

Introduced by Buffaloe

First Reading 12-4-23

Second Reading 12-18-23

Ordinance No. 025543

Council Bill No. B 304-23

**AN ORDINANCE**

determining it is in the public interest to construct a playground, two (2) shelters, and natural surface hiking and biking trail in the Gans Creek Recreation Area; approving and adopting plans and specifications; determining that a portion of the work shall be done by contract; calling for bids through the Purchasing Division; authorizing the design and construction of the trail improvement using a design/build contract; authorizing a portion of the project may be done by city employees; providing for payment for the improvement; amending the FY 2024 Annual Budget by appropriating donated 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 playground, two (2) shelters, and natural surface hiking and biking trail in the Gans Creek Recreation Area was held by the Parks and Recreation Department on August 24, 2023 and additional citizen comments were collected via the BeHeard.CoMo.gov portal; 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 improvement 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 project.

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 playground, two (2) shelters, and natural surface hiking and biking trail in the Gans Creek Recreation Area, 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.

SECTION 2. The plans and specifications for the improvements, as prepared by the Director of Parks and Recreation, are hereby approved.

SECTION 3. A portion of the construction of the improvements 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 construction of a portion of the improvement project. The design and construction of the trail improvement shall be done using a design/build contract. As deemed advisable by the City Manager, city employees may be used to construct all other improvements.

SECTION 5. Payment for this proposed improvement shall be made from park sales tax funds (\$225,000.00), donations received from the Frank W. Morris Memorial Trust (\$125,000.00) and the Columbia Trail Association (\$30,000.00), and such other funds as may be lawfully appropriated.

SECTION 6. The FY 2024 Annual Budget adopted by Ordinance No. 025477 is amended by appropriating funds as set forth in "Exhibit A" attached hereto and made a part hereof.

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 project.

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.

SECTION 9. Pursuant to Section 292.675 RSMo., the bid specifications and contract for the improvement project 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 project 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 18th day of December, 2023.

ATTEST:

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

  
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Mayor and Presiding Officer

APPROVED AS TO FORM:

  
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City Counselor