CITY OF FOUNTAINS
HEART OF THE NATION

KANSAS CITY
MISSOURI

CONTRACTOR UTILIZATION PLAN/REQUEST FOR WAIVER

Project Number 81000719 / 1585

Project Title I/I Reduction: Northern Basin Project 1

Director of Water Services (Department Project) | Water Services Department

The Havens Construction Company, Inc.
(Bidder/Proposer)

STATE OF Missouri)
) ss
COUNTY OF Clay)

I, Justin M. Bolsenga, 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 10 **% MBE** and 10 **% 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:** 10 **% MBE** 10 **% WBE**

   - **POST-BID/POST-RFP ESTIMATED BUDGET: $** 6,045,610.00

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 Global Earthworks and Underground
   Address 215 W 12th St. Suite #250 Kansas City, MO 64101
   Telephone No. (913) 827-8468
   I.R.S. No. 88-2500563

Name of M/WBE Firm KC Underground Construction
Address 728 NW 94th Terrace Kansas City, MO 64155
Telephone No. (816) 617-9183
I.R.S. No. 84-4957507

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
Global Earthworks and Undergound	Contractor	$ 604,561.00		10.00

TOTAL MBE $ / TOTAL MBE %: $ 604,561.00 10.00 %

WBE FIRMS:

Name of WBE Firm	Supplier/Broker/Contractor	Subcontract Amount*	Weighted Value**	% of Total Contract
KC Underground	Contractor	$ 604,561.00		10.00

TOTAL WBE $ / TOTAL WBE %: $ 604,561.00 10.00 %

*"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: The Havens Construction Co., Inc.
Address: 9400 Liberty Drive
Liberty , MO 64068
Phone Number: (816) 781-4769
Facsimile number: (816) 792-1277
E-mail Address: jbolsenga@havensco.com

By: Justin M. Bolsenga
Title: Vice President
Date: January 24, 2024
(Attach corporate seal if applicable)

Subscribed and sworn to before me this 24th day of January, 2024.

My Commission Expires: February 21, 2026

Notary Public

LISA J. HOLSTED
Notary Public-Notary Seal
STATE OF MISSOURI
Clinton County
My Commission Expires 2/21/2026
Commission # 14937857

LETTER OF INTENT TO SUBCONTRACT

Check one:
Original LOI: ☑
Updated LOI: ☐

Project Name/Title I/I Reduction: Northern Basin Project 1

Project Location/Number 810008719/ 1585

PART 1: Prime Contractor The Havens Construction Co., Inc. agrees to enter into a contractual agreement with M/W/DBE Subcontractor Global Earthworks and Underground 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.]

Underground Utilities

for an estimated amount of $ 604,561.00 (or 10 % 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:
- ☑ 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: Global Earthworks and Underground

Full address: 1215 W 12th St. Suite #250 (Street number and name) Kansas City, MO 64101 (City, State and Zip Code)

Primary contact: Joe Rodgiguez (Name) (913) 827-8468 (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: Underground Utilities

c) The dollar value of this agreement is: $604,561.00

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: The Havens Construction Co., Inc.

Signature: Prime Contractor — Justin M. Bolsenga (Print Name)

Vice President (Title) — January 24, 2024 (Date)

State of Missouri)

County of Clay)

I, Lisa J. Holsted, 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 24th day of January 20 24

My Commission Expires: 2.21.26 — Notary Public

STAMP:

LISA J. HOLSTED
Notary Public-Notary Seal
STATE OF MISSOURI
Clinton County
My Commission Expires 2/21/2026
Commission # 14937857

MWDBE SUBCONTRACTOR BUSINESS NAME: Global Earthwork & Underground

Signature: Subcontractor — Pat Wheeler (Print Name)

Project Mgr. (Title) — 1-24-2024 (Date)

State of Kansas)

County of Wyandotte)

I, Natalie Marshall, 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 24th day of Jan, 20 24

My Commission Expires: 7-14-25 — Natalie Marshall, Notary Public

STAMP:

STATE OF KANSAS NOTARY PUBLIC

NATALIE MARSHALL
My Appointment Expires
July 14, 2025

LETTER OF INTENT TO SUBCONTRACT

Check one:
Original LOI: ☑
Updated LOI: ☐

Project Name/Title I/I Reduction: Northern Basin Project 1

Project Location/Number 81000719 / 1585

PART 1: Prime Contractor The Havens Construction Co., Inc. agrees to enter into a contractual agreement with M/W/DBE Subcontractor KC Underground Construction 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.]

Utility Locates, CCTV, Vac Truck, Casting R&R, Int. Chimney Seals

for an estimated amount of $ 604,561.00 (or 10 % 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:
- ☑ 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: KC Underground Construction LLC

Full address: 728 NW 94th Terrace (Street number and name) Kansas City, MO 64155 (City, State and Zip Code)

Primary contact: Danielle Maring (Name) (816) 617-9183 (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: Utility Locates, CCTV, Vac Truck, Casting R&R, Int. Chimney Seals

c) The dollar value of this agreement is: $604,561.00

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: The Havens Construction Co., Inc.

Signature: Prime Contractor — Justin M. Bolsenga (Print Name)

Vice-President (Title) — January 24, 2024 (Date)

State of Missouri)
County of Clay)

I Lisa J. Holsted, 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 24th day of January 20 24

My Commission Expires: 2.21.26

Lisa J. Holsted
Notary Public

STAMP:

LISA J. HOLSTED
Notary Public-Notary Seal
STATE OF MISSOURI
Clinton County
My Commission Expires 2/21/2026
Commission # 14937857

MWDBE SUBCONTRACTOR BUSINESS NAME: KC Underground Const. LLC

Danielle Maring
Signature: Subcontractor

Danielle Maring (Print Name)

Owner (Title) — 1.24.24 (Date)

State of Missouri)
County of Clay)

I Jacob Pritchett, 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 24th day of January, 2024

My Commission Expires: 4/11/2027

Jacob Pritchett
Notary Public

STAMP:

JACOB PRITCHETT
Notary Public - Notary Seal
Clay County - State of Missouri
Commission Number 23011447
My Commission Expires Apr 11, 2027

TIMETABLE FOR MBE/WBE UTILIZATION

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

I, Justin M. Bolsenga *(Name)*, acting in my capacity as Vice President *(Position with Firm)* of The Havens Construction Company, Inc. *(Name of Firm)*, 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.

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 390Substantial / 90 more days Final (Specify)

Throughout YES Beginning 1/3 _____

Middle 1/3 _____ Final 1/3 _____

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

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)

Vice President

(Position with Firm)

January 24, 2024

(Date)