City of Kansas City, Missouri

Docket Memo

Ordinance/Resolution #: 250518
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 $3,000,000.00 Professional, Specialized or Technical Services contract with Ace Pipe Cleaning, Inc., for Renewal No. 3 for the City-Wide Sewer Cleaning, Closed Circuit Television (CCTV) Inspection, and Manhole Locating and Opening for Overflow Control Program Projects; and authorizing one successive renewal option with further City Council approval; 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. This project supports the City's efforts to reduce sewer overflows by obtaining condition assessments of the sanitary and combined sewer systems. Designated sewer lines will be cleaned and inspected using CCTV technology, with a focus on pipes under 48 inches in diameter. The data collected will inform future rehabilitation projects under the City's Smart Sewer Program and Annual Sewer Rehabilitation Program.

Contract Description

The scope of work provided under this contract entails sewer line cleaning, sewer line CCTV inspection, opening inoperable manhole covers, locating manholes currently not readily accessible, and clearing easements in wooded areas as necessary to gain access to manholes.

Ordinance No. 160311 approved the original Contract No. 1277 for $3,000,000.00, along with four optional renewals that did not require further City Council approval. The contract was structured as a unit price agreement, allowing various work items to be completed in support of its primary objective: obtaining sewer CCTV inspection data.

The City executed a $20,000.00 Amendment No. 1 on February 28, 2017 adding additional services to the contract.

The City executed a $280,000.00 Amendment No. 2 on November 22, 2017 adding additional services to the contract.

The City executed a no-cost Amendment No. 3 on July 13, 2018 adjusting the scope of services in the contract.

Actual costs under the first renewal (Contract No. 1277-1 totaling $3,300,000.00) were significantly lower than expected. This was primarily due to overestimated assumptions related to tree clearing for site access and heavy sewer cleaning. As a result, it took longer than anticipated to expend the funds allocated for Contract No. 1277-1.

The City executed a no-cost Amendment No. 1 to Renewal No. 1 on September 17, 2020 adding additional services to the contract.

In accordance with Section 3-43(a) of the City's Code of Ordinances, the Water Services Department returned to City Council to seek approval for Contract No. 1277-2 (totaling $1,500,000.00) and two additional renewal options with further City Council approval. This approval was granted through Ordinance No. 230228 on March 16, 2023.

The City executed a no-cost Amendment No. 1 to Renewal No. 2 on September 18, 2024 adding additional services to the contract.

Contract Cost Summary

Original Contract:	$3,000,000.00
Amendment No. 1:	$20,000.00
Amendment No. 2:	$280,000.00
Amendment No. 3:	$0.00
Renewal No. 1:	$3,300,000.00
Amendment No. 1:	$0.00
Renewal No. 2:	$1,500,000.00
Amendment No. 1:	$0.00
Proposed Renewal No. 3:	$3,000,000.00
Total:	$11,100,000.00

Term

The term of the project will be up to 730 calendar days. Ordinance No. 230228 was approved with a term for Renewal Nos. 2-4 for longer than the Code of Ordinance Sec. 3-43(a).

MBE/WBE Goals
The Human Relations Department (now called CREO KC) established goals of 15% MBE and 10% WBE on the Professional, Specialized or Technical Services contract on December 15, 2015.

CREO KC revised goals of 5% MBE and 20% WBE on the Professional, Specialized or Technical Services contract on June 4, 2025 with approval of a Request for Modification.

Solicitation
The Professional, Specialized, or Technical Services project was originally advertised in accordance with the City's requirements on January 20, 2016. Two proposals (Ace Pipe Cleaning, Inc. and Hydromax USA) were received on February 18, 2016.

Awardee/Subcontracting Participation
Ace Pipe Cleaning Inc. was selected as the lowest and best proposer, with subcontracting participation of 15% MBE and 10% WBE.

Other Proposers/Subcontracting Participation
Hydromax USA, Inc., was the other proposer on this project, however, they rescinded their proposal for Contract No. 1277 due to being selected for Contract No. 1276.

Fiscal Impact

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

2. What is the funding source?
   Sewer Fund - 26-8110-802080-619060= $3,000,000.00

3. How does the legislation affect the current fiscal year?
   Work on this project will begin in the current fiscal year and extend into FY27. Invoices will be submitted by the Contractor on a monthly basis after inspections begin.

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 730 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

Ordinance No. 160311 was approved by City Council on April 28, 2016 authorizing a $3,000,000.00 Professional, Specialized or Technical Services contract with Ace Pipe Cleaning, Inc.; authorizing a maximum expenditure of $3,300,000.00; and authorizing four successive renewal options without further City Council approval.

Ordinance No. 230228 was approved by City Council on March 16, 2025 authorizing a $1,500,000.00 Professional, Specialized or Technical Services contract with Ace Pipe

Cleaning, Inc. for Renewal No. 2; and authorizing two successive renewal options with further City Council approval.

Service Level Impacts

This project will improve the performance and reliability of the City's sewer systems, and provide asset condition assessment data to support future projects mandated by the Federal EPA Consent Decree.

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?
   N/A

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 original Contractor Utilization Plan was submitted to the Human Relations Department for review on April 21, 2016 and was approved April 25, 2016 with 15% MBE and 10% WBE participation.

   A Request for Modification was submitted to the Human Relations Department on June 22, 2016 and was approved on July 5, 2016 with 15% MBE and 10% WBE participation substituting one MBE subcontractor.

The Contractor Utilization Plan for Renewal No. 1 was submitted to the Human Relations Department for review on March 27, 2019 and was approved April 15, 2019 with 15% MBE and 10% WBE participation.

A Request for Modification for Renewal No. 2 was submitted to CREO KC on January 31, 2023 and was approved on February 10, 2023 with 15% MBE and 10% WBE participation.

A Request for Modification for Renewal No. 2 was submitted to CREO KC on May 22, 2025 and was approved on June 4, 2025 adjusting the subcontracting goals from 15% MBE and 10% WBE to 5% MBE and 20% WBE.

The memo for Renewal No. 3 was submitted to CREO KC for review on May 27, 2025 and was approved June 4, 2025 with 5% MBE and 20% WBE participation.

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

   No(Press tab after selecting)

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