



CONTRACTOR UTILIZATION PLAN/REQUEST FOR WAIVER

Project Number 8100955

Project Title Green Infrastructure Project 1-1: Mill Creek Park Project 1 – North Plaza

Green Infrastructure Project 1-1: Mill Creek Park Project 1 – North Plaza
(Department Project)

Water Services
Department

MegaKC Corporation

(Bidder/Proposer)

STATE OF Missouri)
) ss
COUNTY OF Clay)

I, Brian Gordon, 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 6 % MBE and 6 % 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: 6.36 % MBE 6.06 %
WBE

POST-BID/POST-RFP ESTIMATED BUDGET: \$ 2,161,500.00

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 Abay Construction, Inc.

Address 400 E. Red Bridge Road, Suite 215, Kansas City, MO 64131

Telephone No. 816-934-1628

I.R.S. No. _____



Name of M/WBE Firm Carpio Masonry, LLC
Address 2521 S. Holloway Rd., Oak Grove, MO 64075
Telephone No. 816-625-3020
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. _____

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
Carpio Masonry, LLC	Contractor	\$ 137,566.80	\$ 137,566.80	6.36
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____



TOTAL MBE \$ / TOTAL MBE %:	\$ <u>137,566.80</u>	<u>6.36</u> %
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WBE FIRMS:

Name of WBE Firm	Supplier/Broker/Contractor	Subcontract Amount*	Weighted Value**	% of Total Contract
Abay Construction, Inc.	Contractor	\$ 131,075.74	\$ 131,075.74	6.06
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
TOTAL WBE \$ / TOTAL WBE %:		\$ <u>131,075.74</u>		<u>6.06</u> %

*“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.

- 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: MegaKC Corporation / MegaKC Corporation
Address: 1491 Iron
North Kansas City, MO 64116
Phone Number: 816-472-8722
Facsimile number: _____
E-mail Address: megabids@megakc.com

By:  Brian Gordon
Title: CEO
Date: 3/27/2025
(Attach corporate seal if applicable)

Subscribed and sworn to before me this 27th day of March, 2025.

My Commission Expires: 6/9/2028


Notary Public

KANSAS CITY
MISSOURI

LETTER OF INTENT TO SUBCONTRACT

Project Name/Title Green Infrastructure Project 1-1: Mill Creek Park Project 1 – North PlazaProject Location/Number 81000955

Check one:

Original LOI: ☒Updated LOI: ☐

PART 1: Prime Contractor MegaKC Corporation agrees to enter into a contractual agreement with M/WDBE Subcontractor Abay 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/WDBE Subcontractor is certified are insufficient and may result in denial of this Letter of Intent to Subcontract.]

storm water lines and structures

for an estimated amount of \$ 131,075.74 (or 6.06 % 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/WDBE 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/WDBE Subcontractor in the capacities indicated herein, and M/WDBE 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/WDBE 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/WDBE Subcontractor listed above **IS NOT** subcontracting any portions of the above-stated scope of work(s). (Continue to Part 3.)The M/WDBE 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/WDBE 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/WDBE 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: MegaKC Corporation

Signature: Prime Contractor

Brian Gordon

Print Name

CEO

Title

3/27/2025

Date

State of Missouri

County of Clay

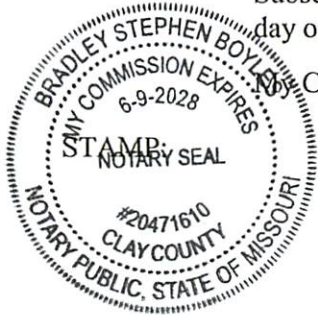
I, Bradley Boyles, state that the above and foregoing is based on my best knowledge and belief.

Subscribed and sworn to before me, a notary public, on this 27th

day of March, 20 25

My Commission Expires: 6/9/2028

Bradley Boyles
Notary Public



MWDBE SUBCONTRACTOR BUSINESS NAME: Abay Construction, Inc

Signature: Subcontractor

Henok Tekeste

Print Name

Vice President

Title

03/26/2025

Date

State of Missouri

County of Jackson

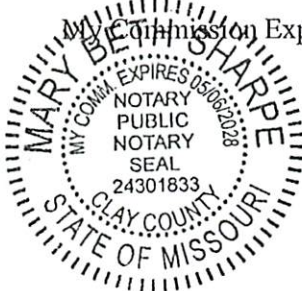
I, Mary Beth Sharpe, state that the above and foregoing is based on my best knowledge and belief.

Subscribed and sworn to before me, a notary public, on this 26

day of March, 20 28

My Commission Expires: May 6, 2028

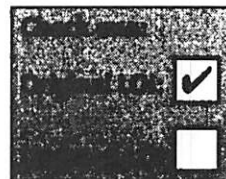
Mary Beth Sharpe
Notary Public



STAMP:



LETTER OF INTENT TO SUBCONTRACT



Project Name/Title Green Infrastructure Project 1-1: Mill Creek Park Project 1 – North Plaza

Project Location/Number 81000955

PART 1: Prime Contractor MegaKC Corporation agrees to enter into a contractual agreement with M/W/DBE Subcontractor Carpio Masonry, 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.]
retaining wall masonry

for an estimated amount of \$ 137,566.80 (or 6.36 % of the total estimated contract value.)

M/WBE Vendor type: ☒ Subcontractor/manufacture (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: _____

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: MegaKC Corporation

Signature: Prime Contractor

CEO

Title

Brian Gordon

Print Name

3/27/2025

Date

State of Missouri)

County of Clay)

I, Bradley Boyles, 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 27th day of March, 2025

My Commission Expires: 6/9/2025

Bradley Boyles
Notary Public



(M)WDBE SUBCONTRACTOR BUSINESS NAME: Carpio Masonry, LLC

Signature: Subcontractor

PM

Title

Daniel Jenkins

Print Name

03/26/2025

Date

State of AK)

County of Mat-Su Borough)

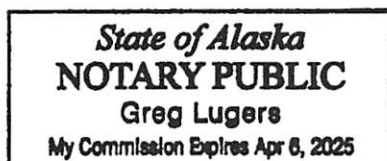
I, Greg Lugers, state that the above and foregoing is based on my best knowledge and belief.

Subscribed and sworn to before me, a notary public, on this 26 day of March, 2025

My Commission Expires: 4/6/2025

Greg Lugers
Notary Public

STAMP:



TIMETABLE FOR MBE/WBE UTILIZATION

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

I, Brian Gordon, acting in my capacity as CEO
 of MegaKC Corporation, with the submittal of this Timetable, certify that
 the following timetable for MBE/WBE utilization in the fulfillment of this contract is correct and
 true to the best of my knowledge.

ALLOTED 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 type="checkbox"/>	150 days	<input checked="" 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 _____ (Specify)					

Throughout	throughout	Beginning 1/3	1/3
Middle 1/3	1/3	Final 1/3	1/3
Beginning 1/3	33 %	Middle 1/3	33 %
		Final 1/3	34 %

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) Brian Gordon

CEO

(Position with Firm)

3/27/2025

(Date)

