City of Kansas City, Missouri

Docket Memo

Ordinance/Resolution #: 250258
Submitted Department/Preparer: Water
Revised 6/10/24

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

Executive Summary

Authorizing a $6,980,000.00 construction contract with Kissick Construction Company, Inc., for the Relief Sewer: Dykes Branch Interceptor project; authorizing a maximum expenditure of $7,680,000.00; authorizing a $753,500.00 design professional services Amendment No. 1 to Contract No. 1659 with Lamp Rynearson, Inc., for the Relief Sewer: Dykes Branch Interceptor project for a total contract amount of $1,983,500.00; authorizing a cost-sharing Memorandum of Understanding with Johnson County Wastewater; and recognizing this ordinance as having an accelerated effective date.

Discussion

Reason for Contract

In 2010, the City of Kansas City, Missouri entered into a Consent Decree with the United States Environmental Protection Agency (EPA) to reduce the volume and frequency of overflows from the City's sewer system. The City's Smart Sewer Program is currently in year 14 of a 30-year implementation period. The purpose of this project is to increase the capacity of the wastewater collection system and reduce the volume of sewer overflows into local creeks, streams, and rivers.

Construction Contract Description

The scope of work to be provided under the construction contract includes installing approximately 5,400 linear feet of sanitary sewer ranging from 8-42" in diameter. This pipe will replace the existing interceptor sewer and increase capacity in the system to convey wet-weather flows, meeting the level of service required by the Consent Decree, and reducing the volume of sewer overflows into Dykes Branch creek and the Blue River.

Design Professional Services Project Description/Executed Contract Summary

City Council passed Ordinance No. 230369 on May 11, 2023, which authorized a $1,230,000.00 design professional services contract with Lamp Rynearson, Inc. for conceptual, preliminary, and final design of the Relief Sewer: Dykes Branch Interceptor project.

The proposed $753,500.00 Amendment No. 1 will provide construction phase services including project management and administration services, construction office and field support services, and resident project representative services.

Design Professional Services Contract Cost Summary

- Original Contract: $1,230,000.00
- Proposed Amendment No. 1: $753,500.00
- Total: $1,983,500.00

Memorandum of Understanding

Director of Water Services intends to execute a Memorandum of Understanding (MOU) with Johnson County Wastewater (JCW) related to the sharing of costs for the design and construction of the Dykes Branch Relief Sewer project that both Parties deem accurate and agree upon. The MOU intends to provide the approach for developing the cost-share arrangement for the Dykes Branch relief sewer project. The technical analysis has been reviewed and agreed upon by both parties. The cost share agreement is based on each party's share of the peak design flow contributions to the Relief Sewer segments.

Term

The term of the construction project will be 420 calendar days.

The term of the design professional services project will be 460 calendar days with this proposed Amendment No. 1. The overall term for this project will be 825 calendar days.

MBE/WBE Goals

CREO KC established goals of 10% MBE and 10% WBE on the construction project on October 2, 2024 as part of the Annual Goal Program.

CREO KC established goals of 11% MBE and 11% WBE on the design professional services project on August 11, 2022 as part of the Annual Goal Program.

Solicitation

The construction project was advertised in accordance with the City's requirements on January 14, 2025, and bids were opened on February 25, 2025, with two (2) bidders responding.

The design professional services project was originally advertised in accordance with the City's requirements on October 17, 2022. Three proposals were received on November 10, 2022.

Awardee/Subcontracting Participation
Kissick Construction Company, Inc. submitted the lowest, responsible, and responsive bid of $6,980,000.00 for the construction project, with subcontracting participation of 10% MBE and 10% WBE.

A city-wide selection committee met on February 27, 2023 and consisted of the following individuals:

- Andrea Bough, 6th District at Large Councilperson
- Morgan Holecek, Assistant City Manager
- Wes Minder, Director of Water Services

Lamp Rynearson, Inc. was recommended for this project on April 14, 2023 with a contract amount of $1,230,000.00, with subcontracting participation of 11% MBE and 11% WBE.

Other Bidders/Subcontracting Participation
SHEDIGS IT, LLC. was the other bidder on this project. They submitted a bid in the amount of $10,478,480.00 on the construction project, with subcontracting participation of 10% MBE and 10% WBE.

Other Proposals Received
Tetra Tech, Inc. and Veenstra & Kimm, Inc. were the other firms that submitted proposals on the design professional services project.

Estimated Opinion of Probable Construction Costs
The Engineer's Opinion of Probable Construction Cost was $8,966,800.00.

Design Professional Services Contract Amendment Description
City Council passed Ordinance No. 230369 on May 11, 2023, which authorized a $1,230,000.00 design professional services contract with Lamp Rynearson, Inc. for conceptual, preliminary, and final design of the Relief Sewer: Dykes Branch Interceptor project.

The proposed $753,500.00 Amendment No. 1 will provide construction phase services including project management and administration services, construction office and field support services, and resident project representative services.

Fiscal Impact

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

2. What is the funding source?
   Sewer Revenue Bond Series 2024A 8194: $ 7,680,000.00
   Sewer Fund 8110: $753,500.00
   Overflow Control Program

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

4. Does the legislation have a fiscal impact in future fiscal years? Please notate the difference between one-time and recurring costs.
   Funds encumbered in the current fiscal year will be disbursed over subsequent fiscal years as construction proceeds. Work on the project is anticipated to be complete within 420 calendar days after construction begins.

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

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

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

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

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

Additional Discussion (if needed)

Citywide Business Plan (CWBP) Impact

1. View the Adopted 2025-2029 Citywide Business Plan

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

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

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

Prior Legislation

City Council passed Ordinance No. 230369 on May 11, 2023, authorizing a $1,230,000.00 design professional services Contract Number 1659 with Lamp Rynearson, Inc. for conceptual, preliminary, and final design of the Relief Sewer: Dykes Branch Interceptor project.

Service Level Impacts

This relief sewer project will reduce the volume and frequency of sanitary sewer overflows and increase the water quality of the City's existing waterways.

Other Impacts

1. What will be the potential health impacts to any affected groups?
   The project will protect public health and the environment by restoring sewer conveyance capacity, increasing the service life of the existing sewer system, and improving the water quality of the City's waterways.

2. How have those groups been engaged and involved in the development of this ordinance?
   This project area is in a neighborhood that is primarily residential. A public meeting will be held at a suitable location so the construction team (contractor, design professional, and city representative) can meet with the residents to discuss the construction.

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

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

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

   Yes - I have submitted documents for CREO Review (Press tab after selecting)
   Please attach or copy and paste CREO's review.
   The Contractor Utilization Plan was submitted to CREO KC for review on March 4, 2025, and was approved March 11, 2025 with 10% MBE and 10% WBE participation.

   The original Contractor Utilization Plan for the design professional services project was originally submitted to the Human Relations Department for review on April 18, 2023, and was approved on April 19, 2023 with 11% MBE and 11% WBE participation.

   Subcontracting goals on the design professional services project will remain unchanged at 11% MBE and 11% WBE with this amendment.

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

   Yes(Press tab after selecting)
   List the three (3) lowest bidders in addition to the selected bidder.
   - Kissick Construction Company, Inc.
   - SHEDIGS IT, LLC

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