

ORDINANCE NO. 100556

Authorizing the Director of Public Works to enter into and execute an agreement with Black & McDonald, not to exceed \$4,477,832.00; reducing and appropriating \$200,000.00 from the General Fund; estimating revenue in the Motor Fuel Tax Fund; appropriating \$200,000.00 to the Street Lighting account; estimating and appropriating revenue in the amount of \$766,552.00; authorizing the Director of Public Works to expend \$4,477,832.00 for the project and to execute change orders; designating requisitioning authority; and recognizing an emergency.

WHEREAS, Ordinance No. 070455 authorized the City to enter into a one-year contract with four one-year renewals to provide street light repair and maintenance services for fiscal year 2007-08; and

WHEREAS, Ordinance No. 080356 authorized City to enter into the first of its four renewals to provide street light repair and maintenance services for fiscal year 2008-09; and

WHEREAS, Ordinance No. 090458 authorized City to enter into the second of its four renewals to provide street light repair and maintenance services for fiscal year 2009-10; and

WHEREAS, City experienced extensive cable theft from the street lighting system in fiscal year 2008-09, requiring it to incur additional costs to replace a large quantity of stolen wiring, and also experienced additional costs due to repair and replacement of special lighting equipment in areas such as parkways and special business districts, none of which were funded by Ordinance No. 080356; and

WHEREAS, this ordinance is required for purposes of meeting City's obligations under the existing contract and authorizing the Director of Public Works to execute the third of the City's four renewals for the purpose of providing street light repair and maintenance for fiscal year 2010-11; and

WHEREAS, street light repair and maintenance is a vital City function in that it provides security and safety for City's residents; and

WHEREAS, it is necessary that this ordinance be authorized so that City is prepared to continue responding to outages, malfunctions, pole knock-downs and other safety issues without any interruption or delay; NOW, THEREFORE,

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That the Director of Public Works is authorized to enter into and execute, on behalf of City, a \$4,477,832.00 one-year renewal of the contract with Black and McDonald, for streetlight repair and maintenance in all Council Districts for Project No. 89007560, covering the period of May 1, 2010 through April 30, 2011.

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Section 2. That the appropriation in the following account of the General Fund is reduced by the following amount:

11-1000-179990-619960 Contingent Appropriation \$200,000.00

Section 3. That \$200,000.00 is appropriated from the Unappropriated Fund Balance of the General Fund to the following account:

11-1000-129998-902060 Transfer to the Motor Fuel Tax Fund \$200,000.00

Section 4. That revenue in the following account of the Motor Fuel Tax Fund is estimated in the following amount:

11-2060-120000-501000 Transfer from the General Fund \$200,000.00

Section 5. That \$200,000.00 is appropriated from the Unappropriated Fund Balance of the Motor Fuel Tax Fund to the following account:

11-2060-897703-616320 Street Lighting \$200,000.00

Section 6. That the revenue in the following account of the Public Works Reimbursable Services Fund is hereby estimated in the following amount:

11-1140-891950-485450 Reimbursable Services \$766,552.00

Section 7. That the sum of \$766,552.00 is appropriated from the Unappropriated Fund Balance of the Public Works Reimbursable Services Fund to the following account:

11-1140-891950-B Reimbursable Services \$766,552.00

Section 8. That the Director of Public Works is authorized to expend the sum of \$4,477,832.00 from funds previously appropriated to the following accounts:

11-2060-897703-B-89007560	Street Lighting	\$3,211,280.00
11-3090-897703-B-89007560	Street Lighting	500,000.00
11-1140-891950-B	Reimbursable Services	<u>766,552.00</u>
		\$4,477,832.00

Section 9. That the Director of Public Works is hereby authorized to execute change orders to the contract to provide for additional incidental and related street lighting, to respond to requests from other departments subject to the limitation of appropriated funds and the City Manager's approval, and to charge these costs to the appropriate account.

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Section 10. That the Director of Public Works is designated requisitioning authority for Account No. 11-1140-891950.

Section 11. That this ordinance, appropriating money and relating to the design, repair, maintenance or construction of a public improvement, is recognized as an emergency measure within the provisions of Section 503 of the City Charter and shall take effect in accordance with that section.

I hereby certify that there is a balance, otherwise unencumbered, to the credit of the appropriation to which the foregoing expenditure is to be charged, and a cash balance, otherwise unencumbered, in the treasury, to the credit of the fund from which payment is to be made, each sufficient to meet the obligation hereby incurred.

Randall J. Landes
Director of Finance

Approved as to form and legality:

Brian T. Rabineau
Assistant City Attorney