



INDEPENDENCE

★ MISSOURI ★

A GREAT AMERICAN STORY

DATE: December 28, 2022
TO: Honorable Mayor Weir
Members of the City Council
CC: Lisa Reynolds, Director, Municipal Services
Bryan Kidney, Director, Finance and Administration
Zach Walker, City Manager
FROM: Adam Norris, Deputy City Manager
SUBJECT: 40 Hwy Complete Streets Contract Selection

At the December 20, 2021 City Council Meeting, the City Council rejected the contract award to VF Anderson for the 40 Hwy Complete Streets project and directed staff to pursue a scored method to award the project.

Municipal Services staff has been in contact with representatives at MoDot to determine what steps must be followed to meet the funding requirements as well as the intent of the City Council. MoDot has informed staff that Federal aid contracts, such as this, must be awarded only on the basis of the lowest responsive, responsible bid. Doing otherwise may result in forfeiting the federal funds for this project.

As noted in the December 20, 2021 Agenda Information Sheet, a total of six bids were received for this project, all of which were certified as responsive. Further, as explained during the December 20 City Council meeting, there are timing requirements associated with this project. MoDot has indicated that no time extensions will be granted beyond the February 28, 2022 deadline. If the City Council wishes to reject the bid from VF Anderson and award the contract to the next lowest responsive bidder, a request must be made to MoDot as well as the justification for rejecting the lowest responsive bid. The request is subject to the review and approval of MoDot.

During discussion on this item at the December 20 City Council Meeting, there were comments regarding the waiving of the purchasing policy that requires the Management Analyst to review the contract before award. As a reminder, the Charter requires the position but not the Management Analyst's specific duty to review contracts. This duty was established by City Council Resolution and therefore the Council has the ability to waive these duties. To award this contract, waiving this provision would be necessary due to the vacancy in the Management Analyst position since the retirement of the prior Management Analyst in June 2021. In the future, as an alternative to waiving the purchasing policy, the Council could outsource the specific duty to a firm for review. If the Council wishes, staff could recommend multiple firms that could perform these types of services.