

1 **BOARD BILL NO. 188 INTRODUCED BY ALDERWOMAN APRIL FORD**  
2 **GRIFFIN AND ALDERWOMAN PHYLLIS YOUNG**  
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4 An Ordinance, recommended by the Board of Public Service of the City of St. Louis (the  
5 "Board of Public Service"), establishing a public works and improvement project for the design,  
6 removal, and partial construction of the North Tucker Viaduct (the "North Tucker Viaduct  
7 Project – Phase I"); and authorizing and directing the City of St. Louis (the "City") through its  
8 Board of Public Service to let contracts and provide for the design, removal, and partial  
9 construction, materials, and equipment for the North Tucker Viaduct Project – Phase I,  
10 authorizing the Board of Public Service to employ labor and consultants, pay salaries, fees and  
11 wages, acquire real property interests, and enter into supplemental agreements with the Missouri  
12 Highway and Transportation Commission, Federal Highway Administration, utilities, other  
13 governmental agencies and private corporations and entities and to make application for funding  
14 from other sources for the North Tucker Viaduct Project – Phase I all in accordance with the  
15 Federal Transportation Equity Act for the 21<sup>st</sup> Century (23 U.S.C. 110, *et seq.*), with any contract  
16 containing sections for: description of the work, material guarantees, estimated expenditure  
17 allocations, fund reversion authorization, applicable federal and state wage rate requirements,  
18 equal opportunity provisions, the Mayor's Executive Orders, and contract advertising statutes;  
19 requiring that all work provided for herein shall be carried out in accordance with detailed plans  
20 and specifications adopted and approved by the Board of Public Service before bids are  
21 advertised therefor; directing that all construction contracts let by authority of this Ordinance  
22 provide for federal and state prevailing wages requirements including prevailing wage holiday  
23 and overtime pay and compliance with all applicable statutes of the State of Missouri, the City  
24 Charter and the Revised Code of the City, 1994, as amended; requiring all specifications  
25 approved by the Board of Public Service and contracts let by authority of this Ordinance provide  
26 for compliance with the Mayor's Executive Orders on Equal Opportunity and maximum  
27 MBE/WBE/DBE utilization goals, except when superseded or prohibited by federal or state law  
28 or regulation; requiring all advertisements for bids pursuant to this Ordinance be subject to the  
June 29, 2007

1 provisions of Section 8.250, RSMo., as amended; and the total estimated cost of the North  
2 Tucker Viaduct Project – Phase I, is Seven Million Dollars (\$7,000,000.00) of which the federal  
3 share is Five Million Six Hundred Thousand Dollars (\$5,600,000.00) from an earmark in the  
4 Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users  
5 (SAFETEA-LU) to be deposited into the Federal Aid to Urban Program Match Share fund, also  
6 known as the Federal Aid to Urban Program Revolving fund, established by Ordinance 56931,  
7 and the City’s local match share is One Million Four Hundred Thousand Dollars (\$1,400,000.00)  
8 of which Four Hundred Thousand Dollars (\$400,000.00) is to be appropriated from the City  
9 Major Capital Fund, and One Million Dollars (\$1,000,000.00) is to be appropriated from General  
10 Obligation Bonds, Series 2006; authorizing and directing the Comptroller of the City to draw  
11 warrants from time to time and disburse funds appropriated by this ordinance and to receive and  
12 disburse grant funds in accordance with the Transportation Equity Act of the 21<sup>st</sup> Century (23  
13 U.S.C. 110, *et seq.*) upon the signature and certification of vouchers by the President of the  
14 Board of Public Service; and containing a public work emergency clause.

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

16 SECTION ONE. There is hereby authorized a public works and improvement project for the  
17 design, removal, and partial construction of the North Tucker Viaduct (the “North Tucker  
18 Viaduct Project – Phase I”).

19 SECTION TWO. The City of St. Louis (the "City") by and through its Board of Public Service  
20 (the "Board of Public Service") is hereby authorized and directed to let contracts and provide for  
21 the design, removal, and partial construction, materials, and equipment for the North Tucker  
22 Viaduct Project – Phase I to employ labor and consultants, pay salaries, fees and wages, acquire  
23 real property interests, and enter into supplemental agreements with the Missouri Highway and  
24 Transportation Commission, Federal Highway Administration, utilities, railroads, and other  
25 governmental agencies, all in accordance with the federal Transportation Equity Act for the 21<sup>st</sup>  
26 Century (23 U.S.C. 110, *et seq.*), with any contracts containing sections for: description of the

1 work, material guarantees, estimated expenditure allocations, fund reversion authorization,  
2 applicable federal and state wage rate requirements, equal opportunity provisions, the Mayor's  
3 Executive Orders, and contract advertising statutes.

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

7 SECTION FOUR. All construction contracts let under authority of this Ordinance shall provide  
8 that no less than the prevailing hourly rate of wages in the City, as determined in accordance  
9 with the Federal Davis-Bacon Act and by the Department of Labor and Industrial Relations of  
10 the State of Missouri (Sections 290.210 through 290.340 RSMo. 2000, as amended,) for each  
11 craft or type of work needed in the actual labor on the jobs herein authorized, as well as the  
12 general prevailing rate of pay for legal holidays and overtime work shall be paid to all workers  
13 on the North Tucker Viaduct Project – Phase I. All contracts let in connection with the  
14 construction provided for herein shall be subject to, and in conformance with all applicable  
15 statutes of the State of Missouri and the City Charter and Revised Code of the City 1994, as  
16 amended.

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

21 SECTION SIX. All advertisement for bids pursuant to this Ordinance shall be subject to Section  
22 8.250 RSMo. 2000, as amended.

23 SECTION SEVEN. The total estimated cost of the North Tucker Viaduct Project - Phase I, is  
24 Seven Million Dollars (\$7,000,000.00) of which the federal share is Five Million Six Hundred  
25 Thousand Dollars (\$5,600,000.00) from an earmark in the Safe, Accountable, Flexible, Efficient

1 Transportation Equity Act: A Legacy for Users (SAFETEA-LU) to be deposited into the Federal  
2 Aid to Urban Program Match Share fund, also known as the Federal Aid to Urban Program  
3 Revolving fund, established by Ordinance 56931, and the City's local match share is One  
4 Million Four Hundred Thousand Dollars (\$1,400,000.00) of which Four Hundred Thousand  
5 Dollars (\$400,000.00) is to be appropriated from the City Major Capital Fund, and One Million  
6 Dollars (\$1,000,000.00) is to be appropriated from General Obligation Bonds, Series 2006. The  
7 estimate of costs of all phases for the North Tucker Viaduct Project is Thirty-five Million Dollars  
8 (\$35,000,000.00). Additional funding and subsequent Ordinances will be required to complete  
9 construction of the North Tucker Viaduct Project. Said improvements shall be contracted and  
10 executed in parts as funds are accrued in this Match Share Fund and are adequate to pay the  
11 City's share of the cost.

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

19 SECTION NINE. The Board of Public Service is hereby authorized to make application and  
20 accept on behalf of the City monetary donations from other governmental agencies and other  
21 corporations and entities to assist in paying for the work authorized in this Ordinance. Funds  
22 received shall be deposited into the Federal Aid to Urban Program Match Share Fund, also  
23 known as the Federal Aid to Urban Program Revolving Fund, established by Ordinance 56931.

24 SECTION TEN. This being an ordinance providing for public work and improvement, it is

1 hereby declared to be an emergency measure as defined in Article IV, Sections 19 and 20 of the  
2 City Charter and shall become effective immediately upon its passage and approval by the  
3 Mayor of the City.

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Board Bill No. 188 Introduced by: Alderwoman Griffin and Alderwoman Young