

**BOARD BILL NO. 265 INTRODUCED BY ALDERMAN STEPHEN CONWAY AND
ALDERMAN JOE VOLLMER**

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 Kingshighway
3 Boulevard Bridge over the Union Pacific Railroad involving the reconstruction of the bridge and
4 associated roadway improvements on Kingshighway Boulevard from Interstate 44 to
5 Vandeventer Avenue (the "Kingshighway Bridge Reconstruction Over Union Pacific Project");
6 and authorizing and directing the City of St. Louis (the "City"), by and through its Board of
7 Public Service, to let contracts and provide for the Planning, Engineering Design, and Property
8 Acquisition for the Kingshighway Bridge Reconstruction Over Union Pacific Project,
9 authorizing the Board of Public Service to employ labor and consultants, pay salaries, fees and
10 wages, acquire any and all said real and personal property rights and interests, in whole or in
11 part, including easements (by lease, purchase, eminent domain, condemnation, or otherwise), as
12 necessary for completion of the Kingshighway Bridge Reconstruction Over Union Pacific
13 Project, and to enter into supplemental agreements with the Missouri Highway and
14 Transportation Commission, Federal Highway Administration, utilities, railroads, and other
15 governmental agencies for the Kingshighway Bridge Reconstruction Over Union Pacific Project
16 all in accordance with the federal Transportation Equity Act for the 21st Century (23 U.S.C. 110,
17 *et seq.*), with any contract containing sections for: description of the work, material guarantees,
18 estimated expenditure allocations, fund reversion authorization, applicable federal and state wage
19 rate requirements, equal opportunity provisions, the Mayor's Executive Orders, and contract
20 advertising statutes; requiring that all work provided for herein shall be carried out in accordance

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1 with detailed plans and specifications adopted and approved by the Board of Public Service
2 before bids are advertised therefor; directing that all construction contracts let by authority of this
3 Ordinance provide for federal and state prevailing wage requirements including prevailing wage
4 holiday and overtime pay and compliance with all applicable statutes of the State of Missouri,
5 the City Charter and the Revised Code of the City, as amended; requiring all specifications
6 approved by the Board of Public Service and contracts let by authority of this Ordinance provide
7 for: compliance with the Mayor's Executive Orders on Equal Opportunity and maximum
8 MBE/WBE/DBE utilization goals, except when superseded or prohibited by federal or state law
9 or regulation; contractor's compliance with the provisions of Sections 285.525 thru 285.550 of
10 the Revised Statutes of Missouri, as amended, by requiring enrollment and participation in a
11 federal work authorization program and no knowing employment of unauthorized aliens;
12 contractor's compliance with the provisions of Section 292.675 of the Revised Statutes of
13 Missouri, as amended, by providing a ten-hour Occupational Safety and Health Administration
14 construction safety program for their on-site employees; contractor's compliance with the
15 provisions of Section 34.057 of the Revised Statutes of Missouri, as amended, (Prompt
16 Payment/Retainage), as applicable; requiring all advertisements for bids pursuant to this
17 Ordinance be subject to the provisions of Section 8.250 of the Revised Statutes of Missouri., as
18 amended; and appropriating the total estimated cost of the Kingshighway Bridge Reconstruction
19 Over Union Pacific Project of Three Million, Five Hundred Thousand Dollars (\$3,500,000.00)
20 from various sources including the Federal Highway Administration Safe, Accountable, Flexible,
21 Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU), and the Union
22 Pacific Railroad Company; authorizing and directing the Comptroller of the City to draw
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1 warrants from time to time and disburse funds appropriated by this ordinance and to receive and
2 disburse grant funds in accordance with the Transportation Equity Act of the 21st Century (23
3 U.S.C. 110, et seq.) upon the signature and certification of vouchers by the President of the
4 Board of Public Service; and containing a public work emergency clause.

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

6 **SECTION ONE.** There is hereby authorized a public works and improvement project for
7 the Kingshighway Boulevard Bridge over the Union Pacific Railroad involving the
8 reconstruction of the bridge and associated roadway improvements on Kingshighway Boulevard
9 from Interstate 44 to Vandeventer Avenue (the “Kingshighway Bridge Reconstruction Over
10 Union Pacific Project”).

11 **SECTION TWO.** The City of St. Louis (the "City"), by and through its Board of Public
12 Service (the "Board of Public Service"), is hereby authorized and directed to let contracts and
13 provide for the Planning, Engineering Design, and Property Acquisition for the Kingshighway
14 Bridge Reconstruction Over Union Pacific Project, to employ labor and consultants, pay salaries,
15 fees and wages, acquire any and all said real and personal property rights or interests, in whole or
16 in part, including easements (by lease, purchase, eminent domain, condemnation, or otherwise)
17 as necessary for the completion of the Kingshighway Bridge Reconstruction Over Union Pacific
18 Project, to enter into supplemental agreements with the Missouri Highway and Transportation
19 Commission, Federal Highway Administration, utilities, railroads, and other governmental
20 agencies, all in accordance with the federal Transportation Equity Act for the 21st Century (23
21 U.S.C. 110, *et seq.*), with any contracts containing sections for: description of the work, material

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1 guarantees, estimated expenditure allocations, fund reversion authorization, applicable federal
2 and state wage rate requirements, equal opportunity provisions, the Mayor's Executive Orders,
3 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
8 provide that no less than the prevailing hourly rate of wages in the City, as determined in
9 accordance with the Federal Davis-Bacon Act and by the Department of Labor and Industrial
10 Relations of the State of Missouri (Sections 290.210 through 290.340 RSMo. 2000, as amended,))
11 for each craft or type of work needed in the actual labor on the jobs herein authorized, as well as
12 the general prevailing rate of pay for legal holidays and overtime work shall be paid to all
13 workers on the Kingshighway Bridge Reconstruction Over Union Pacific Project. All contracts
14 let in connection with the construction provided for herein shall be subject to, and in
15 conformance with all applicable statutes of the State of Missouri and the City Charter and
16 Revised Code of the City, as amended. All contracts let in connection with the construction
17 provided for herein shall require contractor's enrollment and participation in a federal work
18 authorization program and an affirmation that contractor does not knowingly employ
19 unauthorized alien employees pursuant to Sections 285.525 thru 285.550 of the Revised Statutes
20 of Missouri, as amended, require contractor provide a ten-hour Occupational Safety and Health
21 Administration construction safety program for their on-site employees as required by the

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1 provisions of Section 292.675 of the Revised Statutes of Missouri, as amended, and, as
2 applicable, require the contractor(s) to comply with the provisions of Section 34.057 of the
3 Revised Statutes of Missouri, as amended (Prompt Payment/Retainage).

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

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

10 **SECTION SEVEN.** The total estimated cost of the Planning, Engineering Design, and
11 Property Acquisition for the Kingshighway Bridge Reconstruction Over Union Pacific Project is
12 Three Million, Five Hundred Thousand Dollars (\$3,500,000.00) of which the federal share is
13 Two Million, Eight Hundred Thousand Dollars (\$2,800,000.00) from the Federal Highway
14 Administration Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for
15 Users (SAFETEA-LU) to be appropriated from the Federal Aid to Urban Program Match Share
16 Fund, also known as the Federal Aid to Urban Program Revolving Fund, established by
17 Ordinance 56931, and the remaining local match share is Seven Hundred Thousand Dollars
18 (\$700,000.00) to be provided by the Union Pacific Railroad Company through the execution of a
19 Cooperative Agreement. Additional funding and subsequent Ordinances will be required to
20 complete the design, construction, and obtain any additional needed property to implement the
21 Kingshighway Bridge Reconstruction Over Union Pacific Project. The estimated total cost of the
22 Kingshighway Bridge Reconstruction Over Union Pacific Project is Twenty-two Million Dollars

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1 (\$22,000,000.00). Said improvements shall be contracted and executed in parts as funds are
2 accrued in this Match Share Fund and are adequate to pay 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
11 the City monetary donations from other governmental agencies and others to assist in paying for
12 the work authorized in this Ordinance. Funds received shall be deposited into the Kingshighway
13 Bridge Reconstruction Over Union Pacific Project or the Federal Aid to Urban Program Match
14 Share Fund, also known as the Federal Aid to Urban Program Revolving Fund, established by
15 Ordinance 56931.

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

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