

Bidder: Spirtas Company dba Spirtas Wrecking Company



BID FORM/CONTRACT

Project Number 62230573

Project Title Terminals B and C Demo

1. Bidder, having examined the Bidding Documents, related documents and the Site of the Work, and being familiar with all the conditions affecting the construction of the proposed Work, including Laws and Regulations and the availability of materials and supplies, agrees, if this Bid is selected by CITY, this Bid Form/Contract will become the Contract between Bidder and CITY for Bidder to furnish all labor and materials, equipment and services necessary for the proper completion of the Work in accordance with the Contract Documents, including general construction work at the price(s) stated below, which stated sums include fees and all other charges applicable to materials, appliances, labor and all things subject to and upon which other charges may be levied.
2. Bidder agrees the Contract Documents will comprise the entire agreement between CITY and Bidder. The Contract Documents are identified in the General Conditions and are incorporated into and made part hereof this Bid Form/Contract by reference.
3. Bidder agrees that if this Bid Form/Contract is executed by CITY, Bidder's offer is accepted and this Bid Form/Contract that incorporates all other Contract Documents shall constitute the Contract between the parties. Bidder authorizes the CITY to fill in the Contract Price on this Bid Form/Contract in accordance with Bidder's Bid. Bidder agrees that this Bid Form/Contract may be executed in one or more counterparts, each of which will be deemed an original copy of this Bid Form/Contract and all of which, when taken together, will be deemed to constitute one and the same Bid Form/Contract. This Bid Form/Contract shall be effective upon the execution of counterparts by both parties, notwithstanding that both parties may not sign the same counterpart. The parties' signatures transmitted by facsimile or by other electronic means shall be proof of the execution of this Bid Form/Contract and shall be acceptable in a court of law. A copy of this Bid Form/Contract shall constitute an original and shall be acceptable in a court of law.
4. The Bid Price(s) shall be shown in numeric figures only.

BID:	\$ 17,177,400.00
ALLOWANCE #1: \$50,000.00	\$ 50,000.00
ALLOWANCE #2: \$250,000.00	\$ 250,000.00
 TOTAL BID (INCLUDING ALLOWANCE)	 \$ 17,477,400.00
5. The undersigned Bidder has given CITY'S Project Manager written notice of all conflicts, errors or discrepancies that it has discovered in the Contract Documents and the written resolution thereof by the Project Manager or by the DESIGN PROFESSIONAL is acceptable to Bidder.

6. The undersigned Bidder agrees that this Bid shall remain subject to selection by CITY, and may not be withdrawn for ninety (90) days after the day Bids are opened.
7. The undersigned Bidder certifies that this Bid contains no modifications, deviations, riders or qualifications.
8. Form (s) 00412 Unit Prices contain prices included in the Base Bid, and are incorporated into this Bid. Form(s) must be completed and returned with this Bid.

9. The undersigned Bidder acknowledges receipt of the following addenda listed by number and date appearing on each addendum:

Addenda 5 - November 1, 2023

Addendum Number	Dated	Addendum Number	Dated
(1)	(10-6-23)	(3)	(10-25-23)
(2)	(10-12-23)	(4)	(10-25-23)

10. By submitting its bid, Bidder is agreeing to meet or exceed the minimum employment goals of 15% minority and 9% women during the term of its contract with the City, or request a waiver of the goals. If a waiver is requested, Bidder must establish good faith efforts towards meeting the goals as set forth in the CREO KC Instructions for Construction Contracts and the City's Construction Employment Program Ordinance (commonly known as the "Workforce Ordinance") (City Code Section 3-515). Within forty-eight (48) hours after bid opening, the construction contractor shall submit **CREO KC Employee Identification Report-Rev. 102715**, which shall include: the name, home address, job title, sex and race/ethnicity of each person the contractor anticipates will be performing construction labor hours creditable towards the minimum workforce goals applicable to the construction contractor individually.
11. Should Bidder fail to meet or exceed the minimum employment goals or otherwise establish that Bidder is entitled to a waiver under circumstances in which Bidder has previously failed to meet or exceed the goals on one or more occasions with the twenty-four month period immediately preceding the completion of the Work under this Bid Form/Contract, Bidder may be suspended from participating, either as a contractor or subcontractor, on any future contract with the City for a period ranging from thirty days to six months as further specified in the Contract Documents. This program is distinguished from the M/WBE Program in that it is not based on company ownership but rather is based on workforce hours instead of a budgetary allocation of work.
12. By submitting its bid, Bidder warrants that if its bid should exceed \$300,000.00 and Bidder employs fifty (50) or more people, Bidder has an affirmative action program in place and will maintain the affirmative action program in place for the duration of its contract with the City. Bidder further warrants that it will comply with the affirmative action requirements contained in the General Conditions as incorporated by reference into this Bid Form/Contract.
13. Section 13 through Section 16 constitutes the Affidavit of Intended Utilization required to be submitted by Bidders.

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14. By submitting its bid, Bidder is agreeing to the following: (1) Bidder has made by bid opening a good faith effort to meet the MBE/WBE/DBE goals established for the project; or Bidder will continue to make during the 48 hours after bid opening a good faith effort to meet the MBE/WBE/DBE goals established for the project; and (2) Bidder will timely submit its **00450 CREO KC 08 Contractor Utilization Plan/Request for Waiver** and **00450.01 Letter of Intent to Subcontract** for each MBE/WBE listed on the 00450 CREO KC 08 Construction Contractor Utilization Plan/Request for Waiver; and (3) Bidder will submit documentation of its good faith efforts to meet the MBE/WBE/DBE goals when requested by the City. Failure to meet these requirements in good faith will result in Bidder forfeiting its bid bond.

PROJECT GOALS: **15% MBE 9% WBE**

BIDDER PARTICIPATION: 16.93 % **MBE** 9.73 % **WBE**

15. To the best of Bidder's knowledge, the following are names of certified MBEs and/or WBEs with whom Bidder, or Bidder's subcontractors, presently intend to contract with if awarded the Contract on the above project: **(All firms must currently be certified by CREO KC)**

- A. Name of M/WBE Firm J.A. Lillig Grading (MBE)
 Address 1615 E 173rd St, Belton, MO 64102
 Telephone No. 816-331-2280
 I.R.S. No. MODOT 0028480
 Area/Scope of work Backfill, grading, erosion control, sweeping, equipment support
 Subcontract amount \$1,958,428.00
- B. Name of M/WBE Firm Parrish and Sons Construction (MBE)
 Address 800 E. 101 St. Terrace, Suite 350, KCMO 64131
 Telephone No. 816-914-1375
 I.R.S. No. MODOT 0020850
 Area/Scope of work Concrete Crushing
 Subcontract amount \$1,000,000.00
- C. Name of M/WBE Firm Richardson Hauling DBA KC Trucking Worx (WBE)
 Address 14800 Kentucky Road, Independence, MO 64050
 Telephone No. 816-252-0664
 I.R.S. No. MODOT 0025700
 Area/Scope of work Hauling
 Subcontract amount \$300,000.00
- D. Name of M/WBE Firm Hartline Construction (WBE)
 Address 751 E. 63rd St, Suite 107, Kansas City, MO 64110
 Telephone No. 816-921-6002
 I.R.S. No. MODOT 0029080
 Area/Scope of work Install Items - Stormwater, Pedestrian Walkway
 Subcontract amount \$850,000.00
- E. Name of M/WBE Firm Hartline Construction (WBE) as sub to Mark One Electric
 Address 751 E. 63rd St, Suite 107, Kansas City, MO 64110
 Telephone No. 816-921-6002
 I.R.S. No. MODOT 0029080

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Area/Scope of work Install Items - Stormwater, Pedestrian Walkway
Subcontract amount \$550,000.00

F. Name of M/WBE Firm _____
Address _____
Telephone No. _____
I.R.S. No. _____
Area/Scope of work _____
Subcontract amount _____

(List additional MBE/WBEs, if any, on additional pages and attach to this form)

16. By submitting its bid, Bidder is agreeing it will identify and timely submit within 48 Hours after Bid opening those MBE/WBE subcontractors with dollar amounts and scopes of work, which apply to or exceed the MBE/WBE goals for the Project on the **00450 CREO KC 08 Contractor Utilization Plan/Request for Waiver**.

17. Bidder agrees that failure to meet or exceed the MBE/WBE Goals for the above project will require the Director of CREO KC to recommend disapproval of the bid unless the Director of CCREO KC finds the Bidder established good faith efforts towards meeting the goals as set forth in the CREO KC Forms and Instructions for Construction Projects and the City's MBE/WBE Ordinance.

Business Entity Type:

- ☒ Missouri Corporation
☐ Foreign Corporation
☐ Fictitious Name Registration
☐ Sole Proprietor
☐ Limited Liability Company
☐ Partnership
☐ Joint Venture
☐ Other: (Specify) _____

BIDDER

Legal name & address of Bidder, person firm, partnership, corporation, or association submitting Bid:

Spirtas Company dba Spirtas Wrecking Company

Phone No: 314-862-9800

Cell No: 314-920-6288

Facsimile No: 314-862-9802

Bidder's E-Mail: Matt.Sheehan@spirtas.com

Federal ID. No. 43-0978974

I hereby certify that I have authority to execute this document on behalf of Bidder, person, firm, partnership, corporation or association submitting Bid.

By: _____

(Signature)

J. Matthew Sheehan

(Print Name)

Title: President & CEO

Date: November 9, 2023

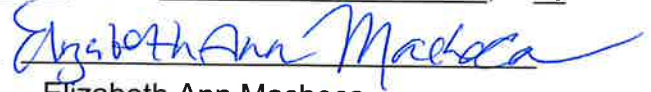
(Attach corporate seal if applicable)

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NOTARY

Subscribed and sworn to before me this 9 day of November, 2023.

My Commission Expires: 3-14-26


Elizabeth Ann Macheca



ACCEPTANCE OF BID

CITY, by executing this Bid Form/Contract, hereby accepts Bidder's Bid and this Bid Form/Contract that incorporates all other Contract Documents shall constitute the Contract between the Parties.

CITY shall pay CONTRACTOR for completion of the Work in accordance with the Contract Documents a maximum amount of Seventeen Million Four Hundred Seventy Seven Thousand Four Hundred and 00/100 Dollars, (\$17,477,400.00). The Contract Price includes:

00413 Allowances, included in the Bid, a copy of which is attached.

\$

By executing this Bid Form/Contract, CITY accepts Bidder's offer for the Contract Price stated above and this Bid Form/Contract that incorporates all other Contract Documents shall constitute the Contract between the parties

City of Kansas City, Missouri (OWNER or City)

Approved as to form:

Assistant City Attorney

I hereby certify that there is a balance, otherwise unencumbered, to the credit of the appropriation to which the foregoing expenditure is to be charged, and a cash balance, otherwise unencumbered, in the treasury, to the credit of the fund from which payment is to be made, each sufficient to meet the obligation hereby incurred.

Director of Finance

Date