City of Kansas City, Missouri

Docket Memo

Ordinance/Resolution #: 250373
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 $2,195,500.00 construction contract with MegaKC Corporation, for the Green Infrastructure Project 1-1: Mill Creek Park-Package #1 - North Plaza project; authorizing a maximum expenditure of $2,415,000.00; authorizing a $1,750,000.00 design professional services Amendment No. 3 to Contract No. 1611 with HDR Engineering, Inc., for the Green Infrastructure Project 1-1: Mill Creek Park project for a total contract amount of $3,326,978.00; 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 contribute to a sustainable Kansas City by implementing Green Infrastructure to reduce typical year Combined Sewer Overflows (CSO) in the Brush Creek Basin. This project will improve water quality, reduce heat-island effect, and will add resiliency to the community's sewer system through integration of green infrastructure.

Construction Contract Description
The scope of work to be provided under the construction contract includes construction of decorative concrete paving, retaining walls, storm sewer and stormwater rock-lined open channel, stormwater pretreatment device, and pedestrian seating. This will be the first phase of the overall green infrastructure project with Phase 2 and Phase 3 to follow after completion of this first phase.

Term
The term of the construction project will be 180 calendar days.

The term of the design professional services project will be 785 additional calendar days with this proposed Amendment No. 3. The overall term for this project will be 2,261 calendar days.

MBE/WBE Goals
CREO KC established goals of 6% MBE and 6% WBE on the construction project on March 3, 2025.

CREO KC established goals of 15% MBE and 10% WBE on the design professional services project on August 8, 2020.

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

The design professional services project was originally advertised in accordance with the City's requirements on August 31, 2020. Through a City-wide selection process, three firms were shortlisted.

Awardee/Subcontracting Participation
MegaKC Corporation submitted the lowest, responsible, and responsive bid of $2,161,500.00, with subcontracting participation of 6% MBE and 6% WBE.

A city-wide selection committee met on February 5, 2021 and consisted of the following individuals for selection of the design professional firm:

- Ryana Parks-Shaw, 5th District Councilmember
- Earnest Rouse, Assistant City Manager, City Manager's Office
- Srini Vallabhaneni, Smart Sewer Officer, KC Water
- D. Matt Bond, Deputy Director, KC Water (Facilitator)

HDR Engineering Inc. was recommended for this project with a contract amount of $750,000.00, with subcontracting participation of 15% MBE and 10% WBE.

Other Proposals Received
Black & Veatch Engineering and Patti Banks d.b.a. Vireo were the other firms that were shortlisted on the design professional services project.

Estimated Opinion of Probable Construction Costs
The Engineer's Opinion of Probable Construction Cost was $2,457,000.00.

Design Professional Services Contract Amendment Description
City Council passed Ordinance No. 210341 on April 29, 2021, which authorized a $750,000.00 design professional services contract with HDR Engineering, Inc. for conceptual, preliminary, and final design of the Green Infrastructure Project 1-1: Mill Creek Park project.

The City executed a $75,000.00 Amendment No. 1 on May 3, 2023 with HDR Engineering, Inc., which authorized additional work related to lighting design, pedestrian access improvements, and changes to layout of the green infrastructure.

City Council passed Ordinance No. 240611 on July 25, 2024, which authorized a $751,978.00 Amendment No. 2 with HDR Engineering Inc., for value engineering services to reduce the overall cost of the project, design water transmission main relocation, and additional structural design to accommodate construction over an existing combined sewer.

The proposed $1,750,000.00 Amendment No. 3 will provide construction phase services for Phase 1 through Phase 3 and re-design services to incorporate value engineering recommendations for Phase 2 and Phase 3.

Design Professional Services Contract Cost Summary

- Original Contract: $750,000.00
- Amendment No. 1 $75,000.00
- Amendment No. 2 $751,978.00
- Proposed Amendment No. 3: $1,750,000.00
- Total: $3,326,978.00

Fiscal Impact

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

2. What is the funding source?
   AL-8194-807769-611060-81000955 = $2,415,000.00
   Sewer Revenue Bond Fund

   AL-8194-807769-611040-81000955 = $1,750,000.00
   Sewer Revenue Bond Fund

3. How does the legislation affect the current fiscal year?
   Work on this project will begin and finish in 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 Phase 1 of the project is anticipated to be completed within 180 calendar days from when work begins.

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

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

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

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

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

Additional Discussion (if needed)
Click or tap here to enter text.

Citywide Business Plan (CWBP) Impact

1. View the Adopted 2025-2029 Citywide Business Plan

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

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

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

☒ Ensure adequate resources are provided for continued maintenance of existing infrastructure.
☐ Focus on delivery of safe connections to schools.

Prior Legislation

City Council passed Ordinance No. 210341 on April 29, 2021, which authorized a $750,000.00 design professional services contract with HDR Engineering, Inc. for conceptual, preliminary, and final design of the Green Infrastructure Project 1-1: Mill Creek Park project.

City Council passed Ordinance No. 240611 on July 25, 2024, which authorized a $751,978.00 Amendment No. 2 with HDR Engineering Inc., for value engineering services to reduce overall cost of the project, design water transmission main relocation, and additional structural design to accommodate construction over an existing combined sewer; and

Service Level Impacts

This green infrastructure project will store separated stormwater and release it slowly into the combined sewer system. This will reduce combined sewer overflow volume released to Brush Creek and provide for additional capacity within the combined sewer system.

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 is located in Mill Creek Park, a popular and well-used park. The project area also includes some residential but is primarily near the Country Club Plaza, a high-profile shopping, dining, and business destination. A public meeting will be held at a suitable location so the construction team (contractor, design professional, and city representative) can meet with the stakeholders, businesses and residents to discuss the construction phase of the project. The construction phase communications will build on previous public engagement efforts related to this project, including a 2021 survey that received 96 responses, a virtual public meeting in 2021, and three stakeholder meetings with the Mill Creek Park Board to discuss priorities and needs for the park.

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 28, 2025, and was approved March 4, 2025 with 6% MBE and 6% WBE participation.

   Subcontracting goals on the design professional services project will remain unchanged at 15% MBE and 10% 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.
   - MegaKC Corporation

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