

BOARD BILL NO. 447 INTRODUCED BY ALDERMAN FREEMAN BOSLEY, SR.

1 An ordinance recommended by the Board of Public Service authorizing the 2008
2 St. Louis Works and the 50/50 Sidewalk Programs City Wide providing for the
3 construction and reconstruction of gutters, streets, driveways, spot curbs, sidewalks,
4 alleys, traffic controls, beautification, tree planting, resurfacing and related engineering
5 adjustments listed herein, appropriating \$4,700,000.00 from the Street Improvement
6 Fund; containing sections for description of the work, approval of plans and
7 specifications, work and material guarantees, estimated costs from City funds and
8 supplemental agreements and reversion authorizations, applicable state and federal
9 wage rate requirements, equal opportunity provisions, the Mayor's Executive Orders,
10 contract advertising statutes, and a public work emergency clause.

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

12 **Section One.** The Board of Public Service is hereby authorized to let contracts, employ
13 and pay for labor, wages, consultants, equipment, computer programs and hardware,
14 employees, supervision and otherwise provide for designing, constructing,
15 reconstructing, replacing, beautifying, traffic controls, landscaping, paving, resurfacing,
16 and related engineering adjustments to the streets, alleys and public rights-of-way in the
17 twenty-eight wards of the City for the 2008 St. Louis Works and the 50/50 Sidewalk
18 Programs as evidenced by Exhibit "A" attached hereto and on file in the City Register's
19 Office.

20 **Section Two.** There is hereby appropriated Four Million Seven Hundred Thousand
21 Dollars (\$4,700,000.00) which is the aggregate estimated cost of the City's share of the

1 Public Work authorized herein, from funds set aside and placed to the credit of the
2 Street Improvement Fund established by Ordinance 55852, approved March 31, 1971
3 and Ordinance 55964, 55965, and 55966, approved July 1, 1971 and any other
4 subsequent ordinance, as amended and the Comptroller is authorized to draw warrants,
5 accept gifts, make payments from the general fund and the Street Improvement Funds
6 as they become available throughout the year to pay any portion of the cost of the labor,
7 contracts, materials, equipment, computer programs, and public improvements
8 contained and authorized herein by this St. Louis Works Construction Ordinance.

9 **Section Three.** The work provided for herein shall be carried out in accordance with
10 detailed plans and specifications and necessary supplemental agreements to be
11 approved by the Board of Public Service before bids are advertised therefore.

12 **Section Four.** If let by contract said contract, or contracts, shall provide that the
13 contractor, or contractors, doing said work shall guarantee and keep in repair all of the
14 work, equipment and materials used in connection therewith for a term of at least one
15 year, commencing on the date of acceptance of the work by the City.

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

1 connection with the work provided for herein shall be subject to, and in conformance
2 with, all statutes of the State of Missouri and the Charter and Code of the City of
3 St. Louis.

4 **Section Six.** Any revenue received by the City from the 50/50 Sidewalk Program, gifts
5 or cooperation agreements shall be deposited to the credit of the individual wards, as
6 established in Ordinance 62206.

7 **Section Seven.** To allow full participation and to help in the St. Louis Works Program,
8 and to accomplish the overall goals for the improvements in all twenty-eight wards of
9 the City; the Board of Public Service and the Comptroller are authorized to enter into
10 supplemental agreements with various Federal, State, Local, and private entities to
11 provide for funds, work, site dedications, and acquisitions by negotiations and
12 condemnations.

13 **Section Eight.** All specifications approved by the Board of Public Service and contracts
14 let under authority of this ordinance shall provide for compliance with the Presidential
15 Executive Order 11246 and 379 on Equal Opportunity and the Mayor's Executive Order
16 of December 22, 1986 on selection of experts and consultants. The Board of Public
17 Service shall establish goals on all contracts of no less than twenty five (25%)
18 participation by minority subcontractors and material suppliers and no less than five
19 percent (5%) participation by women subcontractors and suppliers. It is the policy of the
20 City of St. Louis to pursue the goal of having thirty percent of apprenticeship positions
21 and twenty-five percent of all other positions involved in construction work in the St.
22 Louis metropolitan area filled by residents of the City of St. Louis of these positions it is
23 intend that one half be filled by members of minority groups and ten percent (10%) by

1 females. The City will make a determination if the contractor has made a good faith
2 effort to achieve these goals.

3 **Section Nine.** All sections of this ordinance are and shall be severable. In the event
4 that any section of this ordinance is found to be illegal, the remaining sections of this
5 ordinance shall remain valid and to the benefit of the City.

6 **Section Ten.** All advertisements for bids pursuant to this Ordinance shall be subject to
7 Section 8.250, RSMo 1995.

8 **Section Eleven.** This being an ordinance to provide for public work and improvements,
9 it is hereby declared to be an emergency measure and shall become effective
10 immediately upon its passage and approval by the Mayor.