

Introduced by \_\_\_\_\_

First Reading \_\_\_\_\_

Second Reading \_\_\_\_\_

Ordinance No. \_\_\_\_\_

Council Bill No.         B 195-19        

**AN ORDINANCE**

determining it is in the public interest to construct a sidewalk along the east side of McKee Street between Orchard Lane and Nick Court; approving and adopting plans and specifications; determining that the work shall be done by contract; calling for bids through the Purchasing Division; providing for payment for the improvement; amending the FY 2019 Annual Budget by appropriating funds; authorizing the City Manager to obtain, execute and record all documents necessary for the improvement; providing for compliance with the prevailing wage law and state-mandated construction safety training; and fixing the time when this ordinance shall become effective.

WHEREAS, an interested parties meeting for the proposed construction of a sidewalk along the east side of McKee Street between Orchard Lane and Nick Court, was held by the Public Works Department on March 19, 2019; and

WHEREAS, the City Council adopted a resolution declaring the necessity for the proposed construction of the improvement project; and

WHEREAS, the notice of a public hearing on this project was published in a daily newspaper of general circulation in the city; and

WHEREAS, the City Council has held a public hearing on construction of the proposed improvement.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBIA, MISSOURI, AS FOLLOWS:

SECTION 1. The Council finds that the construction of a sidewalk along the east side of McKee Street between Orchard Lane and Nick Court in the City of Columbia, Missouri, is necessary for the welfare and improvement of the city and that it is in the public interest that such improvements be made. Specific improvements include the construction of approximately 1,230 linear feet of five-foot wide sidewalk with four-foot wide greenspace along the east side of McKee Street between Orchard Lane and Nick Court, reconstruction of several residential driveways, reconstruction of storm water side opening inlets, and the installation of ADA compliant sidewalk ramps at the Nick Court and Ria Street entrances.

SECTION 2. The plans and specifications for this improvement project, as prepared by the Director of Public Works, are hereby approved.

SECTION 3. The construction of the improvement project shall be done by contract in accordance with the plans and specifications, the laws of the State of Missouri, and the Charter and Ordinances of the City of Columbia, Missouri.

SECTION 4. The Purchasing Agent is hereby authorized to call for bids and execute a contract for the improvement project.

SECTION 5. Payment for this improvement project shall be made from Community Development Block Grant funds, capital improvement sales tax funds, and such other funds as may be lawfully appropriated.

SECTION 6. The FY 2019 Annual Budget adopted by Ordinance No. 023633 is amended by appropriating the sum of \$70,000.00 from the Old 63 & Stadium Traffic Island Project Account No. 44008830-604990, 00213 to the McKee Street Sidewalk Project Account No. 44008830-604990, 00712.

SECTION 7. The City Manager is authorized to obtain, execute and have recorded all licenses, easements, deeds and any other conveyances or instruments necessary for the City to complete this improvement.

SECTION 8. Pursuant to Section 290.250 RSMo., the contract for the improvement project shall provide that not less than the prevailing hourly rate of wages, as found by the Department of Labor and Industrial Relations of Missouri, shall be paid to all workers performing work under any contract in excess of \$75,000.00. The contractor's bond shall guarantee the faithful performance of the prevailing hourly wage clause in the contract. The City shall also cause to be inserted into the contract a stipulation that all laborers and mechanics employed by the contractor or subcontractors in the performance of work under the contract shall be paid wages at rates not less than those prevailing on similar construction in the locality as determined by the Secretary of Labor in accordance with the Davis-Bacon Act.

SECTION 9. Pursuant to Section 292.675 RSMo., the bid specifications and contract for the improvement shall provide that the contractor and any subcontractor shall provide a ten-hour Occupational Safety and Health Administration construction safety program (or a similar program approved by the Missouri Department of Labor and Industrial Relations) for all employees working on-site. All employees working on the site of the improvement are required to complete the safety program within 60 days of beginning work on the improvement project.

SECTION 10. This ordinance shall be in full force and effect from and after its passage.

PASSED this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

ATTEST:

\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
Mayor and Presiding Officer

APPROVED AS TO FORM:

\_\_\_\_\_  
City Counselor

CERTIFICATION: I certify there are sufficient funds available in the Old 63 & Stadium Traffic Island Project Account No. 44008830-604990, 00213 to cover the above appropriation.

\_\_\_\_\_  
Director of Finance