

CONTRACTOR UTILIZATION PLAN/REQUEST FOR WAIVER



KANSAS CITY
MISSOURI

Project Number 80002338/9667

Project Title WMR in the area of Smart Ave. to Van Brunt Blvd to E. 14th St to Jackson ave

General Services Departme
(Department Project)

KC Water
Department

Leath & Sons, Inc.

(Bidder/Proposer)

STATE OF Missouri)

COUNTY OF Jackson) ss

I, Jeffery B Leath, 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 11 % MBE and 11 % 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:** 11 % MBE 11 % WBE

| **POST-BID/POST-RFP ESTIMATED BUDGET:** \$ 7,953,132.45

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 Diggs Construction, LLC
Address 2033 Vine St KCMO 64108
Telephone No. 816-994-6950
I.R.S. No. 48-1210627



Name of M/WBE Firm EJ & Sons Construction
 Address 3910 Norton KCMO, 64130
 Telephone No. 816-365-3599
 I.R.S. No. 47-4117083

Name of M/WBE Firm Streetwise, Inc.
 Address 13501 Arrington Road Grandview, MO 64030
 Telephone No. 816-331-2355
 I.R.S. No. 77-0676750

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

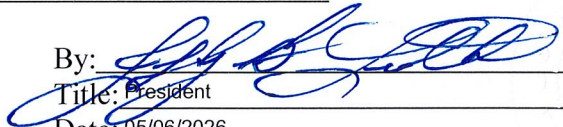
MBE FIRMS:

Name of MBE Firm	Supplier/Broker/Contractor	Subcontract Amount*	Weighted Value**	% of Total Contract
Diggs Construction, LLC	Contractor	\$ 874,845.00	\$ 874,845.00	11.00
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____



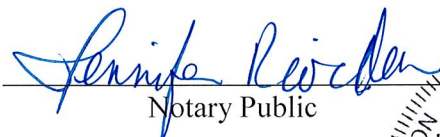
6. Bidder/Proposer acknowledges that it is responsible for considering the effect that any change orders and/or amendments changing the total contract amount may have on its ability to meet or exceed the Bidder/Proposer participation. Bidder/Proposer further acknowledges that it is responsible for submitting 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 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:

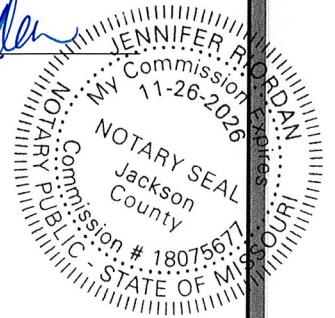
Bidder/Proposer primary contact: Leath & Sons, Inc./Dave Oshel
 Address: 9301 E 63rd St Raytown, MO 64133
 Phone Number: 816-353-8623
 Facsimile number: n/a
 E-mail Address: jennifer@leathandsons.com

By: 
 Title: President
 Date: 05/06/2026
 (Attach corporate seal if applicable)

Subscribed and sworn to before me this 6 day of May, 2026.

My Commission Expires: 11/26/2026


 Notary Public





LETTER OF INTENT TO SUBCONTRACT

Project Name/Title WMR in the area of Smart Ave. to Van Brunt Blvd. T. 14th to Jackson Ave.

Project Location/Number 80002338/9667

Check one:	
Original LOI:	<input type="checkbox"/>
Updated LOI:	<input type="checkbox"/>

PART 1: Prime Contractor Leath & Sons, Inc. agrees to enter into a contractual agreement with M/W/DBE Subcontractor EJ & Sons 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.]

trucking and restoration

for an estimated amount of \$ 725000 (or 9.1 % 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: EJ & Sons Constuction

Full address: 3910 Norton KCMO, 64130

Street number and name	City, State and Zip Code
Primary contact: <u>Mark Jones 816-564-3599</u>	

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: trucking and restoration

c) The dollar value of this agreement is: 725000



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: Leath & Sons, Inc.

Jeffery B Leath
Signature: Prime Contractor
President
Title

Jeffery B Leath
Print Name
05/06/2026
Date

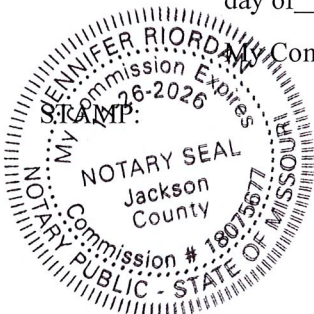
State of Missouri)
County of Jackson)

I, Jeffery B Leath, 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 6 day of May, 2026

My Commission Expires: 11/26/2026

Jennifer Rieder
Notary Public



MWDBE SUBCONTRACTOR BUSINESS NAME: EJ & Sons Construction

Mark Jones
Signature: Subcontractor
Vice President
Title

Mark Jones
Print Name
5-6-2026
Date

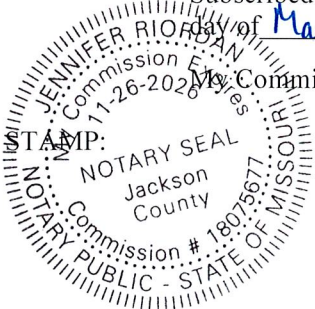
State of Missouri)
County of Jackson)

I, Mark Jones, 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 6 day of May, 2026

My Commission Expires: 11/26/2026

Jennifer Rieder
Notary Public





LETTER OF INTENT TO SUBCONTRACT

Check one:	
Original LOI:	<input type="checkbox"/>
Updated LOI:	<input type="checkbox"/>

Project Name/Title WMR in the area of Smart Ave. to Van Brunt Blvd. T. 14th to Jackson Ave.

Project Location/Number 80002338/9667

PART 1: Prime Contractor Leath & Sons, Inc. agrees to enter into a contractual agreement with M/W/DBE Subcontractor Streetwise, Inc. 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.]

Traffic Control

for an estimated amount of \$ 150000 (or 1.9 % 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: Streetwise, Inc.

Full address: 13501 Arrington Rd Grandview, MO 64030

Street number and name

City, State and Zip Code

Primary contact: Heather Perry 816-331-2355

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: traffic control

c) The dollar value of this agreement is: 150000



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: Leath & Sons, Inc.

[Signature]
Signature: Prime Contractor
President
Title

Jeffery B Leath
Print Name
05/06/2026
Date

State of Missouri)

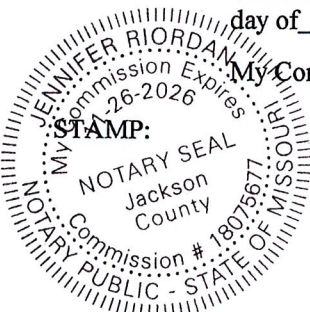
County of Jackson)

I, Jeffery B Leath, 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 6 day of May, 2026

My Commission Expires: 11/26/2026

[Signature]
Notary Public



MWD BE SUBCONTRACTOR BUSINESS NAME: Streetwise, Inc.

[Signature]
Signature: Subcontractor
Vice President
Title

Ryan Lee
Print Name
5-6-2026
Date

State of Missouri)

County of Jackson)

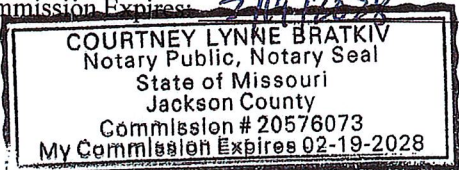
I, Courtney Bratkiv, state that the above and foregoing is based on my best knowledge and belief.

Subscribed and sworn to before me, a notary public, on this 6 day of May 2026

My Commission Expires: 2/19/2028

[Signature]
Notary Public

STAMP:





LETTER OF INTENT TO SUBCONTRACT

Project Name/Title WMR in the area of Smart Ave. to Van Brunt Blvd. T. 14th to Jackson Ave.

Project Location/Number 80002338/9667

Check one:

Original LOI:

Updated LOI:

PART I: Prime Contractor Leath & Sons, Inc. agrees to enter into a contractual agreement with M/W/DBE Subcontractor Diggs 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.]

water line installation

for an estimated amount of \$ 874,845.00 (or 11 % of the total estimated contract value.)

- M/W/DBE 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: Diggs Construction, LLC

Full address: 2033 Vine St KCMO. 64108

Street number and name

City, State and Zip Code

Primary contact: Dale Diggs 816-994-6950

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: waterline installation

c) The dollar value of this agreement is: \$874,845



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: Leath & Sons, Inc.

Jeffery B Leath
Signature: Prime Contractor
President
Title

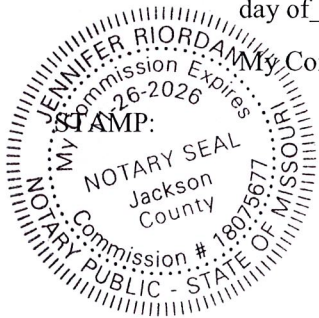
Jeffery B Leath
Print Name
05/06/2026
Date

State of Missouri)
County of Jackson)

I, Jeffery B Leath, 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 6 day of May, 2026

My Commission Expires: 11/26/2026



Jennifer Riordan
Notary Public

MWDBE SUBCONTRACTOR BUSINESS NAME: Diggs Construction, LLC

Dale G Diggs
Signature: Subcontractor
President
Title

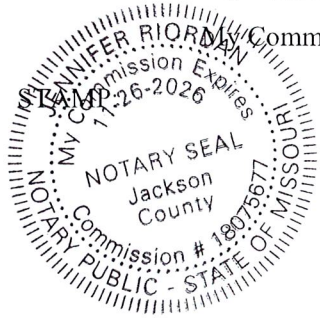
Dale Diggs
Print Name
5/6/2026
Date

State of Missouri)
County of Jackson)

I, Dale G Diggs, 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 6 day of May, 2026

My Commission Expires: 11/26/2026



Jennifer Riordan
Notary Public





AFFIDAVIT OF TRAINING PROGRAM

This form must be submitted with 48 hours of Bid Opening

Bidder Leath & Sons, Inc.

Project Title and Number WMR in the Area of Smart Ave. to Van Brunt Blvd/9667/80002338

STATE OF MISSOURI)
) ss:
COUNTY OF Jackson)

After being duly sworn the person whose name and signature appears below hereby states under penalty of perjury that:

1. I am the duly authorized officer of the business indicated above ("Bidder") and I make this affidavit on behalf of Bidder.
2. Bidder certifies that it presently participates in a training program that facilitates entry into the construction industry and which may include an on-the-job or in-house training program, further described as follows:
 OSHA 10 hour training for all employees
 Weekly toolbox talk training on jobsite
 Midwest Builders Casualty Quarterly Jobsite
 Union Trained Employees
 United Rentals Trench Safety Training
 (attach additional pages, if necessary)
3. If requested by the City, Bidder agrees to provide City further documentation of, or other information about, this training program within 48 hours of the request.
4. Bidder acknowledges that failure to submit this form to the City within 48 hours of the Bid Opening will automatically render its bid non-responsive.

I am authorized to make this Affidavit on behalf of the Bidder named below as:

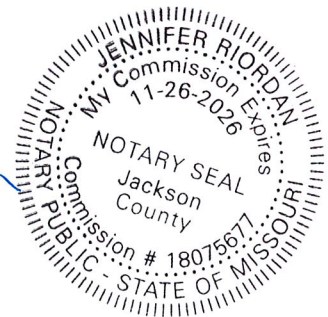
President of Leath & Sons, Inc.
(Title) (Name of Bidder)

Dated: 05/06/2026 By: [Signature]
(Affiant)

Subscribed and sworn to before me this 6 day of May, 2026.

My Commission Expires: 11/26/2026

[Signature]
Notary Public



**City of Kansas City, Missouri
Human Relations Department
Construction Contractor Employee Identification Report**

Company Name: LEATH & SONS, INC
Company Address: 9301 E 63RD ST
Company City, State, Zip: RAYTOWN MO 64133
Name of Person Completing Report: JENNIFER RIORDAN
Phone Number: 816-353-8623
Email: jennifer@leathandsons.com

Prime's Name: LEATH & SONS, INC.
KCMO Project Name: WMR Smart Ave to Van Brunt Blvd
KCMO Project Number: 80002388/9667
Today's Date: 5/6/2026
City Department: General Services

Instructions:

- 1) Each applicable Prime Contractors **must complete this form for its company within 48 hours of bid opening**
- 2) The Human Relations Department strongly recommends usage of the electronic version of this form. This form may be obtained by visiting www.kcmo.gov website. The website is enabled with a "search" function on the Home page in the center titled "What are you looking for?". Type in the "What are you looking for?" field *Contract Central*. Click on the link to *Standard City Contract Forms*. Scroll down to *Construction Contractor Employee Identification Report* and click the link to open this document. Complete the fields in the Employee section; the *Official Use Only* section will automatically populate. **NOTE: This form can be printed and attached to other required Bid documents.**
- 3) All subcontractors shall be required to complete this form and submit to the Prime Contractor. For each subcontractor, the Prime must submit this form to City at least at least (10) days prior to the date the subcontractor shall commence work under a city construction contract.
- 4) Complete this form if you are the Prime contractor on a City construction project estimated over **\$300,000 & over 800 man hours**.
- 5) Complete this form with data from your **current construction workforce** (no office personnel).
- 6) Prime contractor is responsible to ensure subcontractor completes this form as required in #3 above.

Official Use Only											
Females	KCMO Resident		Males	KCMO Resident		Foreman/Supervisor	Journeyman	Apprentice	Operating Engineer	Journeyman	Apprentice
African American	0	0	African American	#####	0	Asbestos Worker	0	--	Painter	2	0
Asian/Pacific Islander American	0	0	Asian/Pacific Islander American	#####	0	Boilermaker	0	0	Pipe Fitter/Plumber	0	0
Caucasian American	1	0	Caucasian American	#####	0	Bricklayer	0	0	Plasterer	0	0
Hispanic/Latino American	0	0	Hispanic/Latino American	#####	1	Carpenter	0	0	Roofer	0	0
Native American	0	0	Native American	#####	0	Cement Mason	0	0	Sheet Metal	0	0
Other	0	0	Other	#####	0	Electrician	0	0	Sprinkler Fitter	0	0
	1	0		#####	1	Elevator Constructor	0	0	Truck Driver	0	0
						Glazier	0	0	Welder	0	0
			Number of KCMO Residents		1	Iron Worker	0	0	Other	0	--
			Number of Journeyman		10	Laborer	8	0		2	0
			Number of Apprentice		0		8	0			

Company Name: LEATH & SONS, INC KCMO Project Name: WMR Smart Ave to Van Brunt E KCMO Project Number: 80002338/9667

	Name		Job Title (use drop down menu)	Address	City	State	Zip Code	KCMO Resident	Gender	Ethnicity
	Last	First								
1	GUZMAN	GENARO	Laborer (Journeyman)	114 5TH ST	BUCYRUS	KS	66013	No	Male	Hispanic/Latino_American
2	GUZMAN	RAMON	Laborer (Journeyman)	2519 QUINCY ST	KANSAS CITY	MO	64127	No	Male	Hispanic/Latino_American
3	JENNINGS	TIMOTHY	Laborer (Journeyman)	10412 E 72ND ST	RAYTOWN	MO	64133	No	Male	Caucasian_American
4	JENNINGS	TIMOTHY	Laborer (Journeyman)	3636 SW CRANE	LEE'S SUMMIT	MO	64082	No	Male	Caucasian_American
5	MILLER	BILLY	Operating_Engineer_(Journeyman)	1153 SW 101 RD	CHILAHOWEE	MO	64733	No	Male	Caucasian_American
6	ALBOR	RICARDO	Laborer (Journeyman)	2322 QUINCY ST	KANSAS CITY	MO	64127	Yes	male	Hispanic/Latino_American
7	CAMPBELL	CODY	Operating_Engineer_(Journeyman)	611 OAK ST	WELLSVILLE	KS	66092	No	Male	Caucasian_American
8	WILLIAMS	STEVEN	Laborer (Journeyman)	1337 N Osage	INDEPENDENCE	MO	64050	NO	Male	African American
9	RIORDAN	JENNIFER	Laborer (Journeyman)	329 SE GOLDEN LANE	LEE'S SUMMIT	MO	64063	No	Female	Caucasian_American
10	ESPANA	FRANK	Laborer (Journeyman)	1004 Barley Lane	BUCKNER	MO	64016	No	Male	Hispanic/Latino_American
11										
12										
13										
14										
15										
16										

	Name		Job Title <i>(use drop down menu)</i>	Address	City	State	Zip Code	KCMO Resident	Gender	Ethnicity
	Last	First								
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	Name		Job Title <i>(use drop down menu)</i>	Address	City	State	Zip Code	KCMO Resident	Gender	Ethnicity
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TIMETABLE FOR MBE/WBE UTILIZATION

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

I, _____, acting in my capacity as _____
(Name) (Position with Firm)
of _____, 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	_____ (Specify)				

Throughout _____ 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 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)

(Position with Firm)

(Date)

