



# CONTRACTOR UTILIZATION PLAN/REQUEST FOR WAIVER

Project Number 81000834 / 1528

Project Title I/I Reduction: Birmingham Area 3

(Department Project)

Department

Kissick Construction  
(Bidder/Proposer)

STATE OF Missouri

COUNTY OF Jackson )<sup>ss</sup>

I, Lloyd J Kissick, of lawful age and upon my oath state as follows:

1. This Affidavit is made for the purpose of complying with the provisions of the MBE/WBE submittal requirements on the above project and the MBE/WBE Program and is given on behalf of the Bidder/Proposer listed below. It sets out the Bidder/Proposer's plan to utilize MBE and/or WBE contractors on the project.
2. The project target goals are 10 % MBE and 10 % WBE.
3. Bidder/Proposer assures that it will utilize a minimum of the following percentages of MBE/WBE participation in the above project:

**BIDDER/PROPOSER PARTICIPATION:** 11 % MBE 10 % WBE

**POST-BID/POST-RFP ESTIMATED BUDGET:** \$ 3,824,431.00

4. The following are the M/WBE subcontractors whose utilization Bidder/Proposer warrants will meet or exceed the above-listed Bidder/Proposer Participation. Bidder/Proposer warrants that it will utilize the M/WBE subcontractors to provide the goods/services described in the applicable Letter(s) of Intent to Subcontract, copies of which shall collectively be deemed incorporated herein). (*All firms must currently be certified by Kansas City, Missouri*)

Name of M/WBE Firm Shedgisi LLC  
 Address SE Central Drive Blue Springs Mo  
 Telephone No. 816 2951100  
 I.R.S. No. 45-542008



Name of M/WBE Firm Rising Construction LLC  
 Address 1206 NW Baytree Dr Gran Valley MO 64029  
 Telephone No. 816 667 9380  
 I.R.S. No. 83-2489380

Name of M/WBE Firm A-1 Concrete Solutions LLC  
 Address 1963 Gaslight Drive Harrisonville mo 64701  
 Telephone No. 816 793 0055  
 I.R.S. No. \_\_\_\_\_

Name of M/WBE Firm EJ + Sons Construction  
 Address 2910 Norton Kansas City MO 64130  
 Telephone No. 47-9117083 KK 816 564 3599  
 I.R.S. No. 47-4117083

Name of M/WBE Firm \_\_\_\_\_  
 Address \_\_\_\_\_  
 Telephone No. \_\_\_\_\_  
 I.R.S. No. \_\_\_\_\_

Name of M/WBE Firm \_\_\_\_\_  
 Address \_\_\_\_\_  
 Telephone No. \_\_\_\_\_  
 I.R.S. No. \_\_\_\_\_

(List additional M/WBEs, if any, on additional page and attach to this form)

4. The following is a breakdown of the percentage of the total contract amount that Bidder/Proposer agrees to pay to each listed M/WBE:

**MBE/WBE BREAKDOWN SHEET**

**MBE FIRMS:**

Name of MBE Firm	Supplier/Broker/Contractor	Subcontract Amount*	Weighted Value**	% of Total Contract
<del>Shedigs it</del>				
<del>Rising</del>				
<u>A1 Concrete</u>	<u>Contractor</u>			<u>3.8</u>
<u>EJ + Sons</u>	<u>Contractor</u>			<u>6.2</u>



TOTAL MBE \$ / TOTAL MBE %:

\$ 385,000

10 %

**WBE FIRMS:**

Name of WBE Firm	Supplier/Broker/Contractor	Subcontract Amount*	Weighted Value**	% of Total Contract
<u>Rising</u>	<u>Contractor</u>			<u>1.37.</u>
<u>Sheddig's it</u>	<u>Contractor</u>			<u>10.07.</u>

TOTAL WBE \$ / TOTAL WBE %:

\$ 435,000

11.3 %

\*"Subcontract Amount" refers to the dollar amount that Bidder/Proposer has agreed to pay each M/WBE subcontractor as of the date of contracting and is indicated here solely for the purpose of calculating the percentage that this sum represents in proportion to the total contract amount. Any contract amendments and/or change orders changing the total contract amount may alter the amount due an M/WBE under their subcontract for purposes of meeting or exceeding the Bidder/Proposer participation.

\*\*"Weighted Value" means the portion of the subcontract amount that will be credited towards meeting the Bidder/Proposer participation. See CREO KC Forms and Instructions for allowable credit and special instructions for suppliers.

5. Bidder/Proposer acknowledges that the monetary amount to be paid each listed M/WBE for their work, and which is approved herein, is an amount corresponding to the percentage of the total contract amount allocable to each listed M/WBE as calculated in the MBE/WBE Breakdown Sheet. Bidder/Proposer further acknowledges that this amount may be higher than the subcontract amount listed therein as change orders and/or amendments changing the total contract amount may correspondingly increase the amount of compensation due an M/WBE for purposes of meeting or exceeding the Bidder/Proposer participation





6. Bidder/Proposer acknowledges that it is responsible for considering the effect that any change orders and/or amendments changing the total contract amount may have on its ability to meet or exceed the Bidder/Proposer participation. Bidder/Proposer further acknowledges that it is responsible for submitting a Request for Modification or Substitution if it will be unable to meet or exceed the Bidder/Proposer participation set forth herein.
7. If Bidder/Proposer has not achieved both the M/WBE goal(s) set for this Project, Bidder/Proposer hereby requests a waiver of the MBE and/or WBE goal(s) that Bidder/Proposer has failed to achieve
8. Bidder/Proposer will present documentation of its good faith efforts, a narrative summary detailing its efforts and the reasons its efforts were unsuccessful when requested by the City.
9. I hereby certify that I am authorized to make this Affidavit on behalf of the Bidder/Proposer named below and who shall abide by the terms set forth herein:

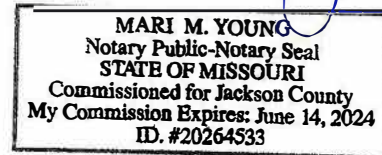
Bidder/Proposer primary contact: Kissick Construction / Lloyd Kissick  
 Address: 8131 Indiana Avenue  
Kansas City mo 64132  
 Phone Number: 216 363 5536  
 Facsimile number: 816 523 1557  
 E-mail Address: L.KISSICK@KISSICKCO.COM

By: [Signature]  
 Title: Vice President  
 Date: 11/16/23  
 (Attach corporate seal if applicable)



Subscribed and sworn to before me this 16th day of November, 2023.

My Commission Expires: 6/14/24 Mari M. Young  
 Notary Public





# LETTER OF INTENT TO SUBCONTRACT

Check one:

Original LOI:

Updated LOI:

Project Name/Title I/I Reduction Birmingham 3

Project Location/Number 81000 834 / 1528

**PART I:** Prime Contractor Kissick Construction agrees to enter into a contractual agreement with M/W/DBE Subcontractor Art Concrete Solutions LLC who will provide the following goods/services in connection with the above-reference contract: [Insert a brief narrative describing goods/services to be provided. Broad Categorizations (e.g., "electrical," "plumbing," etc.) or the listing of NAICS Codes in which M/W/DBE Subcontractor is certified are insufficient and may result in denial of this Letter of Intent to Subcontract.]

Pour and Place Concrete Paving and Curb

for an estimated amount of \$ \_\_\_\_\_ (or 3.8 % of the total estimated contract value.) M/WBE Vendor

- type:  Subcontractor/manufacturer (counts as 100% of contract value towards goals)
- Supplier (counts as 60% of the total dollar amount paid or to be paid by a prime contractor for supplies or goods towards goals)
- Broker (counts as 10% of the total dollar amount paid or to be paid by a prime contractor for supplies or goods towards goals)

M/W/DBE Subcontractor is, to the best of Prime Contractor's knowledge, currently certified with the City of Kansas City's Civil Rights & Equal Opportunity Department to perform in the capacities indicated herein. Prime Contractor agrees to utilize M/W/DBE Subcontractor in the capacities indicated herein, and M/W/DBE Subcontractor agrees to work on the above-referenced contract in the capacities indicated herein, contingent upon award of the contract to Prime Contractor.

**PART 2:** This section is to be completed by the M/W/DBE subcontractor listed above. Please attach additional sheets as needed for more than one intended sub-tier contract. **IMPORTANT: Falsification of this document will result in denial and other remedies available under City Code.**

- Select one:  The M/W/DBE Subcontractor listed above **IS NOT** subcontracting any portions of the above-stated scope of work(s). (Continue to Part 3.)
- The M/W/DBE Subcontractor listed above **IS** subcontracting certain portions of the above stated scope of work(s) to:

(1) Company name: Art Concrete Solutions

Full address: 1903 Gaslight Dr. Harrisonville, Mo 64701

Street number and name

City, State and Zip Code

Primary contact: Nicole McGoun 650 227 1155 816 793 0065

Name

Phone

a) This subcontractor is (select one):  MBE  WBE  DBE  N/A

i: If this subcontractor is an M/W/DBE certified with the City of Kansas City, Missouri, a separate Letter of Intent must be attached to this document.

ii. If this subcontractor is NOT a certified M/W/DBE certified with the City of Kansas City, Missouri, the firm must still be listed for reporting purposes but a Letter of Intent is not required.

b) Scope of work to be performed: Pour & Place Paving & Curb

c) The dollar value of this agreement is: +



**PART 3:**

**NOTE: SIGNATURES AND NOTARIZATIONS REQUIRED FOR NEW LETTERS OF INTENT (LOI);  
SIGNATURES ONLY FOR UPDATED LOI (ADDING VALUE TO EXISTING CONTRACT).**

PRIME CONTRACTOR BUSINESS NAME: Kissick Construction

[Signature]  
Signature: Prime Contractor

Lloyd J Kissick  
Print Name

Vice President  
Title

11/15/23  
Date

State of Missouri )

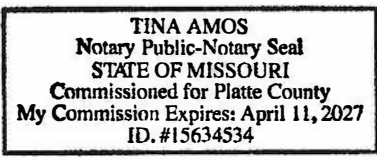
County of Jackson )

I, Tina Amos, state that the above and foregoing is based on my best knowledge and belief.

Subscribed and sworn to before me, a notary public, on this 15 day of Nov., 2023

My Commission Expires: April 11, 2027 [Signature]  
Notary Public

STAMP:



MWDBE SUBCONTRACTOR BUSINESS NAME: A1 Concrete Solutions, LLC

Nicole McCoun  
Signature: Subcontractor

Nicole McCoun  
Print Name

President/Owner  
Title

11.15.2023  
Date

State of Missouri )

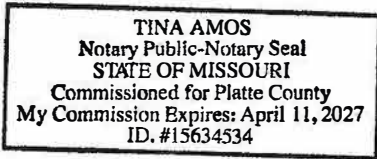
County of Jackson )

I, Tina Amos, state that the above and foregoing is based on my best knowledge and belief.

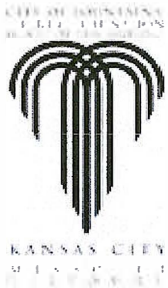
Subscribed and sworn to before me, a notary public, on this 15 day of Nov., 2023

My Commission Expires: April 11, 2027 [Signature]  
Notary Public

STAMP:







# LETTER OF INTENT TO SUBCONTRACT

Check one:

Original LOI:

Updated LOI:

Project Name/Title T/I Reduction Birmingham 3

Project Location/Number 81000834 1 1528

**PART 1:** Prime Contractor Kissick Construction agrees to enter into a contractual agreement with M/W/DBE Subcontractor EJ & Sons Construction who will provide the following goods/services in connection with the above-reference contract: [Insert a brief narrative describing goods/services to be provided. Broad Categorizations (e.g., "electrical," "plumbing," etc.) or the listing of NAICS Codes in which M/W/DBE Subcontractor is certified are insufficient and may result in denial of this Letter of Intent to Subcontract.]

Hauling off spoils from trench excavation to an offsite location, Asphalt Paving Replacement

for an estimated amount of \$ \_\_\_\_\_ (or 6.2 % of the total estimated contract value.)

- M/WBE Vendor type:
- Subcontractor/manufacturer (counts as 100% of contract value towards goals)
  - Supplier (counts as 60% of the total dollar amount paid or to be paid by a prime contractor for supplies or goods towards goals)
  - Broker (counts as 10% of the total dollar amount paid or to be paid by a prime contractor for supplies or goods towards goals)

M/W/DBE Subcontractor is, to the best of Prime Contractor's knowledge, currently certified with the City of Kansas City's Civil Rights & Equal Opportunity Department to perform in the capacities indicated herein. Prime Contractor agrees to utilize M/W/DBE Subcontractor in the capacities indicated herein, and M/W/DBE Subcontractor agrees to work on the above-referenced contract in the capacities indicated herein, contingent upon award of the contract to Prime Contractor.

**PART 2:** This section is to be completed by the M/W/DBE subcontractor listed above. Please attach additional sheets as needed for more than one intended sub-tier contract. **IMPORTANT: Falsification of this document will result in denial and other remedies available under City Code.**

- Select one:
- The M/W/DBE Subcontractor listed above **IS NOT** subcontracting any portions of the above-stated scope of work(s). (Continue to Part 3.)
  - The M/W/DBE Subcontractor listed above **IS** subcontracting certain portions of the above stated scope of work(s) to:

(1) Company name: EJ & Sons Construction

Full address: 390 Norton Kansas City MO 64130  
Street number and name City, State and Zip Code

Primary contact: Mark Jones 816 564 3572  
Name Phone

- a) This subcontractor is (select one):  MBE  WBE  DBE  N/A
- i: If this subcontractor is an M/W/DBE certified with the City of Kansas City, Missouri, a separate Letter of Intent must be attached to this document.
  - ii. If this subcontractor is NOT a certified M/W/DBE certified with the City of Kansas City, Missouri, the firm must still be listed for reporting purposes but a Letter of Intent is not required.

b) Scope of work to be performed: Trucking, Paving

c) The dollar value of this agreement is: 240,000

**PART 3:**

**NOTE: SIGNATURES AND NOTARIZATIONS REQUIRED FOR NEW LETTERS OF INTENT (LOI);  
SIGNATURES ONLY FOR UPDATED LOI (ADDING VALUE TO EXISTING CONTRACT).**

PRIME CONTRACTOR BUSINESS NAME: Kissick Construction

[Signature]  
Signature: Prime Contractor

Lloyd J Kissick  
Print Name

Vice President  
Title

11-16-23  
Date

State of Missouri )

County of Jackson )

I, Tina Amos, state that the above and foregoing is based on my best knowledge and belief.

Subscribed and sworn to before me, a notary public, on this 16 day of Nov., 2023

My Commission Expires: April 11, 2027 [Signature]  
Notary Public

STAMP:



MWDBE SUBCONTRACTOR BUSINESS NAME: EJ and Sons

[Signature]  
Signature: Subcontractor

MARK JONES  
Print Name

Manager  
Title

11-16-2023  
Date

State of Missouri )

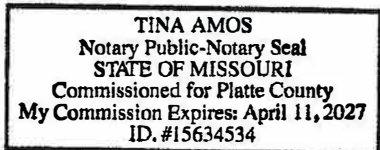
County of Jackson )

I, Tina Amos, state that the above and foregoing is based on my best knowledge and belief.

Subscribed and sworn to before me, a notary public, on this 16 day of Nov., 2023

My Commission Expires: April 11, 2027 [Signature]  
Notary Public

STAMP:







# LETTER OF INTENT TO SUBCONTRACT

Check one:

Original LOI:

Updated LOI:

Project Name/Title I/I Reduction Birmingham 3

Project Location/Number 81000 234 / 1522

**PART I:** Prime Contractor Kissick Construction agrees to enter into a contractual agreement with M/W/DBE Subcontractor Rising Construction who will provide the following goods/services in connection with the above-reference contract: [Insert a brief narrative describing goods/services to be provided. Broad Categorizations (e.g., "electrical," "plumbing," etc.) or the listing of NAICS Codes in which M/W/DBE Subcontractor is certified are insufficient and may result in denial of this Letter of Intent to Subcontract.]

Traffic Control on Sanitary Replacement and joint repairs, Seeding restoration in disturbed areas, Silt fence

for an estimated amount of \$ \_\_\_\_\_ (or 1.3 % of the total estimated contract value.)

- M/WBE Vendor type:
- Subcontractor/manufacturer (counts as 100% of contract value towards goals)
  - Supplier (counts as 60% of the total dollar amount paid or to be paid by a prime contractor for supplies or goods towards goals)
  - Broker (counts as 10% of the total dollar amount paid or to be paid by a prime contractor for supplies or goods towards goals)

M/W/DBE Subcontractor is, to the best of Prime Contractor's knowledge, currently certified with the City of Kansas City's Civil Rights & Equal Opportunity Department to perform in the capacities indicated herein. Prime Contractor agrees to utilize M/W/DBE Subcontractor in the capacities indicated herein, and M/W/DBE Subcontractor agrees to work on the above-referenced contract in the capacities indicated herein, contingent upon award of the contract to Prime Contractor.

**PART 2:** This section is to be completed by the M/W/DBE subcontractor listed above. Please attach additional sheets as needed for more than one intended sub-tier contract. **IMPORTANT: Falsification of this document will result in denial and other remedies available under City Code.**

- Select one:
- The M/W/DBE Subcontractor listed above **IS NOT** subcontracting any portions of the above-stated scope of work(s). (Continue to Part 3.)
  - The M/W/DBE Subcontractor listed above **IS** subcontracting certain portions of the above stated scope of work(s) to:

(1) Company name: Rising Construction Services Inc

Full address: 1206 NW Baytree Dr. Gran Valley MO 64029  
Street number and name City, State and Zip Code

Primary contact: Kristen Rising 816 867 5255  
Name Phone

a) This subcontractor is (select one):  MBE  WBE  DBE  N/A

- i: If this subcontractor is an M/W/DBE certified with the City of Kansas City, Missouri, a separate Letter of Intent must be attached to this document.
- ii. If this subcontractor is NOT a certified M/W/DBE certified with the City of Kansas City, Missouri, the firm must still be listed for reporting purposes but a Letter of Intent is not required.

b) Scope of work to be performed: Traffic Control, Erosion Control

c) The dollar value of this agreement is: \$ 50,000

**PART 3:**

**NOTE: SIGNATURES AND NOTARIZATIONS REQUIRED FOR NEW LETTERS OF INTENT (LOI);  
SIGNATURES ONLY FOR UPDATED LOI (ADDING VALUE TO EXISTING CONTRACT).**

PRIME CONTRACTOR BUSINESS NAME: Kissick Construction

[Signature]  
Signature: Prime Contractor

Lloyd J Kissick  
Print Name

Vice President  
Title

11-16-23  
Date

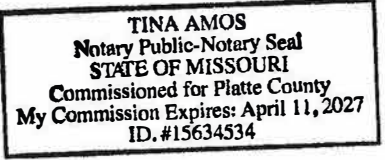
State of Missouri )  
County of Jackson )

I, Tina Amos, state that the above and foregoing is based on my best knowledge and belief.

Subscribed and sworn to before me, a notary public, on this 16 day of Nov, 2023

My Commission Expires: April 11, 2027 [Signature]  
Notary Public

STAMP:



MWD BE SUBCONTRACTOR BUSINESS NAME: Rising Construction Services

[Signature]  
Signature: Subcontractor

Kristen Rising  
Print Name

President  
Title

11-16-23  
Date

State of Missouri )  
County of Jackson )

I, Lisa Moore, state that the above and foregoing is based on my best knowledge and belief.

Subscribed and sworn to before me, a notary public, on this 16th day of Nov, 2023

My Commission Expires: 10-24-2024 [Signature]  
Notary Public

STAMP:







# LETTER OF INTENT TO SUBCONTRACT

Check one:

Original LOI:

Updated LOI:

Project Name/Title I/I Reduction Birmingham 3

Project Location/Number 81000 834 / 1528

**PART 1:** Prime Contractor Kissick Construction agrees to enter into a contractual agreement with M/W/DBE Subcontractor Shedgast LLC who will provide the following goods/services in connection with the above-reference contract: [Insert a brief narrative describing goods/services to be provided. Broad Categorizations (e.g., "electrical," "plumbing," etc.) or the listing of NAICS Codes in which M/W/DBE Subcontractor is certified are insufficient and may result in denial of this Letter of Intent to Subcontract.]

Sanitary Sewer: Replace frame and covers

for an estimated amount of \$ \_\_\_\_\_ (or 10 % of the total estimated contract value.)

- M/WBE Vendor type:
- Subcontractor/manufacturer (counts as 100% of contract value towards goals)
  - Supplier (counts as 60% of the total dollar amount paid or to be paid by a prime contractor for supplies or goods towards goals)
  - Broker (counts as 10% of the total dollar amount paid or to be paid by a prime contractor for supplies or goods towards goals)

M/W/DBE Subcontractor is, to the best of Prime Contractor's knowledge, currently certified with the City of Kansas City's Civil Rights & Equal Opportunity Department to perform in the capacities indicated herein. Prime Contractor agrees to utilize M/W/DBE Subcontractor in the capacities indicated herein, and M/W/DBE Subcontractor agrees to work on the above-referenced contract in the capacities indicated herein, contingent upon award of the contract to Prime Contractor.

**PART 2:** This section is to be completed by the M/W/DBE subcontractor listed above. Please attach additional sheets as needed for more than one intended sub-tier contract. **IMPORTANT: Falsification of this document will result in denial and other remedies available under City Code.**

- Select one:
- The M/W/DBE Subcontractor listed above **IS NOT** subcontracting any portions of the above-stated scope of work(s). (Continue to Part 3.)
  - The M/W/DBE Subcontractor listed above **IS** subcontracting certain portions of the above stated scope of work(s) to:

(1) Company name: Shedgast LLC

Full address: 600 SE Central Drive Blue Springs MO 64014  
Street number and name City, State and Zip Code

Primary contact: Kris Johnson 816 295 1100  
Name Phone

a) This subcontractor is (select one):  MBE  WBE  DBE  N/A

i; If this subcontractor is an M/W/DBE certified with the City of Kansas City, Missouri, a separate Letter of Intent must be attached to this document.

ii. If this subcontractor is NOT a certified M/W/DBE certified with the City of Kansas City, Missouri, the firm must still be listed for reporting purposes but a Letter of Intent is not required.

b) Scope of work to be performed: Sanitary Sewer; replace frame & covers

c) The dollar value of this agreement is: \$ 385,000.00





**PART 3:**

**NOTE: SIGNATURES AND NOTARIZATIONS REQUIRED FOR NEW LETTERS OF INTENT (LOI);  
SIGNATURES ONLY FOR UPDATED LOI (ADDING VALUE TO EXISTING CONTRACT).**

PRIME CONTRACTOR BUSINESS NAME: Kissick Construction

Kissick Construction Signature: Prime Contractor Lloyd J Kissick Print Name

Vice President Title 11/15/23 Date

State of Missouri )

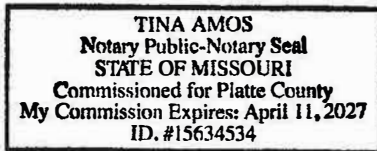
County of Jackson )

I, Tina Amos, state that the above and foregoing is based on my best knowledge and belief.

Subscribed and sworn to before me, a notary public, on this 15 day of Nov., 2023

My Commission Expires: April 11, 2027 (Tina Amos) Notary Public

STAMP:



MWDBE SUBCONTRACTOR BUSINESS NAME: SHR0165 IT LLC

Cheryl Gerstner Signature: Subcontractor Cheryl Gerstner Print Name

OPERATING MANAGER Title 11/15/23 Date

State of MO )

County of Jackson )

I, Cheryl Gerstner, state that the above and foregoing is based on my best knowledge and belief.

Subscribed and sworn to before me, a notary public, on this 15<sup>th</sup> day of Nov, 2023

My Commission Expires: 3/29/26 (Michele R Bledsoe) Notary Public

STAMP:



**TIMETABLE FOR MBE/WBE UTILIZATION**

*(This form should be submitted to the City after contract award.)*

I, Lloyd J Kissick, acting in my capacity as Vice President  
*(Name)* *(Position with Firm)*  
of Kissick Construction, with the submittal of this Timetable, certify that  
*(Name of Firm)*  
the following timetable for MBE/WBE utilization in the fulfillment of this contract is correct and true to the best of my knowledge.

**ALLOTTED TIME FOR THE COMPLETION OF THIS CONTRACT**

*(Check one only)*

15 days	<input type="checkbox"/>	75 days	<input type="checkbox"/>	135 days	<input type="checkbox"/>
30 days	<input type="checkbox"/>	90 days	<input checked="" type="checkbox"/>	150 days	<input type="checkbox"/>
45 days	<input type="checkbox"/>	105 days	<input type="checkbox"/>	165 days	<input type="checkbox"/>
60 days	<input type="checkbox"/>	120 days	<input type="checkbox"/>	180 days	<input type="checkbox"/>
Other	<input type="text"/> (Specify)				

Throughout  Beginning 1/3 \_\_\_\_\_  
 Middle 1/3 \_\_\_\_\_ Final 1/3 \_\_\_\_\_  
 Beginning 1/3 20 % Middle 1/3 50 % Final 1/3 30 %

**PLEASE NOTE:** Any changes in this timetable require approval of the Civil Rights & Equal Opportunity Department in advance of the change.

If you have any questions regarding the completion of this form, please contact the Civil Rights & Equal Opportunity Department at: (816) 513-1836.

[Signature]  
(Signature)

Vice President  
(Position with Firm)

11/16/23  
(Date)

