

**BOARD BILL NO. 389      INTRODUCED BY ALDERMAN FREEMAN BOSLEY, SR.**

1            An ordinance recommended by the Board of Public Service authorizing the 2009  
2 St. Louis Works and the 50/50 Sidewalk Programs City Wide providing for the construction and  
3 reconstruction of gutters, streets, driveways, spot curbs, sidewalks, alleys, traffic controls,  
4 beautification, tree planting, resurfacing and related engineering adjustments listed herein,  
5 appropriating \$5,000,000.00 from the Street Improvement Fund; containing sections for  
6 description of the work, approval of plans and specifications, work and material guarantees,  
7 estimated costs from City funds and supplemental agreements and reversion authorizations,  
8 applicable state and federal wage rate requirements, equal opportunity provisions, the Mayor's  
9 Executive Orders, contract advertising statutes, and a public work emergency clause.

10 **BE IT ORDAINED BY THE CITY OF SAINT LOUIS AS FOLLOWS:**

11 **SECTION ONE.** The Board of Public Service is hereby authorized to let contracts, employ and  
12 pay for labor, wages, consultants, equipment, computer programs and hardware, employees,  
13 supervision and otherwise provide for designing, constructing, reconstructing, replacing,  
14 beautifying, traffic controls, landscaping, paving, resurfacing, and related engineering  
15 adjustments to the streets, alleys and public rights-of-way in the twenty-eight wards of the City  
16 for the 2009 St. Louis Works and the 50/50 Sidewalk Programs as evidenced by Exhibit "A"  
17 attached hereto and on file in the City Register's Office.

18 **SECTION TWO.** There is hereby appropriated Four Million Seven Hundred Thousand Dollars  
19 (\$5,000,000.00) which is the aggregate estimated cost of the City's share of the Public Work  
20 authorized herein, from funds set aside and placed to the credit of the Street Improvement Fund  
21 established by Ordinance 55852, approved March 31, 1971 and Ordinance 55964, 55965, and  
22 55966, approved July 1, 1971 and any other subsequent ordinance, as amended and the

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Sponsored by: Alderman Freeman Bosley, Sr.

1 Comptroller is authorized to draw warrants, accept gifts, make payments from the general fund  
2 and the Street Improvement Funds as they become available throughout the year to pay any  
3 portion of the cost of the labor, contracts, materials, equipment, computer programs, and public  
4 improvements contained and authorized herein by this St. Louis Works Construction Ordinance.

5 **SECTION THREE.** The work provided for herein shall be carried out in accordance with  
6 detailed plans and specifications and necessary supplemental agreements to be approved by the  
7 Board of Public Service before bids are advertised therefore.

8 **SECTION FOUR.** If let by contract said contract, or contracts, shall provide that the contractor,  
9 or contractors, doing said work shall guarantee and keep in repair all of the work, equipment and  
10 materials used in connection therewith for a term of at least one year, commencing on the date of  
11 acceptance of the work by the City.

12 **SECTION FIVE.** All construction contracts let under authority of this ordinance shall provide  
13 that no less than the prevailing hourly rate of wages in the City of St. Louis, as determined by the  
14 Department of Labor and Industrial Relations of the State of Missouri (Section 290.210 through  
15 290.340 RSMo 1995) for each craft or type of work needed in the actual labor on the jobs herein  
16 authorized, as well as the general prevailing rate of pay for legal holidays and overtime work  
17 shall be paid to all workers. All contracts let in connection with the work provided for herein  
18 shall be subject to, and in conformance with, all statutes of the State of Missouri and the Charter  
19 and Code of the City of St. Louis.

20 **SECTION SIX.** Any revenue received by the City from the 50/50 Sidewalk Program, gifts or  
21 cooperation agreements shall be deposited to the credit of the individual wards, as established in  
22 Ordinance 62206.

1 **SECTION SEVEN.** To allow full participation and to help in the St. Louis Works Program, and  
2 to accomplish the overall goals for the improvements in all twenty-eight wards of the City; the  
3 Board of Public Service and the Comptroller are authorized to enter into supplemental  
4 agreements with various Federal, State, Local, and private entities to provide for funds, work,  
5 site dedications, and acquisitions by negotiations and condemnations.

6 **SECTION EIGHT.** All specifications approved by the Board of Public Service and contracts let  
7 under authority of this ordinance shall provide for compliance with the Presidential Executive  
8 Order 11246 and 379 on Equal Opportunity and the Mayor's Executive Order of  
9 December 22, 1986 on selection of experts and consultants. The Board of Public Service shall  
10 establish goals on all contracts of no less than twenty five (25%) participation by minority  
11 subcontractors and material suppliers and no less than five percent (5%) participation by women  
12 subcontractors and suppliers. It is the policy of the City of St. Louis to pursue the goal of having  
13 thirty percent of apprenticeship positions and twenty-five percent of all other positions involved  
14 in construction work in the St. Louis metropolitan area filled by residents of the City of St. Louis  
15 of these positions it is intend that one half be filled by members of minority groups and ten  
16 percent (10%) by females. The City will make a determination if the contractor has made a good  
17 faith effort to achieve these goals.

18 **SECTION NINE.** All sections of this ordinance are and shall be severable. In the event that any  
19 section of this ordinance is found to be illegal, the remaining sections of this ordinance shall  
20 remain valid and to the benefit of the City.

21 **SECTION TEN.** All advertisements for bids pursuant to this Ordinance shall be subject to  
22 Section 8.250, RSMo 1995.

1 **SECTION ELEVEN.** This being an ordinance to provide for public work and improvements, it  
2 is hereby declared to be an emergency measure and shall become effective immediately upon its  
3 passage and approval by the Mayor.