

1 **BOARD BILL NO. 15 CS INTRODUCED BY ALDERMAN STEPHEN**
2 **GREGALI, ALDERMAN WILLIAM WATERHOUSE, ALDERWOMAN**
3 **JENNIFER FLORIDA, ALDERMAN JOE VACCARO**

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5 An ordinance requiring the contracting of City of St. Louis construction and/or
6 maintenance contracts to “Responsible Contractors” and defining the term “Responsible
7 Contractors”, requiring the use of “Responsible Contractors”, requiring a OSHA safety
8 course, requiring compliance verification, applying to all publicly funded construction
9 and/or maintenance projects, requiring drug testing and containing a severability clause.

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

11 **SECTION ONE.** The City of St. Louis shall not contract for any construction
12 and/or maintenance services with any contractor who does not meet the requirements of
13 "Responsible Contractor," as defined in Section Two.

14 **SECTION TWO.** "Responsible Contractor" is defined as any contractor who
15 prior to beginning construction and/or maintenance work for the City of St. Louis, and
16 throughout the duration of the project, can present satisfactory evidence to the City of St.
17 Louis President of the Board of Public, or their designee, of the following:

18 A. The contractor and/or subcontractor performing work on the City Project
19 shall comply with all applicable laws, ordinances, rules and regulations concerning the
20 conduct of business in the City of St. Louis and State of Missouri; and

21 B. The contractor and/or subcontractor performing work on the City Project
22 shall be required to comply with the State Statutory provisions concerning the payment of
23 prevailing wages on public works, Section 290.210 through 290.340, RSMo., 1959, as
24 amended 1969; the Davis Bacon Act of 1931, 40 U.S.C. 276 et seq.; and Equal
25 Employment Opportunities Act, 42 U.S.C. 2000e et seq.; and

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1 C. The President of the Board of Public Service or their designee may
2 qualify or disqualify a contractor and/or subcontractor from performing work on a City
3 Project upon investigation and/or review that the contractor or subcontractor within the
4 past three (3) years has not been debarred, suspended, declared ineligible from covered
5 transactions by any local, State or Federal agency; been convicted, by any local, State or
6 Federal authority with commission of any of the aforesaid offenses, defaulted on any
7 projects; had any business, trade or contracting license suspended or revoked; been found
8 in violation of any State or Federal prevailing wage laws as applicable, or other wage law
9 as determined by court order or applicable government agency; and

10 D. The contractor and and/or subcontractor performing work on the City
11 project shall be required to carry insurance as required by the general conditions during
12 the lifetime of the contract. Certificates of Insurance shall be filed with the appropriate
13 City agency; and

14 E. The contractor and/or subcontractor performing work on the City project
15 must have a valid Federal Employer Identification Number, or if an individual, a valid
16 Social Security Number; and

17 F. The contractor and/or subcontractor performing work on the City project
18 must certify that it's employees and/or employee representatives to be a registered
19 participant in apprenticeship and training programs that are in accordance with the U.S.
20 Department of Labor, Employment and Training Administration (ETA), Office of
21 Apprenticeship (OA), formerly known as the Bureau of Apprenticeship and Training
22 (BAT); and

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1 G. Every owner, contractor and/or subcontractor performing work on publicly
2 funded projects shall be in compliance with the State of Missouri Prompt Pay Statute
3 (RSMo. Section 34.057).

4 **SECTION THREE.** The City of St. Louis may make the use of a "Responsible
5 Contractor" a precondition for any Redevelopment Corporation or other entity to exercise
6 any rights, relief, funding or privilege pursuant to Tax Increment Financing benefits
7 under Chapter 353, RSMo., or any similar program.

8 **SECTION FOUR.** The City of St. Louis shall require all on-site employees of
9 the contractors and subcontractors performing work on the site of a public building,
10 works and enterprises have completed a ten (10) hour OSHA safety course.

11 **SECTION FIVE.** If it is determined that a contractor or subcontractor provides
12 compliance verification which contains false or misleading information, the contractor or
13 subcontractor shall be declared ineligible to participate in the project.

14 **SECTION SIX.** The provisions of this Section shall apply to any and all publicly
15 funded construction projects. Public funding may include, but is not limited to, tax
16 incentives such as tax increment financing, tax abatements, tax/historical credits, etc.

17 **SECTION SEVEN.** The City of St. Louis shall require that craft workers and
18 other jobsite employees of contractors and subcontractors shall have passed a drug test
19 (with a negative result) prior to the start of work on the project and shall continue to
20 remain active in a substance abuse program while employed on city public works
21 projects. Craftworkers and other jobsite employees shall submit to testing for alcohol and
22 controlled substances under the rules and procedures of an acceptable drug testing
23 program administered by a third-party, contractor, contractor association, or others. The

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1 St. Louis Construction Industry Substance Abuse Consortium standards shall be used as a
2 benchmark for an acceptable drug testing program.

3 **SECTION EIGHT. Severability.** If any provision, clause, sentence, paragraph
4 or word of this ordinance or the application thereof to any person, entity or circumstances
5 shall be held invalid, such invalidity shall not affect the other provisions of this ordinance
6 which can be given effect without the invalid provisions or application, and to this end
7 the provisions of this ordinance are declared severable.

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