CITY OF FOUNTAINS
HEART OF THE NATION
KANSAS CITY
MISSOURI

CONTRACTOR UTILIZATION PLAN/REQUEST FOR WAIVER

Project Number 1672/81000998

Project Title Stormwater Collection and Green Infrastructure 37th and Norton

Stormwater Collection and Green Infrastructure 37th and Norton (Department Project)

SmartSewer KCMO Department

CDM Smith (Bidder/Proposer)

STATE OF Missouri)
) ss
COUNTY OF Jackson)

I, Chris Burns, 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 13 **% MBE** and 13 **% 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:** 27 **% MBE** 16 **% WBE**

   - **POST-BID/POST-RFP ESTIMATED BUDGET: $** 1,100,000.00

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 Taliaferro and Browne
   Address 1020 E. 8th Street, Kansas City, MO 64106
   Telephone No. 816-283-3456
   I.R.S. No. 48-0758891

Name of M/WBE Firm Vireo
Address 414 Oak St Suite 101, Kansas City, MO 64106
Telephone No. 816-777-3038
I.R.S. No. 43-1714841

Name of M/WBE Firm TREKK Design Group LLC
Address 1411 E 104 St, Kansas City, MO 64131
Telephone No. 816-878-8678
I.R.S. No. 43-1953275

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

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
Taliaferro and Browne, Inc	Contractor	$ 282,951.00	$ 282,951.00	27.70

TOTAL MBE $ / TOTAL MBE %: $ 282,951.00 27.00 %

WBE FIRMS:

Name of WBE Firm	Supplier/Broker/Contractor	Subcontract Amount*	Weighted Value**	% of Total Contract
Vireo	Contractor	$ 95,203.00	$ 95,203.00	9.30
TREKK Design Group LLC	Contractor	$ 68,243.00	$ 68,243.00	6.70

TOTAL WBE $ / TOTAL WBE %: $ 163,446.00 16.00 %

*"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 bythe 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: John Brummer
Address: 8080 Ward Parkway, Kansas City, MO 64114

Phone Number: 816-412-3123
Facsimile number: _____
E-mail Address: Brummerje@cdmsmith.com

By: [signature]
Title: CLIENT SERVICE LEADER
Date: 1/23/2024
(Attach corporate seal if applicable)

Subscribed and sworn to before me this 23 day of January, 2024.

My Commission Expires: 9/14/2024

[signature]
Notary Public

BLAKE EVANS
NOTARY PUBLIC-NOTARY SEAL
STATE OF MISSOURI
JACKSON COUNTY
MY COMMISSION EXPIRES 9/14/2024
COMMISSION # 20904593

LETTER OF INTENT TO SUBCONTRACT

Check one:
Original LOI: ☑
Updated LOI: ☐

Project Name/Title Stormwater Collection and GSI 37th and Norton

Project Location/Number 1672/81000998

PART I: Prime Contractor CDM Smith agrees to enter into a contractual agreement with M/W/DBE Subcontractor Taliaferro and Browne 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.]

Surveying and Preliminary Design Services

for an estimated amount of $ 282,951 (or 27.7 % 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: _____

Full address: _____
Street number and name City, State and Zip Code

Primary contact: _____
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: Surveying and Preliminary Design Services

c) The dollar value of this agreement is: $282,951

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: CDM Smith

Signature: Prime Contractor

CHRISTOPHER L. BVANS
Print Name

CLIENT SERVICE LEADER
Title

1/23/2024
Date

State of Missouri)
County of Jackson)

I, Blake Evans, 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 23 day of Jan, 20 24

My Commission Expires: 9/14/2024

Notary Public

STAMP:

BLAKE EVANS
NOTARY PUBLIC-NOTARY SEAL
STATE OF MISSOURI
JACKSON COUNTY
MY COMMISSION EXPIRES 9/14/2024
COMMISSION # 20904593

MWDBE SUBCONTRACTOR BUSINESS NAME: Taliaferro and Browne, Inc.

Signature: Subcontractor

HAGOS E. ANDEBRHAN
Print Name

CEO
Title

01/23/2024
Date

State of MISSOURI)
County of JACKSON)

I, HAGOS E. ANDEBRHAN, 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 23rd day of Jan, 20 24

My Commission Expires: 03-07-2026

Notary Public

STAMP:

EARTHA J. TAYLOR
Notary Public, Notary Seal
State of Missouri
Clay County
Commission # 92458631
My Commission Expires 03-07-2026

LETTER OF INTENT TO SUBCONTRACT

Check one:	
Original LOI:	✓
Updated LOI:	

Project Name/Title Stormwater Collection and GI 37th and Norton

Project Location/Number 1672/810 009 98

PART I: Prime Contractor C M Smith agrees to enter into a contractual agreement with M/W/DBE Subcontractor Vireo 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.]

Landscape architecture, public involvement and concept design of green infrastructure

for an estimated amount of $ 95,203 (or 9.3 % 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: Vireo

Full address: _____ (Street number and name) _____ (City, State and Zip Code)

Primary contact: _____ (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 _____

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: CDM Smith

Signature: Prime Contractor

CHRISTOPHER L. BURNS
Print Name

CLIENT SERVICE LEADER
Title

1/23/2024
Date

State of Missouri)
County of Jackson)

I, Blake Evans, 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 23 day of Jan, 2024

My Commission Expires: 9/14/2024

Notary Public

STAMP:

BLAKE EVANS
NOTARY PUBLIC-NOTARY SEAL
STATE OF MISSOURI
JACKSON COUNTY
MY COMMISSION EXPIRES 9/14/2024
COMMISSION # 20904593

MWDBE SUBCONTRACTOR BUSINESS NAME: Vireo, LLC

Signature: Subcontractor

Robin Fordyce
Print Name

Managing Member
Title

1-22-2024
Date

State of Missouri)
County of Jackson)

I, Jessica Lee, 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 23rd day of Jan, 2024

My Commission Expires: Jan. 3, 2026

Notary Public

STAMP:

JESSICA LEE
Notary Public - Notary Seal
Jackson County - State of Missouri
Commission Number 22706670
My Commission Expires Jan 3, 2026

LETTER OF INTENT TO SUBCONTRACT

Check one:	
Original LOI:	☑
Updated LOI:	☐

Project Name/Title Stormwater Collection and GI 37th and Norton

Project Location/Number 167 2 /8000998

PART I: Prime Contractor CDM Smith agrees to enter into a contractual agreement with M/W/DBE Subcontractor TREKK Design Group 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.]

Field Investigation of Infiltration Sources and Combined Sewers

for an estimated amount of $ 68,243 (or 6.7 % 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: _____

Full address: _____
Street number and name City, State and Zip Code

Primary contact: _____ 8 _____
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: _____

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: CDM Smith

Signature: Prime Contractor | Print Name: CHRISTOPHER L. BURNS

Title: CLIENT SERVICE LEADER | Date: 1/23/2024

State of Missouri)

County of Jackson)

I, Blake Evans, 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 23 day of Jan, 2024

My Commission Expires: 9/14/2024 | Notary Public

STAMP:

BLAKE EVANS
NOTARY PUBLIC-NOTARY SEAL
STATE OF MISSOURI
JACKSON COUNTY
MY COMMISSION EXPIRES 9/14/2024
COMMISSION # 20904593

MWDBE SUBCONTRACTOR BUSINESS NAME: TREKK Design Group LLC

Kimberly Robinett | Kimberly Robinett

Signature: Subcontractor | Print Name

CEO/Managing Member | 1/22/24

Title | Date

State of Missouri)

County of Jackson)

I, Linda S Dodson, 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 18th day of Jan, 2024

My Commission Expires: 6/30/2026 | Notary Public

STAMP:

LINDA S DODSON
Notary Public - Notary Seal
Jackson County - State of Missouri
Commission Number 14991560
My Commission Expires Jun 30, 2026

TIMETABLE FOR MBE/WBE UTILIZATION

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

I, Chris Burns, acting in my capacity as Client Service Leader
(Name) *(Position with Firm)*
of CDM Smith, 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	☐	75 days	☐	135 days	☐
30 days	☐	90 days	☐	150 days	☐
45 days	☐	105 days	☐	165 days	☐
60 days	☐	120 days	☐	180 days	☐

Other 300 days (Specify)

Throughout _____ Beginning 1/3 _____

Middle 1/3 _____ Final 1/3 _____

Beginning 1/3 40 % Middle 1/3 40 % Final 1/3 20 %

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)

Client Service Leader
(Position with Firm)

1/22/23
(Date)