CITY OF FOUNTAINS
HEART OF THE NATION

KANSAS CITY
MISSOURI

CONTRACTOR UTILIZATION PLAN/REQUEST FOR WAIVER

Project Number CN 1680 PN 60XX0018

Project Title Water and Wastewater Operations and Maintenance Assistance

Water and Wastewater Operations and Maintenance Assistance (Department Project)

Water Services Department Department

Black & Veatch Corporation (Bidder/Proposer)

STATE OF Missouri)
) ss
COUNTY OF Jackson)

I, Jeff Henson, 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 14 **% MBE** and 14 **% 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:** 14 **% MBE** 14 **% WBE**

   - **POST-BID/POST-RFP ESTIMATED BUDGET: $** 1,270,000.00

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 <u>must</u> <u>currently</u> be certified by Kansas City, Missouri)***

   Name of M/WBE Firm TREKK Design Group (WBE)
   Address 1411 East 104th Street, Kansas City, MO 64131
   Telephone No. 816-874-4655
   I.R.S. No. 43-1953275

Name of M/WBE Firm Custom Engineering, Inc. (MBE)
Address 12760 East US Highway 40, Indepence, MO 64055
Telephone No. 816-350-1473
I.R.S. No. 43-1031915

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. _____

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
Custom Engineering, Inc.	Subcontractor	$ 177,800.00	$ 177,800.00	14.00

TOTAL MBE $ / TOTAL MBE %: $ 177,800.00 14.00 %

WBE FIRMS:

Name of WBE Firm	Supplier/Broker/Contractor	Subcontract Amount*	Weighted Value**	% of Total Contract
TREKK Design Group	Subcontractor	$ 177,800.00	$ 177,800.00	14.00

TOTAL WBE $ / TOTAL WBE %: $ 177,800.00 14.00 %

*"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: Jeff Henson
Address: 8400 Ward Parkway, Kansas City, MO 64114

Phone Number: 913-458-3410
Facsimile number: 913-458-2934
E-mail Address: hensonj@bv.com

By: [signature]
Title: Client Director
Date: 6/14/2023
(Attach corporate seal if applicable)

Subscribed and sworn to before me this 14 day of June, 2023.

My Commission Expires: 1/8/2027

[signature]
Notary Public

JENNIFER ENYART
Notary Public-Notary Seal
STATE OF MISSOURI
Jackson County
My Commission Expires 1/8/2027
Commission #23853879

CITY OF FOUNTAINS
HEART OF THE NATION

KANSAS CITY
MISSOURI

LETTER OF INTENT TO SUBCONTRACT

Check one:
Original LOI: ✔
Updated LOI: ☐

Project Name/Title Water and Wastewater Operations and Maintenance Assistance

Project Location/Number Kansas City, MO / CN 1680 PN 60XX0018

PART I: Prime Contractor Black & Veatch Corporation agrees to enter into a contractual agreement with M/W/DBE Subcontractor Custom Engineering, Inc 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.]

Provide assistance with the operation and maintenance project including field visits to gather facility data and photos, development of WWTP, Pump Station and Water Facility fact sheets, standard instructions, asset management and training.

for an estimated amount of $ 177,800 (or 14 % of the total estimated contract value.)

M/WBE Vendor type:

- [X] 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:

- [X] 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: Custom Engineering, Inc.

Full address: 12760 East US Highway 40, Independence, MO 64055
Street number and name — City, State and Zip Code

Primary contact: Joe Davis — 816-350-1473
Name — Phone

a) This subcontractor is (select one): [X] 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: Assistance with the development of facility fact sheets and standard instructions

c) The dollar value of this agreement is: $177,800

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: Black & Veatch Corporation

Signature: Prime Contractor

Jeff Henson
Print Name

Client Director
Title

6/14/23
Date

State of Missouri)
County of Jackson)

I, Jeff Henson, 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 day of 14 June 20 23

My Commission Expires: 1 8 2027

Notary Public

STAMP:

JENNIFER ENYART
Notary Public-Notary Seal
STATE OF MISSOURI
Jackson County
My Commission Expires 1/8/2027
Commission #23853879

MWDBE SUBCONTRACTOR BUSINESS NAME: Custom Engineering, Inc

Signature: Subcontractor

Joseph T. Davis
Print Name

CEO
Title

06/09/2023
Date

State of MO)
County of Jackson)

I, Joseph T. Davis, 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 day of 9th, 20 23

My Commission Expires: 8/8/2024

Cindy A. Childers
Notary Public

STAMP:

CINDY A. CHILDERS
Notary Public-Notary Seal
STATE OF MISSOURI
Jackson County
My Commission Expires 8/8/2024
Commission # 16293934

LETTER OF INTENT TO SUBCONTRACT

Check one:
Original LOI: ☑
Updated LOI: ☐

Project Name/Title Water and Wastewater Operations and Maintenance Assistance

Project Location/Number Kansas City, MO / CN 1680 PN 60XX0018

PART I: Prime Contractor Black & Veatch Corporation agrees to enter into a contractual agreement with M/W/DBE Subcontractor TREKK Design Group, 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.]

Provide assistance with the implementation of the Treatment Division Process and System Status data management and dashboard tool. Assist with the development of WWTP, Pump Station and Water Facility fact sheets, standard instruction, asset management and training.

for an estimated amount of $ 177,800 (or 14 % 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:

- [X] 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: TREKK Design Group

Full address: 1411 East 104th Street, Kansas City, MO 64131
Street number and name — City, State and Zip Code

Primary contact: Stacy Gallick — 816-874-4655
Name — Phone

a) This subcontractor is (select one): [X] 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: Assistance on the O&M contract including TDPass

c) The dollar value of this agreement is: $177,800

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: Black & Veatch Corporation

Signature: Prime Contractor

Jeff Henson
Print Name

Client Director
Title

6/14/23
Date

State of Missouri)

County of Jackson)

I, Jeff Henson, 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 day of 14 June, 2023

My Commission Expires: 1/8/2027

Notary Public

STAMP:

JENNIFER ENYART
Notary Public-Notary Seal
STATE OF MISSOURI
Jackson County
My Commission Expires 1/8/2027
Commission #23853879

MWDBE SUBCONTRACTOR BUSINESS NAME: TREKK Design Group, LLC

Signature: Subcontractor

Lucas Gillen
Print Name

Associate Partner
Title

06/09/23
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 day of June, 2023

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, Jeff Henson, acting in my capacity as Client Director
(Name) *(Position with Firm)*
of Black & Veatch Corporation, 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 365 days (Specify)

Throughout _____ Beginning 1/3 _____
Middle 1/3 _____ Final 1/3 _____
Beginning 1/3 20 % Middle 1/3 30 % 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.

Jeff Henson
(Signature)

Client Director
(Position with Firm)

6/14/2023
(Date)

ATTACHMENT I

AFFIRMATIVE ACTION PROGRAM AFFIDAVIT

(required for any contractor with 50 or more employees and
a contract with the City of Kansas City, Missouri, in excess of $300,000.00)

STATE OF Missouri)
) ss
COUNTY OF Jackson)

On this 14th day of June, 2023, before me appeared Jeff Henson, personally known by me or otherwise proven to be the person whose name is subscribed on this affidavit and who, being duly sworn, stated as follows:

I am of sound mind, capable of making this affidavit, and personally swear or affirm that the statements made herein are truthful to the best of my knowledge. I am the Client Director (title) of Black & Veatch Corporation (business entity) and I am duly authorized, directed or empowered to act with full authority on behalf of the business entity in making this affidavit.

I hereby swear or affirm that [*enter business entity name*] has an affirmative action program (the "Program") in place and will maintain the Program for the duration of its contract with the City of Kansas City, Missouri ("City") as required by Chapter 3 of the City's Code of Ordinances.

I hereby additionally swear or affirm that attached hereto is a true copy of the Program.

I hereby additionally swear or affirm that the business entity shall not discriminate against any employee or applicant for employment because of race, color, sex, religion, national origin or ancestry, disability, sexual orientation, gender identity or age in a manner prohibited by Chapter 3 of the City's Code of Ordinances.

I acknowledge that I am signing this affidavit as the free act and deed of the business entity and that I am not doing so under duress.

Affiant's signature

Subscribed and sworn to before me this 14 day of June, 2023.

Notary Public

My Commission expires: 1/8/2027

JENNIFER ENYART
Notary Public-Notary Seal
STATE OF MISSOURI
Jackson County
My Commission Expires 1/8/2027
Commission #23853879

BLACK & VEATCH

A NOTICE AND INVITATION TO ALL PROFESSIONALS AND APPLICANTS
STEVE EDWARDS, CHAIRMAN AND CEO

AFFIRMATIVE ACTION AND EQUAL EMPLOYMENT OPPORTUNITY POLICY STATEMENT

Black & Veatch Corporation has been and will continue to be an equal opportunity employer. To assure full implementation of this equal employment policy, we will take steps to assure that:

a) Persons are recruited, hired, assigned and promoted without regard to race, religion, color, national origin, citizenship, sex, sexual orientation, gender identity, veteran's status, age, pregnancy status, disability, genetic information or other status protected by law.

b) All other personnel actions, such as compensation, benefits, transfers, layoffs and recall from layoffs, access to training, education, tuition assistance and social recreation programs are administered without regard to race, religion, color, national origin, citizenship, sex, sexual orientation, gender identity and expression, veteran's status, pregnancy status, age, disability, genetic information or other status protected by law.

c) Professionals and applicants shall not be subjected to harassment, intimidation, threats, coercion or discrimination because they have: (1) filed a complaint; (2) assisted or participated in an investigation, compliance review hearing or any other activity related to the administration of any federal, state or local law requiring equal employment opportunity; (3) opposed any actor practice made unlawful by any federal, state or local law requiring equal opportunity or (4) exercised any other right protected by federal, state or local law requiring equal opportunity.

I have appointed the Director of Employee Relations to take on the responsibilities of EEO Coordinator. As EEO Coordinator, they will be responsible for the day to day implementation and monitoring of this Affirmative Action Plan. As part of that responsibility, they will periodically analyze the Company's personnel actions and their effects to insure compliance with our equal employment policy.

If you, as one of our professionals or as an applicant for employment, have any questions about this policy or would like to be considered under our Affirmative Action Plan, please see the Director of Employee Relations during regular business hours. This is also a reminder that professionals may update their disability status at any time by contacting their Human Resources Business Partner.

I have reviewed and fully endorse our Affirmative Action and Equal Employment Opportunity program. In closing, I ask the continued assistance and support of all the Company's personnel to attain our objective of equal employment opportunity for all.

STEVE EDWARDS| CHAIRMAN AND CEO
Black & Veatch | 11401 Lamar Ave., Overland Park, KS 66211