

CONTRACTOR UTILIZATION PLAN/REQUEST FOR WAIVER

Project Number No. 81000975

Project Title Green Infrastructure Project 1-2: Paseo Gateway/KCU

Green Infrastructure Project 1-2: Paseo Gateway/KCU Water Services Department
(Department Project) Department

McClure
(Bidder/Proposer)

STATE OF MISSOURI)

) ss

COUNTY OF JACKSON)

I, Jay Burress, 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 goals are 14 % MBE and 14 % WBE. Bidder/Proposer assures that it will utilize a minimum of the following percentages of MBE/WBE participation in the above project:

BIDDER/PROPOSER PARTICIPATION: 13 % MBE 6 % WBE

3. 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)*

a. Name of M/WBE Firm Custom Engineering, Inc.
Address 12760 East US 40 Hwy. Independence, MO 64055
Telephone No. 816-350-1473
I.R.S. No. 43-1031915

b. Name of M/WBE Firm TSi Engineering, Inc.
Address 8248 NW 101st Ter #5, KC, MO 64153
Telephone No. 816-599-7965

I.R.S. No. 43-1535463

c. Name of M/WBE Firm LightWorks, Inc.
Address 361b Main, Weston, MO 64098
Telephone No. 816-640-9948
I.R.S. No. 01+0628830

d. Name of M/WBE Firm TREKK Design Group, LLC
Address 1411 E. 104th St., KCMO 64131
Telephone No. 816-874-4655
I.R.S. No. 43-1953275

e. Name of M/WBE Firm _____
Address _____
Telephone No. _____
I.R.S. No. _____

f. 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
<u>Custom Eng.</u>	_____	<u>\$47,295</u>	_____	<u>13</u>
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
TOTAL MBE \$ / TOTAL MBE %:		\$ <u>47,295</u>		<u>13</u> %

WBE FIRMS:

Name of WBE Firm	Supplier/Broker/Contractor	Subcontract Amount*	Weighted Value**	% of Total Contract
<u>Lightworks</u>	<u></u>	<u>\$7,500</u>	<u></u>	<u>2</u>
<u>TREKK</u>	<u></u>	<u>\$12,000</u>	<u></u>	<u>3</u>
<u>TSi</u>	<u></u>	<u>\$5,000</u>	<u></u>	<u>1</u>
<u></u>	<u></u>	<u></u>	<u></u>	<u></u>
<u></u>	<u></u>	<u></u>	<u></u>	<u></u>
<u></u>	<u></u>	<u></u>	<u></u>	<u></u>
<u></u>	<u></u>	<u></u>	<u></u>	<u></u>
TOTAL WBE \$ / TOTAL WBE %:		\$ <u>\$24,500</u>		<u>6</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 HRD 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
- 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.
- 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

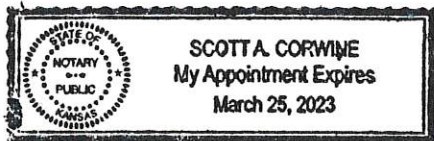
8. Bidder/Proposer will present documentation of its good faith efforts, a narrative summary detailing its efforts and the reasons its efforts were unsuccessful when requested by the City.
9. I hereby certify that I am authorized to make this Affidavit on behalf of the Bidder/Proposer named below and who shall abide by the terms set forth herein:

Bidder/Proposer primary contact: F. Jay Burress P.E., ENV SP
Address: 11031 Strang Line Road
Lenexa, KS 66215
Phone Number: 913-888-7800
Facsimile number: _____
E-mail Address: jburress@mcclurevision.com

By: *F. Jay Burress*
Title: Project Manager
Date: May 3, 2022
(Attach corporate seal if applicable)

Subscribed and sworn to before me this 3RD day of MAY, 2022

My Commission Expires: 3/25/23 *Scott A. Corwine*
Notary Public





LETTER OF INTENT TO SUBCONTRACT

Project Name/Title Green Infr. Project 1-2: Paseo Gateway/KCU

Project Location/Number 81000975

Check one:

Original LOI: ☐

Updated LOI: ☐

PART I: Prime Contractor McClure agrees to enter into a contractual agreement with M/W/DBE/Section 3 Subcontractor Custom Engineering 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.]
Electrical Engineering design work on the Smart Sewer infrastructure

for an estimated amount of \$ 47,295.00 (or 13 % 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 (circle 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: McClure

[Signature]
Signature: Prime Contractor

F. Jay Burress, P.E., ENV SP
Print Name

Project Manager
Title

April 27, 2022
Date

State of KANSAS)

County of JOHNSON)

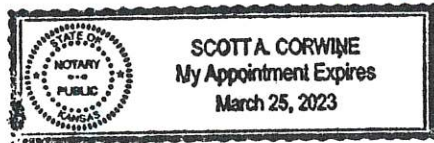
I, Jay Burress, state that the above and foregoing is based on my best knowledge and belief.

Subscribed and sworn to before me, a notary public, on this 27th day of April, 2022

My Commission Expires: 3/25/23

[Signature]
Notary Public

STAMP:



MWDBE SUBCONTRACTOR BUSINESS NAME: Custom Engineering, Inc.

[Signature]
Signature: Prime Contractor

Joseph T. Davis
Print Name

CEO
Title

04/26/2022
Date

State of MO)

County of Jackson)

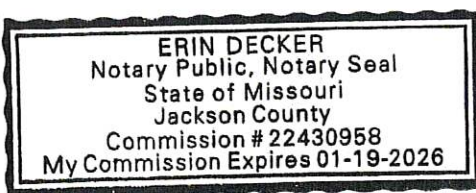
I, Joseph Davis, state that the above and foregoing is based on my best knowledge and belief.

Subscribed and sworn to before me, a notary public, on this 26th day of April, 2022

My Commission Expires: 1-19-2026

[Signature]
Notary Public

STAMP:





LETTER OF INTENT TO SUBCONTRACT

Project Name/Title Green Infr. Project 1-2: Paseo Gateway/KCU

Project Location/Number 81000975

Check one:

Original LOI: ☐

Updated LOI: ☐

PART I: Prime Contractor McClure agrees to enter into a contractual agreement with M/W/DBE/Section 3 Subcontractor TREKK 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.] Utilizing CCTV, a push camera, smoke testing, dye testing and visual inspection, TREKK will determine locations of storm and sanitary sewer service lines for some of the existing buildings on KCU's campus.

for an estimated amount of \$ 12,000 (or 3 % 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/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 (circle 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: McClure
F. Jay Burress F. Jay Burress P.E., ENV SP
Signature: Prime Contractor Print Name
Project Manager April 29, 2022
Title Date

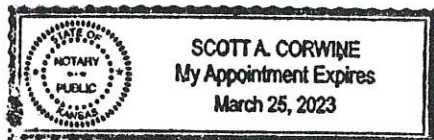
State of Kansas)
County of Johnson)

I, JAY BURRESS, 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 29th, 20 22

My Commission Expires: 3/25/23 Scott A. Corwine
Notary Public

STAMP:



MWDBE SUBCONTRACTOR BUSINESS NAME: TREKK Design Group LLC
Lucas Gillen LUCAS GILLEN
Signature: Prime Contractor Print Name
ASSOCIATE 4/29/22
Title 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 29th
day of April, 20 22

My Commission Expires: 6/30/2022 Linda S Dodson
Notary Public

STAMP:



LINDA S DODSON
My Commission Expires
June 30, 2022
Jackson County
Commission #14991560



LETTER OF INTENT TO SUBCONTRACT

Project Name/Title Green Infr. Project 1-2: Paseo Gateway/KCU

Project Location/Number 81000975

Check one:

Original LOI: ☐

Updated LOI: ☐

PART I: Prime Contractor McClure agrees to enter into a contractual agreement with M/W/DBE/Section 3 Subcontractor Lightworks 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.]
Will provide lighting design for the pedestrian paths around detention ponds.

for an estimated amount of \$ 7,500.00 (or 2 % 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/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 (circle 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: McClure

[Signature]
Signature: Prime Contractor

F. Jay Burress P.E. ENV SP
Print Name

Project Manager
Title

May 2, 2022
Date

State of Kansas)

County of Johnson)

I, F. Jay Burress, 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 2ND day of MAY, 2022

My Commission Expires: 3/25/23

[Signature]
Notary Public

STAMP:



MWDBE SUBCONTRACTOR BUSINESS NAME: LIGHTWALKS, INC.

[Signature]
Signature: Prime Contractor

KATH VANDER
Print Name

President
Title

5.2.22
Date

State of MISSOURI)

County of PLATTE)

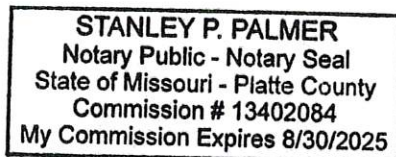
I, STANLEY P. PALMER, state that the above and foregoing is based on my best knowledge and belief.

Subscribed and sworn to before me, a notary public, on this 2ND day of MAY, 2022

My Commission Expires: 8/30/2025

[Signature]
Notary Public

STAMP:





LETTER OF INTENT TO SUBCONTRACT

Project Name/Title Green Infr. Project 1-2: Paseo Gateway/KCU

Project Location/Number 81000975

Check one:

Original LOI: ☐

Updated LOI: ☐

PART I: Prime Contractor McClure agrees to enter into a contractual agreement with M/W/DBE/Section 3 Subcontractor TSi 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.]
Geotechnical investigations

for an estimated amount of \$ 5,000 (or 1.4 % 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/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 (circle 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: McClure
F. Jay Burress F. Jay Burress P.E., ENV SP
Signature: Prime Contractor Print Name
Project Manager April 3, 2022
Title Date

State of Kansas)
County of Johnson)

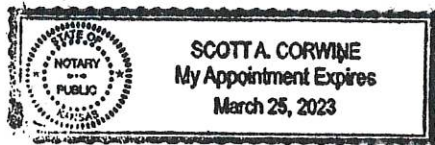
I, Jay Burress, state that the above and foregoing is based on my best knowledge and belief.

Subscribed and sworn to before me, a notary public, on this 3rd day of MAY, 2022

My Commission Expires: 3/25/23

Scott A. Corwine
Notary Public

STAMP:



MWDBE SUBCONTRACTOR BUSINESS NAME: TSi Geotechnical, Inc.
Denise B. Hervey Denise B. Hervey
Signature: Prime Contractor Print Name
CEO 05/03/22
Title Date

State of)
County of)

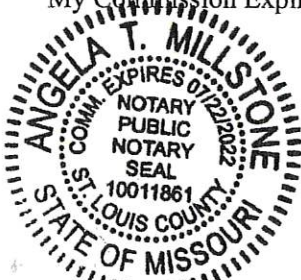
I, Denise B. Hervey, state that the above and foregoing is based on my best knowledge and belief.

Subscribed and sworn to before me, a notary public, on this 3rd day of May, 2022

My Commission Expires: July 22, 2022

Angela T. Millstone
Notary Public

STAMP:



TIMETABLE FOR MBE/WBE UTILIZATION

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

I, Jay Burress, acting in my capacity as Project Manager
(Name) (Position with Firm)
of McClure, 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 <u>160</u> (Specify)					

Throughout X Beginning 1/3 _____
Middle 1/3 _____ Final 1/3 _____
Beginning 1/3 _____% Middle 1/3 _____% Final 1/3 _____%

PLEASE NOTE: Any changes in this timetable require approval of the Human Relations Department in advance of the change.

If you have any questions regarding the completion of this form, please contact the Department of Human Relations at: (816) 513-1818.



(Signature)

Project Manager

(Position with Firm)

April 26, 2022

(Date)