HRD Request for Modification or Substitution Approval

Date: June 22, 2016 **REVISED**
To: Philip Yelder, Human Relations Department
From: Christina Lopez-Castro, Water Services Department
Subject: Contract/Project No.: 1277/60810049
Project Title: Citywide Sewer Line Cleaning, Closed Circuit Television (CCTV) Inspection and Manhole Locating and Overflow Control Program Projects Area 1

☐ Amendment No. _____ ☐ Change Order No. _____ (See Contract Summary on the next page.) ■

Funding: ■ City (MBE/WBE/DBE) ☐ Federal (DBE)[1] ☐ State (DBE)[1] - Grant _____
☐ Other:

Contract Category: ☐ Construction ☐ General Service ☐ Facility Repair ☐ Design Professional ■ Professional Services ☐ Concession ☐ Other:

Company: ACE Pipe Cleaning, Inc. **Contact: Bruce Vantine, Secretary/Treasurer** **Contact Email: bvantine@acepipe.com**	**Address: 4000 E. Truman Rd., KCMO 64127** **Phone: (816) 241-2891** **Fax: (816) 241-5054**

Additional Information:

cc: Project Manager, Nicki Chestnut, OCP

FOR HUMAN RELATIONS DEPARTMENT USE ONLY

The attached Request for Modification or Substitution is:

☒ Approved

☐ Disapproved

The Request for Best Faith Efforts Waiver is:

☐ Approved

☐ Disapproved

☐ Not Applicable

Contractor Utilization Plan Participation as Amended: 15 % MBE & 10 % WBE or ____ % DBE

_____ 07/05/16
Human Relations Department Date

FOR GRANTING AGENCY USE ONLY[2] ☐ N/A

Approved by:

_____ _____
Date

[1] DBE Programs apply to specific federal or state grant requirements.
[2] Federal and state grant agreements may require granting agency approval of D/M/WBE participation changes.

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: Ace Pipe Cleaning, Inc.
ADDRESS: 6601 Universal Avenue, Kansas City, MO 64120-1330
PROJECT NUMBER OR TITLE: 60810049/1277
AMENDMENT/CHANGE ORDER NO: (If applicable) N/A

Project Goals:	15 % MBE	10 % WBE
Contractor Utilization Plan:	15 % MBE	10 % 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. x A substitution of the certified MBE/WBE firm Four Star Construction LLC, *(Name of new firm)*
   to perform Clearing and Grubbing, *(Scope of work to be performed by new firm)*
   for the MBE/WBE firm Blue Nile Contractors 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: Clearing and Grubbing. *(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))

_x_ 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.

_x_ 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:

Per the request of the City. Ace has substituted Blue Nile Contractors with another MBE Subcontractor (Four Star Construction) that can perform the same work for a lower price.

The MBE percentages will be Four Star Construction (11%), Blue Nile (2%), Elite (1%) and SE3 (1%)

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

Dated: 6-20-16

Ace Pipe Cleaning, Inc.
(Bidder/Proposer/Contractor)

By: Bruce Vantine
(Authorized Representative)

Bruce Vantine
Secretary / Treasurer

Approved

7/7/16