



Agenda

Transportation, Infrastructure and Operations Committee

Quinton Lucas, Chair
Teresa Loar, Vice Chair
Eric Bunch, Vice Chair
Katheryn Shields
Melissa Robinson
Kevin O'Neill

Wednesday, May 4, 2022

9:00 AM

26th Floor, Council Chamber

<https://us02web.zoom.us/j/84530222968>

PUBLIC OBSERVANCE OF MEETINGS

Members of the City Council may attend this meeting via videoconference.

Any closed session may be held via teleconference.

The public can observe this meeting at the links provided below.

Applicants and citizens wishing to participate have the option of attending each meeting or they may do so through the videoconference platform ZOOM, using this link:

<https://us02web.zoom.us/j/84530222968>

Public Works

[220370](#)

Authorizing the Director of Public Works to execute a Franchise Agreement with Google Fiber, Missouri, LLC granting a non-exclusive 10-year franchise to operate a fiber optic network within the territory of the City of Kansas City, Missouri.

THIS ITEM WILL BE HELD FOR ONE WEEK

Attachments: [220370 Fact Sheet](#)
[220370 Fiscal Note](#)

[220372](#) Authorizing condemnation and taking of private property interests for public use for Temporary Construction Easements, for the construction, location and maintenance of the “N. Fremont Avenue Roadway Improvements - N.E. 52nd Street Sidewalk Addition”, Project No. 89060771, from the intersection of N.E. 50th Street and N. Fremont Avenue, north to N.E. 52nd Street, and along N.E. 52nd Street from 5270 N. Wheeling Avenue, east to 6400 N.E. 52nd Street in Kansas City, Clay County, Missouri; providing for the payment of just compensation therefore; authorizing continued negotiations and purchase by the Director of the Department of Public Works; authorizing the filing of the petition for condemnation by the City Attorney on behalf of the City; and directing the City Clerk to record this ordinance in the office of the Recorder of Deeds for Clay County, Missouri.

Attachments: [220372 Fact Sheet](#)
[220372 Fiscal Note](#)

[220373](#) Authorizing the Director of Public Works to enter into a construction contract with J.M. Fahey Construction Co. in the amount of \$9,682,940.06 for resurface designated streets Missouri River to 43rd Street; authorizing contract changes up to and including thirty percent (30%) of the original contract price; and recognizing this ordinance as having an accelerated effective date.

Attachments: [220373 Fiscal Note](#)
[220373 Fact Sheet](#)
[Ordinance 220373-22-2](#)

[220374](#) Authorizing the Director of Public Works to enter into a construction contract with Superior Bowen Asphalt Co. in the amount of \$14,421,235.00 for Project No. 22-1 - Resurface Designated Streets North of the Missouri River; and authorizing contract changes up to and including thirty percent (30%) of the original contract price, and recognizing this ordinance as having an accelerated effective date.

Attachments: [220374 Fact Sheet](#)
[220374 Fiscal Note](#)
[Ordinance 220374-Docket Memo-22-1](#)

[220375](#) Authorizing the Director of Public Works to enter into a construction contract with J.M. Fahey Construction Co. in the amount of \$8,988,266.76 for Project No. 22-3 - Resurface Designated Streets 43rd Street to the South City Limits; authorizing contract changes up to and including thirty percent (30%) of the original contract price; and recognizing this ordinance as having an accelerated effective date.

Attachments: [220375 Fact Sheet](#)
[220375 Fiscal Note](#)
[Ordinance 220375-22-3](#)

[220377](#) Authorizing the Director of Public Works to execute a Parking Lease Agreement with Flaherty & Collins Properties, for use of the West Bottoms Garage located at 1601 American Royal Drive.

Attachments: [220377 Fact Sheet](#)
[220377 Fiscal Note](#)

Robinson and Shields

[220382](#) Adopting and authorizing the execution of the Collective Bargaining Agreement with Local 500 of the American Federation of State, County and Municipal Employees, AFL- CIO.

Attachments: [220382 No Fact Sheet](#)
[220382 Fiscal Note - v2](#)

HELD IN COMMITTEE

Water Services

[220315](#) Authorizing a \$3,000,000.00 construction contract with Haines & Associates Construction Company, Inc., for the City Wide Automated Metering Infrastructure 2 project; and authorizing two successive one-year renewal options for a maximum expenditure of \$9,000,000.00 without further City Council approval and establishing an effective date.

Attachments: [220315 Revised Fact Sheet](#)
[220315 Fiscal Note](#)
[220315 Approved Goals](#)
[220315- 9718 goal](#)

[220333](#) Authorizing the Director of Public Works to enter into a construction contract with Vance Brothers, Inc. in the amount of \$3,194,358.00 for Project No. 22-MS - Microsurface Designated Streets; authorizing contract changes up to and including twenty percent (20%) of the original contract price; and establishing an effective date.

Attachments: [220333 Fact Sheet](#)
[220333 Fiscal Note](#)

[220334](#) Authorizing the Director of Public Works to enter into a construction contract with Vance Brothers, Inc. in the amount of \$1,227,050.00 for Project No. 22-CS - Crack Seal Designated Streets; authorizing contract changes up to and including twenty percent (20%) of the original contract price; and establishing an effective date.

Attachments: [220334 Fact Sheet](#)
[220334 Fiscal Note](#)

[220357](#) Amending Chapter 64, Code of Ordinances, by repealing Sections 64-168, 64-170, and 64-171, relating to the administration of sidewalk cafes, street cafes, and parklets, and enacting in lieu thereof three new sections of like number and like subject matter, and repealing Section 64-172.

Attachments: [220357 Fact Sheet](#)
[220357 Fiscal Note](#)

[220363](#) Approving various Traffic Regulations in compliance with Chapter 70 of the Code of Ordinances.

Attachments: [220363 Fact Sheet](#)

Aviation

[220347](#) Authorizing the Director of Aviation to execute an off-airport parking permit agreement with True Parkings KC, LLC; and estimating revenue in the amount of \$70,000.00 to the Aviation Fund.

Attachments: [220347 Fiscal Note](#)
[220347 Fact Sheet](#)
[220347 Revised Fact Sheet](#)
[220347 Revised Fiscal Note](#)

Procurement Services

- 220351** Authorizing the Manager of Procurement Services to execute EVP2894, a one (1) year piggyback contract with W.W. Grainger, Inc. that exceeds the \$1,000,000.00 Section 3-41(a)(2) threshold to provide Goods, Supplies, Material and Equipment; and authorizing the Manager of Procurement Services to amend the Contract and exercise the City's five one-year renewal options without additional council authorization.

Attachments: [220351 Fact Sheet](#)
[220351 Fiscal Note](#)

Public Works

Lucas

- 220366** Requiring all boards, commissions, and task forces to use the procurement processes set forth in Chapter 3 of the Code of Ordinances.

Attachments: [220366 No Fact Sheet](#)

ADDITIONAL BUSINESS

1. A "Keep Out The Rain" presentation from the staff of Water Services.
 2. There may be a general discussion regarding current Transportation, Infrastructure and Operations Committee issues.
 3. Closed Session
 4. Those who wish to comment on proposed ordinances can email written testimony to public.testimony@kcmo.org. Comments received will be distributed to the committee and added to the public record by the clerk.
- The City provides several ways for residents to watch City Council meetings:
- Livestream on the city's website at www.kcmo.gov
 - Livestream on the city's YouTube channel at <https://www.youtube.com/watch?v=3hOublg4fok>
 - Watch Channel 2 on your cable system. The channel is available through Time Warner Cable (channel 2 or 98.2), AT&T U-verse (channel 99 then select Kansas City) and Google Fiber on Channel 142.
 - To watch archived meetings, visit the City Clerk's website and look in the Video on Demand section: http://kansascity.granicus.com/ViewPublisher.php?view_id=2

Adjournment



File #: 220370

ORDINANCE NO. 220370

Authorizing the Director of Public Works to execute a Franchise Agreement with Google Fiber, Missouri, LLC granting a non-exclusive 10-year franchise to operate a fiber optic network within the territory of the City of Kansas City, Missouri.

*****THIS ITEM WILL BE HELD FOR ONE WEEK*****

WHEREAS, Ordinance No. 110390, authorized an agreement with Google Fiber, Missouri, LLC to provide high-speed Internet access to Kansas City, Missouri and its inhabitants; and

WHEREAS, Google Fiber, Missouri, LLC has requested a franchise authorizing it to continue to provide fiber optic internet service; NOW, THEREFORE,

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That the Director Public Works is authorized to execute the Franchise Agreement with Google Fiber, Missouri, LLC, granting a non-exclusive 10-year franchise to operate a fiber optic network within territory of the City of Kansas City, Missouri. A copy of the Franchise Agreement in substantial form is on file in the office of the Director of Public Works.
..end

Approved as to form and legality:

Dustin E. Johnson
Assistant City Attorney

GENERAL

Ordinance Fact Sheet

220370

Ordinance Number

Brief Title

Authorize Franchise Agreement with Google Fiber Missouri, LLC

Approval Deadline

Reason

To authorize execution of a Franchise Agreement granting Google Fiber Missouri, LLC. a non-exclusive 10-year franchise agreement

Details

Reason for Legislation

Authorizing the Director of Public Works to execute a Franchise Agreement with Google Fiber Missouri, LLC. granting a non-exclusive 10-year franchise to own, maintain, operate, and control a fiber optic infrastructure network in Public ROW within territory of the City of Kansas City, Missouri.

Discussion (explain all financial aspects of the proposed legislation, including future implications, any direct/indirect costs, specific account numbers, ordinance references, and budget page numbers.)

Google Fiber is no longer providing cable television in the Kansas City market but wishes to continue providing fiber optic infrastructure. As such, they are entering into a franchise agreement with the City to continue the fiber optic services.

Google Fiber Missouri, LLC (Licensee) owns, maintains, operates, and controls a fiber optic infrastructure network in Public ROW ("Network").

The Network consists of equipment and facilities that may include aerial or underground fiber optic cables, lines, wires, or strands; underground conduits, vaults, access manholes and handholes; electronic equipment; power generators; batteries; pedestals; boxes; cabinets; vaults; and other similar facilities ("Network Facilities").

Prior to the Effective Date (as defined herein), Licensee operated the Network pursuant to an appropriate state or local video services franchise. Licensee may desire to, and the City may desire to license Licensee to continue to use and occupy Public ROW in order to install, operate, and maintain its Network for the purposes of offering certain communications services ("Services"), including broadband Internet access service as defined in 47 C.F.R. § 8.1(b) ("Broadband Internet Services") and Voice over Internet Protocol services, but excluding multichannel video programming services to residents and businesses in the City ("Customers") that would be subject to a video services franchise and telecommunications services as defined in 47 C.F.R. § 153(53).

Positions/Recommendations

Sponsor	Public Works
Programs, Departments, or Groups Affected	Public Works
Applicants / Proponents	Applicant City Department
Opponents	Groups or Individuals None Known Basis of opposition
Staff Recommendation	<input checked="" type="checkbox"/> For <input type="checkbox"/> Against Reason Against
Board or Commission Recommendation	By <input type="checkbox"/> For <input type="checkbox"/> Against <input type="checkbox"/> No action taken <input type="checkbox"/> For, with revisions or conditions (see details column for conditions)
Council Committee Actions	<input type="checkbox"/> Do pass <input type="checkbox"/> Do pass (as amended) <input type="checkbox"/> Committee Sub. <input type="checkbox"/> Without Recommendation <input type="checkbox"/> Hold <input type="checkbox"/> Do not pass

(Continued on reverse side)

Details

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Policy/Program Impact

Policy or Program Change	<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes
Operational Impact Assessment	

Finances

Cost & Revenue Projections -- Including Indirect Costs	
Financial Impact	
Fund Source (s) and Appropriation Account Codes	22__ Budget, Page ____ Unbudgeted, Appropriation _____ Fund 00-000-00-0000-A0000

(Use this space for further discussion, if necessary)

Applicable Dates:

Fact Sheet Prepared by:

Chad Thomspson
Public Works

Date 4/20/2022

Reviewed by:

Nicolas Bosonetto
City Engineer, Public Works

Date 4/20/2022

Reference Numbers

CAPITAL PROJECT

Ordinance Fiscal Note

220370

Ordinance Number

Ordinance Title (in Brief)

Authorize Franchise Agreement with Google Fiber Missouri, LLC

Is this ordinance for the following:

- Watershed Study
- New Construction
- Replacement
- Repair

Was this project programmed in the Five-Year Capital Improvement Plan?

No

Yes

This funding is for replacement of a software system, and debt will be paid from operating funds.

Please identify source of funds below.

Non-City source and amount.

Source of Funds: None Required
Name of Fund: _____
Fiscal Year Funded: _____
Amount of Non-City Funds: \$ _____

City source and amount.

Source of Funds: None Required
Name of Fund: _____
Fiscal Year Funded: _____
Amount of City Funds: \$ _____

If ordinance is for new construction or replacement of asset please provide the following information:

Total estimated costs (design through construction): \$ \$0.00
Estimated lifespan of project in years 10 Years
Estimated annual operating and maintenance costs \$ \$0.00
(Please detail type of maintenance or operating costs needed, additional staffing, capital maintenance costs, utilities, etc.)

Are these O&M costs reflected in the current budget?

No

Yes

If yes, please provide source of funds. _____

If no, please identify year in which additional operating and maintenance costs will be needed. None needed

Reference Numbers: (Previously approved legislation): _____

Reviewed by: **Nicolas Bosonetto**
City Engineer

OMB Approval Date



File #: 220372

ORDINANCE NO. 220372

Authorizing condemnation and taking of private property interests for public use for Temporary Construction Easements, for the construction, location and maintenance of the “N. Fremont Avenue Roadway Improvements – N.E. 52nd Street Sidewalk Addition”, Project No. 89060771, from the intersection of N.E. 50th Street and N. Fremont Avenue, north to N.E. 52nd Street, and along N.E. 52nd Street from 5270 N. Wheeling Avenue, east to 6400 N.E. 52nd Street in Kansas City, Clay County, Missouri; providing for the payment of just compensation therefore; authorizing continued negotiations and purchase by the Director of the Department of Public Works; authorizing the filing of the petition for condemnation by the City Attorney on behalf of the City; and directing the City Clerk to record this ordinance in the office of the Recorder of Deeds for Clay County, Missouri.

WHEREAS, the Council finds that the property interests herein described must be condemned for temporary public use for the “N. Fremont Avenue Roadway Improvements – N.E. 52nd Street Sidewalk Addition” project in Kansas City, Clay County, Missouri; NOW, THEREFORE,

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY, MISSOURI:

Section 1. That the property interests herein described are hereby authorized condemned and taken for temporary public use in and upon the land hereinafter described for Project No. 89060771, “N. Fremont Avenue Roadway Improvements – N.E. 52nd Street Sidewalk Addition”, including any necessary structures or appurtenances, all in Kansas City, Clay County, Missouri.

Section 2. Said improvements shall be of the nature described and specified in, and shall be done in accordance with, the plans and specifications certified under the supervision of the Director of the Department of Public Works, the same being on file in the Office of the Director of the Department of Public Works, and being incorporated herein by reference.

Section 3. That the properties obtained by condemnation shall be used by the City of Kansas City, Missouri as temporary construction easements for the location of improvements and utilities to be constructed therein including any necessary appurtenances to it; and Kansas City or its authorized agents, employees or independent contractors, and with Kansas City, Missouri’s permission, utility companies franchised to operate in Kansas City, Missouri and their authorized agents, employees or independent contractors, shall have the right to enter in or authorize the entry in and upon said properties for the purpose of constructing, reconstructing, maintaining, operating and repairing the following said improvements and utilities:

Temporary Construction Easement (3-year duration)

The Temporary Construction Easements shall be used by the City of Kansas City, Missouri or its authorized agents, servants, employees, or independent contractors, during the construction of said project, for grading and sloping, removal of trees and shrubbery, removal and replacement of fencing, sidewalks and driveways, utility construction work, the storage of materials, the operation of equipment, and the movement of a working force.

The City of Kansas City, Missouri shall cause the surface of lands lying within said Temporary Construction Easements to be restored to substantially the same physical condition that existed at the time the City or its agents entered upon it, and said temporary construction easement shall terminate three (3) years from the date this document is recorded by the Recorder of Deeds in the county in which the lands are located, or upon completion and acceptance of the improvements by the Director of Department of Public Works.

Section 4. That said property interests are hereby authorized condemned and taken for public use and are described as follows:

Tract No. 4

Temporary Construction Easement (3-year duration):

All that part of the South 30 feet of the West 138 feet of Lot 17 and the North 41 feet of the West 138 feet of Lot 18, of "NALL ADDITION" plat, a subdivision in the City of Kansas City, Missouri, recorded in the Clay County, Missouri, Register of Deeds Office at book 6, page 11, and more particularly described as follows:

Commencing at the Northwest corner of said Lot 18, also the east right-of-way line of N. Fremont Avenue; thence south 00 degrees 57 minutes 30 seconds west along said east right-of-way line, a distance of 36.00 feet, to the Point of Beginning; thence south 89 degrees 02 minutes 30 seconds east a distance of 9.00 feet; thence south 00 degrees 57 minutes 30 seconds a distance 5.00 feet to a point on the South property line of said original parcel; thence north 89 degrees 02 minutes 30 seconds west along said south property line, a distance of 9.00 feet, to a point on said east right-of-way line; thence north 00 degrees 57 minutes 30 seconds east along said east right-of-way line, a distance of 5.00 feet to the Point of Beginning.

The above-described parcel contains 45 square feet or 0.001 acres, more or less.

Tract No. 6

Temporary Construction Easement (3-year duration):

All that part of the North 70 feet of the South 100 feet of the West 138 feet of Lot 17, of "NALL ADDITION" plat, a subdivision in the City of Kansas City, Missouri, recorded in the Clay County, Missouri, Register of Deeds Office at book 6, page 11, and more particularly described as follows:

Commencing at the Southwest corner of said Lot 17, also the east right-of-way line of N. Fremont Avenue; thence north 00 degrees 57 minutes 30 seconds east along said east right-of-way line, a distance of 41.65 feet, to the Point of Beginning; thence continuing north 00 degrees 57 minutes 30 seconds east along said east right-of-way line, a distance of 23.00 feet; thence south 89 degrees 02 minutes 30 seconds east leaving said east right-of- line, a distance of 5.00

feet; thence south 00 degrees 57 minutes 30 seconds west a distance 23.00 feet; thence north 89 degrees 02 minutes 30 seconds west a distance of 5.00 feet to the Point of Beginning.

The above-described parcel contains 115 square feet or 0.003 acres, more or less.

Tract No. 8

Temporary Construction Easement - 1 (3-year duration):

All that part of the South 20 feet of the West 138 feet of Lot 16 and the North 50 feet of the West 138 feet of Lot 17, of "NALL ADDITION" plat, a subdivision in the City of Kansas City, Missouri, recorded in the Clay County, Missouri, Register of Deeds Office at book 6, page 11, and more particularly described as follows:

Commencing at the Southwest corner of said Lot 16, also the east right-of-way line of N. Fremont Avenue; thence north 00 degrees 57 minutes 30 seconds east along said east right-of-way line, a distance of 14.00 feet, to the Point of Beginning; thence continuing north 00 degrees 57 minutes 30 seconds east along said east right-of-way line, a distance of 6.00 feet to the north property line of said Original Parcel; thence south 89 degrees 02 minutes 30 seconds east leaving said east right-of-way line and along said north property line, a distance of 20.50 feet; thence south 00 degrees 57 minutes 30 seconds west leaving said north property line, a distance 6.00 feet; thence north 89 degrees 02 minutes 30 seconds west a distance of 20.50 feet to the Point of Beginning.

The above-described parcel contains 123 square feet or 0.003 acres, more or less.

Temporary Construction Easement - 2 (3-year duration):

All that part of the South 20 feet of the West 138 feet of Lot 16 and the North 50 feet of the West 138 feet of Lot 17, of "NALL ADDITION" plat, a subdivision in the City of Kansas City, Missouri, recorded in the Clay County, Missouri, Register of Deeds Office at book 6, page 11, and more particularly described as follows:

Commencing at the Northwest corner of said Lot 17, also the east right-of-way line of N. Fremont Avenue; thence south 00 degrees 57 minutes 30 seconds west along said east right-of-way line, a distance of 28.00 feet, to the Point of Beginning; thence south 89 degrees 02 minutes 30 seconds east leaving said east right-of-way line, a distance of 12.00 feet; thence south 00 degrees 57 minutes 30 seconds west a distance 22.00 feet to a point on the south property line; thence north 89 degrees 02 minutes 30 seconds west along said south property line, a distance of 12.00 feet to a point on said east right-of-way line; thence north 00 degrees 57 minutes 30 seconds east along said east right-of-way line, a distance of 22.00 feet to the Point of Beginning.

The above-described parcel contains 264 square feet or 0.006 acres, more or less.

Tract No. 11

Temporary Construction Easement (3-year duration):

All that part of Lot 36, except the North 70 feet thereof, and all of Lot 35, except the South 70 feet thereof, of "NALL ADDITION" plat, a subdivision in the City of Kansas City, Missouri, recorded in the Clay County, Missouri, Register of Deeds Office at book 6, page 11, and more particularly described as follows:

Beginning at the Northeast corner of said Lot 35, also the west right-of-way line of N. Fremont Avenue; thence south 00 degrees 57 minutes 30 seconds west along the east property line of said

Lot 35, being said west right-of-way line, a distance of 35.00 feet to a point on the south property line of said original parcel; thence north 89 degrees 01 minutes 30 seconds west leaving said west right-of-way line and along said south property line, a distance 2.00 feet; thence north 00 degrees 57 minutes 30 seconds east a distance of 70.00 feet to a point on the north property line of said original parcel; thence south 89 degrees 01 minutes 30 seconds east along said north property line, a distance of 2.00 feet to a point on said west right-of-way line; thence south 00 degrees 57 minutes 30 seconds west along said west right-of-way line, a distance of 35.00 feet to the Point of Beginning.

The above-described parcel contains 140 square feet or 0.003 acres, more or less.

Tract No. 13

Temporary Construction Easement - 1 (3-year duration):

All that part of the North 52 feet of Lot 4, except the East 100 feet of "NALL ADDITION" plat, a subdivision in the City of Kansas City, Missouri, recorded in the Clay County, Missouri, Register of Deeds Office at book 6, page 11, and more particularly described as follows:

Beginning at the Northwest corner of said Lot 4, also the east right-of-way line of N. Fremont Avenue; thence south 89 degrees 02 minutes 31 seconds east leaving said east right-of-way line and along the north property line of said original parcel, a distance of 5.50 feet; thence south 00 degrees 57 minutes 29 seconds west leaving said north property line, a distance of 12.00 feet; thence north 89 degrees 02 minutes 31 seconds west a distance of 5.50 feet to a point on said east right-of-way line; thence north 00 degrees 57 minutes 30 seconds east along said east right-of-way line, a distance 12.00 feet to the Point of Beginning.

The above-described parcel contains 66 square feet or 0.002 acres, more or less.

Temporary Construction Easement - 2 (3-year duration):

All that part of the North 52 feet of Lot 4, except the East 100 feet of "NALL ADDITION" plat, a subdivision in the City of Kansas City, Missouri, recorded in the Clay County, Missouri, Register of Deeds Office at book 6, page 11, and more particularly described as follows:

Commencing at the Northwest corner of said Lot 4, also the east right-of-way line of N. Fremont Avenue; thence south 00 degrees 57 minutes 30 seconds west along said east right-of-way line, a distance of 24.00 feet to the Point of Beginning; thence south 89 degrees 02 minutes 31 seconds east leaving said east right-of-way line, a distance of 5.00 feet; thence south 00 degrees 57 minutes 30 seconds west a distance of 28.00 feet to a point on the south property line of said original parcel; thence north 89 degrees 02 minutes 31 seconds west along said south property line, a distance of 5.00 feet to a point on said east right-of-way line; thence north 00 degrees 57 minutes 30 seconds east along said east right-of-way line, a distance 28.00 feet to the Point of Beginning.

The above-described parcel contains 140 square feet or 0.003 acres, more or less.

Section 5. That just compensation for the property interests taken shall be assessed and paid according to law; and the proceedings to determine compensation shall be prosecuted in one or more suits in the Circuit Court of Clay County, Missouri, pursuant to the provisions of Chapter 523 of the Revised Statutes of Missouri, as supplemented or amended by Section 86.01

to 86.10 of the Rules of Civil Procedure. Payment of compensation shall be made by Kansas City from funds appropriated, or to be appropriated, for such purposes.

Section 6. That pending the acquisition of said lands by condemnation, the Director of the Department of Public Works is hereby authorized to negotiate the purchase of said land and pay for them out of funds appropriated or to be appropriated as aforesaid, and if any tracts be so acquired by negotiation and purchase, the City Attorney is authorized to withdraw same from condemnation proceedings.

Section 7. That said tracts and interests be condemned and conveyed to Kansas City, Missouri.

Section 8. That upon the effective date of this ordinance, the City Clerk is hereby directed to cause this ordinance to be recorded in the office of the Recorder of Deeds for Clay County, Missouri.
..end

Approved as to form and legality:

Matthew W. Cooper
Assistant City Attorney

GENERAL

Ordinance Fact Sheet

220372

Ordinance Number

Brief Title

Condemning private properties for the N. Fremont Avenue Roadway Improvements – N.E. 52nd Street Sidewalk Addition project.

Approval Deadline

Reason

Condemning private properties for public use as part of the N. Fremont Avenue Roadway Improvements – N.E. 52nd Street Sidewalk Addition project.

Details

Reason for Legislation

The Council finds that the property interests herein described must be condemned for temporary public use for the “N. Fremont Avenue Roadway Improvements – N.E. 52nd Street Sidewalk Addition” project in Kansas City, Clay County, Missouri;

Discussion

Said improvements shall be of the nature described and specified in, and shall be done in accordance with, the plans and specifications certified under the supervision of the Director of the Department of Public Works, the same being on file in the Office of the Director of the Department of Public Works, and being incorporated herein by reference.

The properties being condemned will be used by the City of Kansas City, Missouri for Temporary Construction Easements .

Just compensation for the property interests taken shall be assessed and paid according to law; and the proceedings to determine compensation shall be prosecuted in one or more suits in the Circuit Court of Jackson County, Missouri, pursuant to the provisions of Chapter 523 of the Revised Statutes of Missouri, as supplemented or amended by Section 86.01 to 86.10 of the Rules of Civil Procedure. Payment of compensation shall be made by Kansas City from funds appropriated, or to be appropriated, for such purposes.

Pending the acquisition of said lands by condemnation, the Director of the Department of Public Works is hereby authorized to negotiate the purchase of said land and pay for them out of funds appropriated or to be appropriated as aforesaid, and if any tracts be so acquired by negotiation and purchase, the City Attorney is authorized to withdraw same from condemnation proceedings.

Positions/Recommendations

Sponsor	City Engineer
Programs, Departments, or Groups Affected	Public Works
Applicants / Proponents	Applicant City Department Public Works Other
Opponents	Groups or Individuals Basis of opposition
Staff Recommendation	<input checked="" type="checkbox"/> For <input type="checkbox"/> Against Reason Against
Board or Commission Recommendation	By <input type="checkbox"/> For <input type="checkbox"/> Against <input type="checkbox"/> No action taken <input type="checkbox"/> For, with revisions or conditions (see details column for conditions)
Council Committee Actions	<input type="checkbox"/> Do pass <input type="checkbox"/> Do pass (as amended) <input type="checkbox"/> Committee Sub. <input type="checkbox"/> Without Recommendation <input type="checkbox"/> Hold <input type="checkbox"/> Do not pass

Discussion (continued)

Details

Policy/Program Impact

Policy or Program Change	<input type="checkbox"/> No <input type="checkbox"/> Yes
Operational Impact Assessment	

Finances

Cost & Revenue Projections -- Including Indirect Costs	
Financial Impact	
Fund Source (s) and Appropriation Account Codes	

Applicable Dates:

Fact Sheet Prepared by:

Reviewed by:

Homer Janssens,
Right of Way Reviewer
Department of Public Works

Reference Numbers

CAPITAL PROJECT

Ordinance Fiscal Note

220372

Ordinance Number

Ordinance Title (in Brief)

Condemning private properties for the N. Fremont Avenue Roadway Improvements – N.E. 52nd Street Sidewalk addition project.

Is this ordinance for the following:

- New Construction
- Replacement
- Repair

Was this project programmed in the Five-Year Capital Improvement Plan?

No
FY _____

Yes

If no, please detail the reasons why this project was not included and need for present funding request.

Please identify source of funds below.

Non-City source and amount.

Source of Funds: _____

Fiscal Year Funded _____

Amount of Non-City Funds: \$ 0.00

City source and amount.

Acct #: _____

Name of Fund: _____

Fiscal Year Funded _____

Amount of City Funds: \$ 0.00

If ordinance is for new construction or replacement of asset please provide the following information:

Total estimated costs (design through construction): \$ _____

Estimated lifespan of project in years \$ _____

Estimated annual operating and maintenance costs \$ _____

(Please detail type of maintenance or operating costs needed, additional staffing, capital maintenance costs, utilities, etc.)

Are these O&M costs reflected in the current budget?

No

Yes

If yes, please provide source of funds. _____

If no, please identify year in which additional operating and maintenance costs will be needed.

FY _____

Reference Numbers: (Previously approved legislation): _____

Reviewed by: _____

OMB Approval Date



File #: 220373

ORDINANCE NO. 220373

Authorizing the Director of Public Works to enter into a construction contract with J.M. Fahey Construction Co. in the amount of \$9,682,940.06 for resurface designated streets Missouri River to 43rd Street; authorizing contract changes up to and including thirty percent (30%) of the original contract price; and recognizing this ordinance as having an accelerated effective date.

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That the Director of Public Works is hereby authorized to execute a contract with J.M. Fahey Construction Co. in the amount of \$9,682,940.06 for Contract Number CS220039 street resurfacing Missouri River to 43rd Street from funds previously appropriated to the following accounts:

AL-3523-897701-B-89008533	Street Preservation	\$6,666,666.00
23-2080-897701-B-89008533	Street Preservation	92,441.82
23-3090-897701-B-89008533	Street Preservation	<u>2,923,832.24</u>
	TOTAL:	\$9,682,940.06

Section 2. That the Fairness in Construction Board, to assure fair representation by socially and economically disadvantaged groups, approved for this project, a nine (9) percent representation by Minority Owned Businesses and a seven (7) percent representation by Women Owned Businesses.

Section 3. That the Director of Public Works is authorized to enter into contract changes up to and including thirty percent (30%) of the original contract price for related work. A copy of the contract is on file in the office of the Director of Public Works.

Section 4. That this ordinance, relating to the design, repair, maintenance or construction of a public improvement, is recognized as an ordinance with an accelerated effective date as provided by Section 503(a)(3)(D) of the City Charter and shall take effect in accordance with that section.

..end

I hereby certify that there is a balance, otherwise unencumbered, to the credit of the appropriation to which the foregoing expenditure is to be charged, and a cash balance, otherwise unencumbered, in the treasury, to the credit of the fund from which payment is to be made, each sufficient to meet the obligation hereby incurred.

Tammy L. Queen
Director of Finance

Approved as to form and legality:

Dustin E. Johnson
Assistant City Attorney

CAPITAL PROJECT

220373

Ordinance Fiscal Note

Ordinance Number

Ordinance Title (in Brief)

Authorizing the Director of Public Works to enter into a construction contract with J.M. Fahey Construction Co. in the amount of \$9,682,940.06 for Resurface Designated Streets Missouri River to 43rd Street.

Is this ordinance for the following:

- Watershed Study
- New Construction
- Replacement
- Repair

Was this project programmed in the Five-Year Capital Improvement Plan?

No

Yes

FY23

If no, please detail the reasons why this project was not included and need for present funding request.

Please identify source of funds below.

Non-City source and amount.

Source of Funds: _____

Fiscal Year Funded _____

Amount of Non-City Funds: \$ _____

City source and amount.

Acct #: _____

Name of Fund: _____

Fiscal Year Funded _____

Amount of City Funds: \$ _____

23-3090-897701-B-89008533

AL-3523-897701-B-89008533

Capital Improvements /GO Bond Q1

2023

9,682,940.06

If ordinance is for new construction or replacement of asset please provide the following information:

Total estimated costs (design through construction): \$ 9,682,940.06

Estimated lifespan of project in years \$ avg 10 years

Estimated annual operating and maintenance costs \$ 25,000.00

(Please detail type of maintenance or operating costs needed, additional staffing, capital maintenance costs, utilities, etc.)

Are these O&M costs reflected in the current budget?

No

Yes

If yes, please provide source of funds.

Street Maintenance

If no, please identify year in which additional operating and maintenance costs will be needed.

FY

Reference Numbers: (Previously approved legislation):

Reviewed by: _____

OMB Approval Date

CONTRACT

220373

Ordinance Fact Sheet

Brief Title	Approval Deadline	Reason
<u>Approving a construction contract for CS220039 Resurface Designated Streets-Missouri River to 43rd Street</u>		To authorize execution of a construction contract

Details

Reason for Contract

Authorizing the Director of Public Works to enter into a construction contract with J.M. Fahey Construction Co. in the amount of \$9,682,940.06 for Resurface Designated Streets Missouri River to 43rd Street; authorizing contract changes up to and including thirty percent (30%) of the original contract price; and recognizing this ordinance as having an accelerated effective date.

Discussion

Project Justification

This contract covers a portion of the street resurfacing in the 2022 Street Preservation program for the City of Kansas City, Missouri.

Project Description

The contract will provide for cold milling, resurfacing, pavement marking, and loop detector replacement on designated streets.

Solicitation

This Project was advertised in accordance with the City's requirements.

Human Relations Approval

MBE/WBE Goals

	<u>Goals</u>	<u>Submitted</u>
MBE:	9%	10%
WBE	7%	6%

MBE Vendors

RLS Trucking, Inc.
A Robnson Trucking, LLC.

WBE Vendors

Midwest Contracting Services, LLC aba R&B Trucking
R.L. Hannah and Sons Trucking, Inc.
Tenoch Construction
Delta Sweeping
Leigh & O'Kane, LLC
Thorne and Son Asphalt Paving

Roles and Responsibilities

Sponsor	Public Works Department
Department or Programs Affected	Public Works Department
Recommended Awardee	J.M. Fahey Construction Co.
Contract Compliance Certification Obtained?	<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes
Opponents	Groups or Individuals N/A Reason for Opposition N/A
Responsibilities	<u>Design Engineering:</u> City Forces <u>Inspections:</u> City Forces / Third Party <u>Construction or Project Management:</u> City Forces <u>Service Monitoring:</u>

Policy/Program Impact

Policy or Program Emphasis Change	<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes
Operational Impact Assessment	

(Continued on reverse side)

Details

Is it good for the children?

Yes. The project utilized recycled hot mix asphalt which requires less virgin asphaltic cement and rock. It also allows the use of warm mix technologies which reduces the amount of fuel needed to produce the asphalt and release harmful gases.

How will this contribute to a sustainable Kansas City?

This contract utilizes recycled asphalt pavement in the production of the new asphalt that is place on the roads. This reduces the amount of virgin rock and liquid asphalt that is needed to complete the resurfacing.

Bid Opening Date:

3/15/2022

Finances

City's Estimate of Cost	\$ 8,999,244.75
Bid or Proposal Data	<i>Lowest Contract</i>
	<i>Cost Submitted</i> \$ 9,682,940.06
	<i>No. of Proposals Considered</i> Two (2)
	<i>Reason for rejecting lowest contract cost submitted</i>
Other Bidders or Contractors Considered	Contract Costs Submitted
Superior Bowen	\$ 10,108,421.00
	\$
	\$
	\$
	\$
	\$
	\$
	\$
	\$
	\$
	\$
	\$
	\$
	\$
	\$
	\$
	\$
	\$
Fund Sources and Appropriation Account Codes For This Contract	22-23 Street Preservation budget 23-3090-897701-B-89008533 AL-3523-897701-B-89008533
Source of Future Operating Funds	
Maximum Amount of Proposed Contract	\$ 9,682,940.06
Amount of Contingency	\$ 2,904,882.02
Engineering & Administration	\$
TOTAL	\$ 12,587,822.08

Estimated Duration of Contract:
300 Calendar Days

Fact Sheet Prepared by:
Garrett Ross
Area Superintendent

Date:
3/31/2022

Reviewed by:
Mark A. Montgomery
Assistant City Engineer

Date:
3/31/2022

Reference Numbers:
Project No. 22-2 - 89008899
CS220039

Council Committee Actions

Do Pass	<input type="checkbox"/>	<input type="checkbox"/> Hold
Do Pass (as amended)	<input type="checkbox"/>	<input type="checkbox"/> W/o Recommendation
Committee Sub.	<input type="checkbox"/>	<input type="checkbox"/> Do Not Pass

Inter-Departmental Communication

Date: March 23, 2022

To: Mayor Quinton Lucas, Chair: Transportation, Infrastructure & Operations Committee

From: Andrea Dorch; Director; Civil Rights & Equal Opportunity Department

Subject: Docket Memo #:220373

CONTRACTOR: JM Fahey Construction Co.
 Address: 408 High Grove Rd.
 Grandview, MO 64030
 Contract # CS220039 / 89008899 / 22-2 – Resurface Designated Streets – MO River to 43rd St.
 Contract Amount: \$9,682,940.06
 MBE Goal 9%
 WBE Goal: 7%
 Total MBE Achieved: 9%
 Total WBE Achieved: 7 %

MBE SUBCONTRACTORS:
 Name: RLS Trucking, Inc.*
 Address: 8001 Prospect Ave.
 Kansas City, MO 64132
 Scope of Work: Hauling
 Dollar Amount: \$422,392
 Ownership: Shaw, Robert
 Structure: African-American Male Code 15

MBE SUBCONTRACTORS:
 Name: A. Robinson trucking, LLC*
 Address: 9005 Manning
 Raytown, MO 64138
 Scope of Work: Hauling
 Dollar Amount: \$453,258
 Ownership: Robinson, Alan
 Structure: African-American Male Code 15

WBE SUBCONTRACTORS:

Name: Midwest Contracting Services, LLC dba R & B Trucking*
Address: 8100 Blue Parkway Dr.
Kansas City, MO 64133
Scope of Work: Hauling
Dollar Amount: \$89,815
Ownership: Shoemaker, Rhonda
Structure: Caucasian Female Code 27

WBE SUBCONTRACTORS:

Name: Delta Sweeping Co.
Address: 2001 Guinotte Ave.
Kansas City, MO 64120
Scope of Work: Sweeping
Dollar Amount: \$145,046
Ownership: Francis, Suzanne
Structure: Caucasian Female Code 27

WBE SUBCONTRACTORS:

Name: RL Hannah & Sons Trucking, Inc.*
Address: 28110 SW Outer Rd.
Harrisonville, MO 64701
Scope of Work: Rock Supplier / Hauling
Dollar Amount: \$62,436**
Ownership: Green, Sharon
Structure: Caucasian Female Code 27

WBE SUBCONTRACTORS:

Name: Tenoch Construction, Inc.
Address: 912 Scott Ave.
Kansas City, KS 66105
Scope of Work: Concrete Inlay
Dollar Amount: \$98,125
Ownership: Segura-Ulrich, Sonya
Structure: Hispanic-American Female Code 24

WBE SUBCONTRACTORS:

Name: Thorne & Son Asphalt Paving Co.
Address: 11705 E. 350 Highway, Suite D
Raytown, MO 64138
Scope of Work: Asphalt
Dollar Amount: \$165,218
Ownership: Thorne, Bernice
Structure: Caucasian Female Code 27

WBE SUBCONTRACTORS:

Name: Leigh & O’Kane, LLC
Address: 250 NE Mulberry, Suite 201
Lee’s Summit, MO 64086
Scope of Work: Inspections
Dollar Amount: \$133,500
Ownership: Bush, Amanda
Structure: Caucasian Female Code 27

Comments:

*Note:

The Hauling subcontractors may add additional MBE/WBE Hauling subcontractors during the course of the project on an as-needed basis. The prime contractor will be responsible for adding the MBE/WBE subcontractors to the CUP in B2G.

**Note:

RL Hannah’s subcontract includes Hauling for \$35,475 and Rock supplies for \$44,935. The Rock supplies will be credited at 60% of the materials’ cost:
 $\$44,935 \times 60\% = \$26,961$.

Hauling: \$35,475
Rock @ 60%: \$26,961
Total Subcontract: \$62,436



MBE/WBE/DBE Contract Goals Request

Date: September 29, 2021
 To: Itzel Galarza, Civil Rights & Equal Opportunity Department
 From: Garrett Ross, Public Works Department Capital Projects Division Street Preservation

Project Number	Project Name	
22-2	CS220039 / Resurface Designated Streets (Missouri River to 63rd Street) - 89008899	
Contract ID Number	Estimated Cost: (cost breakdown attached)	Solicitation Date:
CS220039	\$ 10,000,000.00	12/14/2021
Estimated Project Duration: (12) months		

Note: Click the box to select

<input checked="" type="checkbox"/> FICB PREVAILING WAGE: <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO			
Contract Category:	<input checked="" type="checkbox"/> Construction	<input type="checkbox"/> Design-Build	<input type="checkbox"/> Non-Municipal Agency
	<input type="checkbox"/> Design Professional	<input type="checkbox"/> Other Goods & Services	<input type="checkbox"/> Lease
	<input type="checkbox"/> Professional Services	<input type="checkbox"/> Facilities Maintenance/Repair	<input type="checkbox"/> Tenant (MBE/WBE)
	<input type="checkbox"/> Other (Enter Type):		<input type="checkbox"/> Concession
Type:	<input checked="" type="checkbox"/> Original <input type="checkbox"/> Amendment No.		
Funding:	<input checked="" type="checkbox"/> City(MBE/WBE) <input type="checkbox"/> Federal (DBE) <input type="checkbox"/> State (DBE)		
	<input type="checkbox"/> Other:	<input type="checkbox"/> Grant#	
Construction Workforce Goals: Are the estimated construction labor hours greater than 800 and the estimated cost greater than \$300,000? If yes, complete "Required Crafts" Worksheet and include total number of hours in Description of Work.			<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<input checked="" type="checkbox"/> Estimated Cost Breakdown attached - Page 2			<input checked="" type="checkbox"/> List of Required Crafts attached - Page 3

Description of work:

Cold mill, hot mix recycle, and resurface asphalt pavement; construct concrete pavement inlay; construct asphalt pavement inlay; install pavement markings; repair and or replace signal loop detectors.

cc: Mark A. Montgomery

FOR CIVIL RIGHTS & EQUAL OPPORTUNITY DEPARTMENT USE ONLY:			
<input type="checkbox"/> No Goals are set for this Project; OR			
<input checked="" type="checkbox"/> The following Goals are approved for this Project	9	% MBE	7
		% WBE	OR
			% DBE
Civil Rights & Equal Opportunity Department	DocuSigned by: 		Date: 10/6/2021

FOR FAIRNESS IN CONSTRUCTION BOARD USE ONLY ²			
<input checked="" type="checkbox"/> Approved	<input type="checkbox"/> Disapproved	<input type="checkbox"/> N/A	
DocuSigned by: 		10/14/2021	
		Date	

FOR GRANT AGENCY USE ONLY ³			
<input type="checkbox"/> Approved	<input type="checkbox"/> Disapproved	<input type="checkbox"/> N/A	
		Date	

¹ DBE Programs apply to specific federal or state grant requirements.
² For Projects subject to prevailing wage requirements only.
³ Federal and state grant agreements may require granting agency approval of contract goals.



File #: 220374

ORDINANCE NO. 220374

Authorizing the Director of Public Works to enter into a construction contract with Superior Bowen Asphalt Co. in the amount of \$14,421,235.00 for Project No. 22-1 – Resurface Designated Streets North of the Missouri River; and authorizing contract changes up to and including thirty percent (30%) of the original contract price, and recognizing this ordinance as having an accelerated effective date.

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That the Director of Public Works is hereby authorized to execute a contract with Superior Bowen Asphalt Co. in the amount of \$14,421,235.00 for Contract Number CS220038 street resurfacing North of the Missouri River from funds previously appropriated to the following accounts:

AL-3523-897701-B-89008533	Street Preservation	\$ 6,666,667.00
23-3090-897701-B-89008533	Street Preservation	<u>7,754,568.00</u>
	TOTAL:	\$14,421,235.00

Section 2. That the Fairness in Construction Board, to assure fair representation by socially and economically disadvantaged groups, approved for this project, a nine (9) percent representation by Minority Owned Businesses and a seven (7) percent representation by Women Owned Businesses.

Section 3. That the Director of Public Works is authorized to enter into contract changes up to and including thirty percent (30%) of the original contract price for related work. A copy of the contract is on file in the office of the Director of Public Works.

Section 4. That this ordinance, relating to the design, repair, maintenance or construction of a public improvement, is recognized as an ordinance with an accelerated effective date as provided by Section 503(a)(3)(D) of the City Charter and shall take effect in accordance with that section.

..end

I hereby certify that there is a balance, otherwise unencumbered, to the credit of the appropriation to which the foregoing expenditure is to be charged, and a cash balance, otherwise unencumbered, in the treasury, to the credit of the fund from which payment is to be made, each sufficient to meet the obligation hereby incurred.

Tammy Queen
Director of Finance

Approved as to form and legality:

Dustin E. Johnson
Assistant City Attorney

CONTRACT

220374

Ordinance Fact Sheet

Brief Title	Approval Deadline	Reason
<u>Approving a construction contract for Resurface Designated Streets North of the Missouri River</u>		To authorize execution of a construction contract

Details

Reason for Contract
 Authorizing the Director of Public Works to enter into a construction contract with Superior Bowen Asphalt Co. in the amount of \$14,421,235.00 for Project No. 22-1 – Resurface Designated Streets North of the Missouri River; authorizing contract changes up to and including thirty percent (30%) of the original contract price; and recognizing this ordinance as having an accelerated effective date.

Discussion

Project Justification
 This contract covers a portion of the street resurfacing in the 2022 Street Preservation program for the City of Kansas City, Missouri.

Project Description
 The contract will provide for cold milling, resurfacing, pavement marking, and loop detector replacement on designated streets.

Solicitation
 This Project was advertised in accordance with the City's requirements.

Human Relations Approval
 MBE/WBE Goals

	Goals	Submitted
MBE:	9%	10%
WBE	7%	6%

MBE Vendors
 Martin Rucker Development
 Ward Hauling
 Tenoch Construction
 HZ Trucking
 Taliaferro & Brown

WBE Vendor
 Little Joe's Asphalt

Roles and Responsibilities

Sponsor	Public Works Department
Department or Programs Affected	Public Works Department
Recommended Awardee	Superior Bowen Asphalt Co.
Contract Compliance Certification Obtained?	<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes
Opponents	Groups or Individuals N/A Reason for Opposition N/A
Responsibilities	<u>Design Engineering:</u> City Forces <u>Inspections:</u> City Forces / Third Party <u>Construction or Project Management:</u> City Forces <u>Service Monitoring:</u>

Policy/Program Impact

Policy or Program Emphasis Change	<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes
Operational Impact Assessment	

(Continued on reverse side)

CAPITAL PROJECT

220374

Ordinance Fiscal Note

Ordinance Number

Ordinance Title (in Brief)

Authorizing the Director of Public Works to enter into a construction contract with Superior Bowen Asphalt Co. in the amount of \$14,421,235.00 for Project No. 22-1 – Resurface Designated Streets North of the Missouri River.

Is this ordinance for the following:

- Watershed Study
- New Construction
- Replacement
- Repair

Was this project programmed in the Five-Year Capital Improvement Plan?

No Yes
FY23

If no, please detail the reasons why this project was not included and need for present funding request.

Please identify source of funds below.

Non-City source and amount.

Source of Funds: _____

Fiscal Year Funded _____

Amount of Non-City Funds: \$ _____

City source and amount.

Acct #: _____

Name of Fund: _____

Fiscal Year Funded _____

Amount of City Funds: \$ _____

23-3090-897701-B-89008533

AL-3523-897701-B-89008533

Capital Improvements, GO Bond Q1 Funds

2023

\$ 14,421,235.00

If ordinance is for new construction or replacement of asset please provide the following information:

Total estimated costs (design through construction): \$ 14,421,235.00

Estimated lifespan of project in years \$ avg 10 years

Estimated annual operating and maintenance costs \$ 25,000.00

(Please detail type of maintenance or operating costs needed, additional staffing, capital maintenance costs, utilities, etc.)

Are these O&M costs reflected in the current budget?

No Yes

If yes, please provide source of funds.

Street Maintenance

If no, please identify year in which additional operating and maintenance costs will be needed.

FY _____

Reference Numbers: (Previously approved legislation): _____

Reviewed by: _____

OMB Approval Date

Inter-Departmental Communication

Date: March 23, 2022

To: Mayor Quinton Lucas, Chair: Transportation, Infrastructure & Operations Committee

From: Andrea Dorch; Director; Civil Rights & Equal Opportunity Department

Subject: Docket Memo #:220374

CONTRACTOR: Superior Bowen Asphalt Co., LLC
 Address: 520 W. Pennway, Suite 300
 Kansas City, MO 64108

Contract # CS220038 / 89008898 / 22-1 – Resurface Designated Streets – North of MO River

Contract Amount: \$14,421,235.00

MBE Goal 9%

WBE Goal: 7%

Total MBE Achieved: 9%

Total WBE Achieved: 7 %

MBE SUBCONTRACTORS:

Name: Martin T. Rucker Development, LLC
 Address: 3701 NW 52nd Terrace
 Kansas City, MO 64151

Scope of Work: Hauling
 Dollar Amount: \$798,122

Ownership: Rucker, Martin
 Structure: African-American Male Code 15

MBE SUBCONTRACTORS:

Name: Ward Hauling
 Address: 107 Brent Rd.
 Belton, MO 64012

Scope of Work: Hauling
 Dollar Amount: \$133,020

Ownership: Ward, Kareen
 Structure: African-American Male Code 15

MBE SUBCONTRACTORS:

Name: Tenoch Construction, Inc.
Address: 912 Scott Ave.
Kansas City, KS 66105
Scope of Work: Concrete
Dollar Amount: \$93,750
Ownership: Segura-Ulrich, Sonya
Structure: Hispanic-American Female Code 20

MBE SUBCONTRACTORS:

Name: Hz Trucking, LLC
Address: 31019 S. State Route F
Garden City, MO 64747
Scope of Work: Hauling
Dollar Amount: \$133,020
Ownership: Hernandez, Paul
Structure: Hispanic-American Male Code 16

WBE SUBCONTRACTORS:

Name: Taliaferro & Browne, Inc.
Address: 1020 E. 8th St.
Kansas City, MO 64106
Scope of Work: Inspections
Dollar Amount: \$140,000
Ownership: Andebrhan, Hagos
Structure: African-American Male Code 15

WBE SUBCONTRACTORS:

Name: Little Joe's Asphalt, Inc.
Address: 134 N. 130th St.
Bonner Springs, KS 66012
Scope of Work: Asphalt Paving
Dollar Amount: \$1,009,487
Ownership: Buehler, Theresa
Structure: Caucasian Female Code 27

Comments:



MBE/WBE/DBE Contract Goals Request

Date: September 29, 2021
 To: Itzel Galarza, Civil Rights & Equal Opportunity Department
 From: Garrett Ross, Public Works Department Capital Projects Division Street Preservation

Project Number	Project Name	
22-1	CS220038 / Resurface Designated Streets (Missouri River to the North City Limits) - 89008898	
Contract ID Number	Estimated Cost: (cost breakdown attached)	Solicitation Date:
CS220038	\$ 10,000,000.00	12/14/2021
Estimated Project Duration: (12) months		

Note: Click the box to select

<input checked="" type="checkbox"/> FICB PREVAILING WAGE: <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO			
Contract Category:	<input checked="" type="checkbox"/> Construction	<input type="checkbox"/> Design-Build	<input type="checkbox"/> Non-Municipal Agency
	<input type="checkbox"/> Design Professional	<input type="checkbox"/> Other Goods & Services	<input type="checkbox"/> Lease
	<input type="checkbox"/> Professional Services	<input type="checkbox"/> Facilities Maintenance/Repair	<input type="checkbox"/> Tenant (MBE/WBE)
	<input type="checkbox"/> Other (Enter Type):		<input type="checkbox"/> Concession
Type:	<input checked="" type="checkbox"/> Original <input type="checkbox"/> Amendment No.		
Funding:	<input checked="" type="checkbox"/> City(MBE/WBE) <input type="checkbox"/> Federal (DBE) <input type="checkbox"/> State (DBE)		
	<input type="checkbox"/> Other:	<input type="checkbox"/> Grant#	
Construction Workforce Goals: Are the estimated construction labor hours greater than 800 and the estimated cost greater than \$300,000? If yes, complete "Required Crafts" Worksheet and include total number of hours in Description of Work.			<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<input checked="" type="checkbox"/> Estimated Cost Breakdown attached - Page 2			<input checked="" type="checkbox"/> List of Required Crafts attached - Page 3

Description of work:

Cold mill, hot mix recycle, and resurface asphalt pavement; construct concrete pavement inlay; construct asphalt pavement inlay; install pavement markings; repair and or replace signal loop detectors.

cc: Mark A. Montgomery

FOR CIVIL RIGHTS & EQUAL OPPORTUNITY DEPARTMENT USE ONLY:			
<input type="checkbox"/> No Goals are set for this Project; OR			
<input checked="" type="checkbox"/> The following Goals are approved for this Project	9 _____ % MBE	7 _____ % WBE	OR _____ % DBE
Civil Rights & Equal Opportunity Department	DocuSigned by: 	Date:	10/6/2021

FOR FAIRNESS IN CONSTRUCTION BOARD USE ONLY ²			
DocuSigned by: 	<input checked="" type="checkbox"/> Approved	<input type="checkbox"/> Disapproved	<input type="checkbox"/> N/A
	10/14/2021		
	Date		

FOR GRANT AGENCY USE ONLY ³			
	<input type="checkbox"/> Approved	<input type="checkbox"/> Disapproved	<input type="checkbox"/> N/A
	Date		

¹ DBE Programs apply to specific federal or state grant requirements.
² For Projects subject to prevailing wage requirements only.
³ Federal and state grant agreements may require granting agency approval of contract goals.



File #: 220375

ORDINANCE NO. 220375

Authorizing the Director of Public Works to enter into a construction contract with J.M. Fahey Construction Co. in the amount of \$8,988,266.76 for Project No. 22-3 – Resurface Designated Streets 43rd Street to the South City Limits; authorizing contract changes up to and including thirty percent (30%) of the original contract price; and recognizing this ordinance as having an accelerated effective date.

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That the Director of Public Works is hereby authorized to execute a contract with J.M. Fahey Construction Co. in the amount of \$8,988,266.76 for Contract Number CS220040 street resurfacing 43rd Street to the South City Limits from funds previously appropriated to the following accounts:

AL-3523-897701-B-89008533	Street Preservation	\$6,666,667.00
23-3090-897701-B-89008533	Street Preservation	<u>2,321,599.76</u>
	TOTAL:	\$8,988,266.76

Section 2. That the Fairness in Construction Board, to assure fair representation by socially and economically disadvantaged groups, approved for this project, a nine percent (9%) representation by Minority Owned Businesses and a seven percent (7%) representation by Women Owned Businesses.

Section 3. That the Director of Public Works is authorized to enter into contract changes up to and including thirty percent (30%) of the original contract price for related work. A copy of the contract is on file in the office of the Director of Public Works.

Section 4. That this ordinance, relating to the design, repair, maintenance or construction of a public improvement, is recognized as an ordinance with an accelerated effective date as provided by Section 503(a)(3)(D) of the City Charter and shall take effect in accordance with that section.

..end

I hereby certify that there is a balance, otherwise unencumbered, to the credit of the appropriation to which the foregoing expenditure is to be charged, and a cash balance, otherwise unencumbered, in the treasury, to the credit of the fund from which payment is to be made, each sufficient to meet the obligation hereby incurred.

Tammy L. Queen
Director of Finance

Approved as to form and legality:

Dustin E. Johnson
Assistant City Attorney

CONTRACT

220375

Ordinance Fact Sheet

Brief Title	Approval Deadline	Reason
Approving a construction contract for Resurface Designated Streets-43rd Street to the South City Limits		To authorize execution of a construction contract

Details

Reason for Contract
 Authorizing the Director of Public Works to enter into a construction contract with J.M. Fahey Construction Co. in the amount of \$8,988,266.76 for Project No. 22-3 – Resurface Designated Streets 43rd Street to the South City Limits; authorizing contract changes up to and including thirty percent (30%) of the original contract price; and recognizing this ordinance as having an accelerated effective date.

Discussion

Project Justification
 This contract covers a portion of the street resurfacing in the 2022 Street Preservation program for the City of Kansas City, Missouri.

Project Description
 The contract will provide for cold milling, resurfacing, pavement marking, and loop detector replacement on designated streets.

Solicitation
 This Project was advertised in accordance with the City's requirements.

Human Relations Approval
 MBE/WBE Goals

	<u>Goals</u>	<u>Submitted</u>
MBE:	9%	10%
WBE	7%	6%

MBE Vendors
 RLS Trucking, Inc.
 A Robinson Trucking, LLC.

WBE Vendors
 Midwest Contracting Services, LLC aba R&B Trucking
 R.L. Hannah and Sons Trucking, Inc.
 Tenoch Construction
 Delta Sweeping
 Leigh & O’Kane, LLC
 Thorne and Son Asphalt Paving

Roles and Responsibilities

Sponsor	Public Works Department
Department or Programs Affected	Public Works Department
Recommended Awardee	J.M. Fahey Construction Co.
Contract Compliance Certification Obtained?	<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes
Opponents	Groups or Individuals N/A Reason for Opposition N/A
Responsibilities	<u>Design Engineering:</u> City Forces <u>Inspections:</u> City Forces / Third Party <u>Construction or Project Management:</u> City Forces <u>Service Monitoring:</u>

Policy/Program Impact

Policy or Program Emphasis Change	<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes
Operational Impact Assessment	

(Continued on reverse side)

Details

Is it good for the children?

Yes. The project utilized recycled hot mix asphalt which requires less virgin asphaltic cement and rock. It also allows the use of warm mix technologies which reduces the amount of fuel needed to produce the asphalt and release harmful gases.

How will this contribute to a sustainable Kansas City?

This contract utilizes recycled asphalt pavement in the production of the new asphalt that is place on the roads. This reduces the amount of virgin rock and liquid asphalt that is needed to complete the resurfacing.

Bid Opening Date:

3/15/2022

Finances

City's Estimate of Cost	\$ 8,999,649.75
Bid or Proposal Data	Lowest Contract Cost Submitted \$ 8,988,266.76 No .of Proposals Considered Two (2) Reason for rejecting lowest contract cost submitted
Other Bidders or Contractors Considered	Contract Costs Submitted
Superior Bowen	\$ 10,966,741.00
	\$
	\$
	\$
	\$
	\$
	\$
	\$
	\$
	\$
	\$
	\$
	\$
Fund Sources and Appropriation Account Codes For This Contract	22-23 Street Preservation budget 23-3090-897701-B-89008533 AL-3523-897701-B-89008533
Source of Future Operating Funds	
Maximum Amount of Proposed Contract	\$ 8,988,266.76
Amount of Contingency	\$ 2,696,480.03
Engineering & Administration	\$
TOTAL	\$ 11,684,746.79

Estimated Duration of Contract:
300 Calendar Days

Fact Sheet Prepared by: Garrett Ross
Date: #####
Area Superintendent

Reviewed by: Mark A. Montgomery
Date: #####
Assistant City Engineer

Reference Numbers:
Project No. 22-3 - 89008900
CS220040

Council Committee Actions

Do Pass Hold

Do Pass (as amended) W/o Recommendation

Committee Sub. Do Not Pass

CAPITAL PROJECT

220375

Ordinance Fiscal Note

Ordinance Number

Ordinance Title (in Brief)

Authorizing the Director of Public Works to enter into a construction contract with J.M. Fahey Construction Co. in the amount of \$8,988,266.76 for Resurface Designated Streets 43rd Street to the South City Limits.

Is this ordinance for the following:

- Watershed Study
- New Construction
- Replacement
- Repair

Was this project programmed in the Five-Year Capital Improvement Plan?

No

Yes

FY23

If no, please detail the reasons why this project was not included and need for present funding request.

Please identify source of funds below.

Non-City source and amount.

Source of Funds: _____

Fiscal Year Funded _____

Amount of Non-City Funds: \$ _____

City source and amount.

Acct #: _____

Name of Fund: _____

Fiscal Year Funded _____

Amount of City Funds: \$ _____

23-3090-897701-B-89008533

AL-3523-897701-B-89008533

Capital Improvements, GO Bond Q1

2023

\$ 8,988,266.76

If ordinance is for new construction or replacement of asset please provide the following information:

Total estimated costs (design through construction): \$ 8,988,266.76

Estimated lifespan of project in years \$ avg 10 years

Estimated annual operating and maintenance costs \$ 25,000.00

(Please detail type of maintenance or operating costs needed, additional staffing, capital maintenance costs, utilities, etc.)

Are these O&M costs reflected in the current budget?

No

Yes

If yes, please provide source of funds.

Street Maintenance

If no, please identify year in which additional operating and maintenance costs will be needed.

FY

Reference Numbers: (Previously approved legislation):

Reviewed by: _____

OMB Approval Date

Inter-Departmental Communication

Date: March 30, 2022

To: Mayor Quinton Lucas; Chair: Transportation, Infrastructure & Operations Committee

From: Andrea Dorch; Director; Civil Rights & Equal Opportunity Department

Subject: Docket Memo #: 220375

CONTRACTOR: J.M .Fahey Construction Co
Address: 408 High Grove Rd.
Grandview, MO 64030
Contract # CS220040 / 89008900 / 22-3 - Resurface
Designated Streets from 43rd St. to South City
Limits
Amount: \$8,988,266.76
MBE Goal 9%
WBE Goal: 7%
Total MBE Achieved: 9%
Total WBE Achieved: 7%

MBE SUBCONTRACTORS:

Name: A. Robinson Trucking, LLC
Address: 9005 Manning
Raytown, MO 64138
Scope of Work: Hauling
Dollar Amount: \$397,363
Ownership: Alan Robinson
Structure: African-American Male Code 15

MBE SUBCONTRACTORS:

Name: RLS Trucking, Inc
Address: 8001 Prospect Ave.
Kansas City MO 64132
Scope of Work: Hauling
Dollar Amount: \$413,581
Ownership: Robert Shaw
Structure: African-American Male Code 15

WBE SUBCONTRACTORS:

Name: Leigh & O’Kane, LLC
Address: 250 NE Mulberry, Suite 201
Lee’s Summit, MO 64086
Scope of Work: Inspections
Dollar Amount: \$133,500
Ownership: Amanda Bush
Structure: Caucasian Female Code 27

WBE SUBCONTRACTORS:

Name: Midwest Contracting Services, Inc.
Address: 8100 Blue Parkway Dr.
Kansas City, MO 64133
Scope of Work: Hauling
Dollar Amount: \$89,815
Ownership: Rhonda Shoemaker
Structure: Caucasian Female Code 27

WBE SUBCONTRACTORS:

Name: R.L. Hannah & Sons Trucking, Inc.
Address: 28110 SW Outer Rd.
Harrisonville, MO 64701
Scope of Work: Hauling / Rock
Dollar Amount: \$80,410
Ownership: Sharon Green
Structure: Caucasian Female Code 27

WBE SUBCONTRACTORS:

Name: Tenoch Construction, Inc.
Address: 912 Scott Ave.
Kansas City, KS 66105
Scope of Work: Concrete Inlay
Dollar Amount: \$98,125
Ownership: Sonya Segura-Ulrich
Structure: Hispanic-American Female Code 24

WBE SUBCONTRACTORS:

Name: Delta Sweeping Co.
Address: 2001 Guinotte Ave.
Kansas City, MO 64120
Scope of Work: Street Sweeping
Dollar Amount: \$145,131
Ownership: Suzanne Francis
Structure: Caucasian Female Code 27

WBE SUBCONTRACTORS:

Name: Thorne & Son Asphalt Paving Co.
Address: 11705 E. 350 Highway
Kansas City, MO 64133
Scope of Work: Asphalt Paving
Dollar Amount: \$118,425
Ownership: Thorne, Bernice
Structure: Caucasian Female Code: 27

Comments:



MBE/WBE/DBE Contract Goals Request

Date: October 1, 2021
 To: Itzel Galarza, Civil Rights & Equal Opportunity Department
 From: Garrett Ross, Public Works Department Capital Projects Division Street Preservation

Project Number	Project Name	
22-3	CS220040 / Resurface Designated Streets (63rd Street to the South City Limits) - 89008900	
Contract ID Number	Estimated Cost: (cost breakdown attached)	Solicitation Date:
CS220040	\$ 10,000,000.00	12/14/2021
Estimated Project Duration: (12) months		

Note: Click the box to select

<input checked="" type="checkbox"/> FICB PREVAILING WAGE: <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO			
Contract Category:	<input checked="" type="checkbox"/> Construction	<input type="checkbox"/> Design-Build	<input type="checkbox"/> Non-Municipal Agency
	<input type="checkbox"/> Design Professional	<input type="checkbox"/> Other Goods & Services	<input type="checkbox"/> Lease
	<input type="checkbox"/> Professional Services	<input type="checkbox"/> Facilities Maintenance/Repair	<input type="checkbox"/> Tenant (MBE/WBE)
	<input type="checkbox"/> Other (Enter Type):		<input type="checkbox"/> Concession
Type:	<input checked="" type="checkbox"/> Original <input type="checkbox"/> Amendment No.		
Funding:	<input checked="" type="checkbox"/> City(MBE/WBE) <input type="checkbox"/> Federal (DBE) <input type="checkbox"/> State (DBE)		
	<input type="checkbox"/> Other:	<input type="checkbox"/> Grant#	
Construction Workforce Goals: Are the estimated construction labor hours greater than 800 and the estimated cost greater than \$300,000? If yes, complete "Required Crafts" Worksheet and include total number of hours in Description of Work.			<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<input checked="" type="checkbox"/> Estimated Cost Breakdown attached - Page 2			<input checked="" type="checkbox"/> List of Required Crafts attached - Page 3

Description of work:

Cold mill, hot mix recycle, and resurface asphalt pavement; construct concrete pavement inlay; construct asphalt pavement inlay; install pavement markings; repair and or replace signal loop detectors.

cc: Mark A. Montgomery

FOR CIVIL RIGHTS & EQUAL OPPORTUNITY DEPARTMENT USE ONLY:			
<input type="checkbox"/> No Goals are set for this Project; OR			
<input checked="" type="checkbox"/> The following Goals are approved for this Project	9	% MBE 7	% WBE OR _____ % DBE
Civil Rights & Equal Opportunity Department	DocuSigned by: 		Date: 10/6/2021

FOR FAIRNESS IN CONSTRUCTION BOARD USE ONLY ²			
<input checked="" type="checkbox"/> Approved	<input type="checkbox"/> Disapproved	<input type="checkbox"/> N/A	
DocuSigned by: 		10/14/2021	
Date		Date	

FOR GRANT AGENCY USE ONLY ³			
<input type="checkbox"/> Approved	<input type="checkbox"/> Disapproved	<input type="checkbox"/> N/A	
Date		Date	

¹ DBE Programs apply to specific federal or state grant requirements.
² For Projects subject to prevailing wage requirements only.
³ Federal and state grant agreements may require granting agency approval of contract goals.



File #: 220377

ORDINANCE NO. 220377

Authorizing the Director of Public Works to execute a Parking Lease Agreement with Flaherty & Collins Properties, for use of the West Bottoms Garage located at 1601 American Royal Drive.

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That the Director of Public Works is hereby authorized to execute a Parking Lease Agreement with Flaherty & Collins Properties for the purpose of providing 225 parking spaces within the West Bottoms Garage for an initial term of 5 years with seven successive 5-year renewals. The agreement is approved in substantial form as that which is on file in the Public Works Department.
..end

Approved as to form and legality:

Dustin E. Johnson
Assistant City Attorney

LEGISLATIVE FACT SHEET		Legislation Number:	
		Approval Deadline:	
LEGISLATION IN BRIEF:			
<p>What is the reason for this legislation?</p>	<p>Fact Sheet Color Codes</p> <p>User Entered Field</p> <p>User Select From Menu</p> <p>For OMB Use</p>		
<p>Discussion (including relationship to other Council actions)</p>	<p>Sponsor(s)</p> <p>Programs, Departments, or Groups Affected</p> <p>Sub-Program in Budget (page #)</p>		
	<p>Applicants/ Proponents</p>	<p>City Department</p>	<p>Other</p>
<p>Citywide Business Plan Goal</p>	<p>Staff Recommendation</p>		
<p>Citywide Business Plan Objective</p>	<p>Board or Commission Recommendation</p>		
<p>Citywide Business Plan Strategy</p>	<p>Future Impacts</p>		
	<p>Cost of Legislation current Fiscal Year</p>		
	<p>Costs in Future Fiscal Years?</p>		
	<p>Annual Revenue Increase/Decrease</p>		
	<p>Applicable Dates:</p>		
	<p>Prepared by:</p>		
	<p>Date Prepared:</p>		
	<p>Reviewed by:</p>		
	<p>Date Reviewed</p>		
	<p>Reference Numbers</p>		

LEGISLATIVE FISCAL NOTE

LEGISLATION
NUMBER:

220377

LEGISLATION IN BRIEF:

To authorize the Director of Public Works to execute a parking lease agreement with Flaherty & Collins Properties for use of the West Bottoms Garage located at 1601 State Line Road.

What is the purpose of this legislation?

LEGISLATIVE

for the purpose of editing, repealing, or creating a provision in the city's code of ordinances; or for stating non-monetary support. This Fiscal note should be blank

Sections 01-04 should be blank. See section 00 for more information

Yes/No

Yes/No

Yes/No

Yes/No

Section 00: Notes:

FINANCIAL IMPACT OF LEGISLATION

Section 01: If applicable, where are funds appropriated in the current budget?

FUND	DEPTID	ACCOUNT	PROJECT	FY 21-22 BUD	FY 22-23 EST

Section 02: If applicable, where will new revenues be estimated?

FUND	DEPTID	ACCOUNT	PROJECT	FY 21-22 BUD	FY 22-23 EST
2160	891290	458000			135,000.00

Section 03: If applicable, where will appropriations be increased?

FUND	DEPTID	ACCOUNT	PROJECT	FY 21-22 BUD	FY 22-23 EST

NET IMPACT ON OPERATIONAL BUDGET

- 135,000.00

RESERVE STATUS:

REVENUE SUPPORTED

SECTION 04: FIVE-YEAR FISCAL IMPACT (Direct and indirect)

FUND	FUND NAME	FY 21-22	FY 22-23	FY 23-24	FY 24-25	FY 25-26	FY 26-27	All Outyears
			135,000	135,000	135,000	135,000	135,000	
	TOTAL REV	-	135,000	135,000	135,000	135,000	135,000	-

FUND	FUND NAME	FY 21-22	FY 22-23	FY 23-24	FY 24-25	FY 25-26	FY 26-27	All Outyears
	TOTAL EXP	-	-	-	-	-	-	-

NET Per-YEAR IMPACT - 135,000 135,000 135,000 135,000 135,000 -

NET IMPACT (SIX YEARS) **675,000.00**

REVIEWED BY

DATE

4/26/2022

- User entered field
- User select from menu
- Calculated Field



File #: 220382

ORDINANCE NO. 220382

Adopting and authorizing the execution of the Collective Bargaining Agreement with Local 500 of the American Federation of State, County and Municipal Employees, AFL- CIO.

WHEREAS, Local 500 of the American Federation of State, County and Municipal Employees, AFL-CIO is recognized by the City as the exclusive bargaining agent for all regular full-time and part-time employees in all of the classifications listed in Schedule A of the Collective Bargaining Agreement, excluding supervisors, managerial employees and confidential employees and all temporary and seasonal employees; and

WHEREAS, the designated representatives of the City and Local 500 have met, conferred and discussed certain issues involving salaries and other conditions of employment and have reached tentative agreement on those issues; and

WHEREAS, the designated representatives of the City and Local 500 have tentatively agreed upon all of the provisions as set forth in a Collective Bargaining Agreement to be in force through April 30, 2026; and

WHEREAS, a majority of the membership of Local 500 of the American Federation of State, County and Municipal Employees, AFL-CIO have ratified this Collective Bargaining Agreement; NOW, THEREFORE,

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That the Collective Bargaining Agreement between the City and Local 500 of the American Federation of State, County and Municipal Employees, AFL-CIO to be in force through April 30, 2026 is hereby adopted. A copy of the Collective Bargaining Agreement is attached hereto and made a part hereof.

Section 2. That the City Manager is hereby authorized to execute the above Collective Bargaining Agreement on behalf of the City.

..end

Approved as to form and legality:

Katherine Chandler
Senior Associate City Attorney

**No Fact Sheet
for
Ordinance
220382**

LEGISLATIVE FISCAL NOTE	LEGISLATION NUMBER:	220382
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LEGISLATION IN BRIEF:

Adopting and authorizing the execution of the Collective Bargaining Agreement with Local 500 of the American Federation of State, County, and Municipal Employees, AFL-CIO.

What is the purpose of this legislation? OPERATIONAL

For the purpose of authorizing expenditures new or planned to conduct municipal services

Does this legislation spend money? NO *Yes/No*
See Section 00: " Notes" Below

Does this legislation estimate new Revenues? NO *Yes/No*
See Section 00: " Notes" Below

Does this Legislation Increase Appropriations? NO *Yes/No*
See Section 00: " Notes" Below

Are costs associated with this legislation ongoing (Yes)? Or one-time (No) YES *Yes/No*
See Section 04 for five years of ongoing costs (Operational and Maintenance)

Section 00: Notes:

This legislation approves the Collective Bargaining Agreement between the City of Kansas City, MO., and Local 500 of the American Federation of State, County, and Municipal Employees, AFL-CIO. The fiscal impact of the agreement is outlined below in Section 04. The FY2022-23 Adopted Budget was built on estimates from the Local 500 negotiations throughout the budget development process, therefore, the fiscal impact listed for FY2022-23 is the variance from Budget. The FY2022-23 column also includes the estimated 4% retroactive increase that Local 500 employees will receive per the agreement. The fiscal impact for FY2023-24 and beyond is based on a standard growth rate of 3.6 percent.

Five years of operational costs for ongoing programs should be included in Section 04 below.

FINANCIAL IMPACT OF LEGISLATION

Section 01: If applicable, where are funds appropriated in the current budget?

FUND	DEPTID	ACCOUNT	PROJECT	FY 22-23 BUD	FY 23-24 EST

Section 02: If applicable, where will new revenues be estimated?

FUND	DEPTID	ACCOUNT	PROJECT	FY 22-23 BUD	FY 23-24 EST

Section 03: If applicable, where will appropriations be increased?

FUND	DEPTID	ACCOUNT	PROJECT	FY 22-23 BUD	FY 23-24 EST

NET IMPACT ON OPERATIONAL BUDGET - -

RESERVE STATUS:

SECTION 04: FIVE-YEAR FISCAL IMPACT (Direct and indirect)

FUND	FUND NAME	FY 22-23	FY 23-24	FY 24-25	FY 25-26	FY 26-27	FY 27-28	All Outyears
TOTAL REV		-	-	-	-	-	-	-

FUND	FUND NAME	FY 22-23	FY 23-24	FY 24-25	FY 25-26	FY 26-27	FY 27-28	All Outyears
1000	General Fund							
2360	and							
6991	Supported Funds	131,307	3,020,464	3,138,858	3,271,993	3,402,503	-	
Various	All Other Funds	3,265,257	14,779,859	15,352,907	15,943,629	16,588,190	-	
TOTAL EXP		3,396,564	17,800,322	18,491,765	19,215,623	19,990,693	-	-

NET Per-YEAR IMPACT (3,396,564) (17,800,322) (18,491,765) (19,215,623) (19,990,693) - -

NET IMPACT (FIVE YEARS) **(78,894,967)**

REVIEWED BY Tanner Owens DATE 5/4/2022



File #: 220315

ORDINANCE NO. 220315

Authorizing a \$3,000,000.00 construction contract with Haines & Associates Construction Company, Inc., for the City Wide Automated Metering Infrastructure 2 project; and authorizing two successive one-year renewal options for a maximum expenditure of \$9,000,000.00 without further City Council approval and establishing an effective date.

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That the Director of Water Services Department is authorized to execute Contract No. 9718 in the amount of \$3,000,000.00 with Haines & Associates Construction Company, Inc., for the City Wide Automated Metering Infrastructure 2 project, Project No. 80002377. A copy of the contract is on file in the office of Water Services.

Section 2. That the Director of Water Services Department is authorized to expend up to \$3,000,000.00 from Account No. 23-8010-807709-611060-80002377, Automated Meter Reading, to satisfy the cost of this contract.

Section 3. That the Director of the Water Services Department is authorized to execute two successive one-year renewal options for this work without further City Council approval.

Section 4. That the Director of Water Services is authorized to expend up to \$9,000,000.00 to satisfy the total costs of the two one-year renewals with such funds as appropriated by the Council in future annual budgets, for a maximum expenditure of \$9,000,000.00 for Contract No. 9718 and the two one-year renewals.

Section 5. That this ordinance shall have an effective date of May 1, 2022.

..end

I hereby certify that there is a balance, otherwise unencumbered, to the credit of the appropriation to which the foregoing expenditure is to be charged, and a cash balance, otherwise unencumbered, in the treasury, to the credit of the fund from which payment is to be made, each sufficient to meet the obligation hereby incurred.

Tammy L. Queen
Director of Finance

Approved as to form and legality:

Mark P. Jones
Assistant City Attorney

CONTRACT

Ordinance Fact Sheet

Construction/Misc. Form

220315

Revised 4-12-2022

Brief Title
 Authorizing a construction contract for the
 City Wide Automated Metering Infrastructure 2
 project and two successive one-year renewal options.

Approval Deadline

Reason
 To authorize execution of a construction contract and expenditure; and
 authorizing two successive one-year renewal options.

Details

Reason for Contract
 This ordinance will authorize the Director of Water Services to enter into a construction contract with Haines & Associates Construction Company, Inc., for the City-Wide Automated Metering Infrastructure 2 project and its two one-year renewal options.

Discussion

Project Justification
 This contract will assist Water Services Department's reduction of water loss in its distribution system. In addition, it will increase the reliability in the Water Services Department's billing system.

Project Description
 The scope of work to be provided under this contract entails repair and replacement of automated meter readers (AMRs) in the distribution system, in support of the Meter Field Services Division, as needed, city wide, in Kansas City, Missouri. It may also include repairs to curb stops, service lines, and other appurtenances.

Unit prices for the work to be completed under this contract were set based on the bids received. Therefore, KC Water proposes a not to exceed \$3,000,000.00 contract to complete work orders.

All project work will be completed within Kansas City, in Cass, Clay, Jackson, and Platte Counties, Missouri.

This ordinance also authorizes the Director of Water Services to execute two successive one-year renewal options for this contract without additional City Council approval.

Proposed Contract: \$3,000,000.00
 Renewal #1: \$3,000,000.00
 Renewal #2: \$3,000,000.00
 Total: \$9,000,000.00

Roles and Responsibilities

Sponsor	Water Services Department
Department or Programs Affected	Water Services Department
Recommended Awardee	Haines & Associates Construction Company, Inc.
Contract Compliance Certification Obtained?	<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes
Opponents	Groups or Individuals None known Reason for Opposition
Responsibilities	Design Engineering: N/A Inspections: City staff Construction or Project Management: City staff Service Monitoring: City staff

Policy/Program Impact

Policy or Program Emphasis Change	<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes
Operational Impact Assessment	

(Continued on reverse side)

Details

Solicitation
 This Project was advertised in accordance with the City's requirements. Public bids were opened on March 8, 2022 with three bidders responding.

Grant/Loan Funding
 N/A

Civil Rights & Equal Opportunity Department Approval
 The Fairness in Construction Board approved project subcontracting goals of 12% MBE and 12% WBE. Subcontracting information was submitted to the Civil Rights and Equal Opportunity Department (formerly the Human Relations Department) for review on March 30, 2022, and was approved on April 11, 2022 with 12% MBE and 12% WBE participation. See the attached docket memo.

Fairness in Construction Board
 There is no appeal on this contract pending before the Fairness in Construction Board.

Youth Employment Program
 N/A

1% for Art
 N/A

How will this contribute to a sustainable Kansas City?
 This project will provide for the repair and maintenance of the automated meter readers in the water distribution system, which will help reduce the backlog of work orders for the citizens of Kansas City, Missouri.

Bid Opening Date: 3/8/2022

Notice of Intent to Contract: TBA

Is it good for the children? Yes.

Estimated Duration of Contract:
 365 calendar days + two one-year options to renew

Fact Sheet Prepared by: Leona Walton
 Contracts Manager
Date: 3/30/2022

Reviewed by: D. Matt Bond
 Deputy Director
Date: 4/1/2022

Reference Numbers:
 Contract No. 9718
 Project No. 80002377

Finances

City's Estimate of Cost	\$ 1,847,450.00
Bid or Proposal Data	Lowest and Best Contract Cost Submitted \$ 673,000.00* Recommended Awardee: Haines & Associates Construction, Company, Inc.
Bid Date:	3/8/2022
	No. of Bids Submitted: 3
	Reason for rejecting lowest contract cost submitted: N/A * Bids received were to establish Unit Prices for the construction work orders to be completed under this contract.
Other Bidders or Contractors Considered	Contract Costs Submitted
SHEDIGSIT, LLC	\$ 863,450.00
Leath & Sons, Inc.	\$ 1,246,955.00
	\$
	\$
	\$
	\$
	\$
Fund Sources and Appropriation Account Codes For This Contract	23-8010-807709-611060-80002377 = \$3,000,000.00 Automated Meter Reading
Source of Future Operating Funds	
Maximum Amount of Proposed Contract	\$ 3,000,000.00
Amount of Contingency	\$
Engineering & Administration	\$
TOTAL	\$ 3,000,000.00

Council Committee Actions

Do Pass	<input type="checkbox"/>	<input type="checkbox"/> Hold
Do Pass (as amended)	<input type="checkbox"/>	<input type="checkbox"/> W/o Recommendation
Committee Sub.	<input type="checkbox"/>	<input type="checkbox"/> Do Not Pass

LEGISLATIVE FISCAL NOTE

LEGISLATION
NUMBER:

220315

LEGISLATION IN BRIEF:

Authorizing a \$3,000,000.00 construction contract with Haines & Associates Construction Company, Inc., for the City Wide Automated Metering Infrastructure 2 project; and authorizing two successive one-year renewal options for a maximum expenditure of \$9,000,000.00 without further City Council approval.

What is the purpose of this legislation?

CAPITAL

For the purpose of funding for the construction of fixed capitalizable assets

Does this legislation spend money?

YES

Yes/No

See Sections 01, 02 and 03 for sources of funding

Does this legislation estimate new Revenues?

NO

Yes/No

0

Does this Legislation Increase Appropriations?

NO

Yes/No

0

Does this legislation expand the scope of city services, or expand the city's infrastructure?

NO

Yes/No

Maintenance of existing assets is included in the budget. For details see Section 00: " Notes" Below

Section 00: Notes:

There are no operation and maintenance costs associated with this project.

Five years of operational and maintenance costs should be included in Section 04 below.

FINANCIAL IMPACT OF LEGISLATION

Section 01: If applicable, where are funds appropriated in the current budget?

FUND	DEPTID	ACCOUNT	PROJECT	FY 21-22 BUD	FY 22-23 EST
8010	807709	611060	80002377		\$ 3,000,000.00

Section 02: If applicable, where will new revenues be estimated?

FUND	DEPTID	ACCOUNT	PROJECT	FY 21-22 BUD	FY 22-23 EST

Section 03: If applicable, where will appropriations be increased?

FUND	DEPTID	ACCOUNT	PROJECT	FY 21-22 BUD	FY 22-23 EST

NET IMPACT ON OPERATIONAL BUDGET

-	-
---	---

RESERVE STATUS:

SECTION 04: FIVE-YEAR FISCAL IMPACT (Direct and indirect)

FUND	FUND NAME	FY 21-22	FY 22-23	FY 23-24	FY 24-25	FY 25-26	FY 26-27
	TOTAL REV	-	-	-	-	-	-
FUND	FUND NAME	FY 21-22	FY 22-23	FY 23-24	FY 24-25	FY 25-26	FY 26-27
8010	Water Fund		3,000,000	3,000,000	3,000,000		
	TOTAL EXP	-	3,000,000	3,000,000	3,000,000	-	-
	NET Per-YEAR IMPACT	-	(3,000,000)	(3,000,000)	(3,000,000)	-	-
	NET IMPACT						(9,000,000.00)

REVIEWED BY

Michael Jenkins

DATE

4/4/2022



MBE/WBE/DBE Contract Goals Request

Date: September 29, 2021
 To: Andrea Dorch, Civil Rights and Equal Opportunity Department
 From: Terry D. Thomas, Sr., Water Services Department

Project Number 80002377	Project Name Citywide Automated Metering Infrastructure 2	
Contract ID Number 9718	Estimated Cost: (cost breakdown attached) \$ 3,000,000.00	Solicitation Date: 2/1/2022
Estimated Project Duration: 3 years		

Note: Click the box to select

<input checked="" type="checkbox"/> FICB PREVAILING WAGE: <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO			
Contract Category:	<input checked="" type="checkbox"/> Construction	<input type="checkbox"/> Design-Build	<input type="checkbox"/> Non-Municipal Agency
	<input type="checkbox"/> Design Professional	<input type="checkbox"/> Other Goods & Services	<input type="checkbox"/> Lease
	<input type="checkbox"/> Professional Services	<input type="checkbox"/> Facilities Maintenance/Repair	<input type="checkbox"/> Tenant (MBE/WBE)
	<input type="checkbox"/> Other (Enter Type):		<input type="checkbox"/> Concession
Type:	<input checked="" type="checkbox"/> Original <input type="checkbox"/> Amendment No.		
Funding:	<input checked="" type="checkbox"/> City(MBE/WBE) <input type="checkbox"/> Federal (DBE) <input type="checkbox"/> State (DBE)		
	<input type="checkbox"/> Other:	<input type="checkbox"/> Grant#	
Construction Workforce Goals: Are the estimated construction labor hours greater than 800 and the estimated cost greater than \$300,000? If yes, complete "Required Crafts" Worksheet and include total number of hours in Description of Work.			<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<input checked="" type="checkbox"/> Estimated Cost Breakdown attached - Page 2		<input checked="" type="checkbox"/> List of Required Crafts attached - Page 3	

Description of work:

Citywide repair and replacement of water line curb stops and water meters.

cc: _____ Goals are set based on quantitative availability analysis and historical information.

FOR CIVIL RIGHTS AND EQUAL OPPORTUNITY DEPARTMENT USE ONLY:			
<input type="checkbox"/> No Goals are set for this Project; OR <input checked="" type="checkbox"/> The following Goals are approved for this Project <u>12</u> % MBE <u>12</u> % WBE OR _____ % DBE			
Civil Rights and Equal Opportunity Department:	DocuSigned by: 	Date:	10/11/2021

FOR FAIRNESS IN CONSTRUCTION BOARD USE ONLY ²			
DocuSigned by: 	<input checked="" type="checkbox"/> Approved	<input type="checkbox"/> Disapproved	<input type="checkbox"/> N/A
		10/14/2021	
		Date	

FOR GRANT AGENCY USE ONLY ³			
	<input type="checkbox"/> Approved	<input type="checkbox"/> Disapproved	<input type="checkbox"/> N/A
		Date	

¹ DBE Programs apply to specific federal or state grant requirements.
² For Projects subject to prevailing wage requirements only.
³ Federal and state grant agreements may require granting agency approval of contract goals.



MBE/WBE/DBE Contract Goals Request

Date: September 29, 2021
 To: Andrea Dorch, Civil Rights and Equal Opportunity Department
 From: Terry D. Thomas, Sr., Water Services Department

Project Number 80002377	Project Name Citywide Automated Metering Infrastructure 2	
Contract ID Number 9718	Estimated Cost: (cost breakdown attached) \$ 3,000,000.00	Solicitation Date: 2/1/2022
Estimated Project Duration: 3 years		

Note: Click the box to select

<input checked="" type="checkbox"/> FICB PREVAILING WAGE: <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO			
Contract Category:	<input checked="" type="checkbox"/> Construction	<input type="checkbox"/> Design-Build	<input type="checkbox"/> Non-Municipal Agency
	<input type="checkbox"/> Design Professional	<input type="checkbox"/> Other Goods & Services	<input type="checkbox"/> Lease
	<input type="checkbox"/> Professional Services	<input type="checkbox"/> Facilities Maintenance/Repair	<input type="checkbox"/> Tenant (MBE/WBE)
	<input type="checkbox"/> Other (Enter Type):		<input type="checkbox"/> Concession
Type:	<input checked="" type="checkbox"/> Original <input type="checkbox"/> Amendment No.		
Funding:	<input checked="" type="checkbox"/> City(MBE/WBE)	<input type="checkbox"/> Federal (DBE)	<input type="checkbox"/> State (DBE)
	<input type="checkbox"/> Other:	<input type="checkbox"/> Grant#	
Construction Workforce Goals: Are the estimated construction labor hours greater than 800 and the estimated cost greater than \$300,000? If yes, complete "Required Crafts" Worksheet and include total number of hours in Description of Work.			<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<input checked="" type="checkbox"/> Estimated Cost Breakdown attached - Page 2		<input checked="" type="checkbox"/> List of Required Crafts attached - Page 3	

Description of work:

Citywide repair and replacement of water line curb stops and water meters.

cc: _____ Goals are set based on quantitative availability analysis and historical information.

FOR CIVIL RIGHTS AND EQUAL OPPORTUNITY DEPARTMENT USE ONLY:			
<input type="checkbox"/> No Goals are set for this Project; OR <input checked="" type="checkbox"/> The following Goals are approved for this Project <u>12</u> % MBE <u>12</u> % WBE OR _____ % DBE			
Civil Rights and Equal Opportunity Department:	DocuSigned by: 	Date:	10/11/2021

FOR FAIRNESS IN CONSTRUCTION BOARD USE ONLY ²			
DocuSigned by: 	<input checked="" type="checkbox"/> Approved	<input type="checkbox"/> Disapproved	<input type="checkbox"/> N/A
		10/14/2021	
		Date	

FOR GRANT AGENCY USE ONLY ³			
	<input type="checkbox"/> Approved	<input type="checkbox"/> Disapproved	<input type="checkbox"/> N/A
		Date	

¹ DBE Programs apply to specific federal or state grant requirements.
² For Projects subject to prevailing wage requirements only.
³ Federal and state grant agreements may require granting agency approval of contract goals.



File #: 220333

ORDINANCE NO. 220333

Authorizing the Director of Public Works to enter into a construction contract with Vance Brothers, Inc. in the amount of \$3,194,358.00 for Project No. 22-MS – Microsurface Designated Streets; authorizing contract changes up to and including twenty percent (20%) of the original contract price; and establishing an effective date.

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That the Director of Public Works is hereby authorized to execute a contract with Vance Brothers, Inc. in the amount of \$3,194,358.00 from funds previously appropriated to Account No. 23-3090-897701-B-89008533 for street microsurfacing on Project Number 22-MS–89008901 – Contract Number CS220041. A copy of the contract is on file in the office of the Director of Public Works.

Section 2. That the Fairness in Construction Board, to assure fair representation by socially and economically disadvantaged groups, approved for this project, a four percent (4%) representation by Minority Owned Businesses and a four percent (4%) representation by Women Owned Businesses.

Section 3. That the Director of Public Works is authorized to enter into contract changes up to and including twenty percent (20%) of the original contract price for related work. A copy of the contract is on file in the office of the Director of Public Works.

Section 4. That this ordinance shall have an effective date of May 1, 2022.

..end

The City has no financial obligation under both this Ordinance and Contract until the Director of Public Works issues a Purchase Order which shall be signed by the City's Director of Finance certifying there is a balance, otherwise unencumbered, to the credit of the appropriation to which the expenditure is to be charged, and a cash balance, otherwise unencumbered, in the treasury, to the credit of the fund from which payment will be made, each sufficient to meet the obligation incurred in the Purchase Order.

Tammy L. Queen
Director of Finance

Approved as to form and legality:

Dustin E. Johnson
Assistant City Attorney

LEGISLATIVE FACT SHEET		Legislation Number:	
		Approval Deadline:	
LEGISLATION IN BRIEF:			
What is the reason for this legislation?	Fact Sheet Color Codes User Entered Field User Select From Menu For OMB Use		
	Sponsor(s) 		
Discussion (including relationship to other Council actions)	Programs, Departments, or Groups Affected 		
	Sub-Program in Budget (page #) 		
Citywide Business Plan Goal	Applicants/ Proponents	City Department	
Citywide Business Plan Objective		Other	
Citywide Business Plan Strategy	Staff Recommendation		
	Board or Commission Recommendation		
	Future Impacts 		
	Cost of Legislation current Fiscal Year		
	Costs in Future Fiscal Years?		
	Annual Revenue Increase/Decrease		
	Applicable Dates:		
	Prepared by:		
	Date Prepared:		
	Reviewed by:		
	Date Reviewed		
	Reference Numbers		

LEGISLATIVE FISCAL NOTE	LEGISLATION NUMBER:	220333
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LEGISLATION IN BRIEF:

Authorizing the Director of Public Works to enter into a construction contract with Vance Brothers, Inc. in the amount of \$3,194,358.00 for Project No. 22-MS – Microsurface Designated Streets

What is the purpose of this legislation? OPERATIONAL

For the purpose of authorizing expenditures new or planned to conduct municipal services

Does this legislation spend money? YES Yes/No
See Sections 01, 02 and 03 for sources of funding

Does this legislation estimate new Revenues? NO Yes/No
0

Does this Legislation Increase Appropriations? NO Yes/No

Are costs associated with this legislation ongoing (Yes)? Or one-time (No) NO Yes/No
See Section 00: " Notes" Below

Section 00: Notes:

Cost of this project will span the course of six years. The total for this project has been appropriated in the FY 2023 budget.

Five years of operational costs for ongoing programs should be included in Section 04 below.

FINANCIAL IMPACT OF LEGISLATION

Section 01: If applicable, where are funds appropriated in the current budget?

FUND	DEPTID	ACCOUNT	PROJECT	FY 21-22 BUD	FY 22-23 EST
3090	897701	B	89008533		3,194,358.00

Section 02: If applicable, where will new revenues be estimated?

FUND	DEPTID	ACCOUNT	PROJECT	FY 21-22 BUD	FY 22-23 EST

Section 03: If applicable, where will appropriations be increased?

FUND	DEPTID	ACCOUNT	PROJECT	FY 21-22 BUD	FY 22-23 EST

NET IMPACT ON OPERATIONAL BUDGET

	FY 21-22 BUD	FY 22-23 EST
	-	-

RESERVE STATUS:

SECTION 04: FIVE-YEAR FISCAL IMPACT (Direct and indirect)

FUND	FUND NAME	FY 21-22	FY 22-23	FY 23-24	FY 24-25	FY 25-26	FY 26-27	All Outyears
3090								
TOTAL REV		-	-	-	-	-	-	-

FUND	FUND NAME	FY 21-22	FY 22-23	FY 23-24	FY 24-25	FY 25-26	FY 26-27	All Outyears
3090	Cap Imp. Fund GO Bond Q1		3,194,358					
TOTAL EXP		-	3,194,358	-	-	-	-	-

NET Per-YEAR IMPACT		-	(3,194,358)	-	-	-	-	-
NET IMPACT (SIX YEARS)		(3,194,358.00)						

REVIEWED BY Leranda Brewer DATE 4/12/2022

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File #: 220334

ORDINANCE NO. 220334

Authorizing the Director of Public Works to enter into a construction contract with Vance Brothers, Inc. in the amount of \$1,227,050.00 for Project No. 22-CS – Crack Seal Designated Streets; authorizing contract changes up to and including twenty percent (20%) of the original contract price; and establishing an effective date.

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That the Director of Public Works is hereby authorized to execute a contract with Vance Brothers, Inc. in the amount of \$1,227,050.00 from funds previously appropriated to Account No. 23-3090-897701-B-89008533 for street crack sealing on Project Number 22-CS–89008902 – Contract Number CS220042. A copy of the contract is on file in the office of the Director of Public Works.

Section 2. That the Civil Rights & Equal Opportunity Department, to assure fair representation by socially and economically disadvantaged groups, approved for this project, a zero (0%) percent representation by Minority Owned Businesses and a ten (10%) percent representation by Women Owned Businesses.

Section 3. That the Director of Public Works is authorized to enter into contract changes up to and including twenty percent (20%) of the original contract price for related work. A copy of the contract is on file in the office of the Director of Public Works.

Section 4. That this ordinance shall have an effective date of May 1, 2022.

..end

The City has no financial obligation under both this Ordinance and Contract until the Director of Public Works issues a Purchase Order which shall be signed by the City's Director of Finance certifying there is a balance, otherwise unencumbered, to the credit of the appropriation to which the expenditure is to be charged, and a cash balance, otherwise unencumbered, in the treasury, to the credit of the fund from which payment will be made, each sufficient to meet the obligation incurred in the Purchase Order.

Tammy L. Queen

Director of Finance

Approved as to form and legality:

Dustin E. Johnson
Assistant City Attorney

LEGISLATIVE FACT SHEET		Legislation Number:	
		Approval Deadline:	
LEGISLATION IN BRIEF:			
What is the reason for this legislation?	Fact Sheet Color Codes User Entered Field User Select From Menu For OMB Use		
	Sponsor(s) Programs, Departments, or Groups Affected Sub-Program in Budget (page #)		
Discussion (including relationship to other Council actions)	Applicants/ Proponents	City Department	Other
	Staff Recommendation		
Citywide Business Plan Goal	Board or Commission Recommendation		
Citywide Business Plan Objective	Future Impacts Cost of Legislation current Fiscal Year		
	Costs in Future Fiscal Years?		
Citywide Business Plan Strategy	Annual Revenue Increase/Decrease		
	Applicable Dates:		
	Prepared by:		
	Date Prepared:		
	Reviewed by:		
	Date Reviewed		
	Reference Numbers		

LEGISLATIVE FISCAL NOTE	LEGISLATION NUMBER:	220334
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LEGISLATION IN BRIEF:

Authorizing the Director of Public Works to enter into a construction contract with Vance Brothers, Inc. in the amount of \$1,227,050.00 for Project No. 22-CS – Crack Seal Designated Streets.

What is the purpose of this legislation? OPERATIONAL

For the purpose of authorizing expenditures new or planned to conduct municipal services

Does this legislation spend money? YES Yes/No

See Sections 01, 02 and 03 for sources of funding

Does this legislation estimate new Revenues? NO Yes/No

0

Does this Legislation Increase Appropriations? NO Yes/No

Are costs associated with this legislation ongoing (Yes)? Or one-time (No) NO Yes/No

See Section 00: " Notes" Below

Section 00: Notes:

This project seeks to repair street crack sealing over a 4 year street maintenance plan.

Five years of operational costs for ongoing programs should be included in Section 04 below.

FINANCIAL IMPACT OF LEGISLATION

Section 01: If applicable, where are funds appropriated in the current budget?

FUND	DEPTID	ACCOUNT	PROJECT	FY 21-22 BUD	FY 22-23 EST
3090	897701	B	89008533		1,227,050.00

Section 02: If applicable, where will new revenues be estimated?

FUND	DEPTID	ACCOUNT	PROJECT	FY 21-22 BUD	FY 22-23 EST

Section 03: If applicable, where will appropriations be increased?

FUND	DEPTID	ACCOUNT	PROJECT	FY 21-22 BUD	FY 22-23 EST

NET IMPACT ON OPERATIONAL BUDGET				-	-
<i>RESERVE STATUS:</i>					

SECTION 04: FIVE-YEAR FISCAL IMPACT (Direct and indirect)

FUND	FUND NAME	FY 21-22	FY 22-23	FY 23-24	FY 24-25	FY 25-26	FY 26-27	All Outyears
TOTAL REV		-	-	-	-	-	-	-

FUND	FUND NAME	FY 21-22	FY 22-23	FY 23-24	FY 24-25	FY 25-26	FY 26-27	All Outyears
3090	Cap Imp. Fund GO Bond Q1		1,227,050.00					
TOTAL EXP			1,227,050.00	-	-	-	-	-

NET Per-YEAR IMPACT	-	1,227,050.00	-	-	-	-	-
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NET IMPACT (SIX YEARS)		1,227,050.00						
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REVIEWED BY Leranda Brewer	DATE 4/13/2022
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File #: 220357

ORDINANCE NO. 220357

Amending Chapter 64, Code of Ordinances, by repealing Sections 64-168, 64-170, and 64-171, relating to the administration of sidewalk cafes, street cafes, and parklets, and enacting in lieu thereof three new sections of like number and like subject matter, and repealing Section 64-172.

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That Chapter 64, Code of Ordinances of the City of Kansas City, Missouri, is hereby amended by repealing Sections 64-168, 64-170, and 64-171, and enacting in lieu thereof three new sections of like number and subject matter, to read as follows:

Sec. 64-168. Sidewalk café permit.

(a) *Permit authorized.* Unless otherwise authorized under the Code of Ordinances, no person shall place tables or chairs or any other device for the sale or consumption of food or beverage upon any public sidewalk or footway without first obtaining an annual sidewalk café permit. The director is authorized to issue annual sidewalk café permits for the limited purpose of temporarily placing tables and chairs for customers in connection with the sale and consumption of food and beverages in or upon any public sidewalk or footway only if all of the following conditions are met:

- (1) A sidewalk café permit can only be issued for areas in the city zoned for business and for sidewalks that will allow a clear unobstructed passage not less than five feet in width following the placement of the tables and chairs.
- (2) A sidewalk café permit may only be issued for a business that has a nonalcohol city business license or a conventions and tourism food certificate for the sale and consumption of food and beverages on the premises provided that the permit may be issued only if such business is located immediately in front of the sidewalk and the permit shall not be issued for another business, if any, located in the same building.
- (3) A sidewalk café permit issued under this article may not be assigned.
- (4) The sidewalk café permit shall specify the location of the permit area by address.
- (5) The applicant for a sidewalk café permit obtains approval from the board of parks and recreation commissioners if the sidewalk is on a parkway or boulevard under the jurisdiction of that board.

- (6) The applicant for a sidewalk café permit meets all of the other permit requirements contained in the Code of Ordinances, including but not limited to the requirements of chapter 10 of the Code, if applicable and as required.
 - (i) Exception: If the applicant for a sidewalk café permit holds both a license as a restaurant-bar under Chapter 10 of the Code and a sidewalk café permit for the location, and wishes to apply for a license as a restaurant bar in the sidewalk café, requirements of section 10-214 shall not apply.
- (7) The individual or business applying for a sidewalk café permit shall mail written notification of an application for a license under this section to either the registered property owner or tenant of a property wholly within or intersected by a radius of 250 feet from the property owner or business requesting the sidewalk café permit. The notification shall be in a form prescribed by the director, include a 30-day feedback period, and shall invite objections from recipients of the notification. Any objections must be submitted in writing to the director within 30 calendar days of the permit applicant's notification being sent out. The director shall take any such objections into account when determining whether to issue a sidewalk café permit. The individual or business must provide certified mail receipts of the notification via the city's permitting system prior to receiving a street café permit.

(b) *Status of permit.* A sidewalk café permit is a privilege and not a right, and the city shall at all times have the right to restrict the scope, time and manner of the placement of tables and chairs on the sidewalk at any time and for any reason by ordinance or regulation of the director.

(c) *Application for sidewalk café permits.*

- (1) All applications for a sidewalk café permit shall be filed with the director in a form approved by the director.
- (2) As a condition for the issuance of a sidewalk café permit, the applicant shall furnish to the director an indemnity agreement in the form approved by the director binding the applicant to defend, indemnify, and hold harmless the city and any of its agencies, officials, officers, or employees from and against all claims, damages, liability, losses, costs, and expenses, including reasonable attorneys' fees, arising out of or resulting from any acts or omissions in connection with the operations of the applicant caused in whole or in part by the applicant, its employees, agents, or subcontractors, customers or caused by others for whom the applicant is liable, regardless of whether caused in part by any act or omission of city, its agencies, officials, officers, or employees.
- (3) As a condition for the issuance of a sidewalk café permit, the applicant shall furnish the city a certificate of insurance from a company approved by the director of finance evidencing that the applicant has a comprehensive general liability and property damage policy meeting the following conditions:

- a. Liability insurance with either a combined single-limit policy of not less than \$2,000,000.00, or a split-limit policy of \$300,000.00/\$300,000.00 bodily injury and \$100,000.00 property damage.
- b. The city shall be added as an additional insured to such policy by separate endorsement.
- c. The policy shall contain a separate endorsement requiring the insurance company to notify the city in writing of any change in or cancellation of the policy at least ten days prior thereto.

The applicant's failure to obtain or maintain the required insurance in effect for the duration of the permit shall immediately render the permit void. Notwithstanding the foregoing, the applicant shall remain obligated to indemnify and hold harmless the city and any of its agencies, officials, officers, or employees to the full extent required by the indemnity agreement required by this section.

(d) *Conduct of sidewalk café permit holder.* A person holding a sidewalk café permit (permittee) shall comply with all of the following conditions in connection with the placement of tables and chairs on a sidewalk:

- (1) Sidewalk cafes must at all times adhere the city's design standards which shall be provided by the director upon request. If design standards are amended, the director shall have discretion to decide whether an existing sidewalk café must be updated to conform with the new standards.
- (2) Sidewalk café permits shall be conspicuously displayed at all times at the business for the permit area and shall be available for inspection by the director, other city employees, and the public.
- (2) No street or alley shall be blocked by tables and chairs placed pursuant to a sidewalk café permit issued under this section.
- (3) The permittee shall comply with all applicable laws, including the Americans with Disabilities Act.
- (4) Tables and chairs shall be securely placed so that they will not endanger the public, or fall or protrude into any street or alley.
- (5) Tables and chairs shall not be placed in a manner that creates or causes a nuisance, a fire hazard, or interferes with ingress to or from any building.
- (6) Only tables and chairs for customer use may be placed and allowed to remain within the permit area. The permit area may not be used for the storage of other items.

(7) Tables and chairs shall only be placed in front of the business holding a sidewalk café permit and shall not extend to sidewalks abutting and adjacent to other properties. Notwithstanding the foregoing, the tables and chairs may be placed in front of a property immediately abutting and immediately adjacent to the business holding the sidewalk café permit if the owner of record of the affected property consents in writing in a form approved by the director; a property shall not be deemed to be immediately abutting and immediately adjacent if separated from the business holding the sidewalk café permit by a street or alley.

(8) The tables and chairs shall not be placed in the street.

(9) Tables and chairs for customers shall be placed no less than five feet back from the front of the curb of the abutting street, or other appurtenances.

(e) *Renewal.* Sidewalk café permits shall be granted on an annual basis. All sidewalk café permits may be renewed upon request by the permittee and upon approval by the director thirty (30) days prior to the expiration of the permit. The term for the renewal shall also be one year. Upon a request for renewal, the permittee shall demonstrate that they have adhered to the provisions of this section. The director may inspect the sidewalk café at any time.

(f) *Fees.* The director shall have the authority to set fees to defray the various costs incurred by the city in establishing and regulating sidewalk cafes. Those fees shall include an application fee and an annual license fee. The fees shall be determined annually by the director, and shall be made available to any permittee seeking to establish a sidewalk café. The fees shall be based on the costs of administering sidewalk café permits. In situations where building capacity is decreased due to a city proclamation of emergency, or if it is otherwise in the best interests of the city, the director is authorized to issue temporary street café permits and may waive any fees or other requirements otherwise necessary to receive a sidewalk cafe permit.

(g) *Revocation.* Any permit issued hereunder may be suspended or revoked for any reason that would justify a refusal to issue the permit originally or by reason of any failure by the permittee to comply with the provisions of this code, or any condition imposed by the director upon the issuance of the permit. The sidewalk cafe permit may also be suspended if the location of the sidewalk is necessary for city use, including for use by a utility with the right to access the city's right-of-way. Unless there is an emergency as defined by city ordinance or need for access from a utility utilizing city right-of-way, the permittee is entitled to a minimum of one week's advance notice of the city's intent to temporarily suspend, or a minimum of 30 days' advance notice to revoke a sidewalk café permit. The cost of removing the sidewalk café will be borne solely by the permittee. Should the permittee fail to remove the sidewalk café, the director may remove the sidewalk café and assess cost of the removal to the permittee.

(h) *Penalties.* A permittee operating a sidewalk café who violates or fails to comply with any of the provisions of this section shall be subject to a fine of triple the amount of the application fee for every day of non-compliance.

Sec. 64-170. Parklet permit.

(a) *Definition.* A parklet is defined as an outdoor facility located within city right-of-way – either within the sidewalk, on-street parking areas, or other unutilized spaces within the public

right-of-way - which is permitted by the city to be managed by the adjacent property owner as public space.

(b) *Parklet permit established.* The director of public works is authorized to issue annual parklet permits for the purpose of creating public gathering spaces. The director shall have authority to establish reasonable regulations for the issuance, use, revocation, and denial of parklet permits. Upon issuance of a parklet permit, permittees shall perform all obligations, duties and responsibilities as set forth by the director. Issuance of a parklet permit is a privilege and not a right, and the director shall have the right to modify the scope, time and manner of the parklet permit for any reason. The director of public works may seek the opinion of other city officials in review of a parklet permit application.

When the applicant for a parklet permit requests a parklet permit adjacent to or within a parkway or boulevard, the applicant must obtain approval from the board of parks and recreation commissioners. In such circumstances, any authority delegated within this section to the director of public works shall instead be delegated to the director of parks and recreation.

(c) *Permit conditions.* A parklet permit may be issued only if all of the following conditions are met:

- (1) A parklet permit may be issued to any individual, business or organization for an area within city right-of-way – either within the sidewalk, on-street parking areas, or other unutilized spaces within the public right-of-way upon request by the owner or tenant of property adjacent to the parklet.
- (2) A parklet permit may be issued in any area in the city in which the adjacent street or roadway has a posted speed limit not in excess of thirty miles per hour.
- (3) A parklet may not be located within parking spaces designated for the exclusive use of vehicles which display a distinguishing license plate or placard issued to physically disabled or handicapped persons.
- (4) The applicant for a parklet permit meets all applicable requirements contained within the city’s code of ordinances.
- (5) The individual or business applying for a parklet permit shall mail written notification of an application for a license under this section to either the registered property owner or tenant of a property wholly within or intersected by a radius of 250 feet from the property owner or business requesting the parklet permit. The notification shall be in a form prescribed by the director, include a 30-day feedback period, and shall invite objections from recipients of the notification. Any objections must be submitted in writing to the director within 30 calendar days of the permit applicant’s notification being sent out. The director shall take any such objections into account when determining whether to issue a parklet permit. The individual or business must provide certified mail receipts of the notification via the city’s permitting system prior to receiving a parklet permit.

(d) *Application for parklet permits.*

(1) All applications for a parklet permit shall be filed with the director of public works in a form approved by the director. Parklet permits may not be transferred or assigned. All applications shall include the following:

a. An indemnity agreement in the form approved by the director binding the applicant to defend, indemnify, and hold harmless the city and any of its agencies, officials, officers, or employees from and against all claims, damages, liability, losses, costs, and expenses, including reasonable attorneys' fees, arising out of or resulting from any acts or omissions in connection with the operations of the applicant caused in whole or in part by the applicant, its employees, agents, or subcontractors, customers or caused by others for whom the applicant is liable, regardless of whether caused in part by any act or omission of city, its agencies, officials, officers, or employees. The permittee shall specifically indemnify and hold harmless the city and any of its agencies, officials, officers, or employees from and against all claims, damages, liability, losses, costs, and expenses, including reasonable attorney's fees, arising out of or resulting from the city's snow removal operations.

b. A certificate of insurance from a company approved by the director of finance evidencing that the applicant has a comprehensive general liability and property damage policy meeting the following conditions:

i. Liability insurance with either a combined single-limit policy of not less than \$2,000,000.00, or a split-limit policy of \$300,000.00/\$300,000.00 bodily injury and \$100,000.00 property damage.

ii. The city shall be added as an additional insured to such policy by separate endorsement.

iii. The policy shall contain a separate endorsement requiring the insurance company to notify the city in writing of any change in or cancellation of the policy at least ten days prior thereto.

The applicant's failure to obtain or maintain the required insurance in effect for the duration of the permit shall immediately render the permit void. Notwithstanding the foregoing, the applicant shall remain obligated to indemnify and hold harmless the city and any of its agencies, officials, officers, or employees to the full extent required by the indemnity agreement required by this section.

c. A design of the parklet which adheres to the city's design standards shall be provided by the director of public works to any permittee seeking to establish a parklet. The applicant shall include a layout, drawn to scale,

which accurately depicts the dimensions of the existing area to be utilized as a parklet and adjacent private property, the proposed location of the parklet, size and number of tables, chairs, steps, planters, and umbrellas, location of doorways, trees, existing parking meters, sidewalk benches, trash receptacles, light poles, and any other sidewalk obstructions, either existing or proposed, within the pedestrian area. This layout shall be submitted on eight and one-half-inch by eleven-inch paper, suitable for reproduction. Also, photographs, drawings, or manufacturer's brochures fully describing the appearance and dimensions of all proposed tables, chairs, weighted umbrellas, free-standing barriers or other objects to be used in the parklet.

(e) *Conduct of parklet permit holder.* Parklet permittees shall comply with all of the following conditions:

- (1) Parklets must at all times adhere to the city's design standards which shall be provided by the director upon request. If the city's design standards are amended, the director shall have discretion to decide whether an existing parklet must be updated to conform with the new standards.
- (2) The permittee shall properly supervise and maintain the parklet in a clean, orderly, and safe condition and in such a manner as to protect the public health and safety. The permittee shall prevent the accumulation, blowing and scattering of trash, garbage, or any other such debris caused by use of the parklet and shall maintain its own trash containers upon the parklet for disposal of any debris. All tables, chairs, umbrellas, and any other furnishings utilized in the parklet shall be maintained with a clean and attractive appearance and shall be in good repair at all times.
- (3) Parklet permits shall be conspicuously displayed at all times at the business for the permit area and shall be available for inspection by the director of public works, other city employees, and the public.
- (4) Parklets must remain publicly accessible and must include signage posted on-site to this effect, stating hours reserved for public use.
- (5) Permittee shall ensure that the parklet and its furnishings in no way interfere with pedestrian, bicycle, or automobile traffic within the sidewalk, street, or bicycle facilities including the parking of vehicles in adjacent parking spaces.
- (6) No smoking shall be allowed in the parklet. Alcohol shall not be consumed within the parklet without proper licensure.
- (7) Permittee shall not erect, attach, or affix any permanent fixture upon the public right-of-way, even within the parklet.
- (8) No furnishings or any parts of the parklet shall be attached, chained, or in any manner affixed to any tree, post, signs, sidewalk, streetlight, fire hydrant, or other public fixture within or near the parklet.
- (9) The permittee shall not be permitted to use or operate any public address system, or amplified music before 9:00 a.m. and after 10:00 p.m.

- (10) The permittee shall comply with all applicable laws, including the Americans with Disabilities Act.
- (11) The parklet permit may not be used for the storage of any items other than seating, furnishing, landscaping, signs, or lighting.
- (12) The parklet shall not extend to public right-of-way abutting and adjacent to other properties. Notwithstanding the foregoing, the parklet may extend in front of a property immediately abutting and immediately adjacent to the business holding the parklet permit if the owner of record of the affected property consents in writing in a form approved by the director of public works; a property shall not be deemed to be immediately abutting and immediately adjacent if separated from the business holding the parklet permit by a street or alley.

(f) *Renewal.* Parklet permits shall be granted on an annual basis. All parklet permits may be renewed upon request by the permittee and upon approval by the director thirty (30) days' prior to the expiration of the permit. The term for renewal shall also be one year. Upon a request for renewal, the permittee shall demonstrate that they have adhered to the provisions of this section. The director may inspect the parklet at any time.

(g) *Fees.* The director shall have the authority to set fees to defray the various costs incurred by the city in establishing and regulating parklets. Those fees shall include an application fee and an annual renewal fee. The fees shall be determined annually by the director, and shall be made available to any permittee seeking to establish a parklet. The fees shall be based on the costs of administering parklet permits. In situations where building capacity is decreased due to a city proclamation of emergency, or if it is otherwise in the best interests of the city, the director is authorized to issue temporary parklet permits and may waive any fees or other requirements otherwise necessary to receive a parklet permit.

(h) *Revocation.* Any permit issued hereunder may be suspended or revoked for any reason that would justify a refusal to issue the permit originally or by reason of any failure by the permittee to comply with the provisions of this code, or any condition imposed by the director upon the issuance of the permit. The parklet permit may also be suspended if the location of the parklet is necessary for city use, including for use by a utility with the right to access the city's right-of-way. Unless there is an emergency which threatens the health and safety of city residents and visitors or a need for access from a utility utilizing city right-of-way, the permittee is entitled to a minimum of one week's advance notice of the city's intent to temporarily suspend, or a minimum of 30 days' advance notice to revoke a parklet permit. No advance warning is required in the case of an emergency which threatens the health and safety of city residents and visitors or a need for access from a utility. The cost of removing the parklet will be borne solely by the permittee. Should the permittee fail to remove the parklet within the timeframes outlined above, the director of public works may remove the parklet and assess cost of the removal to the permittee.

(i) *Penalties.* A permittee operating a parklet who violates or fails to comply with any of the provisions of this section shall be subject to a fine of triple the amount of the application fee for every day of non-compliance.

Sec. 64-171. Street café permit.

(a) *Definition.* A street café is defined as an outdoor dining facility located within areas used for on-street parking which is permitted by the city to be utilized by the immediately adjacent property owner or tenant for outdoor dining as an extension of the owner's or tenant's operations.

(b) *Street café permit established.* The director of public works is authorized to issue annual street café permits for the limited purpose of placing tables and chairs for customers in connection with the sale and consumption of food and beverages in or upon any on-street parking spaces. The director shall have the authority to establish reasonable regulations for the issuance, use, revocation, and denial of street café permits. Upon issuance of a street café permit, permittees shall perform all obligations, duties and responsibilities as set forth by the director. Issuance of a street café permit is a privilege and not a right, and the director shall have the right to modify the scope, time and manner of the street café permit for any reason. In situations where building capacity is decreased due to a city proclamation of emergency, or if it is otherwise in the best interests of the city, the director is authorized to issue temporary street café permits and may waive any fees or other requirements otherwise necessary to receive a street café permit.

When the applicant for a street café permit requests a street café permit adjacent to a parkway or boulevard, the applicant must obtain approval from the board of parks and recreation commissioners. In such circumstances, any authority delegated within this section to the director of public works shall instead be delegated to the director of parks and recreation.

(c) *Permit conditions.* A street café permit may be issued only if all of the following conditions are met:

- (1) A street café permit may be issued to any individual, business or organization within on-street parking areas or other unutilized spaces within the public right-of-way immediately adjacent to property owned or leased by the individual, business or organization.
- (2) A street café permit may be issued adjacent to streets or roadways which have a posted speed limit not in excess of thirty miles per hour.
- (3) A street café permit can only be issued for areas in the city zoned for business and which allow a clear unobstructed passage not less than five feet in width within the street café following the placement of the tables and chairs in the street café.
- (4) A street café permit may only be issued for a business that has a nonalcohol city business license or a conventions and tourism food certificate for the sale and consumption of food and beverages on the premises provided that the permit may be issued only if such business is located immediately in front of the business and the permit shall not be issued for another business, if any, located in the same building.

- (5) A street café permit may not be located within parking spaces designated for the exclusive use of vehicles which display a distinguishing license plate or placard issued to physically disabled or handicapped persons.
- (6) The applicant for a street café permit must meet all other permit requirements contained in the Code of Ordinances, including but not limited to the requirements of chapter 10 of the Code, if applicable. As a condition for the issuance of a street café permit, the director of neighborhoods and housing services shall attest that the permittee has met any requirements of permits which the permittee holds under chapter 10, if applicable and as required.
- (7) The individual or business applying for a street café permit shall mail written notification of an application for a license under this section to either the registered property owner or tenant of a property wholly within or intersected by a radius of 250 feet from the property owner or business requesting the street café permit. The notification shall be in a form prescribed by the director, include a 30-day feedback period, and shall invite objections from recipients of the notification. Any objections must be submitted in writing to the director within 30 calendar days of the permit applicant's notification being sent out. The director shall take any such objections into account when determining whether to issue a street café permit. The individual or business must provide certified mail receipts of the notification via the city's permitting system prior to receiving a street café permit.

(d) *Application for street café permits.*

- (1) All applications for a street café permit shall be filed with the director of public works in a form approved by the director. Street café permits may not be transferred or assigned. All applications for a street café permit shall include the following:
 - a. An indemnity agreement in the form approved by the director binding the applicant to defend, indemnify, and hold harmless the city and any of its agencies, officials, officers, or employees from and against all claims, damages, liability, losses, costs, and expenses, including reasonable attorneys' fees, arising out of or resulting from any acts or omissions in connection with the operations of the applicant caused in whole or in part by the applicant, its employees, agents, or subcontractors, customers or caused by others for whom the applicant is liable, regardless of whether caused in part by any act or omission of city, its agencies, officials, officers, or employees. The permittee shall specifically indemnify and hold harmless the city and any of its agencies, officials, officers, or employees from and against all claims, damages, liability, losses, costs, and expenses, including reasonable attorney's fees, arising out of or resulting from the city's snow removal operations.

- b. A certificate of insurance from a company approved by the director of finance evidencing that the applicant has a comprehensive general liability and property damage policy meeting the following conditions:
 - i. Liability insurance with either a combined single-limit policy of not less than \$2,000,000.00, or a split-limit policy of \$300,000.00/\$300,000.00 bodily injury and \$100,000.00 property damage.
 - ii. The city shall be added as an additional insured to such policy by separate endorsement.
 - iii. The policy shall contain a separate endorsement requiring the insurance company to notify the city in writing of any change in or cancellation of the policy at least ten days prior thereto.

The applicant's failure to obtain or maintain the required insurance in effect for the duration of the permit shall immediately render the permit void. Notwithstanding the foregoing, the applicant shall remain obligated to indemnify and hold harmless the city and any of its agencies, officials, officers, or employees to the full extent required by the indemnity agreement required by this section.

- c. A design of the street café which adheres to design guidelines provided by the director of public works which shall be available to any permittee seeking to establish a street café. The applicant shall include a layout, drawn to scale, which accurately depicts the dimensions of the existing area to be utilized as a street café and adjacent private property, the proposed location of the street café, size and number of tables, chairs, steps, planters, and umbrellas, location of doorways, trees, existing parking meters, sidewalk benches, trash receptacles, light poles, and any other sidewalk obstructions, either existing or proposed, within the pedestrian area. This layout shall be submitted on eight and one-half-inch by eleven-inch paper, suitable for reproduction. Also, photographs, drawings, or manufacturer's brochures fully describing the appearance and dimensions of all proposed tables, chairs, weighted umbrellas, free-standing barriers or other objects to be used in the street café.
- d. If the applicant for a street café permit holds both a license as a restaurant-bar under Chapter 10 of the Code and a street café permit for the location, and wishes to apply for a license as a restaurant bar in the street café, requirements of section 10-214 shall not apply. All other permitting applications will still apply for use of the street café as a permitted area, pursuant to Section 64-164.

(e) *Conduct of street café permit holder.* Street café permittees shall comply with all of the following conditions:

- (1) Street cafes must at all times adhere the city's parklet and street café design standards which shall be provided by the director upon request. If the city's design standards are amended, the director shall have discretion to decide whether an existing street café must be updated to conform with the new standards.
- (2) The permittee shall properly supervise and maintain the street café in a clean, orderly, and safe condition and in such a manner as to protect the public health and safety. The permittee shall prevent the accumulation, blowing, and scattering, of trash, garbage, or any other such debris caused by use of the street café and shall maintain its own trash containers upon the street café for disposal of any debris. All tables, chairs, umbrellas, and any other objects utilized in the street café shall be maintained with a clean and attractive appearance and shall be in good repair at all times.
- (3) Street café permits shall be conspicuously displayed at all times at the business for the permit area and shall be available for inspection by the director of public works, other city employees, and the public.
- (4) The permittee shall designate with signage the hours during which the street café is to be operated. At all other times, the street café shall be made available for public use.
- (5) Permittee shall ensure the street café and its furnishings in no way interfere with pedestrian, bicycle, or automobile traffic within the sidewalk, street, or bicycle facilities including the parking of vehicles in adjacent parking spaces.
- (6) No smoking shall be allowed in the street café. Alcohol or liquor shall not be consumed within the street café without proper licensure. The hours of outdoor liquor sales shall be allowed as authorized in chapter 10 of the code.
- (7) Permittee shall not erect, attach, or affix any permanent fixture upon the public right-of-way, even within the street café.
- (8) No furnishings or any parts of the street café shall be attached, chained, or in any manner affixed to any tree, post, signs, sidewalk, streetlight, fire hydrant, or other public fixture within or near the street café.
- (9) The permittee shall not be permitted to use or operate any public address system, or amplified music before 9:00 a.m. and after 10:00 p.m.
- (10) The permittee shall comply with all applicable laws, including the Americans with Disabilities Act.
- (11) The permit area may not be used for the storage of any items other than seating, landscaping, signs, or lighting.
- (12) The street café and any furnishings shall only be placed in front of the business holding a street café permit and shall not extend to public right-of-way abutting and adjacent to other properties. Notwithstanding the foregoing, the street café

and its furnishings may be placed in front of a property immediately abutting and immediately adjacent to the business holding the street café permit if the owner of record of the affected property consents in writing in a form approved by the director of public works; a property shall not be deemed to be immediately abutting and immediately adjacent if separated from the business holding the street café permit by a street or alley.

(f) *Renewal.* Street café permits shall be granted on an annual basis. All street café permits may be renewed upon request by the permittee and upon approval by the director thirty (30) days prior to the expiration of the permit. The term for the renewal shall also be one year. Upon a request for renewal, the permittee shall demonstrate that they have adhered to the provisions of this section as well as the city's design standards. The director may inspect the street café at any time.

(g) *Fees.* The director shall have the authority to set fees to defray the various costs incurred by the city in establishing and regulating street cafes, including loss of value to the city in utilizing such spaces for on-street parking. Those fees shall include an application fee and an annual license fee. The fees shall be determined annually by the director, and shall be made available to any permittee seeking to establish a street café. The fees shall be based on the costs of administering street café permits. In situations where building capacity is decreased due to a city proclamation of emergency, or if it is otherwise in the best interests of the city, the director is authorized to issue temporary street café permits and may waive any fees or other requirements otherwise necessary to receive a street café permit.

(h) *Revocation.* Any permit issued hereunder may be suspended or revoked for any reason that would justify a refusal to issue the permit originally or by reason of any failure by the permittee to comply with the provisions of this code, or any condition imposed by the director upon the issuance of the permit. The street café permit may also be suspended if the location of the street café is necessary for city use, including for use by a utility with the right to access the city's right-of-way. Unless there is an emergency which threatens the health and safety of city residents and visitors or a need for access from a utility utilizing city right-of-way, the permittee is entitled to a minimum of one week's advance notice of the city's intent to temporarily suspend, or a minimum of 30 days' advance notice to revoke a street café permit. The cost of removing the street café will be borne solely by the permittee. No advance warning is required in the case of an emergency which threatens the health and safety of city residents and visitors or a need for access from a utility. Should the permittee fail to remove the street café, the director of public works may remove the street café and assess cost of the removal to the permittee.

(i) *Penalties.* A permittee operating a street café who violates or fails to comply with any of the provisions of this section shall be subject to a fine of triple the amount of the application fee for every day of non-compliance.

Section 2. That Chapter 64, Code of Ordinances of the City of Kansas City, Missouri, is hereby amended by repealing Section 64-172.

..end

Approved as to form and legality:

Dustin E. Johnson
Associate City Attorney

LEGISLATIVE FACT SHEET		Legislation Number:	
		Approval Deadline:	
LEGISLATION IN BRIEF:			
<p>What is the reason for this legislation?</p>	<p>Fact Sheet Color Codes</p> <p>User Entered Field</p> <p>User Select From Menu</p> <p>For OMB Use</p>		
<p>Discussion (including relationship to other Council actions)</p>	<p>Sponsor(s)</p> <p>Programs, Departments, or Groups Affected</p> <p>Sub-Program in Budget (page #)</p>		
	<p>Applicants/ Proponents</p>	<p>City Department</p>	<p>Other</p>
<p>Citywide Business Plan Goal</p>	<p>Staff Recommendation</p>		
<p>Citywide Business Plan Objective</p>	<p>Board or Commission Recommendation</p>		
<p>Citywide Business Plan Strategy</p>	<p>Future Impacts</p>		
	<p>Cost of Legislation current Fiscal Year</p>		
	<p>Costs in Future Fiscal Years?</p>		
	<p>Annual Revenue Increase/Decrease</p>		
	<p>Applicable Dates:</p>		
	<p>Prepared by:</p>		
	<p>Date Prepared:</p>		
	<p>Reviewed by:</p>		
	<p>Date Reviewed</p>		
	<p>Reference Numbers</p>		

LEGISLATIVE FISCAL NOTE	LEGISLATION NUMBER:	220357
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LEGISLATION IN BRIEF:

Authorizing the implementation and administration of a permitting process for parklets, sidewalk cafes, and street cafes and granting the authority to administer these permits to the Director of Public Works.

What is the purpose of this legislation? LEGISLATIVE

for the purpose of editing, repealing, or creating a provision in the city's code of ordinances; or for stating non-monetary support. This Fiscal note should be blank

Sections 01-04 should be blank. See section 00 for more information

Yes/No
 Yes/No
 Yes/No
 Yes/No

Section 00: Notes:

Updating the implementation and administration of the parklet, sidewalk cafe and street cafe permitting process by removing the temporary regulations and providing update to the permanent regulations. There is no fiscal impact for this ordinance.

FINANCIAL IMPACT OF LEGISLATION

Section 01: If applicable, where are funds appropriated in the current budget?

FUND	DEPTID	ACCOUNT	PROJECT	FY 21-22 BUD	FY 22-23 EST

Section 02: If applicable, where will new revenues be estimated?

FUND	DEPTID	ACCOUNT	PROJECT	FY 21-22 BUD	FY 22-23 EST

Section 03: If applicable, where will appropriations be increased?

FUND	DEPTID	ACCOUNT	PROJECT	FY 21-22 BUD	FY 22-23 EST

NET IMPACT ON OPERATIONAL BUDGET				-	-
<i>RESERVE STATUS:</i>					

SECTION 04: FIVE-YEAR FISCAL IMPACT (Direct and indirect)

FUND	FUND NAME	FY 21-22	FY 22-23	FY 23-24	FY 24-25	FY 25-26	FY 26-27	All Outyears
TOTAL REV		-	-	-	-	-	-	-

FUND	FUND NAME	FY 21-22	FY 22-23	FY 23-24	FY 24-25	FY 25-26	FY 26-27	All Outyears
TOTAL EXP		-	-	-	-	-	-	-

NET Per-YEAR IMPACT -

NET IMPACT (SIX YEARS) -

REVIEWED BY Leranda Brewer DATE 4/19/2022

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File #: 220363

ORDINANCE NO. 220363

Approving various Traffic Regulations in compliance with Chapter 70 of the Code of Ordinances.

WHEREAS, pursuant to the authority granted in Section 70-38 of the Code of Ordinances, City of Kansas City, Missouri, the Director of the Public Works Department has heretofore made and filed with the Director of Records temporary traffic regulations hereinafter described on a test basis, and notice has been given thereof to the public by publishing said regulations, and

WHEREAS, the Council has duly considered said regulations and has found it in the public interest and necessary to the public safety that said regulations and each of them continue in effect as a part of Chapter 70 of the Code of Ordinances, and as a part of said sections of said chapter to which the respective regulations refer; NOW, THEREFORE,

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That the following temporary Traffic Regulations are hereby approved and said regulations shall continue in force as part of Chapter 70 of the Code of Ordinances, and as a part of said section of said chapter to which the respective regulations refer:

- Nos. 65180 through 65189
- Nos. 65190 through 65203
- Nos. 65204 through 65217
- Nos. 65218 through 65244

Section 2. That the following Traffic Regulation Numbers provide for the removal and discontinuation of certain regulations heretofore in effect, which are hereby terminated and removed from the respective sections of Chapter 70 to which they refer:

- Nos. 65180 through 65184,
- Nos. 65190 through 65195,
- Nos. 65204 through 65212, and
- Nos. 65218 through 65237.

Section 3. That the following Traffic Regulation Numbers constitute installation of new regulations which are hereby approved in accordance with the provisions of Chapter 70-38 of the Code of Ordinances, City of Kansas City, Missouri:

Nos. 65185 through 65189,
Nos. 65196 through 65203,
Nos. 65213 through 65217, and
Nos. 65238 through 65244

..end

Approved as to form and legality:

Dustin E. Johnson
Assistant City Attorney

GENERAL

Ordinance Fact Sheet

220363

Ordinance Number

Brief Title	Approval Deadline	Reason

Details

Reason for Legislation

To approve Traffic Regulations Number 65180 through 65189, 65190 through 65203, 65204 through 65217, and 65218 through 65244, inclusive.

Made by the Director of Public Works in accordance with the City Code.

Discussion
(including relationship to other Council actions)

These Traffic Regulations have been published and tested for a ninety day period in accordance with Sections 70-38 (b) and (c) of the Traffic Code.

This Ordinance will make these Regulations permanent.

A list of the Regulations, the streets affected by the Regulations and the dates the signs or signals were installed, removed and changed is attached.

Is it good for the children? Yes

How will this contribute to a sustainable Kansas City?

All damaged signs and post are sent to a recycle facility. We reuse old undamaged posts to install new signs. We purchase new traffic sign supplies manufactured from recycled materials.

There are speed limit changes in this package.

Positions/Recommendations	
Sponsor	
Programs, Departments, or Groups Affected	
Applicants / Proponents	<p>Applicant</p> <p>City Department</p> <p>Other</p>
Opponents	<p>Groups or Individuals</p> <p>Basis of Opposition</p>
Staff Recommendation	<p><input type="checkbox"/> For</p> <p><input type="checkbox"/> Against</p> <p>Reason Against</p>
Board or Commission Recommendation	<p>By</p> <p><input type="checkbox"/> For</p> <p><input type="checkbox"/> Against</p> <p><input type="checkbox"/> No action taken</p> <p><input type="checkbox"/> For, with revisions or conditions (see details column for conditions)</p>
Council Committee Actions	<p><input type="checkbox"/> Do pass</p> <p><input type="checkbox"/> Do pass (as amended)</p> <p><input type="checkbox"/> Committee Sub.</p> <p><input type="checkbox"/> Without Recommendation</p> <p><input type="checkbox"/> Hold</p> <p><input type="checkbox"/> Do not pass</p>

(Continued on reverse side)

Details

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Policy/Program Impact

Policy/Program Change	<input type="checkbox"/> No
	<input type="checkbox"/> Yes
Operational Impact Assessment	

Finances

Cost & Revenue Projections --	Cost of Legislation
	Increase/Decrease in Revenue Expected Annually
Fund Sources	

(Use this space for further discussion, if necessary)

Applicable Dates:

Fact Sheet Prepared by:

Reviewed by:

Reference Numbers



File #: 220347

ORDINANCE NO. 220347

Authorizing the Director of Aviation to execute an off-airport parking permit agreement with True Parkings KC, LLC; and estimating revenue in the amount of \$70,000.00 to the Aviation Fund.

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That the Director of Aviation is hereby authorized to execute an Off-Airport Parking Permit Agreement with TrueParkings KC, LLC at Kansas City International Airport with a term from the effective date of the agreement through to February 28, 2023, with automatic renewal for successive periods of one year each, unless terminated by either party. A copy of the agreement is on file in the Office of the Director of Aviation.

Section 2. That the revenue in an amount of \$70,000.00 is estimated for the initial term in the following account of the Aviation Fund:

23-8300-620000-470620	Parking Lot Concessions (Off-Airport)	\$70,000.00
-----------------------	---------------------------------------	-------------

..end

I hereby certify that there is a balance, otherwise unencumbered, to the credit of the appropriation to which the foregoing expenditure is to be charged, and a cash balance, otherwise unencumbered, in the treasury, to the credit of the fund from which payment is to be made, each sufficient to meet the obligation hereby incurred.

Tammy L. Queen
Director of Finance

Approved as to form and legality:

Charlotte Ferns
Assistant City Attorney

LEGISLATIVE FISCAL NOTE	LEGISLATION NUMBER: 220347
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LEGISLATION IN BRIEF:
 Authorizing the execution of an off-airport parking permit agreement with PARKINGS KC, LLC; and estimating revenue in the amount of \$70,000.00 to the Aviation Fund.

What is the purpose of this legislation? OPERATIONAL

For the purpose of authorizing expenditures new or planned to conduct municipal services

Does this legislation spend money? Yes/No
See Section 00: " Notes" Below

Does this legislation estimate new Revenues? Yes/No
See Section 02 for new revenue estimates

Does this Legislation Increase Appropriations? Yes/No

Are costs associated with this legislation ongoing (Yes)? Or one-time (No) Yes/No
See Section 00: " Notes" Below

Section 00: Notes:
This legislation approves a permit agreement with PARKINGS KC, LLC and estimates revenue in the amount of \$70,000 to the Aviation Fund.
 Five years of operational costs for ongoing programs should be included in Section 04 below.

FINANCIAL IMPACT OF LEGISLATION

Section 01: If applicable, where are funds appropriated in the current budget?

FUND	DEPTID	ACCOUNT	PROJECT	FY 21-22 BUD	FY 22-23 EST

Section 02: If applicable, where will new revenues be estimated?

FUND	DEPTID	ACCOUNT	PROJECT	FY 21-22 BUD	FY 22-23 EST
8300	620000	470620			70,000.00

Section 03: If applicable, where will appropriations be increased?

FUND	DEPTID	ACCOUNT	PROJECT	FY 21-22 BUD	FY 22-23 EST

NET IMPACT ON OPERATIONAL BUDGET 70,000.00

RESERVE STATUS: **REVENUE SUPPORTED**

SECTION 04: FIVE-YEAR FISCAL IMPACT (Direct and indirect)

FUND	FUND NAME	FY 21-22	FY 22-23	FY 23-24	FY 24-25	FY 25-26	FY 26-27	All Outyears
8300	Aviation Fund		70,000					
TOTAL REV		-	70,000	-	-	-	-	-

FUND	FUND NAME	FY 21-22	FY 22-23	FY 23-24	FY 24-25	FY 25-26	FY 26-27	All Outyears
TOTAL EXP		-	-	-	-	-	-	-

NET Per-YEAR IMPACT 70,000.00

NET IMPACT (SIX YEARS) **70,000.00**

REVIEWED BY Tanner Owens, OMB DATE 4/18/2022

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GENERAL

220347

Ordinance Fact Sheet

Ordinance Number

Brief Title	Approval Deadline	Reason
Authorize an Off-Airport Parking Permit Agreement		To authorize execution of Off-Airport F with TrueParkings KC, LLC

Details

Reason for Legislation

That the Director of Aviation is hereby authorized to execute an Off-Airport Parking Permit Agreement with TrueParkings KC LLC at the Kansas City International Airport. The Agreement term commences on March 1, 2022 for one year with automatic renewal for successive periods of one year each, unless terminated by either party.

Discussion

The Agreement will authorize TrueParkings KC LLC to pick-up and deliver Airport airport terminal customers to and from Permittee's off-airport parking operation by shuttle thereby making commercial use of the Airport facilities , commercial lane space and airport users . This Agreement requires Permittee to comply with City Ordinances and Airport Rules and Regulations in order to operate on the Airport property.

Term

This is a one-year Agreement with automatic renewal for successive periods of 1 year , unless terminated by either City or Permittee with a thirty (30) day written notice.

Financials

This Agreement provides the Airport with a revenue stream equal to 10% of monthly gross revenues collected by Permittee. (\$70,000 annual estimated revenue).

Positions/Recommendations

Sponsor	Aviation Department
Programs, Departments, or Groups Affected	Aviation Department
Applicants / Proponents	Applicant Aviation Department City Department Aviation Department Other
Opponents	Groups or Individuals None Known Basis of opposition
Staff Recommendation	<input checked="" type="checkbox"/> For <input type="checkbox"/> Against Reason Against
Board or Commission Recommendation	By N/A <input type="checkbox"/> For <input type="checkbox"/> Against <input checked="" type="checkbox"/> No action <input type="checkbox"/> For, with revisions or cond (see details column for cor
Council Committee Actions	<input checked="" type="checkbox"/> Do pass <input type="checkbox"/> Do pass (as amended) <input type="checkbox"/> Committee Sub. <input type="checkbox"/> Without Recommendation <input type="checkbox"/> Hold <input type="checkbox"/> Do not pass

Details

Policy/Program Impact

Is it good for the children? Yes.

How will this contribute to a sustainable Kansas City?
 This Agreement supports our goal to maximize the community's return on investments by serving as a catalyst for economic development and continuously improve customer satisfaction.

Policy or Program Change	
<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes
Operational Impact Assessment	

Finances

Cost & Revenue Projections -- Including Indirect Costs	
	Est. Rev \$70,000
Financial Impact	
Fund Source and Appropriation Code	
	8300-620000-470620-20: Parking Lot Concession (

(Use this space for further discussion, if necessary)

Applicable Dates:

Fact Sheet Prepared by:
 Bolivar Bello Properties Specialist Date 3/14/2022

Reviewed by:
 Melissa Cooper, AAE Deputy Director of Comm Date 3/14/2020

Reference Numbers

GENERAL

Ordinance Fact Sheet

220347 Revised 4.25.22

Ordinance Number

Brief Title

Authorize an Off-Airport
Parking Permit Agreement

Approval Deadline

Reason

To authorize execution of Off-Airport Parking Permit
with TrueParkings KC, LLC

Details

Reason for Legislation

That the Director of Aviation is hereby authorized to execute an Off-Airport Parking Permit Agreement with TrueParkings KC LLC at the Kansas City International Airport. The Agreement term commences on the effective date for one year with automatic renewal for successive periods of one year each, unless terminated by either party.

Discussion

The Agreement will authorize TrueParkings KC LLC to pick-up and deliver Airport airport terminal customers to and from Permittee's off-airport parking operation by shuttle thereby making commercial use of the Airport facilities , commercial lane space and airport users . This Agreement requires Permittee to comply with City Ordinances and Airport Rules and Regulations in order to operate on the Airport property.

Term

This is a one-year Agreement with automatic renewal for successive periods of 1 year , unless terminated by either City or Permittee with a thirty (30) day written notice.

Financials

This Agreement provides the Airport with a revenue stream equal to 10% of monthly gross revenues collected by Permittee. (\$70,000 annual estimated revenue).

Positions/Recommendations

Sponsor	Aviation Department
Programs, Departments, or Groups Affected	Aviation Department
Applicants / Proponents	<p>Applicant Aviation Department</p> <p>City Department Aviation Department</p> <p>Other</p>
Opponents	<p>Groups or Individuals</p> <p>None Known Basis of opposition</p>
Staff Recommendation	<input checked="" type="checkbox"/> For <input type="checkbox"/> Against <p>Reason Against</p>
Board or Commission Recommendation	<p>By N/A</p> <input type="checkbox"/> For <input type="checkbox"/> Against <input type="checkbox"/> No action taken <input type="checkbox"/> For, with revisions or conditions (see details column for conditions)
Council Committee Actions	<input checked="" type="checkbox"/> Do pass <input type="checkbox"/> Do pass (as amended) <input type="checkbox"/> Committee Sub. <input type="checkbox"/> Without Recommendation <input type="checkbox"/> Hold <input type="checkbox"/> Do not pass

Details

Is it good for the children? Yes.

How will this contribute to a sustainable Kansas City?
 This Agreement supports our goal to maximize the community's return on investments by serving as a catalyst for economic development and continuously improve customer satisfaction.

Policy/Program Impact

Policy or Program Change	<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes
Operational Impact Assessment	

Finances

Cost & Revenue Projections -- Including Indirect Costs	Est. Rev \$70,000 / year
Financial Impact	
Fund Source (s) and Appropriation Account Codes	8300-620000-470620-201-000 Parking Lot Concession (Off-Airport)

(Use this space for further discussion, if necessary)

Applicable Dates:

Fact Sheet Prepared by:
 Bolivar Bello Date
 Properties Specialist 3/14/2022

Reviewed by:
 Melissa Cooper, AAE Date
 Deputy Director of Commerical Develop 3/14/2020

Reference Numbers

OPERATING/PROGRAMMATIC

Legislative Fiscal Note

220347 Revised 4.25.22

Ordinance Number

Ordinance Title (in Brief)

Authorizing the execution of an Off-Airport Parking Permit Agreement with TrueParkings KC, LLC at Kansas City International Airport.

Does this Legislation Estimate New or Additional Revenues to the City?

No

Yes

If yes, please identify in which Fund these revenues will be deposited (e.g. General, Sales Tax) and provide the following revenue information:

Revenue Detail	FY 2021-22	FY 2022-23
General Fund	\$ _____	\$ _____
Special Revenue	\$ _____	\$ _____
Other	\$ 58,333	\$ 70,000
Total:	\$ \$ 58,333	\$ 70,000

Additional revenue in the sum of \$500,000 is hereby estimated in the following account of the KCI Airports Fund, No. 8300:
20-8300-620000-470620-201-000 Parking Lot Concession (Off-Airport)

Does this Legislation increase appropriations in the current budget?

No

Yes

If Yes, please complete the following budget information:

Expense Detail	FY 2021-22	FY 2022-23
General Fund	\$ _____	\$ _____
Special Revenue	\$ _____	\$ _____
Other	\$ _____	\$ _____
Total:	\$ 0	\$ 0

Please detail the extent to which these increased appropriations will be of a permanent nature (e.g. number of additional staff, facilities, long-term contracts)

Does this Legislation expand the scope of current city services?

No

Yes

(Please detail estimated number of people to be served, who is currently delivering services to that population, service performance expectations and, if grant supported, provisions for support if grant support ends.)

Is this legislation the result of a federal or state legislative mandate?

No

Yes

(If yes, please detail the purpose and source for that mandate).

Reviewed by:

Office of Management and Budget

OMB Approval Date



File #: 220351

ORDINANCE NO. 220351

Authorizing the Manager of Procurement Services to execute EVP2894, a one (1) year piggyback contract with W.W. Grainger, Inc. that exceeds the \$1,000,000.00 Section 3-41(a)(2) threshold to provide Goods, Supplies, Material and Equipment; and authorizing the Manager of Procurement Services to amend the Contract and exercise the City’s five one-year renewal options without additional council authorization.

WHEREAS, Section 3-41(a)(2), Code of Ordinances, requires the Manager of Procurement Services to obtain City Council authorization to enter into contracts that may exceed \$1,000,000.00; and

WHEREAS, the projected spend for W.W. Grainger, Inc. Term and Supply Contract is expected to exceed \$1,000,000.00 for the current contract term and subsequent renewals; and NOW, THEREFORE,

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That the Manager of Procurement Services is authorized to execute EVP2894, a one (1) year piggyback contract with W.W. Grainger, Inc. that exceeds the \$1,000,000.00 Section 3-41(a)(2) threshold to provide Goods, Supplies, Material and Equipment.

Section 2. That the Manager of Procurement Services is authorized to execute contract amendments and is authorized to exercise the City’s five one-year renewal options without additional Council authorization.

..end

The City has no financial obligation under both this Ordinance and Contract until the Manager of Procurement Services issues a Purchase Order which shall be signed by the City’s Director of Finance certifying there is a balance, otherwise unencumbered, to the credit of the appropriation to which the expenditure is to be charged, and a cash balance, otherwise unencumbered, in the treasury, to the credit of the fund from which payment will be made, each sufficient to meet the obligation incurred in the Purchase Order.

Tammy Queen
Director of Finance

Approved as to form and legality:

Jim Brady
Assistant City Attorney

LEGISLATIVE FACT SHEET		Legislation Number:						
		Approval Deadline:						
LEGISLATION IN BRIEF:								
What is the reason for this legislation?	Fact Sheet Color Codes User Entered Field User Select From Menu For OMB Use							
	Sponsor(s) Programs, Departments, or Groups Affected Sub-Program in Budget (page #)							
Discussion (including relationship to other Council actions)	<table border="1"> <tr> <td data-bbox="808 915 1073 1083" rowspan="2">Applicants/ Proponents</td> <td data-bbox="1073 915 1468 957">City Department</td> </tr> <tr> <td data-bbox="1073 957 1468 1041">Other</td> </tr> </table>			Applicants/ Proponents	City Department	Other		
Applicants/ Proponents	City Department							
	Other							
	<table border="1"> <tr> <td data-bbox="808 1083 1073 1125">Staff Recommendation</td> <td data-bbox="1073 1083 1468 1125"></td> </tr> <tr> <td data-bbox="808 1125 1073 1209" rowspan="2">Board or Commission Recommendation</td> <td data-bbox="1073 1125 1468 1167"></td> </tr> <tr> <td data-bbox="1073 1167 1468 1209"></td> </tr> </table>			Staff Recommendation		Board or Commission Recommendation		
Staff Recommendation								
Board or Commission Recommendation								
Citywide Business Plan Goal	Future Impacts 							
	<table border="1"> <tr> <td data-bbox="808 1377 1073 1461">Cost of Legislation current Fiscal Year</td> <td data-bbox="1073 1377 1468 1461"></td> </tr> </table>			Cost of Legislation current Fiscal Year				
Cost of Legislation current Fiscal Year								
Citywide Business Plan Objective	<table border="1"> <tr> <td data-bbox="808 1461 1073 1535">Costs in Future Fiscal Years?</td> <td data-bbox="1073 1461 1468 1535"></td> </tr> </table>			Costs in Future Fiscal Years?				
Costs in Future Fiscal Years?								
	<table border="1"> <tr> <td data-bbox="808 1535 1073 1619">Annual Revenue Increase/Decrease</td> <td data-bbox="1073 1535 1468 1619"></td> </tr> </table>			Annual Revenue Increase/Decrease				
Annual Revenue Increase/Decrease								
Citywide Business Plan Strategy	Applicable Dates:							
	Prepared by:							
	Date Prepared:							
	Reviewed by:							
	Date Reviewed							
	Reference Numbers							

<h1 style="margin:0;">LEGISLATIVE FISCAL NOTE</h1>	LEGISLATION NUMBER:	220351
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LEGISLATION IN BRIEF:
 Authorizing the Manager of Procurement Services to execute EIT 2021, a one (1) year piggyback contract with 3 annual renewals with www.Granger.me. The City will be utilizing a national cooperative contract for these services.
 Authorizing the Manager of Procurement Services to exercise the City's renewal options without additional City Council approval from such amounts appropriated in the City's annual budget.

What is the purpose of this legislation? LEGISLATIVE

for the purpose of editing, repealing, or creating a provision in the city's code of ordinances; or for stating non-monetary support. This Fiscal note should be blank

Sections 01-04 should be blank. See section 00 for more information

	NO	Yes/No
	NO	Yes/No
	NO	Yes/No
	NO	Yes/No

Section 00: Notes:

The City has no financial obligation under both this Ordinance and contract until the manager of Procurement Services issues a Purchase Order which shall be signed by the City's Director of Finance certifying there is a balance, otherwise unencumbered, to the credit of the appropriation to which the expenditure is to be charged, and a cash balance, otherwise unencumbered, in the treasury, to the credit of the fund from which payment will be made, each sufficient to meet the obligation incurred in the Purchase Order.

FINANCIAL IMPACT OF LEGISLATION

Section 01: If applicable, where are funds appropriated in the current budget?

FUND	DEPTID	ACCOUNT	PROJECT	FY 21-22 BUD	FY 22-23 EST

Section 02: If applicable, where will new revenues be estimated?

FUND	DEPTID	ACCOUNT	PROJECT	FY 21-22 BUD	FY 22-23 EST

Section 03: If applicable, where will appropriations be increased?

FUND	DEPTID	ACCOUNT	PROJECT	FY 21-22 BUD	FY 22-23 EST

NET IMPACT ON OPERATIONAL BUDGET

	-	-

RESERVE STATUS:

SECTION 04: FIVE-YEAR FISCAL IMPACT (Direct and indirect)

FUND	FUND NAME	FY 21-22	FY 22-23	FY 23-24	FY 24-25	FY 25-26	FY 26-27	All Outyears
TOTAL REV		-	-	-	-	-	-	-

FUND	FUND NAME	FY 21-22	FY 22-23	FY 23-24	FY 24-25	FY 25-26	FY 26-27	All Outyears
TOTAL EXP		-	-	-	-	-	-	-

NET Per-YEAR IMPACT		-	-	-	-	-	-	-
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NET IMPACT (SIX YEARS)		-
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REVIEWED BY	James Sturdevant	DATE	4/19/2022
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File #: 220366

ORDINANCE NO. 220366

Requiring all boards, commissions, and task forces to use the procurement processes set forth in Chapter 3 of the Code of Ordinances.

WHEREAS, there are a wide range of goods and services for which the City needs to procure in the course of doing business; and

WHEREAS, there are a variety of Boards, Commissions, and Task Forces established by the City Charter and the Code of Ordinances whom engage in work with City staff that may be supported by third-party consultants and service providers; and

WHEREAS, there are increased risks when procurement authority is diffused across many entities, including risk of wasteful uses of taxpayer resources and risks of improper uses of funds; and

WHEREAS, it is a good practice to ensure City contracts flow through and are accountable to City employees rather than volunteer Board appointees for continuous, responsible oversight of contracts; and

WHEREAS, Chapter 3 of the Code of Ordinances outlines City contracting processes, including the authority of the City Manager, the Manager of Procurement Services, and Directors in those processes; and

WHEREAS, the City Council desires to be good stewards of taxpayer resources, delivering the highest quality services as efficiently as possible; NOW, THEREFORE:

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. All boards, commissions, and task forces shall use the procurement processes set forth in Chapter 3 of the Code of Ordinances.

Section 2. The City Clerk shall immediately notify all boards, commissions, and task forces of this ordinance.

..end

Approved as to form and legality:

Jim Brady
Assistant City Attorney

**No Fact Sheet
for
Ordinance
220366**