

1 An Ordinance recommended by the Board of Public Service of the City of St. Louis (the
2 “Board of Public Service”), establishing a multi-phased public works and improvement project
3 for the design and construction of various roadway infrastructure and safety improvements
4 including, but not limited to, roadway widening, resurfacing, traffic signal upgrades, pedestrian
5 access modifications, lighting, and aesthetic enhancements, designated herein as the Vandeventer
6 Transportation Corridor Project running north along Vandeventer Avenue from the intersection
7 of I-44 to the intersection of Laclede Avenue (the “Project”), and designating herein Phase I of
8 the Project as the area along Vandeventer Avenue between I-64/US40 and Laclede Avenue
9 (“Phase I”); and authorizing and directing the City of St. Louis (the “City”), by and through its
10 Board of Public Service, to let contracts and provide for the design, construction, materials, and
11 equipment for the Project, authorizing the Board of Public Service to employ labor and
12 consultants, pay salaries, fees and wages, acquire any and all real and personal property rights
13 and interests, in whole or in part, including easements (by lease, purchase, eminent domain,
14 condemnation, or otherwise) as necessary and to enter into supplemental agreements with the
15 Missouri Highway and Transportation Commission, Federal Highway Administration, utilities,
16 other governmental agencies, and third parties, as applicable, for the Project all in accordance
17 with the federal Transportation Equity Act for the 21st Century (23 U.S.C. 110, et. seq.) when
18 applicable, with any contract containing sections for: description of work, material guarantees,
19 estimated expenditure allocations, fund reversion authorization, applicable federal and state wage
20 rate requirements, equal opportunity provisions, the Mayor Executive Orders, and contract
21 advertising statutes; and any other necessary agreements; requiring that all construction work
22 provided for herein shall be carried out in accordance with detailed plans and specifications
23 adopted and approved by the Board of Public Service before bids are advertised therefore;

June 21, 2013

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Board Bill No.120

Sponsored by: Alderman Joseph Roddy

1 directing that all construction contracts let by authority of this Ordinance provide for federal and
2 state prevailing wage requirements including prevailing wage holiday and overtime pay and
3 compliance with all applicable statutes of the State of Missouri, the City Charter and the Revised
4 Code of the City, as amended; requiring all specifications approved by the Board of Public
5 Service and contracts let by authority of this Ordinance provide for: compliance with the Mayor's
6 Executive Orders on Equal Opportunity and maximum MBE/WBE/DBE utilization goals, except
7 when superseded or prohibited by federal or state law or regulation; contractor's compliance with
8 the provisions of Sections 285.525 thru 285.555 of the Revised Statutes of Missouri, as amended,
9 by requiring enrollment and participation in a federal work authorization program and no
10 knowing employment of unauthorized aliens; contractor's compliance with the provisions of
11 Section 292.675 of the Revised Statutes of Missouri, as amended, by providing a ten-hour
12 Occupational Safety and Health Administration construction safety program for their on-site
13 employees; contractor's compliance with the provisions of Section 34.057 of the Revised Statutes
14 of Missouri, as amended, (Prompt Payment/Retainage), as applicable; requiring all
15 advertisements for bids pursuant to this Ordinance be subject to the provisions of Section 8.250
16 of the Revised Statutes of Missouri, as amended; and appropriating the total estimated cost of
17 Phase I of the Project in excess of One Million Dollars (\$1,000,000.00) from various City
18 sources provided no City funds shall be expended without a source of reimbursement from a
19 third party; authorizing and directing the Comptroller of the City to draw warrants from time to
20 time and disburse funds appropriated by this ordinance and to receive and disburse grant funds,
21 as applicable, in accordance with the Transportation Equity Act of the 21st Century (23 U.S.C.
22 110, et seq.), as applicable, upon the signature and certification of vouchers by the President of
23 the Board of Public Service; and containing a public work emergency clause.

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

2 **SECTION ONE.** There is hereby authorized a multi-phased public works and improvement
3 project for the design and construction of various roadway infrastructure and safety
4 improvements including, but not limited to, roadway widening, resurfacing, traffic signal
5 upgrades, pedestrian access modifications, lighting, and aesthetic enhancements, designated
6 herein as the Vandeventer Avenue Transportation Corridor Project (the "Project") running north
7 along Vandeventer Avenue from the intersection of I-44 to the intersection of Laclede Avenue,
8 with Phase I of the Project designated as the area along Vandeventer Avenue between I-64/US40
9 and Laclede Avenue ("Phase I").

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

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

4 **SECTION FOUR.** All construction contracts let under authority of this Ordinance shall provide
5 that no less than the prevailing hourly rate of wages in the City, as determined in accordance
6 with the Federal Davis-Bacon Act, if applicable, and by the Department of Labor and Industrial
7 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
8 the general prevailing rate of pay for legal holidays and overtime work shall be paid to all
9 workers on the Project. All contracts let in connection with the construction provided for herein
10 shall be subject to and in conformance with all applicable statutes of the State of Missouri and
11 the City Charter and Revised Code of the City, as amended. All contracts let in connection with
12 the construction provided for herein shall require contractor's enrollment and participation in a
13 federal work authorization program and an affirmation that contractor does not knowingly
14 employ unauthorized alien employees pursuant to Sections 285.525 thru 285.555 of the Revised
15 Statutes of Missouri, as amended, require contractor provide a ten-hour Occupational Safety and
16 Health Administration construction safety program for their on-site employees as required by the
17 provisions of Section 292.675 of the Revised Statutes of Missouri, as amended, and, as
18 applicable, require the contractor(s) to comply with the provisions of Section 34.057 of the
19 Revised Statutes of Missouri, as amended (Prompt Payment/Retainage).

20 **SECTION FIVE.** All specifications approved by the Board of Public Service and contracts let
21 under the authority of this Ordinance shall provide for compliance with the Mayor's Executive
22

1 Orders on Equal Opportunity and maximum MBE/WBE/DBE utilization goals, except when
2 otherwise superseded or prohibited by federal or state law or regulation.

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

5 **SECTION SEVEN.** The total estimated cost of Phase I of the Project is in excess of One
6 Million Dollars (\$1,000,000.00) and while such funds will be appropriated from various City
7 sources, under no circumstances shall City funds be expended without a source of reimbursement
8 from a third party.

9 **SECTION EIGHT.** The Comptroller of the City is hereby authorized and directed to draw
10 warrants from time to time and disburse funds appropriated by this ordinance and is further
11 authorized and directed to receive and disburse grant funds, when applicable, in accordance with
12 the Transportation Equity Act of the 21st Century (23 U.S.C. 110, et seq.), upon the signature
13 and certification of vouchers by the President of the Board of Public Service. Reimbursement
14 funds received, when applicable, shall be deposited into the Federal Aid to Urban Program
15 Match Share Fund Ordinance 56931.

16 **SECTION NINE.** The Board of Public Service is hereby authorized to accept on behalf of the
17 City monetary contributions and reimbursements from other governmental agencies and others to
18 assist in paying for the work authorized in this Ordinance. Funds received shall be deposited
19 into a City account established for Phase 1 of the Project.

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