BOARD BILL NO. 44 INTRODUCED BY ALDERMAN STEPHEN CONWAY, JOSEPH VOLLMER

An Ordinance, recommended by the Board of Public Service of the City of St. Louis (the "Board of Public Service"), establishing a public works and improvement project for the Columbia and Southwest Bridge Reconstruction Over the Union Pacific Railroad involving the demolition of the Columbia Avenue Bridge and the Southwest Avenue Bridge and the construction of one new bridge and associated roadway improvements (the "Columbia and Southwest Bridge Reconstruction Over the Union Pacific Railroad Project"); 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 Planning, Engineering Design, and Property Acquisition for the Columbia and Southwest Bridge Reconstruction Over the Union Pacific Railroad Project; authorizing the Board of Public Service to employ labor and consultants, pay salaries, fees and wages, acquire any and all said real and personal property rights and interests, in whole or in part, including easements (by lease, purchase, eminent domain, condemnation, or otherwise), as necessary for completion of the Columbia and Southwest Bridge Reconstruction Over the Union Pacific Railroad Project, and to enter into supplemental agreements with the Missouri Highway and Transportation Commission, Federal Highway Administration, utilities, railroads, and other governmental agencies as necessary for completion of the Columbia and Southwest Bridge Reconstruction Over the Union Pacific Railroad Project, all in accordance with the federal Transportation Equity Act for the 21st Century (23 U.S.C. § 110, *et seq*.), 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 wage requirements, including prevailing wage holiday and overtime pay, and compliance with all applicable statutes of the State of Missouri, including Sections 290.210 through 290.340 of the Revised Statutes of Missouri, 2000, as amended, the City Charter, City ordinances including the "Complete Streets Policy," (City Ordinance 68663), when applicable, and the Revised Code of the City, as amended; requiring that all contractors shall comply with the provisions of Sections 285.525 through 285.555 of the Revised Statutes of Missouri, 2000, as amended, by requiring enrollment and participation in a federal work authorization program and agreeing not to knowingly employ unauthorized aliens; requiring that all contractors shall comply with the provisions of Section 292.675 of the Revised Statutes of Missouri, 2000, as amended, by providing a ten-hour Occupational Safety and Health Administration construction safety program for their on-site employees; requiring that all contractors shall comply with the provisions of Section 34.057 of the Revised Statutes of Missouri, 2000, as amended, (Prompt Payment/Retainage), as applicable; requiring the furnishing of a bond by every contractor on this public works project pursuant to the provisions of Section 107.170 of the Revised Statutes of Missouri, 2000, as amended; requiring compliance with Section 34.353 of the Revised Statutes of Missouri, 2000, as amended (Domestic Product Procurement Act – Buy American); requiring all specifications approved by the Board of Public Service and contracts let by 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 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 of the Revised Statutes of Missouri, 2000, as amended; appropriating the total estimated cost for the Planning, Engineering Design, and Property Acquisition of the Columbia and Southwest Bridge Reconstruction Over the Union Pacific Railroad Project of Three Million Dollars ($3,000,000.00) from various sources including the Federal Highway Administration Moving Ahead for Progress in the 21st Century Act (MAP-21), and the Union Pacific Railroad Company; 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 Transportation Equity Act of the 21st Century (23 U.S.C. § 110, *et seq*.) 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 is hereby authorized a public works and improvement project for the Columbia and Southwest Bridge Reconstruction Over the Union Pacific Railroad involving the demolition of the Columbia Avenue Bridge and the Southwest Avenue Bridge and the construction of one new bridge and associated roadway improvements (the “Columbia and Southwest Bridge Reconstruction Over the Union Pacific Railroad Project”).

SECTION TWO. The City of St. Louis (the "City"), by and through its Board of Public Service (the "Board of Public Service"), is hereby authorized and directed to let contracts and provide for the Planning, Engineering Design, and Property Acquisition for the Columbia and Southwest Bridge Reconstruction Over the Union Pacific Railroad Project, to employ labor and consultants, pay salaries, fees and wages, to acquire any and all said real and personal property

rights or interests, in whole or in part, including easements (by lease, purchase, eminent domain, condemnation, or otherwise) for the completion of the Columbia and Southwest Bridge Reconstruction Over the Union Pacific Railroad Project, to enter into supplemental agreements with the Missouri Highway and Transportation Commission, Federal Highway Administration, utilities, railroads, and other governmental agencies, all in accordance with the federal Transportation Equity Act for the 21st Century (23 U.S.C. § 110, *et seq*.), 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 shall be paid, 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 of the Revised Statutes of Missouri, 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 Columbia and Southwest Bridge Reconstruction Over the Union Pacific Railroad Project. 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, the City Charter, City ordinances including the "Complete

Streets Policy, ” (City Ordinance 68663), when applicable, and the Revised Code of the City, as amended, including any applicable City codes, rules and regulations. All contracts let in connection with the construction provided for herein shall require contractor’s enrollment and participation in a federal work authorization program and an affirmation that contractor does not knowingly employ unauthorized alien employees pursuant to Sections 285.525 through 285.555 of the Revised Statutes of Missouri, 2000, as amended, require contractor provide a ten-hour Occupational Safety and Health Administration construction safety program for their on-site employees as required by the provisions of Section 292.675 of the Revised Statutes of Missouri, 2000, as amended, as applicable, require the contractor(s) to comply with the provisions of Section 34.057 of the Revised Statutes of Missouri, 2000, as amended (Prompt Payment/Retainage), require the furnishing of a bond by every contractor on this public works project pursuant to the provisions of Section 107.170 of the Revised Statutes of Missouri, 2000, as amended, and require contractor(s) to comply with Section 34.353 of the Revised Statutes of Missouri, 2000, as amended (Domestic Product Procurement Act – Buy American).

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 of the Revised Statutes of Missouri, 2000, as amended.

SECTION SEVEN. The total estimated cost for the Planning, Engineering Design, and Property Acquisition of the Columbia and Southwest Bridge Reconstruction Over the Union

Pacific Railroad Project is Three Million Dollars ($3,000,000.00) of which the federal share is Two Million, Four Hundred Thousand Dollars ($2,400,000.00) from the Federal Highway Administration Moving Ahead for Progress in the 21st Century Act (MAP-21) to be appropriated from the Federal Aid to Urban Program Match Share Fund, also known as the Federal Aid to Urban Program Revolving Fund, established by Ordinance 56931, and the remaining local match share is Six Hundred Thousand Dollars ($600,000.00) to be obtained from the Union Pacific Railroad Company through the execution of a Cooperative Agreement. Additional funding and subsequent Ordinances will be required to complete the design, construction, and obtain any additional needed property to implement the Columbia and Southwest Bridge Reconstruction Over the Union Pacific Railroad Project. The estimated total cost of the Columbia and Southwest Bridge Reconstruction Over the Union Pacific Railroad Project is Thirteen Million Dollars ($13,000,000.00). Said improvements shall be contracted and executed in parts as funds are accrued in the Match Share Fund and are adequate to pay the City's share of the cost.

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 Transportation Equity Act of the 21st Century (23 U.S.C. § 110, *et seq*.), 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 Match Share Fund established by Ordinance 56931.

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 Columbia and Southwest Bridge Reconstruction Over the Union Pacific Railroad Project Account.

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.

Sponsor: Alderman Conway
And Alderman Vollmer