ELITE ROOT CONTROL

Sewer Cleaning • Root Control • CCTV Inspection • Kansas City, Missouri

August 3, 2026

Finance, Governance and Public Safety Committee
City Council, City of Kansas City, Missouri
414 E. 12th Street, Kansas City, MO 64106
Submitted to: Public.Testimony@kcmo.org

RE: Ordinances 260688, 260689, 260690, 260691 and 260692 — Public Comment

Chairman and Members of the Committee,

Elite Root Control is a family-owned sewer cleaning, root control, and CCTV inspection company in Kansas City. My husband and I have run this company for over fifteen years. Between us we have twenty-six years in this industry. We are experts in this field, and we have a passion for the work. We are certified as an MBE/DBE and as a Small Local Business Enterprise.

I want the Committee to note that we are already SLBE certified. Whatever direction this Council takes, we qualify under the small business framework you are moving toward. My concern is not whether we belong in the new program. It is whether the new program will work any better than the last one.

This change, done right, could actually help small business grow. That is why I am writing.

What this program has meant to us

We needed this program. Sewer and underground work is a hard industry for a small family company to break into — a tight club, and we were not in it. Not for lack of skill. We simply could not get in front of the people awarding the work. The participation program is what opened that door, and it is what let us build a company.

I did not know until I read your Disparity Study that this was measured. Griffin & Strong found that 60.8 percent of survey participants believe there is an informal network of prime and subcontractors in Kansas City that monopolizes the public contracting process, and 54 percent said their exclusion from that network has kept them from winning City contracts. That is the tight club, in the City's own report.

The program is also what keeps that door open. If it closes before something real is standing in its place, it will be devastating for firms like ours.

That door only ever opened so far. Ten percent. Fifteen percent. That has been the ceiling, not the floor. The rest of the work on these contracts was never really available to us. We built a company inside that narrow margin, and we did it well.

What happened to us

Recently a prime contractor came to us with commitments of substantial work. We believed them, and we staffed around what we were told. Those commitments were not honored. Our participation goal was reduced, and the work we actually performed ended at roughly three percent of the contract. The city approved that reduction, and we were never contacted before it happened. We learned of it after the work was already gone. We have had to lay off employees as a result, and we are still working to resolve it.

As we looked further, we found this was not the first time. The pattern repeats: the minority participation goal comes down, the women's participation goal goes up, and the work moves to a firm with hundreds of employees and offices across several states. On paper the goals are met and the report reads correctly. What the report does not show is that a genuinely small local business absorbed the entire loss. One small firm previously promised work under this same pattern is out of business today.

Your Disparity Study measured this too. It found that 42.4 percent of survey participants agreed that some prime contractors will include a small local, minority, disadvantaged, or woman owned subcontractor on a bid to meet participation goals and then drop that company after winning the award. Seventy-three percent agreed that some prime contractors only use minority and women owned firms when the city requires it.

This was not the only contract. On separate work with a different prime contractor, we performed for years before our participation was moved to a woman-owned firm whose primary business has been excavation and that only recently entered this trade. We were kept on for the most difficult and least profitable assignments at a lower rate, while the easier work went elsewhere.

The goal was the only opportunity we ever had — and it could be changed without us in the room.

Where we stand

I am not writing to argue about whether the M/WBE program should stay or go. That decision belongs to this Council, and there is a federal lawsuit that will have its own say. I am writing about how you make the change, because the way you make it will decide whether firms like ours are still standing when the new program opens.

I would also ask the Committee to sit with one number from its own study before adopting a small business program. During the study period, certified SLBEs received 0.49 percent of the City's prime construction dollars. Less than half of one percent. Griffin & Strong found SLBEs statistically underutilized as prime contractors in every single industry category. The small business program the City already has is not producing prime opportunities for small firms. Moving everyone into it without fixing that will not change the outcome — it will only change the name.

What we are asking this Committee to do

1. **Put in writing that federal DBE requirements still apply.**
2. **Do not turn the old program off until the new one is actually running.**
3. **Let contracts already awarded finish under the rules they were bid under.**
4. **Finish deciding complaints that were already filed under the old program.**
5. **Set a size limit so that "small" actually means small.**
6. **Include small contractors while you design the new program.**
7. **Fix bid access, contract length, and notice.**

The seven requests, in detail

1. Put in writing that federal DBE requirements still apply.

Many of these contracts are paid for with federal money. Federal DBE requirements under 49 CFR Part 26 are federal law, and this Council cannot repeal them no matter which ordinance passes. The problem is that if the ordinance does not say so plainly, prime contractors will read a repeal as permission to stop honoring DBE commitments on federally funded jobs. One sentence in the ordinance prevents that. It costs the city nothing.

2. Do not turn the old program off until the new one is actually running.

Ordinances 260688 and 260689 suspend the current program and give the City Manager thirty or sixty days to report back. A report is not the same as a working program. Certification has to be open, the standards must be published, and staff must be in place before anyone can use it.

If the old program stops before the new one starts, contracts will be awarded during that window with no participation requirement at all. Deadlines for reports slip. Contract awards do not wait. Please make the repeal or suspension take effect only when the replacement is operating.

Please also move currently certified SLBE firms into the new program automatically. If we must reapply and wait, we cannot bid during that time. A small firm that cannot bid for several months does not survive it.

3. Let contracts already awarded finish under the rules they were bid under.

Contracts that are already signed have participation commitments written into them. Those commitments should stay in force until the contract ends or comes up for renewal. The new rules should apply to work that goes out to bid after the change takes effect.

This matters because a subcontractor on an active job has already hired crews and committed equipment based on the work promised. If a prime contractor can treat a repeal as permission to drop that subcontractor mid-contract, families lose income in the middle of a job that was already planned and staffed.

4. Finish deciding complaints that were already filed under the old program.

Some firms have filed complaints under the current program that have not yet been decided. Those firms used the process the city told them to use.

If the ordinance creating that process is repealed while a complaint is still open, it is not clear what rules that complaint gets decided under — or whether it gets decided at all. A firm could do everything correctly, follow every step, and end up with nothing simply because the law changed while it was waiting.

Please state plainly in the ordinance that complaints and disputes filed before the effective date will still be decided under the ordinance that was in effect when the events occurred. What was started under the old rules should be finished under the old rules.

5. Set a size limit so that “small” actually means small.

Ordinance 260692 creates a small business program. The size standard inside it will decide whether that program works. If the limit is set too high, a company with hundreds of employees and offices in a dozen cities can qualify as a small business, and a real small contractor is competing against it for the same set-aside work.

Please set a cap on both revenue and number of employees, measured as an average over several years rather than a single year. Please also include affiliation rules, so that a large company cannot qualify by creating or acquiring a small subsidiary and running the work through it.

6. Include small contractors while you design the new program.

The City already issues SLBE set-aside solicitations. In all our years in this program, we have never seen one in our industry — sewer cleaning, CCTV inspection, and root control. If one was issued, we were not notified, and we are a certified firm in that trade sitting in the City's own system.

The Disparity Study reflects the same thing in numbers: SLBEs received 0.49 percent of prime construction dollars and were statistically underutilized as primes in every industry category. Whatever the current program is doing, it is not creating prime opportunities for firms like ours.

Thirty to sixty days is a short window to design a replacement. Please require direct input from certified small contractors during that design and a public comment period before the program takes effect. The people who perform this work should have a say in the rules written about it. We know where the last program fell short because we lived in it, and that knowledge costs the city nothing.

7. Fix bid access, contract length, and notice.

A participation goal was our only way in because the contracts themselves never came back out. These contracts renew and re-award to the same prime contractors year after year, and in our years in this program we have not seen this work put out for open bid.

Your own study addresses this directly. Recommendation 11 notes that the City currently allows contract terms of up to six years, or six one-year terms, and recommends limiting terms to three years with no more than two one-year renewal options — because long terms exclude other firms, suppress competition, and work against best pricing. Please adopt that recommendation.

Finding 2 of the study also states plainly that the city does not forecast upcoming bid opportunities, and Recommendation 8 asks the city to publish them in advance so that firms outside the informal network have time to prepare. Please adopt that as well.

Finally, being listed in the City's vendor database is not the same as knowing when work is available. Certified firms should receive direct, automatic notice when solicitations in their categories are posted. An opportunity a small business never hears about is not an opportunity.

What this is really about

A participation program is only worth something if it produces enough work to keep crews on payroll. A goal on paper that yields a handful of jobs is not opportunity — it is a form that gets filed. What small contractors need is honest access to bid, contracts sized so we can reach them, and enough volume to build a company that one day does not need the program at all. That is the point. Not to stay in it forever — to grow strong enough to stand outside it.

We are not asking anyone to hand us anything, and we are not asking this Council to stop. We are asking you to build the small business program right. With the changes we are recommending, it will be stronger than what it replaces.

I have attached a separate document listing the specific gaps we believe the new program must close, based on what we have lived through inside the current one.

Before I close, I want to say something to this Committee directly.

This program has helped a great many businesses in this city get a leg up. Ours is one of them. Whatever it becomes next, please do not lose sight of what it was built to do.

I know these are hard and oppressive times, and I know the pressure you are under is real. But please — fight the good fight of faith. This is a worthy fight, and this too shall pass. It is more for you than against you. Just hold on.

Thank you for receiving me. GOD bless each of you, and GOD bless the good work that you will do.

Respectfully,

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