



Solicitation Waiver Kansas City Code Section 3-7

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DATE: July 2, 2024

TO: Mia Wilson, Senior Procurement Officer

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FROM: Kitty Steffens, Assistant to the City Manager

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SUBJECT: ARPA Riparian Restoration in the Blue River Watershed DNR-SW-3ECA807E763C

It is recommended that in accordance with Code Sec. 3-7(a)(1), the solicitation requirements of Code Sec. 3-3 be waived, and that approval be granted to enter into contracts with **Bridging the Gap**, the **Heartland Conservation Alliance**, the **Mid-America Regional Council**, and **Deep Roots KC** to provide both **habitat restoration and community education and outreach services**. The estimated total contract amount is **\$5,100,000.00**, including \$5,000,000.00 from the Missouri Department of Natural Resources and a \$100,000.00 match from the City.

The factors supporting this recommendation are as follows.

1. There exists a potential Major emergency or potential disaster as defined in section 2-85, Code of Ordinances. Continued flash flooding along the Blue River, particularly in District 3, is becoming increasingly common due to the rising impacts of climate change in our region. This constitutes a Major emergency as defined in section 2-85 of the Kansas City, MO Code of Ordinances when multiple City Departments must coordinate a combined response. This project seeks to address these issues by removing invasive plants along the Blue River and installing green infrastructure, seeding the area with native plants and trees, to prevent further erosion and flood-risk. These plantings will also help to address the heat island effect in Kansas City, MO that contributes to the rising heat-related deaths due to climate change.
2. Public solicitation would result in substantial increased cost for the City because due to the timing of the American Rescue Plan Act (ARPA) obligations, it is not likely that the City would be able to complete the public solicitation and required documentation and obligate the funds by the December 31, 2024, deadline. Therefore, the grant funds would be stripped of the City and this project would not be completed.
3. The proposed vendors listed above were partners in writing the grant and were explicitly named in the grant application as those that would be carrying out the work. While we are waiting on both this approval and final approval from the grant executor, the Missouri Department of Natural Resources, the proposed budget and scope of work for each grant partner is as follows:
 - a. **Bridging the Gap:** \$1,946,060 for public education and engagement; watershed tree planting; site-specific management plans and baseline assessments; riparian restoration work
 - b. **Heartland Conservation Alliance:** \$2,903,940 for restoration work including invasive species removal, native planting, and green infrastructure installation; public education and engagement; research and monitoring services
 - c. **Mid-America Regional Council:** \$300,000 for stormwater management policy development; in-person and virtual trainings

- d. **Deep Roots KC:** \$250,000 for community engagement; native plant garden training and installation; public outreach
- 4. Due to the timing and the nature of the work being proposed, as well as the grant itself, the executor of the grant, the Missouri Department of Natural Resources, has expressed their support of our use of a non-competitive procurement process for this particular grant/project.
- 5. Due to the nature of the work containing a large community engagement, education, and outreach component, it is important to work with organizations with relationships already established in the communities surrounding the Blue River. All the proposed vendors are local organizations that are well-connected and uniquely situated as local experts for work in these communities.
- 6. Finally, it is important to note that all the proposed vendors are not-for-profit organizations.

Approved:¹

DocuSigned by:

Darrell Everette, Chief Procurement Officer

7/12/2024
Date

CC: Department Director

¹ No contract awarded pursuant to this Sec. 3-7(a)(1) shall be amended or changed in a manner that would increase the city's maximum financial obligation by more than ten percent (10%) except upon the written approval of the city manager, nor shall a new contract be awarded to the same person or firm for the same project for which the original contract was awarded pursuant to such a waiver except upon public solicitation in compliance with Sec. 3-3 or a waiver granted pursuant to Section 3-35.