

BOARD BILL NO. 197 INTRODUCED BY ALDERMAN FREEMAN BOSLEY

1 An Ordinance, recommended by the Board of Public Service of the City of St. Louis (the "Board
2 of Public Service"), establishing a public works project for the
3 Traffic Management Enhancements – Phase 2 involving the purchase and installation of
4 software and equipment upgrades to the City’s Traffic Operation Center located at the Street
5 Department on Hampton Avenue (the “Traffic Management Enhancement Project – Phase 2”);
6 authorizing and directing the City of St. Louis (the "City"), by and through its Board of Public
7 Service, to let contracts and provide for the design, construction, materials, and equipment for
8 the Traffic Management Enhancement Project – Phase 2; authorizing the Board of Public Service
9 to employ labor and consultants, pay salaries, fees and wages, as necessary for completion of the
10 Traffic Management Enhancement Project – Phase 2, and to enter into supplemental agreements
11 with the Missouri Highway and Transportation Commission, Federal Highway Administration,
12 utilities, railroads, and other governmental agencies as necessary for completion of the Traffic
13 Management Enhancement Project – Phase 2, all in accordance with the federal Transportation
14 Equity Act for the 21st Century (23 U.S.C. § 110, *et seq.*), these agreements may include, but are
15 not limited to, sections for: description of the work, material guarantees, estimated expenditure
16 allocations, fund reversion authorization, applicable federal and state wage rate requirements,
17 equal opportunity provisions, the Mayor’s Executive Orders, and contract advertising statutes;
18 requiring that all work provided for herein shall be carried out in accordance with detailed plans
19 and specifications adopted and approved by the Board of Public Service before bids are
20 advertised therefor; directing that all construction contracts let by authority of this Ordinance
21 provide for federal and state prevailing wage requirements, including prevailing wage holiday
22 and overtime pay, and compliance with all applicable statutes of the State of Missouri (Sections
23 290.210 through 290.340 of the Revised Statutes of Missouri 2000, as amended), the City
24 Charter, City ordinances, and the Revised Code of the City, as amended; requiring all
25 specifications approved by the Board of Public Service and contracts let by authority of this
26 Ordinance shall provide for: compliance with the Mayor’s Executive Orders on Equal

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1 Opportunity and maximum MBE/WBE/DBE utilization goals, except when superseded or
2 prohibited by federal or state law or regulation; requiring that all contractor's shall comply with
3 the provisions of Sections 285.525 through 285.555 of the Revised Statutes of Missouri 2000, as
4 amended, by requiring enrollment and participation in a federal work authorization program and
5 agreeing not to knowingly employ unauthorized aliens; requiring that all contractor's shall
6 comply with the provisions of Section 292.675 of the Revised Statutes of Missouri 2000, as
7 amended, by providing a ten-hour Occupational Safety and Health Administration construction
8 safety program for their on-site employees; requiring that all contractor's shall comply with the
9 provisions of Section 34.057 of the Revised Statutes of Missouri 2000, as amended, (Prompt
10 Payment/Retainage), as applicable; requiring the furnishing of a bond by every contractor on this
11 public works project pursuant to the provisions of Section 107.170 of the Revised Statutes of
12 Missouri 2000, as amended; requiring compliance with Section 34.353 of the Revised Statutes of
13 Missouri 2000, as amended (Domestic Product Procurement Act – Buy American); requiring all
14 advertisements for bids pursuant to this Ordinance be subject to the provisions of Section 8.250
15 of the Revised Statutes of Missouri 2000, as amended; appropriating the total estimated cost of
16 the Traffic Management Enhancement Project – Phase 2 of Seven Hundred Fifty Thousand
17 Dollars (\$750,000.00) from various sources including the Federal Highway Administration
18 Moving Ahead for Progress in the 21st Century (MAP-21), and the City Wide Account (Fund
19 1220); authorizing and directing the Comptroller of the City to draw warrants from time to time
20 and disburse funds appropriated by this Ordinance and to receive and disburse grant funds in
21 accordance with the Transportation Equity Act of the 21st Century (23 U.S.C. § 110, *et seq.*)
22 upon the signature and certification of vouchers by the President of the Board of Public Service;
23 and containing a public work emergency clause.

24 BE IT ORDAINED BY THE CITY OF ST. LOUIS AS FOLLOWS:

25 SECTION ONE. There is hereby authorized a public works and improvement project for the
26 Traffic Management Enhancement Project – Phase 2 involving the purchase and installation of
September , 2013

1 software and equipment upgrades to the City's Traffic Operation Center located at the Street
2 Department on Hampton Avenue (the "Traffic Management Enhancement Project – Phase 2").

3 SECTION TWO. The City of St. Louis (the "City"), by and through its Board of Public Service
4 (the "Board of Public Service"), is hereby authorized and directed to let contracts and provide for
5 the design, construction, materials, and equipment, for the Traffic Management Enhancement
6 Project – Phase 2, to employ labor and consultants, pay salaries, fees and wages, for the
7 completion of the Traffic Management Enhancement Project – Phase 2, to enter into
8 supplemental agreements with the Missouri Highway and Transportation Commission, Federal
9 Highway Administration, utilities, railroads, and other governmental agencies, all in accordance
10 with the federal Transportation Equity Act for the 21st Century (23 U.S.C. § 110, *et seq.*), these
11 agreements may include, but are not limited to, sections for: description of the work, material
12 guarantees, estimated expenditure allocations, fund reversion authorization, applicable federal
13 and state wage rate requirements, equal opportunity provisions, the Mayor's Executive Orders,
14 and contract advertising statutes.

15 SECTION THREE. The work provided for herein shall be carried out in accordance with
16 detailed plans and specifications to be adopted and approved by the Board of Public Service
17 before bids are advertised therefor.

18 SECTION FOUR. All construction contracts let under authority of this Ordinance shall provide
19 that no less than the prevailing hourly rate of wages in the City shall be paid, as determined in
20 accordance with the Federal Davis-Bacon Act and by the Department of Labor and Industrial
21 Relations of the State of Missouri (Sections 290.210 through 290.340 of the Revised Statutes of
22 Missouri 2000, as amended) for each craft or type of work needed in the actual labor on the jobs
23 herein authorized, as well as the general prevailing rate of pay for legal holidays and overtime
24 work shall be paid to all workers on the Traffic Management Enhancement Project – Phase 2.
25 All contracts let in connection with the construction provided for herein shall be subject to, and

1 in conformance with all applicable statutes of the State of Missouri, the City Charter, City
2 ordinances, and Revised Code of the City, as amended, including any applicable City codes,
3 rules and regulations. All contracts let in connection with the construction provided for herein
4 shall require contractor's enrollment and participation in a federal work authorization program
5 and an affirmation that contractor does not knowingly employ unauthorized alien employees
6 pursuant to Sections 285.525 through 285.555 of the Revised Statutes of Missouri 2000, as
7 amended, require contractor provide a ten-hour Occupational Safety and Health Administration
8 construction safety program for their on-site employees as required by the provisions of Section
9 292.675 of the Revised Statutes of Missouri 2000, as amended, as applicable, require the
10 contractor(s) to comply with the provisions of Section 34.057 of the Revised Statutes of Missouri
11 2000, as amended (Prompt Payment/Retainage), require the furnishing of a bond by every
12 contractor on this public works project pursuant to the provisions of Section 107.170 of the
13 Revised Statutes of Missouri 2000, as amended, and require contractor(s) to comply with Section
14 34.353 of the Revised Statutes of Missouri 2000, as amended (Domestic Product Procurement
15 Act – Buy American).

16 SECTION FIVE. All specifications approved by the Board of Public Service and contracts let
17 under the authority of this Ordinance shall provide for compliance with the Mayor's Executive
18 Orders on Equal Opportunity and maximum MBE/WBE/DBE utilization goals, except when
19 otherwise superseded or prohibited by federal or state law or regulation.

20 SECTION SIX. All advertisement for bids pursuant to this Ordinance shall be subject to Section
21 8.250 of the Revised Statutes of Missouri 2000, as amended.

22 SECTION SEVEN. The total estimated cost of the Traffic Management Enhancement Project –
23 Phase 2 is Seven Hundred Fifty Thousand Dollars (\$750,000.00) of which the federal share is
24 Six Hundred Thousand Dollars (\$600,000.00) from the Federal Highway Administration Moving
25 Ahead for Progress in the 21st Century (MAP-21) to be appropriated from the Federal Aid to

1 Urban Program Match Share Fund, also known as the Federal Aid to Urban Program Revolving
2 Fund, established by Ordinance 56931, and the remaining local match share is One Hundred
3 Fifty Thousand Dollars (\$150,000.00) to be appropriated from the City Wide Account (Fund
4 1220). Said improvements shall be contracted and executed in parts as funds are accrued in the
5 Match Share Fund and are adequate to pay the City's share of the cost.

6 SECTION EIGHT. The Comptroller of the City is hereby authorized and directed to draw
7 warrants from time to time and disburse funds appropriated by this Ordinance and is further
8 authorized and directed to receive and disburse grant funds in accordance with the
9 Transportation Equity Act of the 21st Century (23 U.S.C. § 110, *et seq.*), upon the signature and
10 certification of vouchers by the President of the Board of Public Service. Reimbursement funds
11 received shall be deposited into the Federal Aid to Urban Program Match Share Fund Ordinance
12 56931.

13 SECTION NINE. The Board of Public Service is hereby authorized to accept on behalf of the
14 City monetary donations from other governmental agencies and others to assist in paying for the
15 work authorized in this Ordinance. Funds received shall be deposited into the Traffic
16 Management Enhancement Project – Phase 2 Account.

17 SECTION TEN. This being an Ordinance providing for public work and improvement, it is
18 hereby declared to be an emergency measure as defined in Article IV, Sections 19 and 20 of the
19 City Charter and shall become effective immediately upon its passage and approval by the
20 Mayor of the City.

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