

Introduced by _____

First Reading _____

Second Reading _____

Ordinance No. _____

Council Bill No. B 142-22

AN ORDINANCE

determining it is in the public interest to construct the Clary-Shy Community Park - Agriculture Park - Phase II improvement project to include construction of the east and west sections of the MU Health Care Pavilion steel structure; approving and adopting plans and specifications; determining that the project shall be done by contract; calling for bids for the project through the Purchasing Division; providing for payment for the project; authorizing a financial assistance award agreement with the United States Department of Commerce – Economic Development Administration; amending the FY 2022 Annual Budget by appropriating funds; authorizing the City Manager to obtain, execute and record all documents necessary for the project; 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, interested parties meetings for the proposed construction of the Clary-Shy Community Park - Agriculture Park - Phase II improvement project to include construction of the east and west sections of the MU Health Care Pavilion steel structure were held by the Parks and Recreation Department on November 17, 2021 and November 23, 2021 and public comments from an online survey were collected from November 9, 2021 to November 23, 2021; and

WHEREAS, the City Council adopted a resolution declaring the necessity for 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 improvements.

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 Clary-Shy Community Park - Agriculture Park - Phase II improvement project to include construction of the east

and west sections of the MU Health Care Pavilion steel structure, 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. 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 the improvements.

SECTION 5. Payment for the improvements shall be made from grant funds received from the United States Department of Commerce – Economic Development Administration (80% of the project costs), the sale of tax credits provided by the Missouri Development Finance Board (20% local match), and such other funds as may be lawfully appropriated.

SECTION 6. The City Manager is hereby authorized to execute a financial assistance award agreement with the United States Department of Commerce – Economic Development Administration. The form and content of the agreement shall be substantially in the same form as set forth in "Exhibit A" attached hereto.

SECTION 7. The FY 2022 Annual Budget adopted by Ordinance No. 024752 is amended by appropriating the sum of \$1,280,272.00 from the Clary-Shy Phase II Improvements Federal Revenue Account No. 5521-461000, RS104 and the sum of \$320,068.00 from the Clary-Shy Phase II Improvements State Revenue Account No. 5521-462000, RS104 to the Clary-Shy Phase II Improvements Miscellaneous Contractual Account No. 55215588-604990, RS104.

SECTION 8. 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 9. 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 10. Pursuant to Section 292.675 RSMo., the bid specifications and contract for the improvements 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 improvements are required to complete the safety program within 60 days of beginning work on the improvement project.

SECTION 11. This ordinance shall be in full force and effect from and after its passage.

PASSED this _____ day of _____, 2022.

ATTEST:

City Clerk

Mayor and Presiding Officer

APPROVED AS TO FORM:

City Counselor

CERTIFICATION: I certify there are sufficient funds available in the Clary-Shy Phase II Improvements Federal Revenue Account No. 5521-461000, RS104 and the Clary-Shy Phase II Improvements State Revenue Account No. 5521-462000, RS104 to cover the above appropriation.

Director of Finance