



REQUEST FOR MODIFICATION OR SUBSTITUTION

(This Form **must** be submitted to CREO KC 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: Infrastructure Solutions, LLC
ADDRESS: 9801 Renner Blvd, Lenexa, KS 66219
PROJECT NUMBER OR TITLE: 80002288/9620 WMR Along 1st St Guinotte Ave, Campbell St. to I-35 / I -29
AMENDMENT/CHANGE ORDER NO: (if applicable) _____

Project Goals:	<u>11</u> % MBE	<u>11</u> % WBE
Contractor Utilization Plan:	<u>11</u> % MBE	<u>11</u> % 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 CREO KC recommend or approve: (check appropriate space(s))

a. A substitution of the certified MBE/WBE firm _____,
(Name of new firm)
to perform _____,
(Scope of work to be performed by new firm)

for the MBE/WBE firm _____ 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: _____
(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

3.7 % MBE 4.3 % WBE (Fill in % of MBE/WBE Participation currently listed on Contractor Utilization Plan)

TO

8.2 % MBE 0 % 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))



- 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.
- 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.

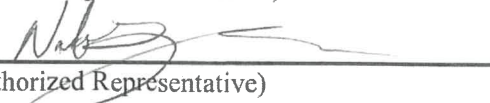
4. The following is a narrative summary of the Bidder's/Contractor's/Proposer's good faith efforts exhausted in attempts to substitute the MBE/WBE firm named above which is currently listed on the Contractor Utilization Plan with other qualified, certified MBE/WBE firms for the listed scope of work or any other scope of work in the project:

Our team made the error of submitting Tenoch under both WBE and MBE. Although the amount of work we are planning to give them is correct, we had to put it all under one category (MBE) to satisfy the requirements of this project. Due to this shift, we have made the necessary changes for minority participation on this project and request the new utilization plan be accepted.

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

Dated: 6/12/2023

Infrastructure Solutions, LLC.
(Bidder/Proposer/Contractor)

By: 
(Authorized Representative)





CONTRACTOR UTILIZATION PLAN/REQUEST FOR WAIVER

Project Number 80002288 / 9620

Project Title WMR along 1st st. Guinotte Ave. Campbell St. to I-35 / I-29

Water Services Department
(Department Project)

Water Services
Department

Infrastructure Solutions, LLC
(Bidder/Proposer)

STATE OF Kansas)

COUNTY OF Johnson) ss

I, Jonathan Myers, 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: \$ 345,144.00

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 Tenoch
 Address 912 Scott Ave, Kansas City, KS 66105
 Telephone No. 913 671-7706
 I.R.S. No. 14-188026



Name of M/WBE Firm Rising Construction
 Address 1206 NW Baytree Dr, Grain Valley, MO 64029
 Telephone No. 816-867-8255
 I.R.S. No. 83-2489380

Name of M/WBE Firm Welch Erosion Control
 Address 3003 Cantrell Rd, Harrisonville, MO 64701
 Telephone No. 816-651-7358
 I.R.S. No. 20-4783793

Name of M/WBE Firm Boswell and Lee Trucking
 Address 414 N 80th st, Kansas City, KS 64701
 Telephone No. 913-208-2839
 I.R.S. No. 43-1853177

Name of M/WBE Firm KC Underground
 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 Petro Trucking
 Address 6028 Cleveland Ave, Kansas City, KS 66112
 Telephone No. 913-208-2839
 I.R.S. No. 44-0651656

(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
Tenoch	Contractor	\$138,019		8.2
Boswell and Lee Trucking	Contractor	\$46,591		2.8



TOTAL MBE \$ / TOTAL MBE %: \$ 184,610 11.00 %

WBE FIRMS:

Name of WBE Firm	Supplier/Broker/Contractor	Subcontract Amount*	Weighted Value**	% of Total Contract
Petro Trucking	Contractor	\$ 75,590.00		4.30
Rising Construction	Contractor	\$ 94,321.00		5.60
Welch	Contractor	\$ 5,524.00		0.30
KC underground	Contractor	\$ 12,175.00		0.70
TOTAL WBE \$ / TOTAL WBE %:		\$ 184,610.00		11.00 %

*"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.

- 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



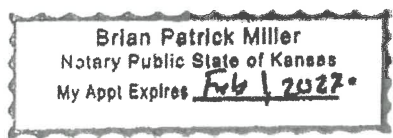
6. Bidder/Proposer acknowledges that it is responsible for considering the effect that any change orders and/or amendments changing the total contract amount may have on its ability to meet or exceed the Bidder/Proposer participation. Bidder/Proposer further acknowledges that it is responsible for submitting 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 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: Jonathan Myers
 Address: 9801 renner Boulevard
 Phone Number: 913-492-0400
 Facsimile number: _____
 E-mail Address: jmyers@i-solutionsllc.com

By: *Jonathan Myers*
 Title: Sr. Project Manager
 Date: 5/4/23
 (Attach corporate seal if applicable)

Subscribed and sworn to before me this 4th day of May, 2023.

My Commission Expires: February 1, 2027 _____
 Notary Public





LETTER OF INTENT TO SUBCONTRACT

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

Project Name/Title 80002288 / 9620

Project Location/Number WMR along 1st st Guinotte Ave Campbell St. to I-35 / I-29

PART I: Prime Contractor Infrastructure Solutions, LLC agrees to enter into a contractual agreement with M/W/DBE Subcontractor Tenoch 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.]
Tenoch will be resurfacing concrete entrances and flowable fill above the planned pipeline

for an estimated amount of \$ 138,019 (or 8.2 % 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: Tenoch

Full address: 912 Scott Ave Kansas City, KS 66105

Street number and name City, State and Zip Code

Primary contact: Kurt Bowers 913-671-7706

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: Concrete Restoration

c) The dollar value of this agreement is: \$138,019



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: Infrastructure Solutions, LLC

Nate Morgan
Signature: Prime Contractor

Nate Morgan
Print Name

Project Manager
Title

5.31.2023
Date

State of Kansas)
County of Johnson)

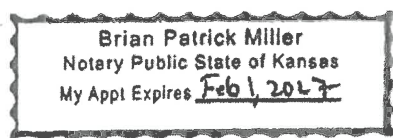
I, Brian Miller, state that the above and foregoing is based on my best knowledge and belief.

Subscribed and sworn to before me, a notary public, on this 31st day of May, 2023

My Commission Expires: February 1, 2027

[Signature]
Notary Public

STAMP:



MWDBE SUBCONTRACTOR BUSINESS NAME: Tenoch Construction, Inc

Sanya Segura Ulrich
Signature: Subcontractor
President
Title

Sanya Segura Ulrich
Print Name
6/1/2023
Date

State of Kansas)
County of Wyandotte)

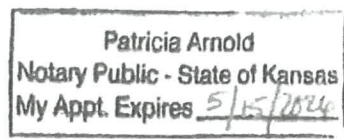
I, Patricia Arnold, state that the above and foregoing is based on my best knowledge and belief.

Subscribed and sworn to before me, a notary public, on this 1st day of June, 2023

My Commission Expires: May 15, 2024

Patricia Arnold
Notary Public

STAMP:





REQUEST FOR MODIFICATION OR SUBSTITUTION

(This Form **must** be submitted to CREO KC 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.)

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ADDRESS: 9801 Renner Blvd, Lenexa, KS 66219
PROJECT NUMBER OR TITLE: 80002288/9620 WMR Along 1st St Guinotte Ave, Campbell St. to I-35 / I -29
AMENDMENT/CHANGE ORDER NO: (if applicable)

Project Goals:	<u>11</u> % MBE	<u>11</u> % WBE
Contractor Utilization Plan:	<u>11</u> % MBE	<u>11</u> % 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 CREO KC recommend or approve: (check appropriate space(s))

a. A substitution of the certified MBE/WBE firm _____,
(Name of new firm)
to perform _____,
(Scope of work to be performed by new firm)

for the MBE/WBE firm _____ 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: _____
(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
7.2 % MBE 0 % WBE (Fill in % of MBE/WBE Participation currently listed on Contractor Utilization Plan)

TO

2.8 % MBE 0 % 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))



- The MBE/WBE listed on the Contractor Utilization Plan is non-responsive or cannot perform.
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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:

Our team made the error of submitting Tenoch under both WBE and MBE. Although the amount of work we are planning to give them is correct, we had to put it all under one category (MBE) to satisfy the requirements of this project. Due to this shift, we have made the necessary changes for minority participation on this project and request the new utilization plan be accepted.

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

Dated: 6/12/2023

Infrastructure Solutions, LLC.
(Bidder/Proposer/Contractor)

By: 
(Authorized Representative)





CONTRACTOR UTILIZATION PLAN/REQUEST FOR WAIVER

Project Number 80002288 / 9620

Project Title WMR along 1st st. Guinotte Ave. Campbell St. to I-35 / I-29

Water Services Department
(Department Project)

Water Services
Department

Infrastructure Solutions, LLC
(Bidder/Proposer)

STATE OF Kansas)

COUNTY OF Johnson) ss

I, Jonathan Myers, 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.
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BIDDER/PROPOSER PARTICIPATION: 11 % MBE 11 % WBE

POST-BID/POST-RFP ESTIMATED BUDGET: \$ 345,144.00

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 Tenoch
 Address 912 Scott Ave, Kansas City, KS 66105
 Telephone No. 913 671-7706
 I.R.S. No. 14-188026

1 Name of M/WBE Firm Rising Construction
 Address 1206 NW Baytree Dr, Grain Valley, MO 64029
 Telephone No. 816-867-8255
 I.R.S. No. 83-248 9380

Name of M/WBE Firm Welch Erosion Control
 Address 3003 Cantrell Rd, Harrisonville, MO 64701
 Telephone No. 816-651-7358
 I.R.S. No. 20-4783793

1 Name of M/WBE Firm Boswell and Lee Trucking
 Address 414 N 80th st, Kansas City, KS 64701
 Telephone No. 913-208-2839
 I.R.S. No. 43-1853177

Name of M/WBE Firm KC Underground
 Address 728 NW 94th Terrace, Kansas City, MO 64155
 Telephone No. 816-617-9183
 I.R.S. No. 84-495 7507

Name of M/WBE Firm Petro Trucking
 Address 6028 Cleveland Ave, Kansas City, KS 66112
 Telephone No. 913-208-2839
 I.R.S. No. 44-0651656

(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>Tenoch</u>	<u>Contractor</u>	<u>\$138,019</u>		<u>8.2</u>
<u>Boswell and Lee Trucking</u>	<u>Contractor</u>	<u>\$46,591</u>		<u>2.8</u>
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____



TOTAL MBE \$ / TOTAL MBE %: \$ 184,610 11.00 %

WBE FIRMS:

Name of WBE Firm	Supplier/Broker/Contractor	Subcontract Amount*	Weighted Value**	% of Total Contract
Petro Trucking	Contractor	\$ 75,590.00		4.30
Rising Construction	Contractor	\$ 94,321.00		5.60
Welch	Contractor	\$ 5,524.00		0.30
KC underground	Contractor	\$ 12,175.00		0.70
TOTAL WBE \$ / TOTAL WBE %:		\$ 184,610.00		11.00 %

*"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 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:

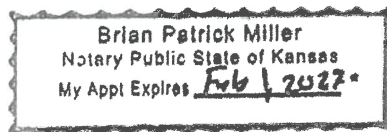
Bidder/Proposer primary contact: Jonathan Myers
 Address: 9801 renner Boulevard
 Phone Number: 913-492-0400
 Facsimile number: _____
 E-mail Address: jmyers@j-solutionsllc.com

By: *Jonathan Myers*
 Title: SR. Project Manager
 Date: 5/4/23
 (Attach corporate seal if applicable)

Subscribed and sworn to before me this 4th day of May, 2023.

My Commission Expires: February 1, 2027

[Signature]
 Notary Public





LETTER OF INTENT TO SUBCONTRACT

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

Project Name/Title 80002288 / 9620

Project Location/Number WMR along 1st st. Guinotte Ave Campbell St. to I-35 / I-29

PART 1: Prime Contractor Infrastructure Solutions, LLC agrees to enter into a contractual agreement with M/W/DBE Subcontractor Boswell & Lee Trucking 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 to and from site

for an estimated amount of \$ 46,591 (or 2.8 % 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: Boswell & Lee Trucking

Full address: 414 N 80th St Kansas City, KS 64701

Street number and name	City, State and Zip Code
<u>Clarence Boswell</u>	<u>913-208-2839</u>

Primary contact: 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

c) The dollar value of this agreement is: \$46,591



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: Infrastructure Solutions, LLC

Infrastructure Solutions
Signature: Prime Contractor

Nate Morgan
Print Name

Project Manager
Title

5.31.2023
Date

State of _____)
County of _____)

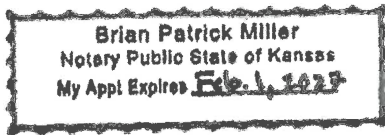
I, Brian Miller, state that the above and foregoing is based on my best knowledge and belief.

Subscribed and sworn to before me, a notary public, on this 31st day of May, 2023

My Commission Expires: February 1, 2024

[Signature]
Notary Public

STAMP:



MWDBE SUBCONTRACTOR BUSINESS NAME: Baswell's Lee Trucking INC.

Clarence Baswell
Signature: Subcontractor

Clarence Baswell
Print Name

Owner/Pres.
Title

05/31/2023
Date

State of Kansas)
County of Wyandotte)

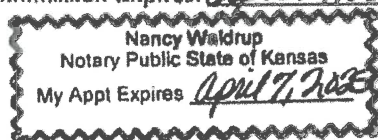
I, Clarence Baswell, state that the above and foregoing is based on my best knowledge and belief.

Subscribed and sworn to before me, a notary public, on this 31st day of MAY, 2023

My Commission Expires: April 7, 2025

[Signature]
Notary Public

STAMP:





REQUEST FOR MODIFICATION OR SUBSTITUTION

(This Form **must** be submitted to CREO KC 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: Infrastructure Solutions, LLC
ADDRESS: 9801 Renner Blvd, Lenexa, KS 66219
PROJECT NUMBER OR TITLE: 80002288/9620 WMR Along 1st St Guinotte Ave, Campbell St. to I-35 / I - 29
AMENDMENT/CHANGE ORDER NO: (if applicable) _____

Project Goals:	<u>11</u> % MBE	<u>11</u> % WBE
Contractor Utilization Plan:	<u>11</u> % MBE	<u>11</u> % 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 CREO KC recommend or approve: (check appropriate space(s))

a. A substitution of the certified MBE/WBE firm Petro Trucking,
(Name of new firm)
 to perform Trucking and hauling to and from site,
(Scope of work to be performed by new firm)
 for the MBE/WBE firm Boswell and Lee Trucking 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: Trucking and hauling to and from site.
(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))

- 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.
- 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:

Our team made the error of submitting Tenoch under both WBE and MBE. Although the amount of work we are planning to give them is correct, we had to put it all under one category (MBE) to satisfy the requirements of this project. Due to this shift, we have made the necessary changes for minority participation on this project and request the new utilization plan be accepted. By shifting Tenoch to MBE we needed additional money in the WBE utilization and we are planning to use Petro trucking for this.

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

Dated: 6/12/2023

Infrastructure Solutions, LLC.
(Bidder/Proposer/Contractor)

By: 
(Authorized Representative)





CONTRACTOR UTILIZATION PLAN/REQUEST FOR WAIVER

Project Number 80002288 / 9620

Project Title WMR along 1st st. Guinotte Ave. Campbell St. to I-35 / I-29

Water Services Department
(Department Project)

Water Services
Department

Infrastructure Solutions, LLC
(Bidder/Proposer)

STATE OF Kansas)

COUNTY OF Johnson) ss

I, Jonathan Myers, 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: \$ 345,144.00

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 Tenoch
 Address 912 Scott Ave, Kansas City, KS 66105
 Telephone No. 913 671-7706
 I.R.S. No. 14-188026



1 Name of M/WBE Firm Rising Construction
 Address 1206 NW Baytree Dr, Grain Valley, MO 64029
 Telephone No. 816-867-8255
 I.R.S. No. 83-248 9380

Name of M/WBE Firm Welch Erosion Control
 Address 3003 Cantrell Rd, Harrisonville, MO 64701
 Telephone No. 816-651-7358
 I.R.S. No. 20-4783793

1 Name of M/WBE Firm Boswell and Lee Trucking
 Address 414 N 80th st, Kansas City, KS 64701
 Telephone No. 913-208-2839
 I.R.S. No. 43-1853177

Name of M/WBE Firm KC Underground
 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 Petro Trucking
 Address 6028 Cleveland Ave, Kansas City, KS 66112
 Telephone No. 913-208-2839
 I.R.S. No. 44-0651656

(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
Tenoch	Contractor	\$138,019		8.2
Boswell and Lee Trucking	Contractor	\$46,591		2.8

TOTAL MBE \$ / TOTAL MBE %: \$ 184,610 11.00 %

WBE FIRMS:

Name of WBE Firm	Supplier/Broker/Contractor	Subcontract Amount*	Weighted Value**	% of Total Contract
Petro Trucking	Contractor	\$ 75,590.00		4.30
Rising Construction	Contractor	\$ 94,321.00		5.60
Welch	Contractor	\$ 5,524.00		0.30
KC underground	Contractor	\$ 12,175.00		0.70
TOTAL WBE \$ / TOTAL WBE %:		\$ <u>184,610.00</u>		<u>11.00 %</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 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 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: Jonathan Myers
 Address: 9801 renner Boulevard
 Phone Number: 913-492-0400
 Facsimile number: _____
 E-mail Address: jmyers@i-solutionsllc.com

By: *Jonathan Myers*
 Title: Sr. Project Manager
 Date: 5/4/23
 (Attach corporate seal if applicable)

Subscribed and sworn to before me this 4th day of May, 2023.

My Commission Expires: February 1, 2027

[Signature]
 Notary Public

Brian Patrick Miller
 Notary Public State of Kansas
 My Appt Expires Feb 1, 2027



LETTER OF INTENT TO SUBCONTRACT

Project Name/Title 80002288 / 9620

Project Location/Number WMR along 1st st. Guinotte Ave Campbell St. to I-35 / I-29

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

PART 1: Prime Contractor Infrastructure Solutions, LLC agrees to enter into a contractual agreement with M/W/DBE Subcontractor Petro Trucking 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 to and from site

for an estimated amount of \$ 75,590 (or 4.3 % 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: Petro Trucking

Full address: 6028 Cleveland Ave Kansas City, KS 66112

Street number and name

City, State and Zip Code

Primary contact: Nancy Waldrup 913-208-2839

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

c) The dollar value of this agreement is: \$75,590



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: Infrastructure Solutions, LLC

Nate Morgan
Signature: Prime Contractor

Nate Morgan
Print Name

Project Manager
Title

5.31.2023
Date

State of Kansas)
County of Johnson)

I, Brian Miller, 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 31st day of May, 2023

My Commission Expires: February 1, 2027

[Signature]
Notary Public

STAMP:



M/W/D/B/E SUBCONTRACTOR BUSINESS NAME: Petro Trucking Co., Inc.

Nancy Waldrop
Signature: Subcontractor

Nancy Waldrop
Print Name

Vice Pres.
Title

5/31/2023
Date

State of Kansas)
County of Johnson)

I, Brian Miller, 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 31st day of May, 2023

My Commission Expires: February 1, 2027

[Signature]
Notary Public

STAMP:

