



# City of Kansas City, Missouri

## Docket Memo

Ordinance/Resolution #: 250263

Submitted Department/Preparer: Water

Revised 6/10/24

Docket memos are required on all ordinances initiated by a Department Director. More information can be found in [Administrative Regulation \(AR\) 4-1](#).

### Executive Summary

Authorizing a \$6,185,000.00 construction contract with MegaKC Corporation, for the Inline Storage: OK Creek Gates - Bending Weir project; authorizing a maximum expenditure of \$6,805,000.00; authorizing a \$620,000.00 Design Professional Services contract with Black & Veatch Corporation, for the Inline Storage: OK Creek Gates - Bending Weir project; and recognizing this ordinance as having an accelerated effective date.

### Discussion

#### Reason for Contract

In 2010, the City of Kansas City, Missouri entered into a Consent Decree with the United States Environmental Protection Agency (EPA) to reduce the volume and frequency of overflows from the City's sewer system. The City's Smart Sewer Program is currently in year 14 of a 30-year implementation period. The purpose of this project is to significantly reduce the volume of combined sewer overflows into the Kansas River at outfall W005 and to increase the operational efficiency and reliability of the existing in-line storage gates.

#### Construction Contract Description

The scope of work to be provided under the construction contract includes the construction of a new bending weir structure upstream of the existing in-line storage gates, including structural modifications to the OK Creek double box culvert and modifications to the existing grit/rock management facility which is located at 2301 State Line Road in Kansas City, Jackson County, Missouri. The bending weir upstream of the south storage gate will simplify operation, enhance reliability, and provide increased combined sewer overflow capture for the in-line storage gates.

#### Design Professional Services Contract Description

This proposed \$620,000.00 contract will provide for construction phase services during the bending weir and OK Creek sewer modifications project which includes

project management and administration services, construction office and field support services, and resident project representative services.

This contract is for additional work originated from Contract No. 1174 for the conceptual, preliminary and final design work for the Inline Storage: OK Creek Gate project.

#### Term

The term of the project will be 425 calendar days.

#### MBE/WBE Goals

CREO KC established goals of 11% MBE and 11% WBE on the construction project on November 16, 2023 as part of the Annual Goal Program.

The Human Relations Department (now known as CREO KC) established goals of 15% MBE and 10% WBE on the original design professional services project on March 5, 2015, which pre-dated the Annual Goal Program.

#### Solicitation

The construction project was advertised in accordance with the City's requirements on January 21, 2025, and bids were opened on February 25, 2025, with one (1) bidder responding.

The design professional services project was originally advertised in accordance with the City's requirements and three proposals were received on April 17, 2015.

#### Awardee/Subcontracting Participation

MegaKC Corporation submitted the lowest, responsible, and responsive bid of \$6,185,000.00 for the construction project, with subcontracting participation of 11% MBE and 11% WBE.

A city-wide selection committee met on May 27, 2015 for the original design professional services project and consisted of the following individuals:

- Cynthia Circo, 5<sup>th</sup> District Councilmember
- Troy Schulte, City Manager
- Terry Leeds, Water Services Department Director

Black & Veatch Corporation was recommended for this project on with a contract amount of \$790,000.00, with subcontracting participation of 15% MBE and 10% WBE.

#### Other Bidders/Subcontracting Participation

There were no other bidders on the construction project.

### Other Proposals Received

Two other firms, AECOM and CDM Smith, submitted a proposal on the [original](#) design professional services project.

### Estimated Opinion of Probable Construction Costs

The Engineer's Opinion of Probable Construction Cost was \$6,203,500.00.

## **Fiscal Impact**

1. Is this legislation included in the adopted budget? ☒ Yes ☐ No
2. What is the funding source?  
Sewer Revenue Bond Series 2024A Fund 8194  
Overflow Control Program
3. How does the legislation affect the current fiscal year?  
Work on this project will begin in the current fiscal year and extend into FY26. Invoices will be submitted by the Contractor and Design Professional monthly after construction begins.
4. Does the legislation have a fiscal impact in future fiscal years? Please notate the difference between one-time and recurring costs.  
Funds encumbered in the current fiscal year will be disbursed over subsequent fiscal years as construction proceeds. Work on the project is anticipated to be complete within 425 calendar days after construction begins.
5. Does the legislation generate revenue, leverage outside funding, or deliver a return on investment?  
No

### **Office of Management and Budget Review**

(OMB Staff will complete this section.)

1. This legislation is supported by the general fund. ☐ Yes ☒ No
2. This fund has a structural imbalance. ☐ Yes ☒ No
3. Account string has been verified/confirmed. ☒ Yes ☐ No

### **Additional Discussion (if needed)**

[Click or tap here to enter text.](#)

## **Citywide Business Plan (CWBP) Impact**

1. View the [Adopted 2025-2029 Citywide Business Plan](#)
2. Which CWBP goal is most impacted by this legislation?  
Infrastructure and Accessibility (Press tab after selecting.)
3. Which objectives are impacted by this legislation (select all that apply):
  - ☐ Engage in thoughtful planning and redesign of existing road networks to ensure safety, access, and mobility of users of all ages and abilities.
  - ☐ Enhance the City's connectivity, resiliency, and equity through a better-connected multi-modal transportation system for all users.
  - ☐ Build on existing strengths while developing a comprehensive transportation plan for the future.
  - ☒ Develop environmentally sustainable infrastructure strategies that improve quality of life and foster economic growth.
  - ☒ Ensure adequate resources are provided for continued maintenance of existing infrastructure.
  - ☐ Focus on delivery of safe connections to schools.

## Prior Legislation

The following ordinances were approved by City Council under the original Contract No. 1174 with Black & Veatch Corporation.

- City Council passed Ordinance No. 150563 on July 16, 2015, authorized a \$790,000.00 design professional services Contract No. 1174 with Black & Veatch Corporation, for conceptual, preliminary, and final design of the Inline Storage: OK Creek Gates project.
- City Council passed Ordinance No. 170247 on April 13, 2017, authorizing a \$502,900.00 Amendment No. 2 to the design professional services contract with Black & Veatch Corporation for construction phase services.
- City Council passed Ordinance No. 190044 on January 24, 2019, authorizing a \$185,000.00 Amendment No. 3 to the design professional services contract with Black & Veatch Corporation for additional basement surveys and post construction monitoring and operational support.
- City Council passed Ordinance No. 220205 on March 10, 2022, authorizing a \$540,575.00 Amendment No. 4 to the design professional services contract with Black & Veatch Corporation for preliminary and final design of a bending weir and modifications to the OK Creek sewer.

## Service Level Impacts

This inline storage - bending weir project will reduce the volume and frequency of combined sanitary sewer overflows and increase the water quality of the City's existing waterways.

## Other Impacts

1. What will be the potential health impacts to any affected groups?  
The project will protect public health and the environment by restoring sewer conveyance capacity, increasing the service life of the existing sewer system, and improving the water quality of the City's waterways.
2. How have those groups been engaged and involved in the development of this ordinance?  
This project area is in a neighborhood that is primarily residential. A public meeting will be held at a suitable location so the construction team (contractor, design professional, and city representative) can meet with the residents to discuss the construction.
3. How does this legislation contribute to a sustainable Kansas City?  
This project helps promote environmental quality, social equity, and economic vitality.
4. Does this legislation create or preserve new housing units?  
No (Press tab after selecting)
5. Department staff certifies the submission of any application Affirmative Action Plans or Certificates of Compliance, Contractor Utilization Plans (CUPs), and Letters of Intent to Subcontract (LOIs) to CREO prior to, or simultaneously with, the legislation entry request in Legistar.

Yes - I have submitted documents for CREO Review (Press tab after selecting)

Please attach or copy and paste CREO's review.

The Contractor Utilization Plan for the construction project was submitted to CREO KC for review on March 4, 2025, and was approved on March 11, 2025 with 11% MBE and 11% WBE participation.

The Contractor Utilization Plan for the design professional services project was submitted to CREO KC for review on March 26, 2025, and is pending approval.

It's anticipated that the subcontracting goals on this design professional services project will remain unchanged at 15% MBE and 10% WBE.

6. Does this legislation seek to approve a contract resulting from an Invitation for Bid?

Yes

List the three (3) lowest bidders in addition to the selected bidder.

MegaKC Corporation

7. Does this legislation seek to approve a contract resulting from a Request for Proposal/Qualification (RFP/Q)?

Yes