

RESOLUTION NO. 130700

Directing the City Manager to develop and present to the City Council proposed legislation regarding the use of traditional and alternative construction delivery methods.

WHEREAS, Chapter 3 of the Code of Ordinances authorizes the City Manager to utilize alternative construction delivery methods for City projects; and

WHEREAS, the City's contracting processes must be transparent, clear, and fair to the contracting community and should be carefully and fully evaluated to meet the needs of the City in the best interest of the taxpayers; and

WHEREAS, in order to provide the taxpayers of the City the highest benefit from the selection of a contracting method, adequate public involvement should be part of the process the City Manager develops regarding the use of alternative construction delivery methods; and

WHEREAS, the public can provide valuable input and feedback to improve contracting processes in the City; and

WHEREAS, in order to facilitate the final decision making by the City Council in the award of construction contracts the City Council should be given meaningful opportunity to provide input and feedback regarding the procurement processes; and

WHEREAS, to efficiently and effectively perform its legislative functions the City Council must be fully and accurately informed of staff recommendations; and

WHEREAS, the City Council's understanding of the City's procurement and selection processes for large and complex construction projects is fundamental to meet the infrastructure needs of the City; and

WHEREAS, it is in the best interests of the City to have a process where the City Council is made aware of important decisions by City staff regarding contractor selection processes for large construction projects; NOW, THEREFORE,

BE IT RESOLVED BY THE COUNCIL OF KANSAS CITY:

Section 1. That the City Manager is hereby directed to develop and present to the City Council for its consideration proposed legislation to be incorporated into Chapter 3 of the Code of Ordinances regarding the use of traditional and alternative construction delivery methods consistent with the policy guidelines of this Resolution.

Section 2. That such proposed legislation shall apply only to construction delivery methods used to award contracts that require City Council authorization according to Chapter 3.

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Section 3. That such proposed legislation shall require that the use of alternative construction delivery methods for a City construction project must be consistent with the following policy guidelines:

- A. The formal establishment and adoption of a particular alternative construction delivery method including solicitation, selection, and award processes shall be subject to a period of public comment and feedback;
- B. The public comment period shall be no less than 30 days;
- C. The City Manager shall use reasonable and customary methods to notify the general public of such comment period;
- D. After the end of the public comment period, the City Manager shall review the public comments for possible implementation into any proposed solicitation, selection, and award processes;
- E. The City Manager shall submit a final proposal and recommendations to the City Council for its consideration;
- F. The City Manager's proposal shall include a report with the findings and recommendations obtained through this public outreach; and
- G. The City Council must approve the use of the proposed alternative construction delivery method.

Section 4. That any proposed legislation should also include the following:

- A. A process whereby the City Manager is required to notify the City Council of the project as well as the specific construction delivery method recommended by staff for contracts requiring City Council approval; and
 - B. The City Manager's notification to the City Council should take place at least 14 days prior to the start of the bidding or solicitation process.
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