supplier and shall not be deemed qualified.

The Board of Public Service and the Airport Authority shall establish goals on non federally-assisted contracts of no less than twenty-five percent (25%) participation by minority subcontractors and material suppliers and no less than five percent (5%) participation by women subcontractors and material suppliers. Goals on federally-assisted contracts will be established so as to maximize participation by DBEs in accordance with 49 CFR Part 23. The goals established shall apply to all subcontractors and material suppliers selected under authority of this Ordinance, but a failure to attain these goals shall not necessarily constitute a breach of any contract let pursuant to this Ordinance by the City of St. Louis. The general contractor shall report to the Airport Authority and the Board of Public Service at regular intervals as determined by the Airport Authority during the construction period on the results of its endeavors under this Section.

"Twenty-five percent (25%) participation by minority subcontractors and material suppliers" as used herein means that minority contractors and/or suppliers furnish twenty-five percent (25%) of the value of services or supplies provided pursuant to this Ordinance.

"Five percent (5%) participation by women subcontractors and material suppliers" as used herein means that women contractors and/or suppliers furnish five percent (5%) of the value of services or supplies established pursuant to this Ordinance.

The term "Disadvantaged Business Enterprise" as used herein shall have the same meaning as provided in 49 CFR Part 23.

"DBE participation" as used herein means that DBEs shall furnish services and supplies in amounts determined through the goal setting process established by 49 CFR Part 23.

The term "minority" as used herein means African-Americans, Hispanic Americans and any other group designated as such by ordinance or Executive Order of the Mayor.

The term "women" as used herein means women of all racial and ethnic groups.

Section Six. The Comptroller of the City of St. Louis is hereby authorized and directed to draw warrants from time to time on the Treasurer of the City of St. Louis for payment of expenses authorized herein upon submission of properly certified vouchers in conformance with procedures established by said Comptroller.

Section Seven. The Director of Airports is hereby authorized to make such applications, to provide such data and to take whatever action necessary to seek reimbursement from the Federal Aviation Administration under the Airport Improvement Program, the Passenger Facility Charge Program and/or any applicable Federal legislation for all or any portion of costs incurred for projects herein authorized where such costs are deemed eligible and monies made available for reimbursement under Federal law and/or contract.

Section Eight. This being an Ordinance providing for Public Work and Improvement, it is hereby declared to be an emergency measure as defined in Article IV, Section 20, of the City Charter, and shall become effective immediately upon its approval by the Mayor of the City of St. Louis.

Legislative History				
1ST READING	REF TO COMM	COMMITTEE	COMM SUB	COMM AMEND
06/10/94	06/10/94	T&C		
2ND READING	FLOOR AMEND	FLOOR SUB	PERFECTN	PASSAGE
06/24/94			06/30/94	06/30/94
ORDINANCE	VETOED		VETO OVR	
63196				

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