

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

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

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

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

Council Bill No. B 155-19

**AN ORDINANCE**

determining it is in the public interest to construct the Hinkson Creek Trail improvement project, from Stephens Lake Park to Clark Lane; approving and adopting plans and specifications; determining that a portion of the work shall be done by contract; authorizing a contract for a portion of the work using a term and supply contractor; authorizing a portion of the improvement project may be done by city employees; providing for payment for the improvement; authorizing an agreement for professional engineering services with Crockett Engineering Consultants, L.L.C. for structural and civil engineering services; 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 the Hinkson Creek Trail improvement project, from Stephens Lake Park to Clark Lane, was held by the Parks and Recreation Department on October 25, 2018; 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 the Hinkson Creek Trail improvement project, from Stephens Lake Park to Clark Lane, 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 Parks and Recreation Department, are hereby approved.

SECTION 3. A portion of 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 execute a contract for a portion of the improvement project with a duly authorized term and supply contractor. As deemed advisable by the City Manager, city employees may be used to construct all other improvements.

SECTION 5. Payment for this improvement project shall be made from 2015 Park Sales Tax funds and such other funds as may be lawfully appropriated.

SECTION 6. The City Manager is hereby authorized to execute a professional engineering services agreement with Crockett Engineering Consultants, L.L.C. for structural and civil engineering services. 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