City of Kansas City, Missouri

Docket Memo

Ordinance/Resolution #: 250430
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 $20,670,469.00 progressive design-build Amendment No. 2 to Contract No. 470 with Burns & McDonnell Engineering Company, Inc., for the Dr. Jeremiah Cameron Park and Westport Stormwater Improvements project for a total contract amount of $30,316,573.00; and recognizing this ordinance as having an accelerated effective date.

Discussion

Project Justification

The primary objective of the Dr. Jeremiah Cameron Park and Westport Stormwater Improvements project is to implement stormwater improvements to alleviate frequent flooding in Westport. Dr. Jeremiah Cameron Park is a critical location for underground stormwater storage for this project, as it is the last opportunity to manage the discharge from proposed stormwater improvements before it enters the existing combined sewer system. The storage volume is critical to providing flood benefits to Westport without negatively impacting combined sewer overflows downstream.

The park is small, thus requiring a deep underground storage facility to meet the targeted storage volume of 2 MG (million gallons). The invert elevation of the existing downstream combined sewer system limits the maximum depth of the underground storage facility while allowing for positive drainage to dewater the chambers.

This project will be constructed in three construction packages under Phase 2 progressive design-build services. The limits of the work in each construction package and the Contract Times will be determined based on the availability of project funding. The first construction package for this project will be for stormwater improvements work at Dr. Jeremiah Cameron Park and subsequent construction packages 2 will implement stormwater improvements along Mill Street to Southwest Trafficway.

Project Description/Executed Contract Summary

The Dr. Jeremiah Cameron Park and Westport Stormwater Improvements project is being implemented using a two-phase progressive design-build project delivery approach that enables comprehensive programming, planning, design, and construction services to be completed in the following two phases:

Phase 1 Services: Contractor completed pre-final design of the proposed stormwater improvements defining project scope, requirements, plans, and specifications to a level of detail adequate for establishment of a Contract Price for Phase 2 services.

Phase 2 Services: Contractor's services shall consist of the completion of design services, the procurement of all materials and equipment, the performance of construction services, the start-up, testing, and commissioning, and the provision of warranty services. This amendment represents the final of two anticipated amendments for construction of proposed project improvements.

City Council passed Ordinance No. 240349 on April 11, 2024 authorizing a $2,741,000.00 progressive design-build contract with Burns & McDonnell Engineering Company, Inc., for Phase 1 of the Dr. Jeremiah Cameron Park and Westport Stormwater Improvements project. The City executed the contract on June 10, 2024.

City Council passed Ordinance No. 241079 on January 9, 2025, authorizing a $6,905,104.00 Amendment No.1 to the progressive design-build contract with Burns & McDonnell Engineering Company, Inc., for Phase 1 pre-final design of the proposed stormwater improvements defining project scope, requirements, plans, and specifications to a level of detail adequate for establishment of a Contract Price for Phase 2 services for the Dr. Jeremiah Cameron Park and Westport Stormwater Improvements project.

This proposed ordinance is for a $20,670,469.00 Amendment No. 2 will be for Phase 2, which is the final phase of construction to alleviate frequent flooding in Westport. The stormwater improvements include sewer separation, green infrastructure and underground storage. The project also includes streetscape improvements including road reconstruction, sidewalks, crosswalks, parking lanes, street trees, and lighting improvements that increase pedestrian safety and connectivity.

As part of the storm sewer replacement and road improvements, it was decided to replace approximately 4,000 linear feet of old water main that may pose risks of leaking or catastrophic failure. The water main project also provides a critical loop for redundant service to businesses along Mill Street between Westport Road and Wornall Road, as well as new services to residences and businesses throughout the site.

Opti Real-Time Controls (RTC) will be implemented at two large underground storage locations to optimize the storage capacity and maximize the benefit to the combined sewer system.

Contract Cost Summary

- Original Contract: $2,741,000.00
- Amendment No. 1: $6,905,104.00
- Proposed Amendment No. 2: $20,670,469.00
- Total: $30,316,573.00

Term

The term of Phase 2 for this project will be 582 days after execution of this amendment.

Original Solicitation

This Project was advertised in accordance with the City's requirements. Proposals were received on September 15, 2023, with five consultants responding.

MBE/WBE Goals

CREO KC established goals of 10% MBE and 10% WBE on this design-build project on September 8, 2023. This project's category was outside of the City's Annual Goal Program.

Awardee/Subcontracting Participation

A city wide selection committee met on October 26, 2023 and consisted of the following individuals:

- Wes Minder, Director of Water Services
- Andy Shively, Deputy Director of Water Services
- Mark Montgomery, Public Works Officer

Burns & McDonnell Engineering Company, Inc. was selected for this project on October 26, 2023, with subcontracting participation of 15% MBE and 5% WBE for Phase 1 progressive design-build services.

Other Proposals Received

Other proposals received included:

- Beemer Construction
- Leath & Sons
- MegaKC
- Radmacher Brothers Excavation

Estimated Project Cost

The City's total estimated cost for this project is $27,000,000.00 for Phase 1 and Phase 2 design-build services.

Fiscal Impact

1. Is this legislation included in the adopted budget? ☒ Yes ☐ No

2. What is the funding source?
   AL-8082-807705-B-80002611 = $2,764,560.00 / Water Main Replacement Program – Water Revenue Bond

   26-8110-807769-B-81000955 = $564,800.00 / Overflow Control Program – Sewer Fund

   AL-3625-808054-B-82000379 = $4,802,503.00 / Jeremiah Park/Westport – Go Bond Fund 2025

   AL-3626-808054-B-82000379 = $8,000,000.00 / Jeremiah Park/Westport – Go Bond Fund 2026

   AL-3624-808054-B-82000332 = $4,538,606.00 / Jeremiah Park/Westport – Go Bond Fund 2024

3. How does the legislation affect the current fiscal year?
   This ordinance is funded by sewer and bond funds.

4. Does the legislation have a fiscal impact in future fiscal years? Please notate the difference between one-time and recurring costs.
   Yes, it will require additional funding in FY26 using sewer and bond funds.

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

City Council passed Ordinance No. 240349 on April 11, 2024 authorizing a $2,741,000.00 progressive design-build contract with Burns & McDonnell Engineering Company, Inc., for Phase 1 of the Dr. Jeremiah Cameron Park and Westport Stormwater Improvements project.

City Council passed Ordinance No. 241079 on January 9, 2025 authorizing a $6,905,204.00 Amendment No.1 to the progressive design-build contract with Burns & McDonnell Engineering Company, Inc., for Phase 1 pre-final design of the proposed stormwater improvements defining project scope, requirements, plans, and specifications to a level of detail adequate for establishment of a Contract Price for Phase 2 services for the Dr. Jeremiah Cameron Park and Westport Stormwater Improvements project.

Service Level Impacts

The primary objective of the project is to implement stormwater improvements to alleviate frequent flooding of Westport properties thereby protecting public health and the environment. This project is critical to providing flood benefits to Westport without negatively impacting combined sewer overflows downstream. This project will reduce sewer overflows from the City's combined sewer system thereby protecting public health and the environment and improving the water quality of Brush Creek.

Other Impacts

1. What will be the potential health impacts to any affected groups?
   This project will contribute to positive health impacts by reducing frequent flooding of Westport properties thereby protecting public health and the environment.

2. How have those groups been engaged and involved in the development of this ordinance?
   Public engagement included three stakeholder meetings with the property owners and tenants within Westport, a large public meeting, and one-on-one meetings with key property owners, Parks and Recreation, and the Steptoe Lives neighborhood group.

3. How does this legislation contribute to a sustainable Kansas City?
   This project will alleviate frequent flooding in Westport, thereby reducing property damage and protecting public health and the environment. This project also includes implementation of safer and improved sidewalks, parking, and street corridor areas through green infrastructure solutions in the limited right-of-way space.

4. Does this legislation create or preserve new housing units?
   No (Press tab after selecting)

   Click or tap here to enter text.
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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 original Contractor Utilization Plan was submitted to CREO KC for review on March 27, 2024, and was approved on April 5, 2024 with 16% MBE and 5% WBE participation.

A Contractor Utilization Plan for Amendment No. 1 (for the first phase of construction) was submitted to CREO KC on November 26, 2024, and was approved on December 31, 2024 with 7% MBE and 6% WBE participation.

A Request for Modification for Amendment No. 2 (for the second/final phase of construction) was submitted to CREO KC on May 6, 2025, and was approved on May 13, 2025 with 10% MBE and 12% WBE participation.

There are Affirmative Action Program requirements in this contract.

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

   No(Press tab after selecting)

   N/A

7. Does this legislation seek to approve a contract resulting from a Request for Proposal/Qualification (RFP/Q)?
   No(Press tab after selecting)