

CITY OF LOUISIANA
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KANSAS CITY
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CREO KC Contractor Utilization Plan Approval

Date: March 30, 2022
 To: Itzel Vance, Civil Rights & Equal Opportunity Department
 From: Derrick Smith, Procurement Services
 Subject: Contract/Project No.: 80002377/9718
 Project Title: Citywide Automated Metering Infrastructure 2

Funding:	<input checked="" type="checkbox"/> City (MBE/WBE/DBE)	<input type="checkbox"/> Federal (DBE) ¹	<input type="checkbox"/> State (DBE) ¹ - Grant _____
	<input type="checkbox"/> Other: TIF		
Contract Category:	<input checked="" type="checkbox"/> Construction	<input type="checkbox"/> General Service	<input type="checkbox"/> Facility Repair
	<input type="checkbox"/> Design Professional	<input type="checkbox"/> Professional Services	<input type="checkbox"/> Concession
	<input type="checkbox"/> Other:		
Bid/Proposal Closing Date:	March 8, 2022		No. of Bidders/Proposers: 3
Recommended Bid/Proposal²:	\$ 673,000.00 with a maximum expenditure of \$3,000,000.00		
Company:	Haines & Associates Construction Co., Inc.		Address: 600 Haines Drive, Ste. A, Liberty, MO 64068
Contact:	Chad Haines		Phone: (816) 792-3905
Contact Email:	Chad@HainesAssoc.com		Fax: (816) 792-9935
Additional Information:			
Maximum expenditure of \$3,000,000.00			

cc: Terry Thomas, Project Manager:

FOR CIVIL RIGHTS & EQUAL OPPORTUNITY DEPARTMENT USE ONLY	
The attached Contractor Utilization Plan is:	
<input checked="" type="checkbox"/> Approved	The Request for Best Faith Efforts Waiver is:
<input type="checkbox"/> Disapproved	<input type="checkbox"/> Approved
	<input type="checkbox"/> Disapproved
	<input type="checkbox"/> Not Applicable
Contractor Utilization Plan Participation: <u>12</u> % MBE & <u>12</u> % WBE	or _____ % DBE
DocuSigned by: 	4/11/2022
Civil Rights & Equal Opportunity Department	Date

FOR GRANTING AGENCY USE ONLY³	<input type="checkbox"/> N/A
Approved by: _____	Date: _____

¹ DBE Programs apply to specific federal or state grant requirements.
² The dollar figure here should match the approved Bid/Proposal recommendation or amendment preparation checklist on file with the requesting department.
³ Federal and state grant agreements may require granting agency approval of contract goals.
 CREO KC Contractor Utilization Plan Approval 10.5.2021 1 of 1 Contract Central

Inter-Departmental Communication

Date: March 4, 2022

To: Mayor Quinton Lucas, Chair: Transportation, Infrastructure & Operations Committee

From: Andrea Dorch; Director; Civil Rights & Equal Opportunity Department

Subject: Docket Memo #:

CONTRACTOR: Haines & Associates Construction Co., Inc.
Address: 600 Haines Dr., Suite A
Liberty, MO 64068
Contract # 9718 / 80002377 – City wide Automated
Metering Infrastructure 2
Contract Amount: \$673,000.00*
MBE Goal 12%
WBE Goal: 12%
Total MBE Achieved: 12%
Total WBE Achieved: 12%

MBE SUBCONTRACTORS:

Name: Tenoch Construction, Inc.
Address: 912 Scott Ave.
Kansas City, KS 66105
Scope of Work: Concrete / Asphalt
Dollar Amount: \$81,000
Ownership: Segura-Ulrich, Sonya
Structure: Hispanic-American Female Code 20

WBE SUBCONTRACTORS:

Name: Rising Construction Services, Inc.
Address: 1206 NW Baytree Dr.
Grain Valley, MO 64029
Scope of Work: Landscaping
Dollar Amount: \$81,000
Ownership: Rising, Kristen
Structure: Caucasian Female Code 27

Comments:

*Note: Maximum contract value listed as \$3,000,000.



REQUEST FOR MODIFICATION OR SUBSTITUTION

(This Form must be submitted to HRD to request substitutions for an MBE/WBE listed in the Contractor Utilization Plan or for modification of the amount of MBE/WBE participation listed in the Contractor Utilization Plan. This Form shall be an amendment to the Contractor Utilization Plan.)

BIDDER/PROPOSER/CONTRACTOR: HAINES & ASSOCIATES CONST. CO. INC
ADDRESS: 600 BAKER DR. SUITE A LIBERTY MO 64088
PROJECT NUMBER OR TITLE: SCC2377/0718
AMENDMENT/CHANGE ORDER NO: (if applicable) _____

Project Goals: _____ % MBE _____ % WBE
Contractor Utilization Plan: _____ % MBE _____ % WBE

1. I am the duly authorized representative of the above Bidder/Contractor/Proposer and am authorized to request this substitution or modification on behalf of the Bidder/Contractor/Proposer.

2. I hereby request that the Director of HRD recommend or approve: (check appropriate space(s))

a. A substitution of the certified MBE/WBE firm ARMY CONST.
(Name of new firm)
to perform LABOR ADDRESS MONTHLY PERS CHECK REPORT
(Scope of work to be performed by new firm)
for the MBE/WBE firm TENOR CONSTRUCTION which is currently
(Name of old firm)
listed on the Bidder's/Contractor's/Proposer's Contractor Utilization Plan to
perform the following scope of work: LABOR ADDRESS MONTHLY PERS CHECK REPORT
(Scope of work of old firm)

b. _____ A modification of the amount of MBE/WBE participation currently listed on the Bidder's/Contractor's/Proposer's Contractor Utilization Plan from

_____ % MBE _____ % WBE (Fill in % of MBE/WBE Participation currently listed on Contractor Utilization Plan)

TO

_____ % MBE _____ % WBE (Fill in New % of MBE/WBE Participation requested for Contractor Utilization Plan)

- c. Attach 00450.01 Letter of Intent to Subcontract letter for each new MBE/WBE to be added.
- d. Attach a copy of the most recent 00485.01 or on-line M/WBE Monthly Utilization Report

3. Bidder/Contractor/Proposer states that a substitution or modification is necessary because: (check applicable reason(s))

The MBE/WBE listed on the Contractor Utilization Plan is non-responsive or cannot perform.

The MBE/WBE listed on the Contractor Utilization Plan has increased its previously quoted price without a corresponding change in the scope of work.

The MBE/WBE listed on the Contractor Utilization Plan has committed a material default or breach of its contract.

Requirements of the scope of work of the contract have changed and make subcontracting not feasible or not feasible at the levels required by the goals established for the contract.

The MBE/WBE listed on the Contractor Utilization Plan is unacceptable to the City contracting department.

Bidder/Contractor/Proposer has not attempted intentionally to evade the requirements of the Act and it is in the best interests of the City to allow a modification or substitution.

4. The following is a narrative summary of the Bidder's/Contractor's/Proposer's good faith efforts exhausted in attempts to substitute the MBE/WBE firm named above which is currently listed on the Contractor Utilization Plan with other qualified, certified MBE/WBE firms for the listed scope of work or any other scope of work in the project:

NUMBER 200016 ATTACHED IS 1 LETTER FROM TENDER

5. Bidder/Proposer/Contractor will present documentation when requested by the City to evidence its good faith efforts.

Dated: 11/13/12

Harriet Assoc Casa Co. Inc
(Bidder/Proposer/Contractor)

[Signature]
By: (Authorized Representative)



Where a strong foundation begins
Tenoch Construction, Inc.
912 Scott Avenue
Kansas City, Kansas 66105

Office: (913) 671-7706
Fax: (913) 671-7307

sonya@tenochconstruction.com

>>>A Certified KDOT-DBE, MoDOT-DBE, KCMO-MBE/WBE Contractor<<<

10/26/2022

Re: KCMO Project No.80002377/9718
Citywide Automated Metering Infrastructure 2

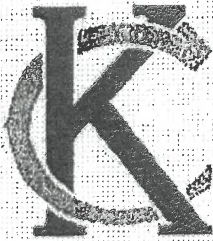
Mr. Chad Haines,

Tenoch Construction, Inc. regrets to inform Haines and Associates that we misunderstood Scope of Work on request for proposal for this project and are unable to perform the work.

Thank you for the opportunity,

Sonya SeguraUlrich

Sonya SeguraUlrich/President



LETTER OF INTENT TO SUBCONTRACT

Select one:

Original LOI:

Updated LOI:

Project Name/Title Citywide Automated Metering Infrastructure 2

Project Location/Number 80002377/9718

PART I: Prime Contractor Haines & Associates Const. Co. Inc. agrees to enter into a contractual agreement with M/W/DBE/Section 3 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/W/DBE Subcontractor is certified are insufficient and may result in denial of this Letter of Intent to Subcontract.]

Labor, adjusting meter pit Installing curb stops

for an estimated amount of \$ 360,000.00 (or 12 % 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/Section 3 Subcontractor is, to the best of Prime Contractor's knowledge, currently certified with the City of Kansas City's Human Relations 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: Please complete fields below, print, sign/notarize and submit.

**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: Haines & Associates Const. Co. Inc.

[Signature]
Signature: Prime Contractor
President
Title

Chad Haines
Print Name
11/18/2022
Date

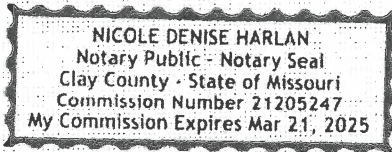
State of Missouri)
County of Cox)

I, Nicole Denise Harlan, 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 10
day of June, 2023

My Commission Expires: 3/21/25 Nicole Denise Harlan
Notary Public

STAMP:



MWDBE SUBCONTRACTOR BUSINESS NAME: Abay Construction

[Signature]
Signature: Subcontractor
Vice president
Title

Henok Tesfeste
Print Name
11/18/22
Date

State of Missouri)
County of Jackson)

I, Robbie Tubbs, 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 Nov, 2022

My Commission Expires: March 10, 2023 Robbie Tubbs
Notary Public

STAMP:



ROBBIE L. TUBBS
My Commission Expires
March 10, 2023
Jackson County
Commission #15464082