

Introduced by _____

First Reading _____

Second Reading _____

Ordinance No. _____

Council Bill No. B 242-19

AN ORDINANCE

determining it is in the public interest to construct safety improvements to the Columbia Terminal Railroad (COLT) crossing at Route B to include the installation of new concrete crossing surface panels, ties, rail and related track materials, roadway approach pavement and pavement markings; 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; authorizing a supplemental agreement for highway/rail crossing improvements with the Missouri Highways and Transportation Commission; 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 safety improvements to the Columbia Terminal Railroad (COLT) crossing at Route B to include the installation of new concrete crossing surface panels, ties, rail and related track materials, roadway approach pavement and pavement markings was held by the City Utilities Department – Water and Light Division on July 8, 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 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 safety improvements to the Columbia Terminal Railroad (COLT) crossing at Route B to include the installation of new

concrete crossing surface panels, ties, rail and related track materials, roadway approach pavement and pavement markings, 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 this improvement project, as prepared by the Director of the City Utilities Department, 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 shall be made from reimbursement to be received from the Missouri Highways and Transportation Commission and such other funds as may be lawfully appropriated.

SECTION 6. The City Manager is hereby authorized to execute a supplemental agreement for highway/rail crossing improvements with the Missouri Highways and Transportation Commission. The form and content of the agreement shall be substantially 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.

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 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