

1 **BOARD BILL NO. 205 INTRODUCED BY: ALDERMAN JEFFREY BOYD,**  
2 **ALDERMAN FRANK WILLIAMSON, ALDERMAN CHARLES Q. TROUPE**  
3

4 An Ordinance, recommended by the Board of Public Service of the City of St. Louis (the "Board  
5 of Public Service"), establishing a public works and improvement project for the design and  
6 construction of the second phase of the Dr. Martin Luther King Pedestrian Lighting Project  
7 involving infrastructure improvements on Dr. Martin Luther King Drive from Arlington Avenue  
8 to Kingshighway Boulevard (the "Dr. Martin Luther King Pedestrian Lighting Project"); and  
9 authorizing and directing the City of St. Louis (the "City"), by and through its Board of Public  
10 Service, to let contracts and provide for the design, construction, materials, and equipment for  
11 the Dr. Martin Luther King Pedestrian Lighting Project, authorizing the Board of Public Service  
12 to employ labor and consultants, pay salaries, fees and wages, acquire any and all said real and  
13 personal property rights and interests, in whole or in part, including easements (by lease,  
14 purchase, eminent domain, condemnation, or otherwise), as necessary for completion of the Dr.  
15 Martin Luther King Pedestrian Lighting Project, and to enter into supplemental agreements with  
16 the Missouri Highway and Transportation Commission, Federal Highway Administration,  
17 utilities, railroads, and other governmental agencies for the Dr. Martin Luther King Pedestrian  
18 Lighting Project all in accordance with the federal Transportation Equity Act for the 21<sup>st</sup> Century  
19 (23 U.S.C. 110, *et seq.*), with any contract containing sections for: description of the work,  
20 material guarantees, estimated expenditure allocations, fund reversion authorization, applicable  
21 federal and state wage rate requirements, equal opportunity provisions, the Mayor's Executive  
22 Orders, and contract advertising statutes; requiring that all work provided for herein shall be  
23 carried out in accordance with detailed plans and specifications adopted and approved by the  
24 Board of Public Service before bids are advertised therefor; directing that all construction  
25 contracts let by authority of this Ordinance provide for federal and state prevailing wage  
26 requirements including prevailing wage holiday and overtime pay and compliance with all

**October 26, 2012**

**Page 1 of 5**

**Board Bill No. 205 Sponsors: Alderman Jeffrey Boyd, Alderman Frank Williamson,  
Alderman Charles Q. Troupe**

1 applicable statutes of the State of Missouri (Sections 290.210 through 290.340 of the Revised  
2 Statutes of Missouri 2000, as amended), the City Charter and the Revised Code of the City, as  
3 amended; requiring all specifications approved by the Board of Public Service and contracts let  
4 by authority of this Ordinance provide for: compliance with the Mayor's Executive Orders on  
5 Equal Opportunity and maximum MBE/WBE/DBE utilization goals, except when superseded or  
6 prohibited by federal or state law or regulation; contractor's compliance with the provisions of  
7 Sections 285.525 through 285.555 of the Revised Statutes of Missouri 2000, as amended, by  
8 requiring enrollment and participation in a federal work authorization program and no knowing  
9 employment of unauthorized aliens; contractor's compliance with the provisions of Section  
10 292.675 of the Revised Statutes of Missouri 2000, as amended, by providing a ten-hour  
11 Occupational Safety and Health Administration construction safety program for their on-site  
12 employees; contractor's compliance with the provisions of Section 34.057 of the Revised  
13 Statutes of Missouri 2000, as amended, (Prompt Payment/Retainage), as applicable; requiring the  
14 furnishing of a bond by every contractor on this public works project pursuant to the provisions  
15 of Section 107.170 of the Revised Statutes of Missouri 2000, as amended; compliance with  
16 Section 34.353 of the Revised Statutes of Missouri 2000, as amended (Domestic Product  
17 Procurement Act – Buy American); requiring all advertisements for bids pursuant to this  
18 Ordinance be subject to the provisions of Section 8.250 of the Revised Statutes of Missouri  
19 2000, as amended; and appropriating the total estimated cost of the Dr. Martin Luther King  
20 Pedestrian Lighting Project of Nine Hundred Twenty Thousand Dollars (\$920,000.00) from  
21 various sources including the Federal Highway Administration Safe, Accountable, Flexible,  
22 Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU), and the One-Half  
23 Cent Ward Capital Improvement Fund; authorizing and directing the Comptroller of the City to  
24 draw warrants from time to time and disburse funds appropriated by this ordinance and to

**October 26, 2012**

**Page 2 of 5**

**Board Bill No. 205 Sponsors: Alderman Jeffrey Boyd, Alderman Frank Williamson,  
Alderman Charles Q. Troupe**

1 receive and disburse grant funds in accordance with the Transportation Equity Act of the 21<sup>st</sup>  
2 Century (23 U.S.C. 110, et seq.) upon the signature and certification of vouchers by the President  
3 of the Board of Public Service; and containing a public work emergency clause.

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

5 SECTION ONE. There is hereby authorized a public works and improvement project for the  
6 design and construction of the second phase of infrastructure improvements on Dr. Martin Luther  
7 King Drive from Arlington Avenue to Kingshighway Boulevard (the “Dr. Martin Luther King  
8 Pedestrian Lighting Project”).

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

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

1 before bids are advertised therefor.

2 SECTION FOUR. All construction contracts let under authority of this Ordinance shall provide  
3 that no less than the prevailing hourly rate of wages in the City, as determined in accordance  
4 with the Federal Davis-Bacon Act and by the Department of Labor and Industrial Relations of  
5 the State of Missouri (Sections 290.210 through 290.340 of the Revised Statutes of Missouri  
6 2000, as amended) for each craft or type of work needed in the actual labor on the jobs herein  
7 authorized, as well as the general prevailing rate of pay for legal holidays and overtime work  
8 shall be paid to all workers on the Dr. Martin Luther King Pedestrian Lighting Project. All  
9 contracts let in connection with the construction provided for herein shall be subject to, and in  
10 conformance with all applicable statutes of the State of Missouri and the City Charter and  
11 Revised Code of the City, as amended. All contracts let in connection with the construction  
12 provided for herein shall require contractor's enrollment and participation in a federal work  
13 authorization program and an affirmation that contractor does not knowingly employ  
14 unauthorized alien employees pursuant to Sections 285.525 through 285.555 of the Revised  
15 Statutes of Missouri 2000, as amended, require contractor provide a ten-hour Occupational  
16 Safety and Health Administration construction safety program for their on-site employees as  
17 required by the provisions of Section 292.675 of the Revised Statutes of Missouri 2000, as  
18 amended, and, as applicable, require the contractor(s) to comply with the provisions of Section  
19 34.057 of the Revised Statutes of Missouri 2000, as amended (Prompt Payment/Retainage),  
20 require the furnishing of a bond by every contractor on this public works project pursuant to the  
21 provisions of Section 107.170 of the Revised Statutes of Missouri 2000, as amended, and require  
22 contractor(s) to comply with Section 34.353 of the Revised Statutes of Missouri 2000, as  
23 amended (Domestic Product Procurement Act – Buy American).

24 SECTION FIVE. All specifications approved by the Board of Public Service and contracts let

**October 26, 2012**

**Page 4 of 5**

**Board Bill No. 205 Sponsors: Alderman Jeffrey Boyd, Alderman Frank Williamson,  
Alderman Charles Q. Troupe**

1 under the authority of this Ordinance shall provide for compliance with the Mayor's Executive  
2 Orders on Equal Opportunity and maximum MBE/WBE/DBE utilization goals, except when  
3 otherwise superseded or prohibited by federal or state law or regulation.

4 SECTION SIX. All advertisement for bids pursuant to this Ordinance shall be subject to Section  
5 8.250 of the Revised Statutes of Missouri 2000, as amended.

6 SECTION SEVEN. The total estimated cost of the Dr. Martin Luther King Pedestrian Lighting  
7 Project Nine Hundred Twenty Thousand Dollars (\$920,000.00) of which the federal share is  
8 Seven Hundred Thirty-Six Thousand Dollars (\$736,000.00) from the Federal Highway  
9 Administration Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for  
10 Users (SAFETEA-LU) to be appropriated from the Federal Aid to Urban Program Match Share  
11 Fund, also known as the Federal Aid to Urban Program Revolving Fund, established by  
12 Ordinance 56931, and the remaining local match share is One Hundred Eighty-Four Thousand  
13 Dollars (\$184,000.00) to be appropriated from the One-Half Cent Ward Capital Improvement  
14 Fund. Said improvements shall be contracted and executed in parts as funds are accrued in the  
15 Match Share Fund and are adequate to pay the City's share of the cost.

16 SECTION EIGHT. The Comptroller of the City is hereby authorized and directed to draw  
17 warrants from time to time and disburse funds appropriated by this ordinance and is further  
18 authorized and directed to receive and disburse grant funds in accordance with the  
19 Transportation Equity Act of the 21<sup>st</sup> Century (23 U.S.C. 110, *et seq.*), upon the signature and  
20 certification of vouchers by the President of the Board of Public Service. Reimbursement funds  
21 received shall be deposited into the Federal Aid to Urban Program Match Share Fund Ordinance  
22 56931.

**October 26, 2012**

**Page 5 of 5**

**Board Bill No. 205 Sponsors: Alderman Jeffrey Boyd, Alderman Frank Williamson,  
Alderman Charles Q. Troupe**

1 SECTION NINE. The Board of Public Service is hereby authorized to accept on behalf of the  
2 City monetary donations from other governmental agencies and others to assist in paying for the  
3 work authorized in this Ordinance. Funds received shall be deposited into the Dr. Martin Luther  
4 King Pedestrian Lighting Project or the Federal Aid to Urban Program Match Share Fund, also  
5 known as the Federal Aid to Urban Program Revolving Fund, established by Ordinance 56931.

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

**October 26, 2012**

**Page 6 of 5**

**Board Bill No. 205 Sponsors: Alderman Jeffrey Boyd, Alderman Frank Williamson,  
Alderman Charles Q. Troupe**