City of Kansas City, Missouri

Docket Memo

Ordinance/Resolution #: 250509
Submitted Department/Preparer: Water
Revised 6/10/24

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

Executive Summary

Authorizing a $11,100,000.00 design professional services contract with Burns & McDonnell Engineering Company, Inc., for FY26 Smart Sewer Program Management Services; and authorizing one successive renewal option with further City Council approval; and recognizing this ordinance as having an accelerated effective date.

Discussion

Reason for Contract

The City of Kansas City, Missouri entered into a Consent Decree with the United States EPA to reduce the volume of overflows from the City's sewer system over a 30-year period. The City's Smart Sewer Program is currently in year 15 of a 30-year implementation period. This project will provide program management services to assist the City with continued implementation of its Smart Sewer Program

Project Description

The scope of services to be performed under this contract includes the following program management services:

- Program management and administration to provide oversight and direction for program activities, project controls, compliance reporting, sewer asset management and data management support services;
- Contract administration support services for the development and implementation of Smart Sewer Program projects;
- Design and construction administration support services, and project management services for the implementation of Smart Sewer Program projects;
- Public communications and outreach services to support the implementation of the Smart Sewer Program including development of informational content and collateral, public outreach activities, and strategic communications;
- Sewer collection system planning, performance assessment, and sewer rehabilitation support services, including sewer manhole condition inspections,

temporary flow monitoring, and modeling analyses for implementation of the Smart Sewer Program, and support of the City's Annual Sewer Rehabilitation program; and
- Green Infrastructure planning and implementation support services to reduce combined sewer overflows, improve the water quality of local streams, to integrate green infrastructure with grey structural overflow control measures and other City public capital improvement projects to optimize community benefits.

Under ordinance 210347, the Water Services Department exercised the option to renew its Design Professional Services Agreement with Burns & McDonnell Engineering Company, Inc. for the continuation of Overflow Control Program Management Services for renewals 4 - 7 of 9 one-year renewal options in accordance with RFQ/P solicitation for Design Professional Services under City Contract 1355 - Overflow Control Program Management (Ordinance No. 170375). This RFQ/P solicitation was for one year with nine (9) one-year options to renew at the sole discretion of the City. The City previously exercised renewal options 1 - 7 of 9 one-year renewals under City Contract Numbers 1538 (Ordinance No. 170375), 1597 (Ordinance No. 170375), 1597-3 (Ordinance No. 170375), 1635 (Ordinance No. 210347), 1635-1 (Ordinance No. 220314), 1635-2 (Ordinance No. 230518), and 1635-3 (Ordinance No. 240608).

Term
The term of the design professional contract will be 315 calendar days.

MBE/WBE Goals
Subcontracting goals on the original project were approved by the Human Relations Department (now known as the Civil Rights & Equal Opportunity Department) on April 5, 2021 with 15% MBE and 10% WBE goals.

With this design professional services agreement, the participation will also be 15% MBE and 10% WBE.

Solicitation
The Request for Proposals/Qualifications for this project was advertised in accordance with the City’s requirements. One proposal was received on December 29, 2016.

Consultant Selection/Subcontracting Participation
Burns & McDonnell Engineering Company, Inc. was selected for this project in accordance with Code of Ordinance Section 3-31(b)(1) Citywide selection with subcontracting participation of 15% MBE and 10% WBE.

A Citywide selection committee met on January 23, 2017 and consisted of the following individuals:

- Jermaine Reed, Councilperson for Council District 3
- Troy Schulte, City Manager
- Terry Leeds, Director of Water Services

Fiscal Impact

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

2. What is the funding source?
   FY26-8110-807769-610300-60810092 = $ 9,000,000.00
   Sewer Rev Bond Fund - AL-8193-807769-611040-81000920 = $ 300,000.00
   Sewer Rev Bond Fund - AL-8193-807769-611040-81000998 = $ 300,000.00
   Sewer Rev Bond Fund - AL-8193-807769-611040-81000756 = $ 300,000.00
   Sewer Rev Bond Fund - AL-8193-807769-611040-81001033 = $ 300,000.00
   Sewer Rev Bond Fund - AL-8193-807769-611040-81000975 = $ 300,000.00
   Sewer Rev Bond Fund - AL-8193-807769-611040-81000955 = $ 300,000.00
   Sewer Rev Bond Fund - AL-8193-807769-611040-81000990 = $ 300,000.00

3. How does the legislation affect the current fiscal year?
   Work on this project will begin in FY26. Invoices will be submitted by Design Professional on a monthly basis.

4. Does the legislation have a fiscal impact in future fiscal years? Please notate the difference between one-time and recurring costs.
   Funds encumbered in the current fiscal year will be disbursed over subsequent fiscal years, as necessary. Work on the project is anticipated to be complete within 315 calendar days from Notice to Proceed.

5. Does the legislation generate revenue, leverage outside funding, or deliver a return on investment?
   No

Office of Management and Budget Review
(OMB Staff will complete this section.)

1. This legislation is supported by the general fund. ☐ Yes ☒ No

2. This fund has a structural imbalance. ☐ Yes ☒ No

3. Account string has been verified/confirmed. ☒ Yes ☐ No

Additional Discussion (if needed)

Citywide Business Plan (CWBP) Impact

1. View the Adopted 2025-2029 Citywide Business Plan

2. Which CWBP goal is most impacted by this legislation?
   Infrastructure and Accessibility (Press tab after selecting.)

3. Which objectives are impacted by this legislation (select all that apply):

   ☐ Engage in thoughtful planning and redesign of existing road networks to ensure safety, access, and mobility of users of all ages and abilities.
   ☐ Enhance the City's connectivity, resiliency, and equity through a better-connected multi-modal transportation system for all users.
   ☐ Build on existing strengths while developing a comprehensive transportation plan for the future.
   ☒ Develop environmentally sustainable infrastructure strategies that improve quality of life and foster economic growth.
   ☒ Ensure adequate resources are provided for continued maintenance of existing infrastructure.
   ☐ Focus on delivery of safe connections to schools.

Prior Legislation

Ordinance No. 170375 was approved by City Council on July 8, 2017 authorizing a $12,962,000.00 Design Professional Services Contract with Burns & McDonnell Engineering Company, Inc., for the Smart Sewer Program Management Project; authorizing a maximum expenditure of $48,000,000.00; authorizing three successive renewal options without further City Council approval; and recognizing this ordinance as having an accelerated effective date.

Ordinance No. 210347 was approved by City Council on April 29, 2021 authorizing an $11,988,000.00 design professional services agreement with Burns & McDonnell Engineering Company, Inc., for the Smart Sewer Program Management Services Project; authorizing a maximum expenditure of $48,000,000.00; and authorizing three successive renewal options without further City Council approval.

Ordinance No. 220314 was approved by City Council on April 21, 2022 authorizing a $12,000,000.00 design professional services contract with Burns & McDonnell Engineering Company, Inc., for the Smart Sewer Program Management Services, Renewal No. 1 project; and establishing an effective date.

Ordinance No. 230518 was approved by City Council on June 22, 2023 authorizing a $12,000,000.00 design professional services contract with Burns & McDonnell Engineering Company, Inc., for FY24 Smart Sewer Program Management Services.

Ordinance No. 240608 was approved by City Council on July 25, 2024 authorizing a $12,000,000.00 design professional services contract with Burns & McDonnell Engineering Company, Inc., for FY25 Smart Sewer Program Management Services; and recognizing this ordinance as having an accelerated effective date.

Service Level Impacts

In 2010, the City of Kansas City, Missouri entered into a Consent Decree with the United States Environmental Protection Agency (EPA) to reduce the volume and frequency of overflows from the City's sewer system over a 25-year period. In March 2021, the Consent Decree was modified to include additional interim and revised final performance criteria and to extend its duration to 30 years. This project will provide program management services to assist the City with continued implementation of its Smart Sewer Program.

Other Impacts

1. What will be the potential health impacts to any affected groups?
   This project will provide program management services to assist the City in meeting the requirements of the Consent Decree to improve the performance, capacity, and reliability of the City's sewer system, thereby reducing sewer overflows, protecting public health, and improving water quality of local streams and rivers.

2. How have those groups been engaged and involved in the development of this ordinance?
   To engage affected groups, a public outreach plan is developed and executed for each Smart Sewer project. Outreach materials are developed to support public involvement, including public meetings with stakeholders. During the construction phase of each project, work progress updates are distributed to stakeholders via email and the City’s Smart Sewer website.

3. How does this legislation contribute to a sustainable Kansas City?
   This project helps promote environmental quality, social equity, and economic vitality.

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

5. Department staff certifies the submission of any application Affirmative Action Plans or Certificates of Compliance, Contractor Utilization Plans (CUPs), and Letters of Intent to Subcontract (LOIs) to CREO prior to, or simultaneously with, the legislation entry request in Legistar.

   Yes - I have submitted documents for CREO Review (Press tab after selecting)
   Please attach or copy and paste CREO's review.
   The Contractor Utilization Plan was submitted to CREO KC for review on June 18, 2025, and is pending approval.

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

   No

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