

Federal Project #TAP3453(404)  
County Project #8902013

# **JACKSON COUNTY, MISSOURI INVITATION TO BID NO. 24-098**

FOR  
CONSTRUCTING/ IMPROVING  
The Little Blue Trace/Rock Island Connector Trail  
Location: Kansas City, Jackson County, MO

# ADVERTISEMENT FOR BIDS

JACKSON COUNTY, MISSOURI

LITTLE BLUE TRACE/ROCK ISLAND CONNECTOR TRAIL  
COUNTY PROJECT NUMBER 8902013 – COUNTY BID NUMBER ITB 24-098  
FEDERAL PROJECT NO. TAP3453(404)

Bid documents will be available on **March 5, 2025** for the “**LITTLE BLUE TRACE/ROCK ISLAND CONNECTOR TRAIL**” in Jackson County, Missouri Invitation to Bid No. 24-098 on Bonfire. All bids must be submitted **on-line through the Bonfire Portal** at <https://jacksongov.bonfirehub.com> prior to 2:00 PM on **April 1, 2025**. Bids submitted by any other method will not be accepted. **Please Note:** all submissions must be uploaded to the Bonfire Portal by 2:00 PM on April 1, 2025. Failure to do so will result in the rejection of your bid, as the software does not accept late entries. However, if you submit your bid early, you can edit it up until the 2:00 PM deadline on April 1, 2025.

**Please Note:** If bid documents are obtained by the Bidder from a source other than Bonfire, it will be the Bidder's responsibility to verify all due dates and pertinent information (Response Deadline, Question Deadline, Intent to Bid Deadline, and all Addendums) in the Bonfire Portal.

**Project Location:** Kansas City, Jackson County, MO between State Route 350/Blue Parkway and Brickyard Road.

**Proposed Work Description:** Construction of a 10' wide concrete non-motorized transportation facility extending northeast between State Route 350/Blue Parkway and Brickyard Road. Improvements will include concrete pavement, micro surfacing, pavement repair, signing and striping, erosion control, fencing, storm drainage, grading, slope stabilization, rock base, and appurtenances.

**Contractor Prequalification:** All bidders must be on MoDOT's Qualified Contractor List per Section 102.2 from the current version of the Missouri Standard Specifications for Highway Construction, 2023 – Effective July 1, 2023. The contractor questionnaire must be on file seven (7) days prior to bid opening.

**Prevailing Hourly Rate of Wages:** All labor used in the construction of this public improvement shall be paid a wage no less than the prevailing hourly rate of wages of work of a similar character in this locality as established by the Department of Labor and Industrial Relations (Federal Wage Rate), or state wage rate, whichever is higher.

**Affirmative Action:** Jackson County hereby notifies all Bidders that it will affirmatively ensure that for any Contract entered into pursuant to this advertisement, disadvantaged, minority and women business enterprises will be afforded full opportunity to submit bids in response to this invitation, and will not be discriminated against on the grounds of race, color, gender or national origin, in consideration for an award. An **8% DBE** Goal is a part of this contract, (See DBE Submittal Forms and DBE Provisions 1-14). All DBE's to be used on this project must be certified and contained in the MRCC DBE Directory at the time of the bid opening (<https://www.modot.org/mrcc-directory>).

**Subletting of Contract:** No 2nd Tier subcontracting will be allowed on this project as per Special Condition SC-37 Assignment and Subletting of Contract.

**Safety Training:** Contractors and sub-contractors who sign a contract to work on public works project provide a 10-Hour OSHA construction safety program, or similar program approved by the Department of Labor and Industrial Relations, to be completed by their on-site employees within sixty (60) days of beginning work on the construction project.

**Bid Submittal Procedure:** The Bid must be submitted electronically on the Bonfire Portal. Each bid must include:

- ✓ 1) the completed bidding documents;
- ✓ 2) a Cashier's Check drawn on an acceptable bank, or an acceptable bid bond, in an amount not less than five (5) percent of the total amount of the bid (all surety bid bonds, performance bonds and surety labor and material bonds must be with companies listed in the Department of the Treasury, Federal Register). Bidder may upload a copy of the check and/or bond and submit the origin copy to the Purchasing Department, Jackson County Courthouse, 415 East 12<sup>th</sup> Street, Room G-1, Kansas City, Missouri either before or right after the Response Deadline (if submitting original copy after Response Deadline a copy must be submitted with your bid) and,
- ✓ 3) a completed Compliance Report Form with current (issued within the last 12 months) Jackson County Certificate of Compliance. Failure to complete this report or attach a current certificate as outlined above may result in the rejection of the bid.

Bids must be submitted on-line through the Bonfire Portal at <https://jacksongov.bonfirehub.com>. Bids submitted by any other method will not be accepted.

**Question Procedure:** All questions regarding this Invitation to Bid must be communicated electronically through the Bonfire Portal via the Opportunity Q&A on the Invitation to Bid. The Question Deadline is 2:00 PM on March 25, 2025.

**Tax Exempt:** Jackson County is a tax-exempt entity under 144.062, Revised Statutes of Missouri and will issue the Contractor and Subcontractors an exemption certificate. For information contact Compliance Review Officer at (816) 881-3302. Bidders are advised to read Jackson County Ordinance #4297 in the appendix of the Contract Documents, as well as Jackson County Code Section 1072, enacted by the Jackson County Legislature February 28, 2011.

**Bid Award:** The Project will be awarded to the lowest, responsive, responsible bidder. The Bidder is hereby notified of a County requirement related to paying wage rates for certain delivery truck drivers. Bidders are advised to read Jackson County Ordinance #4465 in the Appendix of the Contract Documents as well as Jackson County Code Section 1072, enacted by the Jackson County Legislature October 15, 2012.

The successful Bidder, as a condition of the award of this contract must have a surety company which (1) meets the minimum standard for an insurance carrier which currently is in effect for all coverage's purchased by Jackson County: and (2) is on the most current United States Treasury list as a surety whose bonds are acceptable to the United States Government.



**BIDDER CHECKLIST**  
**FINAL CHECKLIST BEFORE SUBMITTING BID**

- ☒ 1. Submit completed Contractor Questionnaire and/or Contractor Prequalification Questionnaire with attachments not later than seven (7) days prior to the date and hour of the bid opening. See Secs 101-103 of the Standard Specifications, and Rule 7 CSR 10-15.900, "Prequalifications to Bid of Certain Contractors". Questionnaire and Contact information are provided on MoDOT's website. (if applicable – required on highway and bridge projects)
- ☒ 2. For submittal of bids, the complete set of bidding documents includes all information through the DBE forms (for DBE forms see #6). The Technical Specifications/Job Special Provisions are for the bidder's information only and is not to be returned with the bid.
- ☒ 3. Please read all items in the bidding document carefully.
- ☒ 4. Sign this bidding document properly. If submitted in the name of a firm or corporation, the legal name of the firm or corporation should appear in the space designated, and be signed for by one or more persons legally qualified to execute papers in the name of said firm or corporation. Affix Corporate Seal if the Bidder is a Corporation.
- ☒ 5. Bid bond may be a bond or cashiers check: Bidder may upload a copy with bid and then submit the original to the Purchasing Department, 415 East 12<sup>th</sup> Street, Room G-1, Kansas City, MO 64106.
- ☐ 6. Submit the DBE Submittal Forms within 3 business days of the Bid Opening. The BDE Identification Submittal Form (Page 2 of this document) must be submitted for each DBE to be utilized on the project.
- ☒ 7. Addenda should be inserted into the back of the electronic submittal. The bidder should retain a duplicate copy. (if applicable) **1 thru 5**

Below is a list of common mistakes made by bidders leading to non-responsive bids. Please refer to the Standard Specifications for the appropriate procedures for completing and submitting a bid.

- a) Not signing the bid
- b) Submitting a physical (paper) copy of the bid and not using the BonFire Portal.
- c) Not incorporating the addendum into the bidding documents, including attaching the letter to the bid
- d) Not providing a bid bond
- e) Not initialing changes made

All questions concerning the bid documents shall be submitted via the Bonfire Portal.

## NOTICE TO CONTRACTORS

All bids must be submitted through the Bonfire Portal at <https://jacksongov.bonfirehub.com> before 2:00PM (prevailing local time) on April 1, 2025.

- (1) **PROPOSED WORK:** The proposed work, hereinafter called the work, includes:

Construction of a 10' wide concrete non-motorized transportation facility extending northeast between State Route 350/Blue Parkway and Brickyard Road. Improvements will include concrete pavement, micro surfacing, pavement repair, signing and striping, erosion control, fencing, storm drainage, grading, slope stabilization, rock base, and appurtenances.

(2) **COMPLIANCE WITH CONTRACT PROVISIONS:** The bidder, having examined and being familiar with the local conditions affecting the work, and with the contract, contract documents, including the current version of the Missouri Highways and Transportation Commission's "Missouri Standard Specifications for Highway Construction," and "Missouri Standard Plans for Highway Construction" (if applicable), their revisions, and the request for bid, including appendices, the special provisions and plans, hereby proposes to furnish all labor, materials, equipment, services, etc., required for the performance and completion of the work. All references are to the Missouri Standard Specifications for Highway Construction, as revised, unless otherwise noted.

The following documents are available on the Missouri Department of Transportation web page at [www.modot.mo.gov](http://www.modot.mo.gov) under "Business with MoDOT" "Standards and Specifications". The effective version shall be determined by the letting date of the project.

General Provisions & Supplemental Specifications

Supplemental Revisions to Missouri Standard Plans  
For Highway Construction (if applicable)

These supplemental bidding documents contain all current revisions to the bound printed versions and have important legal consequences. It shall be conclusively presumed that they are in the bidder's possession, and they have been reviewed and used by the bidder in the preparation of any bid submitted on this project.

Please note that within the above-listed documents, the term "Commission" shall be replaced with the term, "Jackson County", and the term "Engineer" is a reference to the Engineer of Record from Olsson.

The contracting authority for this contract is Jackson County Parks + Rec.

(3) **PERIOD OF PERFORMANCE:** If the bid is accepted, the bidder agrees that work shall be diligently prosecuted at such rate and in such manner as, in the judgment of the engineer, is necessary for the completion of the work within the time specified as follows in accordance with Sec 108:

Calendar Days: 180

(4) **LIQUIDATED DAMAGES:** The bidder agrees that, should the bidder fail to complete the work in the time specified or such additional time as may be allowed by the engineer under the contract, the amount of liquidated damages to be recovered in accordance with Sec 108 shall be as follows:

Liquidated damages: \$1,225 per day.



(5) **BID GUARANTY:** The bidder shall submit a Bid Guaranty meeting the requirements of Section 102 of the Missouri Standard Specifications for Highway Construction. A sample project bid bond form is included in the bid book. The bidder shall mark the box below to identify the type of Bid Guaranty.

- ☒ Paper Bid Bond  
☐ Cashier's Check

(6) **CERTIFICATIONS FOR FEDERAL JOBS:** By signing and submitting this bid, the bidder makes the certifications appearing in Sec. 102.18.1 (regarding affirmative action and equal opportunity), Sec. 102.18.2 (regarding disbarment, eligibility, indictments, convictions, or civil judgments), Sec. 102.18.3 (regarding anti-collusion), and Sec. 102.18.4 (regarding lobbying activities). Any necessary documentation is to accompany the bid submission, as required by these sections. As provided in Sec. 108.13, the contracting authority may terminate the contract for acts of misconduct, which includes but is not limited to fraud, dishonesty, and material misrepresentation or omission of fact within the bid submission.

(7) **ANTIDISCRIMINATION:** The Contracting Authority hereby notifies all bidders that it will affirmatively insure that in any contract entered into pursuant to this advertisement, businesses owned and controlled by socially and economically disadvantaged individuals will be afforded full opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of race, color, religion, creed, sex, age, ancestry, or national origin in consideration for an award.

(8) **FEDERAL AND STATE INSPECTION:** The Federal Government is participating in the cost of construction of this project. All applicable Federal laws, and the regulations made pursuant to such laws, shall be observed by the contractor, and the work will be subject to the inspection of the appropriate State or Federal Agency in the same manner as provided in Sec 105.10 of the Missouri Standard Specifications for Highway Construction with all revisions applicable to this bid and contract.

(9) **PREVAILING WAGE (FEDERAL AND STATE):** This contract requires payment of the prevailing hourly rate of wages for each craft or type of work required to execute the contract as determined by the Missouri Department of Labor and Industrial Relations, and requires adherence to a schedule of minimum wages as determined by the United States Department of Labor. For work performed anywhere on this project, the contractor and the contractor's subcontractors shall pay the higher of these two applicable wage rates. The applicable state wage rates for this contract are detailed in "Annual Wage Order No. 31", that is attached to this bidding document. The applicable federal wage rates for this contract are the effective Davis-Bacon federal wage rates posted the tenth day before the bid opening date and are attached herein.

These supplemental bidding documents have important legal consequences. It shall be conclusively presumed that they are in the bidder's possession, and they have been reviewed and used by the bidder in the preparation of any bid submitted on this project.

(10) **WORKER ELIGIBILITY REQUIREMENTS:** Execution of the construction contract for this project is dependent upon the awarded bidder providing an Affidavit of Compliance AND E-Verify Memorandum-of-Understanding (MOU) between the bidder and Department of Homeland Security to the Contracting Authority as required by section 285.530 RSMo. The cover page and signature page of the E-Verify MOU and the Affidavit must be submitted prior to award of this contract.

A sample Affidavit of Compliance can be found at the Missouri Attorney General's website at the following link:

[http://ago.mo.gov/forms/Affidavit\\_of\\_Compliance.pdf](http://ago.mo.gov/forms/Affidavit_of_Compliance.pdf)

All bidders must also be enrolled in the E-Verify Program, and include their MOU prior to contract execution. Bidders who are not enrolled will need to go to the following website link and select "Enroll in the Program" to get started. After completing the program, they will receive their E-Verify MOU with Department of Homeland Security. This document will need to be printed out and kept on file so that a copy can be attached to the Affidavit of Compliance.

[http://www.dhs.gov/files/programs/gc\\_1185221678150.shtm](http://www.dhs.gov/files/programs/gc_1185221678150.shtm)



This requirement also applies to subcontractors and contract labor, but this contract only requires submittal of the verification documents for the prime contractor. It is the prime contractor's responsibility to verify the worker eligibility of their subcontractors in order to protect their own company from liability as required by section 285.530 RSMo.

(11) **OSHA TEN HOUR TRAINING REQUIREMENTS:** Missouri Law, 292.675 RSMO, requires any awarded contractor and its subcontractor(s) to provide a ten-hour Occupational Safety and Health Administration (OSHA) Construction Safety Program (or a similar program approved by the Missouri Department of Labor and Industrial Relations as a qualified substitute) for their on-site employees (laborers, workmen, drivers, equipment operators, and craftsmen) who have not previously completed such a program and are directly engaged in actual construction of the improvement (or working at a nearby or adjacent facility used for construction of the improvement). The awarded contractor and its subcontractor(s) shall require all such employees to complete this ten-hour program, pursuant to 292.675 RSMO, unless they hold documentation on their prior completion of said program. Penalties, for Non-Compliance include contractor forfeiture to the Contracting Authority in the amount of \$2,500, plus \$100 per contractor and subcontractor employee for each calendar day such employee is employed beyond the elapsed time period for required program completion under 292.675 RSMO.

(12) **BUY AMERICA REQUIREMENTS:** Construction contracts shall assure compliance with Section 165 of the Surface Transportation Assistance Act of 1982, Section 337 of the Surface Transportation and Uniform Relocation Assistance Act of 1987, 23 CFR 635.410, and the Bipartisan Infrastructure Law (2021) Build America, Buy America Act Publication L. No. 117-58 regarding Buy America provisions on the procurement of foreign products and materials. On all contracts involving Federal-aid, all products of iron, steel, or a coating of steel which are incorporated into the work must have been manufactured in the United States. Construction materials consisting primarily of non-ferrous metals, plastic and polymer-based products, glass, lumber, or drywall also require Buy America certification. Cement and cementitious materials; aggregates such as stone, sand, or gravel; or aggregate binding agents or additives are excluded from this requirement. In addition, manufactured products are currently exempted under the 1983 waiver from FHWA. The Contracting Authority may allow minimal amounts of these materials from foreign sources, provided the cost does not exceed 0.1 percent of the contract sum or \$2,500, whichever is greater. The Contractor certifies that these materials are of domestic origin. Additional information regarding the "Buy America" requirements can be found at:

<https://www.fhwa.dot.gov/construction/cqit/buyam.cfm>

(13) **ADDENDUM ACKNOWLEDGEMENT:** The undersigned states that the all addenda (if applicable) have been received, acknowledged and incorporated into their bid, prior to submittal. *1 thru 5*

MegaKC Corporation, which is the correct LEGAL name as stated on the contractor questionnaire (if applicable).

(14) **SIGNATURE AND IDENTITY OF BIDDER:** The undersigned states that the following provided information is correct and that (if not signing with the intention to bind themselves to become the responsible and sole bidder) they are the agent of, and they are signing and executing this, as the bid of

MegaKC Corporation, which is the correct LEGAL NAME as stated on the contractor questionnaire (if applicable).

a) The organization submitting this bid is a(n) (1) individual bidder, (2) partnership, (3) joint venturer (whether individuals or corporations, and whether doing business under a fictitious name), or (4) corporation. Indicate by marking the appropriate box below.

☐ sole individual

☐ partnership

☐ joint venture

☒ corporation, incorporated under laws of state of Missouri.

b) If the bidder is doing business under a fictitious name, indicate below by filling in the fictitious name:

\_\_\_\_\_



Executed by bidder this 22nd day of April <sup>2025</sup>~~2023~~ BG

THE BIDDER CERTIFIES THAT THE BIDDER AND ITS OFFICIALS, AGENTS, AND EMPLOYEES HAVE NEITHER DIRECTLY NOR INDIRECTLY ENTERED INTO ANY AGREEMENT, PARTICIPATED IN ANY COLLUSION, OR OTHERWISE TAKEN ANY ACTION IN RESTRAINT OF FREE COMPETITIVE BIDDING IN CONNECTION WITH THIS BID, AND THAT THE BIDDER INTENDS TO PERFORM THE WORK WITH ITS OWN BONAFIDE EMPLOYEES AND SUBCONTRACTORS, AND DID NOT BID FOR THE BENEFIT OF ANOTHER CONTRACTOR.

THE BIDDER ACKNOWLEDGES THAT THIS IS AN UNSWORN DECLARATION, EXECUTED UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE UNITED STATES AND/OR FALSE DECLARATION UNDER THE LAWS OF MISSOURI, AND ANY OTHER APPLICABLE STATE OR FEDERAL LAWS. THE FAILURE TO PROVIDE THIS CERTIFICATION IN THIS BID MAY MAKE THIS BID NON-RESPONSIVE, AND CAUSE IT TO BE REJECTED.

THE BIDDER CERTIFIES THAT THE BIDDER'S COMPANY KNOWINGLY EMPLOYS ONLY INDIVIDUALS WHO ARE AUTHORIZED TO WORK IN THE UNITED STATES IN ACCORDANCE WITH APPLICABLE FEDERAL AND STATE LAWS AND ALL PROVISIONS OF MISSOURI EXECUTIVE ORDER NO. 07-13 FOR CONTRACTS WITH THE CONTRACTING AUTHORITY.


☐ Check this box ONLY if the bidder REFUSES to make any or all of these certifications. The bidder may provide an explanation for the refusal(s) with this submittal.

  
\_\_\_\_\_  
Signature of Bidder's Owner, Officer, Partner or Authorized Agent

Brian Gordon CEO

\_\_\_\_\_  
Please print or type name and title of person signing here

Attest:

  
\_\_\_\_\_  
**Tyler Wesselman**  
Secretary of Corporation if Bidder is a Corporation

\_\_\_\_\_  
Affix Corporate Seal (If Bidder is a Corporation)

NOTE: If bidder is doing business under a fictitious name, the bid shall be executed in the legal name of the individual, partners, joint ventures, or corporation, and registration of fictitious name filed with the secretary of state, as required by sections 417.200 to 417.230 RSMo. If the bidder is a corporation not organized under the laws of Missouri, it shall procure a certificate of authority to do business in Missouri, as required by section 351.572 et seq RSMo. A certified copy of such registration of fictitious name or certificate of authority to do business in Missouri shall be filed with the Missouri Highways and Transportation Commission, as required by the standard specifications.

(15) **TRAINEES:** By submitting this bid, the bidder certifies that the bidder is familiar with the Training Provision in the Missouri Highways and Transportation Commission's "General Provisions and Supplement Specifications" which are available on the Missouri Department of Transportation web page at [www.modot.mo.gov](http://www.modot.mo.gov) under "Business with MoDOT" "Standards and Specifications". The number of trainee hours provided under this contract will be 0 slots at 1000 hours per slot or 0 hours.

(16) **SUBCONTRACTOR DISCLOSURE:** Requirements contained within Sec 102.7.8 of the Missouri Standard Specification for Highway Construction shall be waived for this contract.

(17) **PROJECT AWARD:** This project will be awarded to the lowest, responsive, responsible bidder.

(18) **MATERIALS INSPECTIONS:** All technicians who perform, or are required by the FHWA to witness, such sampling and testing shall be deemed as qualified by virtue of successfully completing the requirements of EPG 106.18 Technician Certification Program, for that specific technical area.

(19) **PRIME CONTRACTOR REQUIREMENTS:** The limitation in Sec 108.1.1 of the Missouri Standard Specifications for Highway Construction that "the contractor's organization shall perform work amounting to not less than



40 percent of the total contract cost" is waived for this contract. Instead, the less restrictive terms of the Federal Highway Administration's rule at Title 23 Code of Federal Regulations (CFR) § 635.116(a) shall apply, so that the contractor must perform project work with its own organization equal to and not less than 30 percent of the total original contract price. Second-tier subcontracting will not be permitted on this contract. All other provisions in Sec 108.1.1 et seq. of the Missouri Standard Specifications for Highway Construction shall remain in full force and effect, and shall continue to govern the contractor and its subcontractors, in accordance with the provisions of Title 23 CFR § 635.116.

(20) **SALES AND USE TAX EXEMPTION:** Jackson County, Missouri, a tax exempt entity, will furnish a Missouri Project Exemption Certificate as described in Section 144.062 RSMo to the awarded contractor who in turn may use the certificate to purchase materials for a specific project performed for the tax exempt entity. Only the materials and supplies incorporated or consumed during the construction of the project are exempt. The certificate will be issued to the contractor for a specific project for a defined period of time.

(21) **RETAINAGE:** In accordance with the Missouri Prompt Pay Act (34.057 RSMo), the owner may withhold payment for any of the reasons outlined in RSMO 34.057, or as determined by the engineer.

**ITEMIZED BID:** The bidder should complete the following section in accordance with Sec 102.7. The bidder proposes to furnish all labor, materials, equipment, services, etc. required for the performance and completion of the work, as follows:

# REPLACEMENT BID FORM

## INVITATION TO BID NO. 24-098



### Little Blue Trace/Rock Island Connector Trail County Project No. 8902013 TAP3453(404)

Item No.	Description	Quantity	Units	Unit Price	Total Price
1	Mobilization	1	LS	\$230,000.00	\$230,000.00
2	Contractor Furnished Surveying and Staking	1	LS	\$28,000.00	\$28,000.00
3	Clearing, Grubbing, and Demolition	1	LS	\$110,000.00	\$110,000.00
4	Traffic Control	1	LS	\$8,200.00	\$8,200.00
5	10' Concrete Trail	2972	LF	\$150.00	\$445,800.00
6	Unclassified Excavation	3256	CY	\$23.00	\$74,888.00
7	Embankment in Place	4183	CY	\$17.00	\$71,111.00
8	Contractor Furnished Borrow	928	CY	\$42.00	\$38,976.00
9	18" RCP	101	LF	\$250.00	\$25,250.00
10	18" Concrete Flared End Sections	4	EA	\$3,000.00	\$12,000.00
11	Gravel Surfacing - Access Road	270	SY	\$26.00	\$7,020.00
12	Fencing Along Bridge Deck	213	LF	\$280.00	\$59,640.00
13	8' Privacy Fence	315	LF	\$70.00	\$22,050.00
14	Field Fence	1360	LF	\$55.00	\$74,800.00
15	14' Pipe Gate	1	EA	\$5,000	\$5,000
16	Temporary Fence	315	LF	\$5.00	\$1,575.00
17	Type F Concrete Barrier	692	LF	\$370.00	\$256,040.00



18	Pavement Markings	3445	LF	\$2.50	\$ 8,612.50
19	Signage	7	EA	\$775.00	\$ 5,425.00
20	MGS Guardrail	87	LF	\$70.00	\$6,090.00
21	MGS Guardrail Transition	2	EA	\$ 2,100.00	\$ 4,200.00
22	Bollards	4	EA	\$ 2,000.00	\$8,000.00
23	Turf Reinforcement Mat	2622	SY	\$35.00	\$91,770.00
24	Bank Stabilization	648	CY	\$425.00	\$ 275,400.00
25	Seal Coat Aggregate	4853	SY	\$6.00	\$ 29,118.00
26	Seal Coat	1456	GAL	\$5.00	\$ 7,280.00
27	Micro-Surfacing	4853	SY	\$7.00	\$ 33,971.00
28	Pavement Repair	379	SY	\$ 230.00	\$87,170.00
29	APWA Light 18" Riprap	40	CY	\$ 210.00	\$8,400.00
30	Rock Ditch Check	1	EA	\$1,600.00	\$1,600.00
31	Silt Fence	2176	LF	\$ 3.75	\$8,160.00
32	Wattle Log	479	LF	\$7.00	\$ 3,353.00
33	Seeding	2	AC	\$ 8,000.00	\$16,000.00
34	Construction Entrance	2	EA	\$ 1,400.00	\$ 2,800.00
35	Shade & Ornamental Trees	197	EA	\$ 520.00	\$102,440.00
36	Tree Removal	1	LS	\$270,000.00	\$270,000.00
37	Subgrade Stabilization	400	CY	\$104.00	\$ 41,600.00
38	Bank Stabilization Infill	648	CY	\$600.00	\$388,800.00
Total Bid for Project =					2,870,539.50

two million eight hundred <sup>BG</sup> seventy five thousand five hundred thirty-nine and fifty cents  
Total Amount of Bid for Project (Typed or Written)

**MegaKC Corporation**

Firm Name

**Note: The County reserves the right to adjust the quantities up or down to any and all bid items to accommodate the available funds.**

BID (continued)

The undersigned states that this Bid is made in the character or capacity checked in this paragraph, that they are the agent of, and is duly authorized to sign for:

**MegaKC Corporation**

*Legal Name of Firm*

and that the Bid is signed with the full understanding of the plans, provisions, specifications, and the foregoing terms of the Bid.

- |                                     |                      |                          |                     |
|-------------------------------------|----------------------|--------------------------|---------------------|
| <input type="checkbox"/>            | Missouri Individual  | <input type="checkbox"/> | Foreign Individual  |
| <input type="checkbox"/>            | Missouri Partnership | <input type="checkbox"/> | Foreign Partnership |
| <input checked="" type="checkbox"/> | Missouri Corporation | <input type="checkbox"/> | Foreign Corporation |

Licensed in Missouri

- ☐ Individual or Partnership, Missouri or Foreign, doing business in Missouri under fictitious name, registered in the office of Secretary of State.

Dated at North Kansas City, MO,  
*City, State*

this 22nd day of April, ~~2023~~ <sup>2025</sup> BG

### SIGNATURES

Name and Address of all Partners

_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

  
*Authorized Signature*

Brian Gordon

**CEO**

*Title of Person Signing*

*Attest (Seal)*







# BID BOND

## INVITATION TO BID NO. 24-098

Project Number: County Project No. 8902013; Federal No. TAP-3453(404)

Project Title: Little Blue Trace/Rock Island Connector Trail

**KNOW ALL PERSONS BY THESE PRESENTS**, that we,

MegaKC Corporation

*Legal Name of Bidding Firm*

of 1491 Iron Street, North Kansas City, MO 64116

*City and State*

hereinafter referred to as "Bidder," and

Amerisure Mutual Insurance Company

*Name of Surety*

a corporation organized under the laws of the State of MI  
and authorized to transact business in the State of Missouri, as "Surety," are held and firmly bound  
unto the **County of Jackson, Missouri**, hereinafter referred to as "Owner," in the penal sum of

Five Percent of Amount Bid (\$ 5% )

for the payment of which sum, well and truly to be made to the Owner, we bind ourselves and our  
heirs, executors, administrators, successors, and assigns, jointly and severally, by these presents.

**WHEREAS**, Bidder is herewith submitting its Bid to enter into a contract with Owner for the above  
referenced project.

**NOW, THEREFORE** the condition of the obligation is such that if the Bidder is awarded the contract  
the Bidder will, within the time required, enter into a contract and give a good sufficient surety bonds  
to secure the performance of the terms and conditions of the contract and for the prompt payment of  
all labor and material furnished in the prosecution thereof as required by the contract documents,  
then this obligation shall be void; otherwise the Bidder and Surety will immediately pay unto the Owner  
the full amount of this bond as liquidated damages for failure to fulfill the conditions of this obligation;  
but in no event shall the Surety's liability exceed the penal sum hereof.

Signed, sealed and delivered this 8th day of April, 2025.

**BIDDER AND PRINCIPAL**

Name, address and facsimile number of Bidder and Principal

MegaKC Corporation

1491 Iron Street, North Kansas City, MO 64116

816-472-6722

I hereby certify that I have authority to execute this document on behalf of Bidder and Principal.

By: 

**Tyler Wesselman**

Title: President

(Attach corporate seal if applicable)

**SURETY**

Name, address and facsimile number of Surety:

Amerisure Mutual Insurance Company

P.O. Box 9098, Farmington Hills, MI 48333-9098

Surety Phone No. 800-257-1900

Suretyclaims@amerisure.com

I hereby certify that (1) I have authority to execute this document on behalf of Surety; (2) Surety has an A.M. Best rating of A- or better; (3) Surety is named in the current list of "Companies Holding Certificates of Authority as Acceptable Sureties on Federal Bonds and as Acceptable Reinsuring Companies" as published in Circular 570 (most current revision) by the Financial Management Service, Surety Bond Branch, U.S. Department of the Treasury; and (4) Surety is duly licensed to issue bonds in the State of Missouri and in the jurisdiction in which the Project is located.

By: 

Title: Susan E. Miranda, Attorney-in-Fact

Date: April 8, 2025

(Attach seal and Power of Attorney)





AMERISURE MUTUAL INSURANCE COMPANY  
 AMERISURE INSURANCE COMPANY  
 AMERISURE PARTNERS INSURANCE COMPANY

## POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS: That Amerisure Mutual Insurance Company, Amerisure Insurance Company and Amerisure Partners Insurance Company are corporations duly organized under the laws of the State of Michigan (herein collectively the "Companies"), and that the Companies do hereby make, constitute and appoint: Susan E. Miranda

Bid Bond

MegaKC Corporation

Jackson County, Missouri

of Thomas McGee Group, A Division of Risk Strategies, its true and lawful Attorney(s)-in Fact, each in their separate capacity if more than one is named above, to sign, execute, seal and acknowledge, for and on its behalf and as its act and deed, bonds or others writings obligatory in the nature of a bond on behalf of each of said Companies, as surety, on contracts or suretyship as are or may be required or permitted by law, regulation, contract or otherwise, provided that no bond or undertaking or contract or suretyship executed under this authority shall exceed the amount of

ONE HUNDRED MILLION (\$100,000,000.00) DOLLARS

This Power of Attorney is granted and signed by facsimile under and by the authority of the following Resolutions adopted by the Boards of Directors of Amerisure Mutual Insurance Company, Amerisure Insurance Company and Amerisure Partners Insurance Company at meetings duly called and held on February 17, 2022.

"RESOLVED, that any two of the President & Chief Executive Officer, the Chief Financial Officer & Treasurer, the Senior Vice President Surety, the Vice President Surety, or the General Counsel & Corporate Secretary be, and each or any of them hereby is authorized to execute, a Power of Attorney qualifying the attorney-in-fact named in the given Power of Attorney to execute on behalf of the Company bonds, undertakings and all contracts of surety, and that President & Chief Executive Officer, Chief Financial Officer & Treasurer or General Counsel & Corporate Secretary each or any of them hereby is authorized to attest to the execution of any such Power of Attorney and to attach therein the seal of the Company;

FURTHER RESOLVED, that the signature of such officers and the seal of the Company may be affixed to any such Power of Attorney or to any certificate relating thereto electronically/digitally or by facsimile, and any such Power of Attorney or certificate bearing such electronic/digital or facsimile signatures or electronic/digital or facsimile seal shall be binding upon the Company when so affixed and in the future with regard to any bond, undertaking or contract of surety to which it is attached.

FURTHER RESOLVED, that any work carried out by the attorney-in-fact pursuant to this resolution shall be valid and binding upon the Company."



By:

Michael A. Ito, Senior Vice President Surety

By:

Aaron Green, Vice President Surety



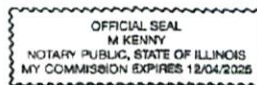
IN WITNESS WHEREOF, Amerisure Mutual Insurance Company, Amerisure Insurance Company and Amerisure Partners Insurance Company

have caused their official seals to be hereunto affixed, and these presents to be signed by their authorized officers this 26th day of April, 2023.

Amerisure Mutual Insurance Company  
 Amerisure Insurance Company  
 Amerisure Partners Insurance Company

State of Illinois  
 County of Kane

On this 26th day of April, 2023, before me, a Notary Public personally appeared Michael A. Ito of Amerisure Mutual Insurance Company, Amerisure Insurance Company and Amerisure Partners Insurance Company and Aaron Green of Amerisure Mutual Insurance Company, Amerisure Insurance Company and Amerisure Partners Insurance Company, personally known to me, who being by me duly sworn, acknowledged that they signed the above Power of Attorney as officers of and acknowledged said instrument to be the voluntary act and deed of their respective companies.



M. Kenny, Notary Public

I, Christopher M. Spaude, the duly elected Chief Financial Officer & Treasurer of Amerisure Mutual Insurance Company, Amerisure Insurance Company and Amerisure Partners Insurance Company, do hereby certify and attest that the above and foregoing is a true and correct copy of a Power of Attorney executed by said Companies, which remains in full force and effect.

IN WITNESS WHEREOF, I have set my hand and affixed the seals of the Companies this 8th day of April, 2025.

Chris M. Spaude  
 Christopher M. Spaude, Chief Financial Officer & Treasurer

## Submittal Forms

- (6) **DBE Submittal Forms:** This form must be submitted by 4 p.m. three (3) business days after bid opening.

(A) DBE Contract Goal: By submitting this bid, the bidder certifies that the bidder is familiar with the DBE Program Requirements in this contract. The contract DBE goal for the amount of work to be awarded is 8% of the total federal project price. The bidder shall also complete the DBE Submittal Form in accordance with the program requirements.

(B) DBE Participation: The bidder certifies that it will utilize DBE's as follows:

8 % OF TOTAL FEDERAL CONTRACT

NOTE: Bidder must fill in the above blank. If no percentage is specified, the bidder certifies that it agrees to, and will comply with the contract goal. If a percentage below the contract goal is specified, then the bidder must submit complete documentation of good faith efforts to meet the DBE contract goal, immediately below.

(C) Certification of Good Faith Efforts to Obtain DBE Participation: By submitting its signed bid, the bidder certifies under penalty of perjury and other provisions of law, that the bidder took each of the following steps to try to obtain sufficient DBE participation to achieve the Commission's proposed DBE Contract Goal: (Attach additional sheets if necessary).

This image shows a single sheet of white paper with horizontal blue or grey ruling lines. The lines are evenly spaced and run across the width of the page. There is no handwriting or other markings on the paper.



# DBE Identification Submittal Form

(For Local Program Agency (LPA) Projects)

**Job Number:** 8902013 TAP3453(404)

Route: Little Blue Trace/Rock Island Connector Trail

County: Jackson

**Prime Contractor:**

**Contract Amount:**

**Identification of Participating DBE's:** Provide the requested information below for each DBE participating on the project. If this page is submitted but not signed, it will not be cause for rejection. The apparent low and second low bidder must file this form with the Jackson County Compliance Review Office no later than 4:00 p.m. on the 3rd working day after the bid opening. Fax or e-mail transmittal is permitted. The fax number is (816) 881-3302 and the e-mail address for submittal is [cro@jacksongov.org](mailto:cro@jacksongov.org). Contact MoDOT's External Civil Rights Division (ECR) at (573) 526-2978 for questions and assistance on completion. **This page of this document must be received for each DBE utilized on the project.**

All information must be provided.

If awarded the contract for this project, the undersigned will use the following DBE to perform or furnish the work, supplies, and/or services as shown below:

**DBE Name:**

**Address:**

(A) Line No.	(B) Dollar Value of DBE Work** ( Unit Price x Quantity of the Item in (A), or Lump Sum)	(C) Dollar value applicable to DBE Goal** (100%, 60%)	(D) Dollar amount applicable to DBE Goal ( B x C )	(E) Percent of total contract amount for line item ( D / total contract amount)	Add or Remove Lines	
					-	+
					-	+
					-	+
					-	+
					-	+
					-	+
					-	+
					-	+
					-	+
					-	+
<b>DBE Total:</b>				<b>Total %</b>		

\*\*Cannot exceed contract amount for given item of work

Trucking services credited at 100% if the DBE owns the trucks or is leasing from a DBE firm

Allowed amount of participation will be in accordance with 49 CFR Part 26.

Brokered services will only receive credit for fees.

**Respectfully submitted:**

\_\_\_\_\_  
Company Name (Prime Contractor)

\_\_\_\_\_  
Name / Title

\_\_\_\_\_  
Signed (Prime Contractor)

**Instructions for Completing the  
DBE Identification Submittal Form  
(For Local Program Agency (LPA) Projects)  
(ECR-101)**

Submit this form with your bid or as outlined on front of page no later than 4:00 p.m. on the 3rd working day after the bid opening. Only DBE's listed on MoDOT's Missouri Regional Certification Committee (MRCC) directory may be used towards obtaining the DBE goal on the project. DBE firm must be certified with the appropriate North American Industrial Classification System (NAICS) code for the type of work being utilized to perform. The MRCC directory is available at the following link under the MRCC Directory tab: [HTTP://www.modot.org/welcome-external-civil-rights](http://www.modot.org/welcome-external-civil-rights)

- (A) Insert Bid Line Item in the same order as it appears in the bid document.
- (B) Insert the result from multiplying the unit price for the bid line item by the quantities listed in column (A); a lump sum, if applicable, may also be inserted.
- (C) Insert the percentage of column (B) that the DBE will perform. If the DBE is a supplier as that term is defined in 49 CFR Part 26.55, then only 60% of the value in column (B) can be applied towards the contract specific goal. If the DBE is furnishing and installing the line item, then 100% of the value can be applied.
- (D) Insert the result from dividing columns (B) and (C).
- (E) Insert the result from dividing column (D) from the total bid line item amount.

**DISADVANTAGED BUSINESS ENTERPRISE (DBE) PROGRAM REQUIREMENTS**  
**FOR LOCAL PROGRAMS**

**1.0 Program Applicability.** The subsequent sections will apply only to contracts involving U.S. Department of Transportation (USDOT) federal-aid or federal funded participation. Federal-aid or federal funded participation includes, but is not limited to, any funds directly or indirectly received by MoDOT, or authorized for distribution to or through MoDOT, by the USDOT or any operating administration within the USDOT. These provisions will not apply to contracts funded exclusively with state funds, or state and local funds. Any contractor, subcontractor, supplier, DBE firm, and contract surety involved in the performance of a federal-aid contract shall be aware of and fully understand the terms and conditions of the USDOT DBE Program, as the terms appear in Title 49 CFR Part 26 (as amended), the USDOT DBE Program regulations; Title 7 CSR Division 10, Chapter 8 (as amended), and the Commission's DBE Program rules.

**2.0 DBE Program Distinguished From Other Affirmative Action Programs.** The USDOT DBE Program established by the U.S. Congress is not the same as, and does not involve or utilize, any of the elements or authority of other state or local affirmative action programs, nor does the program rely upon state legislation or gubernatorial executive orders for implementation or authorization, other than the general authority given the Commission in Section 226.150, RSMo. The USDOT DBE Program is implemented by the Commission and MoDOT, through and in conjunction with the FHWA, FTA and FAA, as a "recipient" defined in Title 49 CFR 26.5.

**3.0 Policy Regarding DBE Firms.** It is the policy of the U. S. Department of Transportation and MoDOT that businesses owned by socially and economically disadvantaged individuals have an opportunity to participate in the performance of contracts funded in whole or in part with federal funds. Consequently, the requirements of 49 CFR Part 26 (as amended) and the Commission's implementing state regulations in Title 7 CSR Division 10, Chapter 8, "Disadvantaged Business Enterprise Program", will apply to any contract funded in whole or part with federal funds.

**4.0 Opportunity for DBEs to Participate.** Each contractor, subcontractor and supplier working on a contract funded in whole or in part with federal funds shall take all necessary and reasonable steps to ensure that DBEs have an opportunity to compete for and participate in performance on project contracts and subcontracts in which a DBE goal is established.

**5.0 Required Contract Provision.** The federal-aid contract will include the following provision, as mandated by USDOT at Title 49 CFR 26.13(b):

(a) The contractor, subrecipient or subcontractor shall not discriminate based on race, color, national origin, or gender in the performance of the contract. The contractor shall carry out applicable requirements of 49 CFR Part 26 in the award and administration of USDOT-assisted contracts. Failure by the contractor to carry out these requirements is a material breach of the contract, which may result in the termination of the contract or such other remedy, as the recipient deems appropriate.

In this provision, "contractor" will be defined as the contractor on the contract; sub-contractor, or material supplier performing the work on or for the project. For the purposes of any federal-aid contract awarded by the Local Public Agency (LPA), they will be designated as "the recipient". The contractor shall include this same contract provision in every supply contract or subcontract the contractor makes or executes.



**6.0 DBE Program Information.** DBE Program information may be obtained from the MoDOT External Civil Rights Division, 105 W. Capitol Avenue, P.O. Box 270, Jefferson City, Missouri 65102-0270. Phone (573) 751-7801, Fax (573) 526-0558, E-Mail: [dbes@modot.mo.gov](mailto:dbes@modot.mo.gov). It will be the duty of each contractor, and for the contractor's subcontractors to take the steps necessary to determine the legal obligations and limitations under the DBE Program, as an element of responsibility. It will be the duty of each certified DBE firm to know, understand and comply with the DBE firm's legal obligations and limitations under the DBE Program, as a requirement of program participation.

**7.0 DBE Certification, and the Missouri Unified Certification Program.** MoDOT and other certifying agencies within Missouri have partnered to form the Missouri Regional Certification Committee (MRCC) and developed a Unified Certification Program (UCP) pursuant to 49 CFR 26.81 and 7 CSR 10-8.061. Only DBE firms certified by the MRCC are eligible to perform work on a federal-aid contract for DBE contract goal credit. It is the contractor's responsibility to ensure firms identified for participation are approved certified DBE firms. The MRCC DBE Directory can be found at the following link: <https://www.modot.org/welcome-external-civil-rights>

**8.0 DBE Program-Related Certifications Made By Bidders and Contractors.** If the bidder makes a written, express disclaimer of one or more certifications or assurances in the bid, the bid will be considered non-responsive. By submitting a bid on any project involving USDOT federal financial participation, and by entering into any contract on the basis of that bid, the contractor makes each of the following DBE Program-related certifications and assurances to USDOT, to the Commission, to MoDOT, and to the LPA:

(a) The bidder certifies that management and bidding officers have reviewed and understand the bidding and project construction and administration obligations of the USDOT DBE Program regulations at Title 49 CFR Part 26 (as amended), , and the Commission's DBE Program rules at Title 7 CSR Division 10, Chapter 8 (as amended).

(b) The bidder agrees to ensure that certified DBE firms have a full and fair opportunity to participate in the performance of the contract financed in whole or in part with federal funds. The bidder certifies that all necessary and reasonable steps were taken to ensure that DBE firms have an opportunity to compete for, and perform work on the contract. The bidder further certifies that the bidder not discriminate on the basis of race, color, age, national origin or gender in the performance of the contract, or in the award of any subcontract.

(c) The bidder certifies that if awarded the federal-aid contract, the contractor will make a good faith effort to utilize certified DBE firms committed to with the awarded contract.

(d) The bidder certifies, that if awarded the federal-aid contract with less than the original DBE contract goal proposed by the Commission in the bid documents, as a result of an approved good faith effort, the revised lower amount shall become the final DBE goal, and that goal will be used to determine any liquidated damages to be assessed at the completion of the project.

(e) The bidder understands and agrees that if awarded the contract the contractor is legally responsible to ensure that the contractor and each DBE, comply fully with all regulatory and contractual requirements of the USDOT DBE Program, and that each DBE firm participating in the contract fully perform the designated tasks, with the DBE's own forces and equipment, under the DBE's own direct supervision and management. The bidder certifies, that if awarded the contract and if MoDOT or the Commission determine that the contractor, a DBE or any other firm retained by the contractor has failed to comply with the DBE Program requirements or federal or state DBE Program regulations, the Commission, through MoDOT, shall have the sole authority and discretion

to determine the extent of the monetary value to which the DBE contract goals have not been met at the project completion, and to assess against and withhold monetary damages from the contractor up to the full amount of that breach. The bidder further understands and agrees that this clause authorizes the Commission, through MoDOT, to determine and fix the extent of the damages caused by a breach of any contractual or regulatory DBE Program requirement and that the damage assessment will be enforced in addition to, and not in lieu of, any other general liquidated damages clause in the contract. By submitting a bid for a federal-aid contract, the bidder irrevocably agrees to such an assessment of liquidated damages for DBE Program purposes, and authorizes the Commission and MoDOT to make such an assessment of liquidated damages against the contractor, and to collect that assessment from any sums due the contractor under the contract, or any other contract, or by other legal process. The bidder makes this certification, agreement and authorization on behalf of itself, for each federal-aid contract.

**9.0 Designation of DBE firms to perform on contract.** The bidder states and certifies that the DBE participation information submitted in the bid or within the contract designated time is true, correct and complete and that the information provided includes the names of all DBE firms that will participate in the contract, the specific line item (s) that each DBE firm will perform or partially perform, and the creditable dollar amounts of the participation of each DBE. The specific line item must reference the bid line number and item number contained in the proposal. The bidder further states and certifies that the bidder has committed to use each DBE firm listed for the work shown to meet the DBE contract goal and that each DBE firm listed has clearly confirmed to the bidder that the DBE firm will participate in and perform the work, with the DBE's own forces.

(a) The bidder certifies the bidder's understanding that as the contractor on a contract funded in whole or in part by USDOT federal funds, the bidder may not unilaterally terminate, substitute for, or replace any DBE firm that was designated in the executed contract, in whole or in any part, with another DBE, any non-DBE firm or with the contractor's own forces or those of an affiliate, without the prior written consent of MoDOT. The bidder understands it must receive approval in writing from MoDOT for the termination of a DBE firm, or the substitution or replacement of a DBE before any substitute or replacement firm may begin work on the project in lieu of the DBE firm participation information listed in the executed contract. Unless MoDOT's written consent is provided as outlined above, the bidder shall not be entitled to any payment of work or material unless it is performed or supplied by the listed DBE.

(1) The bidder further certifies understanding, that if a DBE firm listed in the bid or approved in the executed contract documents ceases to be a certified DBE firm, at any time during the performance of the contract work, and a contract or subcontract with that firm has not yet been executed by the prime and subcontractor, the contractor can not count any work performed by that firm after the date of the firm's loss of eligibility toward meeting the DBE contract goal. The contractor can pursue efforts to replace the work planned with the decertified firm, with other certified DBEs, in coordination with MoDOT's External Civil Rights Division. However, if the contractor has executed a subcontract with the firm before the DBE lost eligibility and ceased to be a certified DBE, the contractor may continue to receive credit toward the DBE contract goal for that firm's work.

(2) The bidder further certifies the bidder's understanding, that the dollar value of any work completed by a DBE firm prior to approval of the DBE's substitution or replacement, in writing, by MoDOT will not be credited toward meeting the DBE contract goal. No credit toward the DBE goal will be given for any amount withheld from payment to the DBE or "back charged" against monies owed to the DBE, regardless of the purpose or asserted debt.

**10.0 Contract Goal, Good Faith Efforts Specified.** The bidder may submit the completed “DBE Identification Submittal” information in the bid documents at the same time as, and within the sealed bid, at the time the bid is submitted. However, if that information is not completed and submitted with the initial sealed bid, then as a matter of responsiveness and responsibility, all bidders shall file the completed “DBE Identification Submittal” pages to the Local Agency on or before 4:00 p.m. of the third business day after the bid opening date. The Local Agency may permit telefax transmittal. No extension of time will be allowed for any reason. The means of transmittal and the risk of timely receipt of the information shall be the bidder’s.

**10.1 Good Faith Effort Submittal.** If the bidder is not able to meet the Commission’s DBE contract goal, the bidder has the opportunity to submit with and as a part of the bid, a true, accurate, complete and detailed written explanation of good faith efforts taken to meet the DBE Contract Goal established in the bid documents. The bidder shall use the “DBE Identification Submittal” sheets for any DBE participation that will be committed towards the goal and an explanation, with any supporting documentation, for the inability to meet the full goal established on the contract. Any Good Faith efforts shall be submitted as part of the bid or within the three business days after the bid opening.

**10.2 Bidders Good Faith Effort Described.** MoDOT will consider the quality, quantity, and intensity of the different kinds of efforts that the bidder has made based upon 49 CFR Appendix A to Part 26 and the following additional efforts:

- (a) Providing documentation on any and all past GFE activities for review.
- (b) Past project DBE performance utilization.
- (c) Race neutral methods utilized on completed projects.

All good faith efforts are evaluated on a case-by-case basis whereas any of the numerous good faith elements listed individually or collectively is not a guarantee of approval.

**10.3 Administrative Reconsideration of the Bidder’s Good Faith Efforts Made as a Part of the Bid Submittal.** If MoDOT determines that the apparent low bidder has failed to adequately document in the bid that the bidder made a good faith effort to achieve sufficient DBE participation in the contract work, that firm will be offered the opportunity for administrative reconsideration upon written request, before MoDOT and the Commission reject that bid as non-responsive.

**10.4 Forfeiture of Bid Bond possible when:** The failure of either the apparent low bidder to file the completed and executed “DBE Identification Submittal”, listing actual, committed DBE participation equal to or greater than the DBE contract goal percentage specified in the bid by 4:00 p.m. on the third business day after the bid opening, will be cause for rejection of that bid. In addition, the bid surety bond or bid guaranty of the apparent low bidder will be forfeited to and become the property of the Local Agency upon demand, only if the contract is awarded

(a) Any bidder rejected for failure to submit the completed and executed “DBE Identification Submittal” information in the bidding documents, with full documentation of sufficient DBE participation to satisfy the DBE contract goal cannot submit a bid on the same, or substantially similar, project, when and if the project is re-advertised for bids. By submitting a bid on a federal-aid project, the bidder accepts and agrees to these provisions, and the disposition of the bidders bid bond or guaranty, upon demand by the Local Agency.

(b) The surety separately acknowledges the surety to be held and firmly bound to the Local Agency to immediately upon demand pay the face amount of the bid bond.



**11.0 DBE Participation for Contract Goal Credit.** In addition to participation outlined by 49 CFR part 26, the following shall apply:

In addition to allowances provided for in the Federal Regulations, a bidder may count toward the DBE contract goal the following expenditures to certified DBE firms that are not “regular dealers” or “manufacturers” for DBE program purposes:

- (1) A bidder may count toward the DBE contract goal 100 percent of the fees paid to a certified DBE trucker or hauler for delivery of material and supplies required on a job site, but not for the cost of those materials or supplies themselves, or for the removal or relocation of excess material from or at the job site, when the DBE certified trucking company is not also the manufacturer of or a regular dealer in those material and supplies, provided that the trucking or hauling fee is determined by MoDOT to be reasonable as compared with fees customarily charged by non-DBE firms for similar services. The certified DBE trucking firm shall also perform a CUF on the project and not operate merely as a pass through for the purposes of gaining credit toward the contract DBE goal. Prior to submitting a bid, the bidder shall determine, whether a DBE trucking firm will meet the criteria for performing a CUF on the project.
- (2) The bidder will receive DBE contract goal credit for the fees or commissions charged by and paid to a DBE broker who arranges or expedites sales, leases or other project work or service arrangements, provided that those fees are determined by MoDOT to be reasonable and not excessive, as compared with fees customarily charged by non-DBE firms for similar services. A broker will be defined as a person or firm that does not own or operate the delivery equipment necessary to transport materials, supplies or equipment to or from a job site. In most instances, the broker is merely the entity making arrangements for delivery of material, supplies, equipment, or arranging project services. To receive DBE contract goal credit, MoDOT must determine that the DBE broker has performed a CUF in providing the contract work or service.

**12.0 DBE Required to Perform a Commercially Useful Function (CUF).** The DBE CUF requirements are stated in 49 CFR Part 26, (26.55). Any questions or further information needed for CUF determinations should be directed to MoDOT’s External Civil Rights Division.

**12.1 Quality Control (QC) and Quality Assurance (QA) Reviews.** The prime contractor shall monitor their planned DBE project usage for CUF compliance and provide MoDOT information for areas of concern for further evaluation. MoDOT will perform a QA review, or compliance review, for DBE CUF and project documentation retained by the contractor through project completion. The contractor shall maintain all DBE related information it has received, documented and provided to MoDOT for a period of three years beyond the date of final inspection. MoDOT’s determination that a DBE’s participation may not count toward the project goal, or good faith effort level approved will be subject to administrative reconsideration.

**12.2 MoDOT Makes Final Determination On Whether a CUF Is Performed.** MoDOT will have the final authority to determine whether a DBE firm has performed a CUF on a federal-aid contract.

**13.0 Verification of DBE Participation at project completion.** (Assessment of Liquidated Damages Possible)

**13.1** Prior to final payment by the Local Agency, the contractor shall file with the Local Agency a detailed list showing each DBE used on the contract work, and the work performed by each DBE. The list shall show the actual dollar amount paid to each DBE for the creditable work on the contract, less any rebates, kickbacks, deductions, withholdings or other repayments made. The list shall be certified under penalty of perjury, or other law, to be accurate and complete. MoDOT and the Commission will use this certification and other information

available to determine if the contractor and the contractor's DBEs satisfied the DBE contract goal percentage specified in the contract and the extent to which the DBEs were fully paid for that work. The contractor shall acknowledge, by the act of filing the detailed list, that the information is supplied to obtain payment regarding a federal participation contract.

**13.2** Failure on the part of the contractor to achieve the DBE participation to which the contractor committed in the contract may result in liquidated damages being imposed on the contractor by the Commission for breach of contract and for non-compliance. If the contract was awarded with less than the original DBE contract goal proposed by the Commission, the revised lower amount became the final DBE contract goal, and that goal will be used to determine any liquidated damages to be assessed. Additionally, the Commission or MoDOT may impose any other administrative sanctions or remedies available at law or provided by the contract in the event of breach by the contractor by failing to satisfy the contractor's DBE contract goal commitment. The contractor will be offered the opportunity for administrative reconsideration of any assessment of liquidated damages determined at the project completion, upon written request. The administrative reconsideration officer may consider all facts presented, including the legitimacy or business reason for back charges assessed against a DBE firm, in determining the final amount of liquidated damages.

**14.0 Miscellaneous DBE Program Requirements.** In accordance with Title 49 CFR Part 26 and the Commission's DBE Program rules in Title 7 CSR Division 10, Chapter 8, the contractor, for both the contractor and for the contractor's subcontractors and suppliers, whether DBE firms or not, shall commit to comply fully with the auditing, record keeping, confidentiality, cooperation and anti-intimidation or retaliation provisions contained in those federal and state DBE Program regulations. By bidding on a federal-aid contract, and by accepting and executing that contract, the contractor agrees to assume these contractual obligations, and to bind the contractor's subrecipients contractually, at the contractor's expense.

**15.0 Data Collection from Bidders for DBE and Non-DBE Subcontractors, Suppliers, Manufacturers and/or Brokering used and not used in bids during the reporting period.** MoDOT is a recipient of federal funds and is required by 49 CFR 26.11, to provide data about its DBE program. The information shall consist of all subcontractor quoting received for actual use and of consideration by the prime bidder. MoDOT will be requesting this information from bidding prime contractors and will provide prime bidders a form to submit the data by the last day of each month for the current letting. The information shall only include the names of both DBE and non-DBE companies that the prime bidders received quotes. MoDOT will then contact the DBEs and non-DBE subcontractors and request additional information from DBE and non-DBE subcontractors including current year of gross receipts and number of years in business. The information provided by the prime bidders shall not include any bid quote pricing regardless if it was used or not. This information will aid MoDOT in the determination of the availability of DBEs and will be used in subsequent availability studies.



MegaKC Corporation  
1491 Iron Street  
North Kansas City, MO 64116  
September 20, 2024

### **Resolution of the Board of Directors of MegaKC Corporation**

**Subject:** Authorization to Sign on Behalf of MegaKC Corporation

Whereas, the Board of Directors of MegaKC Corporation met on September 20, 2024 and has determined it is in the best interest of the company to authorize specific individuals to sign construction contracts and bidding documents on behalf of the company;

Whereas, the Board of Directors recognizes the need to define the signing authority for designated officers and employees to ensure proper governance, accountability, and operational efficiency;

Therefore be it Resolved, by the Board of Directors of MegaKC Corporation as follows:

#### **Authorized Signatories:**

The following individuals are hereby granted authority to sign and execute construction bidding documents and contracts on behalf of the company.

Brian Gordon – Chief Executive Officer  
Caleb Lundberg – Chief Financial Officer  
Ryan Mills – Vice President of Operations  
Tyler Wesselman – President | Secretary

#### **Corporate Records and Certification:**

The Secretary is hereby directed to record this resolution in the official minutes of the Board of Directors and to ensure that the company's records reflect the authorized signatories.

#### **Duration of Authorization:**

The authority granted under this resolution shall remain in effect until such time as it is amended or revoked by the Board of Directors.





In Witness Whereof, the undersigned members of the Board of Directors have executed this resolution as of September 20, 2024.

William McDermott  
Director  
MegaKC Corporation

Erica Jones  
Director  
MegaKC Corporation

Tyler Wesselman  
Director | Secretary  
MegaKC Corporation

Brian Gordon  
Chairman of the Board  
MegaKC Corporation

Jackson County, Missouri

# Certificate of Compliance

In accordance with Jackson County Code Chapter(s) 6 and 10, this Certificate of Compliance is hereby issued to:

**MegaKC Corporation**

1491 Iron Street, North Kansas City, MO 64116

2025 Certificate Number: 67602

Issued: 4/10/2025

Expires: 12/31/2025

The above named firm/agency has met the following requirements:

Is duly listed and assessed on the tax rolls of Jackson County, Missouri and is not delinquent in the payment of any taxes due to the County, or did not have on December 31<sup>st</sup> of the previous year any property subject to taxation by the County.

Attests and agrees to Chapter 6 of the Jackson County Code which prohibits discriminatory employment practices and promotes equal employment opportunity by contractors doing business with Jackson County.

*Melinda Bolling*

Chief Compliance Review Officer

Jackson County, Missouri

(816) 881-3302

compliance@jacksongov.org

