CONTRACTOR UTILIZATION PLAN/REQUEST FOR WAIVER



CITY OF FOUNTAINS

Project Number <u>1672/81000998</u>

Project Title

Stormwater Collection and Green Infrastructure 37th and Norton

Stormwater Collection and Green Infrastructure 37th and Norton

(Department Project)

CDM Smith

(Bidder/Proposer)

STATE OF Missouri

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.
- **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: \$\frac{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, Kansa		
Telephone No. 816-283-34	56	
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						
ı	Name of M/WBE Firm TREKK Design Group LLC						
1	Address 1411 E 104 St, Kansas City, MO 64131						
	Telephone No. 816-878-8678						
	Telephone No. 816-878-8678 I.R.S. No. 43-1953275						
1	Name of M/WBE Firm						
,	Address						
	Telephone No.						
	I.R.S. No.						
	Name of M/WBE Firm						
,	Address						
	Telephone No.						
	I.R.S. No.						
1	Name of M/WBE Firm						
	Address						
	Telephone No			1			
	I.R.S. No.						
(List additi	ional M/WBEs, if any, on additional page and a	ttach to this for	m)				
4. The fol	lowing is a breakdown of the percentage of the	total contract a	mount that				
Bidder	Proposer agrees to pay to each listed M/WBE:						
	MBE/WBE BREAKDOWN	<u> SHEET</u>					
MBE FIR	<u>MS</u> :						
		Subcontract	Weighted	% of Total			
	MBE Firm Supplier/Broker/Contractor	Amount*	Value**	Contract 27.70			
Taliaferro and B	owne, Inc Contractor	\$ 282,951.00	\$ 282,951.00	27.70			
+		4					
<u> </u>			and the second s				

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 \$ / TOTA	L WBE %:	\$_163,446.00		16.00 %

^{*&}quot;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.

^{**&}quot;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: John Brummer John Brummer
Address: 8080 Ward Parkway, Kansas City, MO 64114
Phone Number: 816-412-3123
Facsimile number:
E-mail Address: Brummerje@cdmsmith.com
By: Clust A Bruns
Title: CUENT (FERVICE 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: 9/14/204
My Commission Expires.
Notary Public

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



KANSAS CITY

CITY OF FOUNTAINS

LETTER OF INTENT TO SUBCONTRACT

	Check one:
	Original LOI:
Project Name/Title	
	Updated LOI:
Project Location/Number	

		ruhcontractor			
agreement with M/W/DBE Subcontractorwho will provide the following goods/services in connection with the above-reference contract: [Insert a brief narrative describing goods/services provided. Broad Categorizations (e.g., "electrical," "plumbing," etc.) or the listing of NAICS Codes in which M/W Subcontractor is certified are insufficient and may result in denial of this Letter of Intent to Subcontract.]					escribing goods/services to b CS Codes in which M/W/DI
for an estimated	amount of \$_	((or% of	the total estimated	contract value.)
M/WBE Vendo	r type:	Subcontractor/manufact Supplier (counts as 60% contractor for supplies of Broker (counts as 10% of contractor for supplies of	of the total dor goods toward of the total do	ollar amount paid o rds goals) llar amount paid or	r to be paid by a prime
City's Civil Rigl agrees to utilize	hts & Equal C M/W/DBE S ove-referenced	to the best of Prime Contract Opportunity Department to pubcontractor in the capacities in the capacit	perform in the ies indicated h	capacities indicated erein, and M/W/DE	d herein. Prime Contractor BE Subcontractor agrees to
as needed for m	ore than one i		IMPORTAN		Please attach additional she
Select one:		DBE Subcontractor listed a vork(s). (Continue to Part 3.		subcontracting any	portions of the above-stated
	The M/W/ of work(s)		above <u>IS</u> subc	ontracting certain po	ortions of the above stated so
(1) Compan	y name:				
Full add	ress:				
Primary		et number and name		City, State and Zip	Code
1 Illiai y	Name	<u> </u>		Phone	
a) This	subcontractor	is (select one): MBE	WBE	DBE N/A	
		contractor is an M/W/DBE of the attached to this docum		he City of Kansas (City, Missouri, a separate Le
		contractor is NOT a certifie ll be listed for reporting pur			ity of Kansas City, Missouri, required.
b)	Scope of wor	rk to be performed:			
c)	The dollar va	alue of this agreement is:			

PART 3:

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

PRIME CONTRACTOR BUSINESS NAME: CDM Smith
Visiteta IRan CHASTONHELL BURNS
Signature: Prime Contractor Print Name
CLIENT SERVICE LEADER 1/23/2024
Title
State of Midson')
County of Tuckion
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 544, 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 9/14/202 COMMISSION # 20904593
MWDBE SUBCONTRACTOR BUSINESS NAME: Taliaferro and Browne, Inc.
HAGOS E. ANDEBRHAN
Signature: Sybcontractor Print Name
TCEO 01 23/2024
Title Date
State of MISSOURI
County of JACKSON)
I, HAGOS E. ANDERRHAN, 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 rd day of <u>Jan</u> , 20 <u>24</u>
My Commission Expires: 03-07-7526 Notary Public
STAMP: EARTHA J. TAYLOR Notary Public, Notary Seal State of Missouri Clay County Commission # 92458631 My Commission Expires 03-07-2026

Clis in letter lains

LETTER OF INTENT TO SUBCONTRACT

Check one:	
Original LOI:	✓
Undated LOI:	

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

Project Location/Number 1672/810 09 98

PAR'I	Prim	ne Contractor C DM S ith	agrees to enter into a contractual
agreement with M/W/DBE Subcontractor Vireo			who will provide the following
goods/s	services in	connection with the above-reference contract:	[Insert a brief narrative describing goods/services to be
provide	ed. Broad	Categorizations (e.g., "electrical," "plumbing,"	etc.) or the listing of NAICS Codes in which M/W/DBE
		certified are insufficient and may result in denia	l of this Letter of Intent to Subcontract.]
Landscap	e architecture	e, public involvement and concept design of green infrastructure	
for an e	estimated a	amount of \$ 9 ⁵ , 20 3 (or 9	% of the total estimated contract value.)
M/WBI	E Vendor	type: Subcontractor/manufacturer (co	ounts 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 to	tal dollar amount paid or to be paid by a prime
		contractor for supplies or goods	towards goals)
M/W/D	BE Subco	ontractor is, to the best of Prime Contractor's kn	nowledge, currently certified with the City of Kansas
			in the capacities indicated herein. Prime Contractor
agrees t	to utilize I	M/W/DBE Subcontractor in the capacities indic	ated herein, and M/W/DBE Subcontractor agrees to
work or	n the abov	re-referenced contract in the capacities indicated	d herein, contingent upon award of the contract to
Prime (Contractor	: .	
PART	T 2. This	s section is to be completed by the M/W/DRF s	ubcontractor listed above. Please attach additional sheets
			TANT: Falsification of this document will result in
		r remedies available under City Code.	1211VI. I distribution of this document with result in
			NOT ash contracting any neutrons of the above stated
Select of	one:	scope of work(s). (Continue to Part 3.)	S NOT subcontracting any portions of the above-stated
		_	
			subcontracting certain portions of the above stated scope
		of work(s) to:	
(1)	Company	name: Vireo	
	Full addre	ess:	
		Street number and name	City, State and Zip Code
	Primary o	contact:	
		Name	Phone
	a) This s	subcontractor is (select one): MBE WB	E DBE N/A
		i: If this subcontractor is an M/W/DBE certified of Intent must be attached to this document.	with the City of Kansas City, Missouri, a separate Letter
	f	firm must still be listed for reporting purposes b	
	b) s	Scope of work to be performed	and the state of t
		The dollar value of this agreement is: \$	
00450	04 6050 80	Land Character of this agreement to.	

PART 3:

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

PRIME CONTRACTOR BUSINESS NAME: CDM S	mith
(Minty 1)	CURETONER 1 RUDIC
Signature: Prime Contractor	Print Name
CLIENT SERVICE LESDER	1/23/2024
Title	Date
State of Misson vi	
County of Tackson	W.
I, BILLIEULIS, state the	at the above and foregoing is based on my best knowledge
Subscribed and sworn to before me, a neday of 16, 20, 20	otary public, on this 23
My Commission Expires: 9/14/	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: V	ireo, LLC
RAFL	Robin Fordyce
Signature: Subcontractor	Print Name
Managing Member	1-22-2024
Title	Date
State of Missouri)	
County of Jack.30n)	
I, <u>Jessica Lee</u> , state the and belief.	nat the above and foregoing is based on my best knowledge
Subscribed and sworn to before me, a n day of <u>\oan</u> , 2024	// /
My Commission Expires: Jan. 3,	Notary Public
STAMP:	
JESSICA LEE Notary Public - Notary Seal Jackson County - State of Missouri Commission Number 22706670 My Commission Expires Jan 3, 2026	

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LETTER OF INTENT TO SUBCONTRACT

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		ted	. ^		

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

Project Location/Number 167 2 /8000998

	A Constitution of the Cons	ne Contractor_		agrees to enter into a contractual		
agreement with M/W/DBE Subcontractor_TREKK Design Group				who will provide the following		
provide Subcon	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/DB 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 e	estimated	amount of \$_6	8,243 (or 6.	7_% of the total estimated contract value.)		
M/WB	E Vendor	type:	Supplier (counts as 60% of the contractor for supplies or goo	total dollar amount paid or to be paid by a prime		
City's Cagrees work of	Civil Righ to utilize	ts & Equal Op M/W/DBE Su ve-referenced	pportunity Department to perfor abcontractor in the capacities ind	knowledge, currently certified with the City of Kansas m in the capacities indicated herein. Prime Contractor licated herein, and M/W/DBE Subcontractor agrees to ted herein, contingent upon award of the contract to		
as need	ded for mo	ore than one ir		subcontractor listed above. Please attach additional sheets RTANT: Falsification of this document will result in		
Select	one:	The M/W/I scope of w	OBE Subcontractor listed above ork(s). (Continue to Part 3.)	IS NOT subcontracting any portions of the above-stated		
		The M/W/I of work(s)		IS subcontracting certain portions of the above stated scope		
(1)	Company	/ name:				
	Full addr	ess:				
		Prima	Street number and name ary contact:	City, State and Zip Code		
	a) This s	Name subcontractor	is (select one): MBE WW	Phone BE DBE N/A		
		i: If this subco	· / — —	ed with the City of Kansas City, Missouri, a separate Letter		
				W/DBE certified with the City of Kansas City, Missouri, the but a Letter of Intent is not required.		
	b)	Scope of worl	k to be performed:			
	c) The dollar value of this agreement is:					

PART 3:

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

PRIME CONTR	ACTOR BUSINESS, NAME: CDM S	Smith		
A	All I le	-7	TONEAL. BURN	21
Signature: Prime C	Contractor	Print Name	/	
CUEN	T SERVICE LEADER	1/2	3/2024	
Title		Date t		
State of M .s.	ó~v.')			
County of $\int \omega$	cksun)			
I, Bloand believe		hat the above and	d foregoing is based on my best know	wledge
	Subscribed and sworn to before me, a day of Jena 1, 20 2 4	notary public, on	n this Q J	
	My Commission Expires: 9/14/	ب دسے	BN	
STAMP:	-		Notary Public	
STAVIL.			BLAKE EV. NOTARY PUBLIC-N STATE OF MIS JACKSON COMMISSION EXP	OTARY SEAL SSOURI OUNTY PIRES 9/14/2024
MWDBE SUBC	ONTRAC TOR BUSINESS NAME :	REKK Design	Group LLC	
Kimberly R	Pobinett	Kimberly F	Robinett	
Signature: Subcontractor		Print Name		
CEO/Managing Member		1/22/24		
Title		Date		
State of Mc S.	· ·			
County of To	ickso)			
I, Lin		hat the above and	d foregoing is based on my best know	wledge
Ġ	Subscribed and sworn to before me, and day of Sour , 20 2 4 My Commission Expires: 4 (30 / 3		this 18th	
	Onimiosion Expues		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.)

, acting in my ca	, acting in my capacity as Client Service Leader			
	(Position with Firm)			
, with the subr	mittal of this Timetable, certify that			
E/WBE utilization in the fulf	illment of this contract is correct and			
e.				
	N OF THIS CONTRACT			
(Check one only)				
75 days	135 days			
	150 days			
	165 days			
• ==	180 days			
	100 44.70			
(Specify)				
Beginning 1	/3			
Final 1/3				
Middle 1/3 40	% Final 1/3 ²⁰ %			
	pproval of the Civil Rights & Equal			
ance of the change.				
ding the completion of this	form please contact the Civil Rights			
	7			
11 111 (010) 010 10001				
11	In frum			
	(Signature)			
	Client Service Leader			
-	(Position with Firm)			
	(
	1/22/23			
2	ITELIES			
	, with the subsection in the fulfile. FOR THE COMPLETION (Check one only) 75 days 90 days 105 days 120 days 120 days 120 days 120 days 40 Beginning 1 Final 1/3 Middle 1/3 40 es in this timetable require a fance of the change. ding the completion of this not at: (816) 513-1836.			