

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

January 7, 2011

Page 1 of 5

Board Bill No. 251 Introduced by: Alderwoman Phyllis Young

1 MBE/WBE/DBE utilization goals, except when superseded or prohibited by federal or state law
2 or regulation; contractor's compliance with the provisions of Sections 285.525 thru 285.550 of
3 the Revised Statutes of Missouri, as amended, by requiring enrollment and participation in a
4 federal work authorization program and no knowing employment of unauthorized aliens;
5 contractor's compliance with the provisions of Section 292.675 of the Revised Statutes of
6 Missouri, as amended, by providing a ten-hour Occupational Safety and Health Administration
7 construction safety program for their on-site employees; contractor's compliance with the
8 provisions of Section 34.057 of the Revised Statutes of Missouri, as amended, (Prompt
9 Payment/Retainage), as applicable; requiring all advertisements for bids pursuant to this
10 Ordinance be subject to the provisions of Section 8.250 of the Revised Statutes of Missouri, as
11 amended; and appropriating the total estimated cost of the Fourth and Broadway Improvement
12 Project of One Million, Six Hundred Twenty Thousand Dollars (\$1,620,000.00) from various
13 sources including the Federal Highway Administration Safe, Accountable, Flexible, Efficient
14 Transportation Equity Act: A Legacy for Users (SAFETEA-LU), and labor, equipment, and
15 material provided by the City of St. Louis Street Department to cover the required local match
16 share; authorizing and directing the Comptroller of the City to draw warrants from time to time
17 and disburse funds appropriated by this ordinance and to receive and disburse grant funds in
18 accordance with the Transportation Equity Act of the 21st Century (23 U.S.C. 110, et seq.) upon
19 the signature and certification of vouchers by the President of the Board of Public Service; and
20 containing a public work emergency clause.

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

22 SECTION ONE. There is hereby authorized a public works and improvement project for the
23 construction of infrastructure improvements on Fourth Street from Chouteau Avenue to
24 Convention Plaza, and Broadway from Chouteau Avenue to Convention Plaza (the "Fourth and
25 Broadway Improvement Project").

January 7, 2011

Page 2 of 5

Board Bill No. 251 Introduced by: Alderwoman Phyllis Young

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

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

17 SECTION FOUR. All construction contracts let under authority of this Ordinance shall provide
18 that no less than the prevailing hourly rate of wages in the City, as determined in accordance
19 with the Federal Davis-Bacon Act and by the Department of Labor and Industrial Relations of
20 the State of Missouri (Sections 290.210 through 290.340 RSMo. 2000, as amended,) for each
21 craft or type of work needed in the actual labor on the jobs herein authorized, as well as the
22 general prevailing rate of pay for legal holidays and overtime work shall be paid to all workers
23 on the Fourth and Broadway Improvement Project. All contracts let in connection with the
24 construction provided for herein shall be subject to, and in conformance with all applicable
25 statutes of the State of Missouri and the City Charter and Revised Code of the City, as amended.

January 7, 2011

Page 3 of 5

Board Bill No. 251 Introduced by: Alderwoman Phyllis Young

1 All contracts let in connection with the construction provided for herein shall require contractor's
2 enrollment and participation in a federal work authorization program and an affirmation that
3 contractor does not knowingly employ unauthorized alien employees pursuant to Sections
4 285.525 thru 285.550 of the Revised Statutes of Missouri, as amended, require contractor
5 provide a ten-hour Occupational Safety and Health Administration construction safety program
6 for their on-site employees as required by the provisions of Section 292.675 of the Revised
7 Statutes of Missouri, as amended, and, as applicable, require the contractor(s) to comply with the
8 provisions of Section 34.057 of the Revised Statutes of Missouri, as amended (Prompt
9 Payment/Retainage).

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

14 SECTION SIX. All advertisement for bids pursuant to this Ordinance shall be subject to Section
15 8.250 of the Revised Statutes of Missouri, as amended.

16 SECTION SEVEN. The total estimated cost of the Fourth and Broadway Improvement Project
17 is One Million, Six Hundred Twenty Thousand Dollars (\$1,620,000.00) of which the federal
18 share is One Million, Two Hundred Ninety-Six Thousand Dollars (\$1,296,000.00) from the
19 Federal Highway Administration Safe, Accountable, Flexible, Efficient Transportation Equity
20 Act: A Legacy for Users (SAFETEA-LU) to be appropriated from the Federal Aid to Urban
21 Program Match Share Fund, also known as the Federal Aid to Urban Program Revolving Fund,
22 established by Ordinance 56931, and the remaining local match share is Three Hundred Twenty-
23 Four Thousand Dollars (\$324,000.00) which shall be provided by the City with in-kind labor,
24 equipment, and material of the City of St. Louis Street Department. Said improvements shall be

January 7, 2011

Page 4 of 5

Board Bill No. 251 Introduced by: Alderwoman Phyllis Young

1 contracted and executed in parts as funds are accrued in the Match Share Fund and in-kind labor,
2 equipment, and material are provided and are adequate to cover the City's share of the cost.

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

10 SECTION NINE. The Board of Public Service is hereby authorized to accept on behalf of the
11 City monetary donations from other governmental agencies and others to assist in paying for the
12 work authorized in this Ordinance. Funds received shall be deposited into the Fourth and
13 Broadway Improvement Project or the Federal Aid to Urban Program Match Share Fund, also
14 known as the Federal Aid to Urban Program Revolving Fund, established by Ordinance 56931.

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

19