

RESOLUTION NO. 170635, AS AMENDED

Directing the City Manager to disclose publicly, as soon as reasonably possible but no later than noon of the next business day after receipt by the City, all information received from proposers to the “Request for Qualifications/Proposals for Design, Construct and Private Financing of KCI – Request Number 062017” (“RFQ/P”) in response to questions submitted by the RFQ/P selection committee on August 15, 2017 and any questions submitted by the selection committee thereafter, but to withhold portions of additional proposer information that contains proprietary and confidential information as designated by proposers pursuant to RFQ/P instructions, and all other information proposers decline to disclose publicly.

WHEREAS, on May 30, 2017, the City issued a “Request for Qualifications/Proposals for Design, Construct and Private Financing of KCI – Request Number 062017” (the “RFQ/P”) in connection with the design, build, and financing arrangements for the proposed terminal modernization project and has issued one addendum to that RFQ/P; and

WHEREAS, the Sunshine Law, R.S.Mo. §§ 610.010 to – 610.225 and Public Records Act, R.S.Mo. § 109.180 and the Code of Municipal Ordinances provide that public records should be made available to the public with limited permissive, but not mandatory exceptions; and

WHEREAS, it is the stated and long-understood policy of Kansas City, Missouri that its meetings, records, votes, actions, and deliberations are open to the public unless otherwise provided by law and that disclosure provisions shall be liberally construed and any exceptions allowed by law shall be strictly construed to promote City policy favoring public disclosure; and

WHEREAS, the RFQ/P expressly discusses in Sections 16 and 17 that while certain proprietary and confidential information from proposers would be withheld from public circulation, other non-confidential information could be publicly disclosed in the public interest; and

WHEREAS, any harm to proposers or process is mitigated by the fact that all RFQ/P proposers have communicated publicly through the issuance of statements and comments to the news media and a majority proposers publicly have released documents that proposers purport are substantial portions or the entirety of their proposals; and

WHEREAS, the Council believes that in support of the RFQ/P process, in light of significant public interest in the future of KCI, and good governance principles, the regional flying public is entitled to the release of the greatest possible amount of information about the KCI terminal modernization project, while also safeguarding proprietary and confidential information as the RFQ/P provides and permitting proposers to decline public disclosure; and

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WHEREAS, the Council endeavors to provide the greatest possible amount of information to the regional flying public while also protecting trade secrets, proprietary business records of proposing firms, and competition; NOW, THEREFORE,

BE IT RESOLVED BY THE COUNCIL OF KANSAS CITY:

That the City Manager is hereby directed to disclose publicly, as soon as reasonably possible but no later than noon of the next business day after receipt by the City, all information received from proposers to the “Request for Qualifications/Proposals for Design, Construct and Private Financing of KCI –Request Number 062017” (“RFQ/P”) in response to questions submitted by the RFQ/P selection committee on August 15, 2017 and any questions submitted by the selection committee thereafter, but to withhold portions of additional proposer information that contains proprietary and confidential information as designated by proposers pursuant to RFQ/P instructions, and all other information proposers decline to disclose publicly.
