

CONSULTING AGREEMENT

THIS AGREEMENT, made and entered into on this 30<sup>th</sup> day of December, 2014, by and between JACKSON COUNTY, MISSOURI, hereinafter called the "County" and STRATEGIC WORKPLACE SOLUTIONS, INC., 8426 Clint Drive, No. 359, Belton, MO 64012, hereinafter called "Consultant".

**WITNESSETH:**

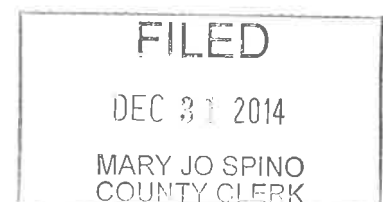
WHEREAS, the County has a need for a highly-qualified consultant for the furnishing of advice and assistance in the implementation of the MBE/WBE Program created by Ordinance 4636, dated July 28, 2014, and 4695, dated November 24, 2014; and,

WHEREAS, Consultant has agreed to perform consulting services and assistance to the County in accordance with the terms, conditions, and covenants as set forth in this Agreement and Request for Proposals No. 78-14, and as authorized by the County Legislature through its Resolution 18692; and,

WHEREAS, Consultant and County have agreed to be bound by the provisions hereof,

NOW, THEREFORE, in consideration of the foregoing and the terms and provisions herein contained, County and Consultant respectively promise, covenant, and agree with each other as follows:

1. Consultant shall assist the County's Compliance Review Office with the implementation of the County's MBE/WBE Program, as is more fully described in Consultant's Scope of Services attached hereto as Exhibit A, and incorporated herein



by reference.

2. Consultant shall work as an independent contractor and not as an employee of County. Consultant shall be subject to the direction of County only as to the result to be accomplished and not as to the means and methods for accomplishing the result. Consultant shall report all earnings received hereunder as gross income, and be responsible for its own Federal, State and City withholding taxes and all other taxes, and operate its business independent of the business of County except as required by this Agreement.

3. County shall pay Consultant for services rendered under this Agreement in a total amount not to exceed \$43,315.00, in seven equal payments of \$6,187.86 each, with the first payment due upon the execution of this Agreement and the remaining payments due monthly upon receipt of Consultant's invoice. County shall pay Consultant promptly upon receipt of said invoice.

4. Consultant shall bear all of the expenses of its work under this Agreement. The County will provide any required photocopying and/or printing internally.

5. This Agreement shall be effective as of December 15, 2014, and shall extend until July 31, 2015. Consultant or County may terminate this Agreement by giving seven days written notice to the other party. Termination of this Agreement shall not constitute a waiver of the rights or obligations which County or Consultant may be entitled to receive or be obligated to perform under this Agreement. Should this Agreement terminate, all books, brochures, fliers, lists, and all other County materials must be delivered and returned by Consultant to County within three days of the demand of County.

6. Pursuant to §285.530.1, RSMo, Consultant assures that it does not knowingly employ, hire for employment, or continue to employ an unauthorized alien to perform work within the State of Missouri and/or Jackson County, and shall affirm, by sworn affidavit and provision of documentation, its enrollment and participation in a federal work authorization program with respect to the employees working in connection with the contracted services. Further, Consultant shall sign an affidavit, attached hereto and incorporated herein as Exhibit B, affirming that it does not knowingly employ any person who is an unauthorized alien in connection with the contracted services.

7. Intellectual Property Ownership. Consultant shall retain all copyright, trade secret and other intellectual property rights Consultant may have in anything created or developed by Consultant for the County under this Agreement ("Work Product"). Consultant grants the County a nonexclusive license to use the Work Product for the purpose of MBE/WBE Program implementation. The license shall have a perpetual term and the County may not transfer any rights in Work Product to another person, company or entity. This license is conditioned upon full payment of the compensation due Consultant under this Agreement. Failure to make such payment shall void this license.

8. Contractor's Proprietary Materials. Consultant owns or holds a license to use and sublicense various materials in existence before the start date of this Agreement (Consultant's Materials). Consultant may, at its option, include Consultant's Materials in the work performed under this Agreement. Consultant retains all right, title and interest, including all copyrights and trade secret rights in Consultant's Materials. Consultant grants the County a royalty-free nonexclusive license to use any of

Consultant's Materials incorporated into the work performed by Consultant under this Agreement. The County may use Consultant's Materials only in conjunction with the Work Product. The license shall have a perpetual term and may not be transferred by the County. A copyright notice and credit line in Consultant's name shall accompany any reproduction of the Work Product.

9. Consultant promises, covenants, and agrees, in addition to all other provisions herein, that during the term of this Agreement, it shall not assign any portion or the whole of this Agreement without the prior written consent of County.

10. If any covenant or other provision of this Agreement is invalid or incapable of being enforced by reason of any rule of law or public policy, all other conditions and provisions of this Agreement shall nevertheless remain in full force and effect and no covenant or provision shall be deemed dependent upon any other covenant or provision unless so expressed herein.

11. This Agreement shall be governed by the laws of the State of Missouri.

12. This Agreement, together with Exhibit A and B and the County's RFP 78-14, incorporates the entire understanding and agreement of the parties.

IN WITNESS WHEREOF, the parties hereto have signed and executed this Agreement on the date first above written.

STRATEGIC WORKPLACE SOLUTIONS, INC.

JACKSON COUNTY, MISSOURI

By [Signature]  
Federal I.D. No. 20-4216873

By [Signature]  
Michael D. Sanders  
County Executive

APPROVED TO FORM:

ATTEST:

[Signature]  
W. Stephen Nixon  
County Counselor

[Signature]  
Mary Jo Spino  
Clerk of the County

REVENUE CERTIFICATE

I hereby certify that there is a balance otherwise unencumbered to the credit of the appropriation to which this contract is chargeable, and a cash balance otherwise unencumbered in the treasury from which payment is to be made, each sufficient to meet the obligation of \$43,315.00 which is hereby authorized.

12-31-2014  
Date

[Signature]  
Director of Finance and Purchasing  
Account No. 001-5101-56080-\$21,658  
003-5103-56080-\$ 7,219  
004-5104-56080-\$ 7,219  
045-4500-56080-\$ 7,219

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Res. 18692

Strategic Workplace  
SOLUTIONS

EXHIBIT A

**Response to Request for Qualifications RFQ#78-14**

**For**

**MBE-WBE Program Implementation Services**

**For**

**Jackson County**

**Proposal Submitted**

**By**

**Colleen White**

**President**

**Strategic Workplace Solutions, Inc. (SWS)**

**8426 Clint Drive, Suite 147**

**Belton, MO 64012**

**816-322-7808**

**December 3, 2014**

SWS Proposal #P-12-14-001

## INTRODUCTION

**Res. 18692**

To assist Jackson County (the County) in its implementation of the MBE/WBE Program (Program) created by Ordinance 4636, Strategic Workplace Solutions, Inc. (SWS) proposes a program of services to assist the County in the research, development and implementation of the new Program. This program will be accomplished by working through numerous elements to address the mandates established in Section 629.6 for the Compliance Review Office which are:

- Establishing of Contract Goals
- Evaluating Achievement of Contract Goals
- Monitoring Contract Compliance
- Collecting Program Data
- Notice to Bidder of Ineligibility
- Notice of Ineligibility to Others
- Notice of Bidder Reinstatement
- Notice of Noncompliance with Chapter
- Notice of Deficiency in Plan
- Compliance by Contractor
- Bidders on Contracts in Excess of Fifty Thousand Dollars
- Notice of Compliance Review Officer
- Other Duties

This process will produce deliverable results for the County. SWS understands there is a tight timeline in which the County needs to be in the process of implementation and fulfilling the Ordinance's intent by February 1, 2015. We also understand that the County's budget is limited. Therefore our approach intends to meet or exceed the requested timeline. We also intend to keep the Program costs as minimal as possible by emulating the creation of our previously completed Prevailing Wage (PW) Compliance Program, and the City of Kansas City's MBE/WBE Compliance Program. This allows the SWS Team to create a program that is similar to the existing PW Program for the Compliance Office staff to learn and implement. However, this project would be best implemented with a pilot project. As there is not a designated pilot project for testing and refining, SWS recommends an additional Addendum to this proposal once a pilot program is available. Secondly, we are aware the results of the upcoming Disparity Study, or the Study process itself, could require some modification to our Proposed Program. To address this, we have provided for additional review with our Addendum 2. Lastly, SWS anticipates the need for a Veteran Owned Business Enterprise (VBE) set of data collection and goals in the future. We have addressed that need in our Addendum 3.

The SWS Team is comprised of some of the most qualified persons and companies known in our metropolitan area in the MBE-WBE arena. In addition, all three businesses are based within Jackson County. This Team approach provides the County with well established knowledge in order to meet Program needs, along with the experience of previous Program creation and implementation for the County. Our Team approach constitutes Program development consisting of:

- Researching, drafting and implementation of the Program.
- Creation of a new goal setting system.
- Creation of a new data submission process including new forms.
- Training relevant staff.
- Conducting interviews and meetings with involved parties, including Colette Holt & Associates, the County Counsel and Purchasing offices.
- Drafting contract language.
- Coordinating with the City of Kansas City, Missouri's Human Relations Department (City) to echo their existing programs when possible so the metro area's MBE-WBE Programs are as consistent as possible. In addition, this will allow us to use similar data methods that will make it easier for contractors doing business with the County that are already familiar with City processes.
- Providing draft format reviews with stakeholder groups and obtain comments.
- Completing revisions, compile drafts and processes into a finished Program.
- Providing the final Program and products to the County in paper and electronic formats.
- Providing continuous oversight and support during implementation to assure program success.
- Assisting the County with introducing the Program to the public.

### **OUR UNDERSTANDING OF THE PROJECT**

As a result of information provided to us, SWS has developed the following understanding of the County's situation:

- The County passed an MBE-WBE Ordinance to assist Certified Minority Business Enterprises (MBE) and Women Business Enterprises (WBE) in increasing their business opportunities with the County.
- The County anticipates a need for a Veteran Owned Business Enterprise (VBE) in the future.
- There is not an adequate program/system in place to address this responsibility.
- The County is readying itself to be in the process of fulfilling the intent of the new ordinance by February 1, 2015.
- The County seeks assistance in creation and implementation of the Program, along with coordination with the necessary parties, to assure their responsibilities are met.
- The County seeks as an outcome of this project, a newly developed Program, compliance staff trained in the process, stakeholders involved in the creation process, data methodologies and forms created, and a presentation that incorporates and summarizes the new program information.
- The County seeks oversight, including testing and revision assistance while the Program is being implemented.



- The County seeks to use this program to project a positive image of diversity and inclusion to the public.
- The Program may need revision once a formal Disparity Study is completed.

The County requests SWS provide a proposal with qualifications for an “MBE-WBE Program”. SWS provides the following proposal for them.

### **Assumptions**

SWS assumes the County will assure SWS of cooperation among County employees, and provide SWS with authority to gather information on their behalf. The County will stress the importance of the program to participants in order to expedite necessary meetings, information collection and program completion and review.

## **SCOPE OF SERVICES**

### **Program Design**

The proposed project’s major activities are divided into several scopes of work. This approach will help SWS gather the best information to complete the project. These scopes are necessary to complete the final project and achieve the deliverable results and products. Oversight is included in order to provide program implementation assistance, instructive compliance review, testing and revision. Levels of oversight are continuously reduced, allowing the County Compliance office to incrementally take complete charge of the program as their capabilities increase. Given the short time frame for completion of this project, our goal is to have, at a minimum, a draft program outline in place by February 1, 2015. We anticipate an additional 2-3 months will be needed for the draft’s implementation. However, additional time will be needed to test and refine the program.

### **Program Elements/Scope of Work**

SWS proposes this program include the following elements:

- Build a Program for administration and enforcement of Jackson County’s new MBE-WBE Ordinance’s requirements, for both construction and other services contracted for by Jackson County, Missouri. Test the Program, and revise as necessary. Draft the Program in both written manual and electronic formats.
- Draft new forms as necessary for reporting and oversight purposes.
- Train County Compliance staff in this Program, the ordinance, the processes and appropriate enforcement methods.
- Meet with relevant contracting County agency(ies) to determine involvement and train in necessary elements of the program.
- Design a data reporting process and methodology, including a goal setting process, for use by County contractors to report MBE and WBE usage. Whenever possible, we intend to echo the City of Kansas City system to keep the program as consistent as possible for area businesses already familiar with Kansas City’s process. This will assist the County in having to provide less education on the new process and allow for smoother implementation.

- Draft contract language to assist in providing the County the ability to better implement, enforce, and otherwise assure the County's role in meeting their requirements under the Ordinance.
- Coordinate with the County Counsel's office to assure investigation and enforcement processes are coordinated for successful completion.
- Coordinate with the County Purchasing office to assure processes are not duplicated, requirements and authorities are clear, and enforcement is successful.
- Provide oversight during the enforcement process to assist enforcement staff with correct interpretations of the ordinance, proper enforcement, readying cases for hearing, and other administrative needs.
- Design an educational tool to instruct County stakeholders in the new process.

NOTE: SWS will not provide actual site monitoring and investigative services, other than in the process of creating the program draft (unless Addendum 1 is adopted also). All services are administrative in nature.

### **Project Results**

SWS will deliver to the County products that will evidence their efforts in assuring compliance with the new ordinance. Results of the collection of information, testing, analysis and review of the program, revisions, and compilation of final products will provide the tools necessary for the County to demonstrate these efforts. SWS intends to provide:

- 1) A finished Manual(s) incorporating a written enforcement program, with backup and associated materials included.
- 2) Electronic versions of all documents created.
- 3) An Executive Summary that briefly summarizes the program, its elements, recommended goals and measures to be used.
- 4) Completed staff training in enforcement and administration of the Ordinance.
- 5) A sample Press Release for use as a tool to illustrate the County's position that implementation of and compliance with the new Ordinance is foremost.
- 6) Recommended contract language for involved contracts.
- 7) Oversight, including program testing and revisions during implementation of the program.
- 8) A PowerPoint presentation that incorporates an overview of the program, the process to be used, and additional features for training purposes.

### **Organization and Staffing**

Our SWS Project Team consists of three individuals that are extremely familiar with MBE-WBE processes, goal setting, measurement, outreach and compliance. In addition, our combined knowledge of area MBE/WBE contractors and their organizations provides the County with immediate access to the target community. We believe our SWS Team provides the County with some of the best knowledge, experience and expertise available to accomplish this Project. While all team members will share many duties equitably, some distinct assignments are listed below.

**Colleen White**, President of SWS, will serve as Project Manager. She will draft the main components of the Program, including the data and reporting process framework, draft components of, and help County staff implement enforcement related work, provide training for County Compliance Staff, and provide oversight for the entire project. Colleen will also work with stakeholders and other County staff as needed. (WBE/SLBE Certified)

**Gayle Holliday** of G&H Consulting LLC, will serve as Outreach Coordinator and Principal Analyst. She will assist with stakeholder coordination, outreach and training. Gayle will also work with data processes and methodology and reporting, and assist in some of the enforcement framework process building. (MBE/WBE/SLBE Certified)

**Dan Osman**, President of Osman Consultants LLC, will serve as Data Coordinator. He will be responsible for drafting data processes, methodologies, and reporting methods. Dan will assist in both County Staff and stakeholder outreach and training.

Additional subcontracting, if any, will involve clerical related work only.

### **OUR EXPERIENCE & QUALIFICATIONS**

#### **Colleen White, Strategic Workplace Solutions, Inc.**

SWS was formed in 2006 to assist construction contractors, public entities and others in learning, understanding and managing their labor law compliance risks by providing training and consulting assistance. Shortly after formation, SWS produced the study "Diversity in Recruitment and Training in Kansas City's Construction Industry" for the Labor Management Council of Greater Kansas City. The study defined and analyzed diversity in recruitment and training efforts in the Kansas City metropolitan area's construction industry. It was also used to assist the City of Kansas City, Missouri, in establishing goals for its new Workforce Ordinance, and in revisions being done to the existing MBE/WBE Ordinance. Shortly after this study was completed, SWS served as Prevailing Wage Coordinator for the Jackson County Sports Complex Authority for the Arrowhead and Kauffman Stadiums Renovation Project, the most expensive construction project in Jackson County, Missouri's, history. SWS also coordinated with Dr. Gayle Holliday in her efforts to ensure MBE, WBE and Workforce goals were met. Concurrently, Colleen also drafted Jackson County, Missouri's, new compliance program, which included reworking the existing MBE-WBE Ordinance. The success of this program and the coordinated enforcement efforts ended with 100% of all workers receiving wages and benefits due them. Colleen also wrote Kansas City, Missouri's original Prevailing Wage Compliance Program.

SWS now primarily assists contractors with managing their labor compliance risks on government construction projects, helping them avoid violations resulting in potential penalties, restitution, attorney fees and jail sentences. Through training and consultative services, SWS helps our clients learn to prevent compliance problems before they occur. Due to the basic business needs of many of these small contractors discovered in our

compliance processes, our learning processes now extend into basic business requirements to assist them in becoming better all-around businesses that will survive and grow. SWS also provides arbitration and neutral services. While Colleen White is SWS's primary employee, SWS engages services of other subcontractors when needed for additional and administrative services.

Our 30 years of enforcement and administrative experience in the labor law and workplace relations field provides SWS clients with a unique and expert level of assistance not available elsewhere. Colleen served as the Director of the Missouri Division of Labor Standards for over 12 years, where she administered and enforced prevailing wage, wage & hour, child labor, and workplace safety laws and programs. She was Business Manager for a building & construction trades union in Kansas City for many years, and was Director of Safety for the International Union of Painters in Washington D.C. She currently serves as the Compliance Coordinator for the Planned Industrial Expansion Authority (PIEA) of Kansas City and the Country Club Plaza Transportation Development District. Colleen also serves as a Labor Arbitrator with the U.S. Federal Mediation and Conciliation Service, and Kansas and Iowa's Public Employee Relations Boards. Today, in its 9<sup>th</sup> year, SWS has established itself as a well respected firm known for its knowledge and experience base in the world of compliance.

**Relevant Experience:**

- President, Strategic Workplace Solutions, Inc. (SWS)
  - Researched and drafted "Diversity in Recruitment & Training in the Kansas City Area Construction Industry" for the Labor Management Council of Greater Kansas City's Construction Industry Committee.
  - Participated in the original KCMO Workforce Ordinance committee, and the MBE/WBE Ordinance Committee, providing results of the above noted study used to set goals for both ordinances.
  - Provides compliance training and consulting for labor, MBE-WBE and other basic contracting requirements.
  - Current Compliance Coordinator, providing investigative, document and site monitoring responsibilities for the Planned Industrial Expansion Authority of KC, including coordinating with KCMO's Contract Compliance staff on MBE/WBE and Workforce issues.
  - Handles resolution of all irregularities, violations or non-compliance, working with public entities, general contractor, subcontractor and workers.
  - Works conjunctively with numerous federal, state and local public entities in coordinated enforcement and assistance efforts.
  - Trained by the U.S. Department of Labor Office of Federal Contract Compliance in auditing and investigating federal contractors' affirmative action and MBE-WBE requirements.
  - Trained by U.S. Department of Homeland Security, Customs & Immigration Enforcement, in I-9 Review and Assistance.
  - Served as Prevailing Wage Compliance Coordinator for the Jackson County Sports Complex Authority over the entire Chief's and Royal's Stadium Renovations projects, monitoring, investigating, documenting, reporting,

- analyzing and determining areas of non-compliance, and resolving all issues with a final outcome of 100% of workers receiving wages & fringes due them.
- Worked closely with the MBE/WBE/Workforce Monitor on the Chief's and Royal's Stadium Renovations to ensure compliance across the board.
- Drafted Jackson County's first prevailing wage compliance program.
- Trained KCMO, KCK, Jackson County Sheriff and Contract Compliance, and University of Missouri compliance staff.
- Director of the Missouri State Division of Labor Standards
  - Enforced and administered labor laws and regulations, including prevailing wage, minimum wage, overtime, and workplace safety laws and regulations.
  - Coordinated enforcement efforts with other federal, state and local governmental entities.
  - Trained contractors and other employers on their rights and responsibilities.
  - Oversaw resolution of all violation cases.
  - Handled all appeals of violation and court cases.
  - Created and administered performance measures.
- Director of Safety & Health, International Union of Painters
  - Assisted national contractor associations with safety training delivery.
  - Wrote national standards in conjunction with national contractor groups.
- Business Manager, Sign Painters Local 820
  - Drafted first prevailing wage compliance program for Kansas City (while concurrently a KCMO employee).

**Applicable Professional Registrations, Education, Certifications And Credentials:**

- Bachelor of Arts in Education, University of Kansas
- Bachelor of Arts in Labor Studies, George Meany Labor College
- Missouri Teaching Certificate
- Woman Owned Business Enterprise (WBE)
- Disadvantaged Business Enterprise (DBE)
- Small Local Owned Business (SLBE)
- Small Disadvantaged Business (SDB)
- Woman Owned Small Business (WOSB)
- 2013 MoDOT Diversity Compliance Division Honoree
- 2012 Kansas City Business Magazine "Influential Woman" Honoree
- 2011 Governor's Award of Distinction, Missouri Department of Economic Development
- 2011 National and Local Crystal Vision Award Recipient, National Association of Women in Construction (NAWIC)
- 2011 Kansas City Business Journal "Women Who Mean Business" Honoree
- First woman in a building trades council in the entire U.S.

**Gayle Holliday, G&H Consulting LLC**

G&H Consulting, LLC was established in August 1996 in the State of Missouri, as a Limited Liability Company. Dr. Gayle Holliday is President and Chief Executive Officer of G&H Consulting, LLC, a management and human resources consulting firm. G&H is a certified Minority Owned Business and Small Local Business, located in the Kansas City Area. The firm services a variety of public and private sector clients, including organizations and agencies ranging from the Transit Authority, Port Authority, Sports Authority, City, County and State governments, to colleges and universities.

Primarily due to the demands of its various clients, G&H has evolved over the last fifteen to sixteen years into a company that focuses on Affirmative Action and Minority and Women Owned Business issues. Initially, established as a diversity training company and labor relations operation, G&H recognized that there was a significant demand for Minority and Women Owned Business compliance monitoring and external civil rights investigations.

G&H provides a wide range of services in the Minority and Women Owned Business arena, including monitoring contract compliance for MBE and WBE inclusion, strategic planning, group facilitation, small Minority and Women Owned Business development, public outreach, public surveys and analysis, grant compliance and monitoring, written analysis of work performed by contractors or grantees, labor contract negotiations, community relations, and contract compliance on multi-million dollar construction projects. Other areas of expertise include, interviewing skills, data collection, professional report writing, computer literacy, program evaluations and budget development. G&H has become the premier independent monitoring firm for achievement of goals and utilization of MBE and WBE companies.

G&H offers many internal project and staff development skills including, consensus building, coordination of interdepartmental relations, strategic planning, organizational development, and development of new and emerging MBE/WBE companies.

As a small business, the general breadth of contract services has been within the State of Missouri, City of Kansas City, Missouri and County of Jackson. The company has been sustained financially based on contracts within this geographical area.

G&H Consulting has one office located at 14405 E. 96th Street, Kansas City, Missouri. As a Limited Liability Company, G&H engages the services of 5-6 contract employees with expertise in various fields, including, legal, statistical, administrative, program analysis and construction monitoring. G&H also regularly engages the contractual services of other MBE/WBE companies in order to expand the company's capacity, as required by certain contracts.

Prior working relationships, as a subcontractor, have proven that G&H is a team player that provides quality and reliable service on each and every project.

### **Relevant Experience:**

- Extensive history and relevant experience as an entrepreneur, specializing in a wide range of Resources functions, Minority and women owned business compliance monitoring, Affirmative Action policy development. She has developed affirmative action and MBE/WBE programs for several clients, including American Traffic Solutions, the Jackson County Sports Authority, the Kansas City Area Transportation Authority and other public and private sector clients.
- Teamed with Burns and McDonnell on the Overflow Control Program for the City's Water Department. Her work on this project includes the development of training to increase capacity and capabilities of MBE, WBE and small local businesses in order to move from subcontractors to prime contractors, within a three to five year time period. This training is in preparation for bidding on the multi-billion dollar, 25 year Overflow Program.
- Subcontractor to American Traffic Solutions to provide monitoring, compliance and reporting for the Red Light Camera Project in Kansas City. This project required establishing a basis for reporting MBE/WBE utilization for a company that had never been subject to this type of report requirements. Additionally, G&H assisted in the writing the corporate Affirmative Action Plan. The plan was accepted and approved by the City's HRD.
- Currently serving as the Compliance Monitor under contract to The Friends of the Zoo (FOTZ), working with J.E. Dunn as the CM on the construction of the \$12 million Penguin facility.
- Served as the Compliance Monitor for the \$700 million Jackson County Sport Authority Complex including, the renovations of both the NFL and MLB stadiums in Kansas City. She was instrumental in the design and development of a Fair Share Agreement that also included a workforce component. The project was successful in exceeding the goals in all MBE and WBE categories. Her work with various labor unions proved to be successful in achieving the workforce goals in most of the labor categories, including the use of apprentices.
- Involved in developing strategic direction and policy development for the inclusion of small area businesses within the Green Impact Zone and coordinating job opportunities for unemployed and underemployed residents of the Zone. The project is federally funded and designed to weatherize homes in the central city by utilizing a local residential workforce (Section 3) and attempting to create job sustainability.
- As a skilled facilitator, Gayle will be a driving force in bringing consensus among other team members and working with the CM team. As a proven strategic thinker, she brings added value and will be critical in assisting in the all aspects of the monitoring process.

**Applicable Professional Registrations, Education, Certifications and Credentials:**

- Doctorate - Webster University in Management and Applied Technology (St Louis)
- Law School - University of Missouri - Kansas City
- Master in Public Administration - Central Michigan University
- Bachelors of Art in Political Science and Business Administration - Howard University and Oklahoma City University
- Minority Owned Business Enterprise (MBE) - Kansas City, Missouri
- Woman Owned Business Enterprise (WBE) - State of Missouri
- Disadvantaged Business Enterprise (DBE)
- Small Local Owned Business (SLBE)
- IBM Certification - Computer management
- ABA Labor Relations Certification



### **Dan Osman, Osman Consultants, LLC**

Osman Consultants, LLC ([www.OsmanConsultants.com](http://www.OsmanConsultants.com)) specializes in assisting clients with managing their labor law compliance issues, affirmative action policies and other related laws in the construction industry. Osman Consultants assists with pre-qualification, project monitoring, and training to reach compliance self-sufficiency. It works closely with minority and female contractors in order to assist in their certification process.

Dan Osman is an attorney with over ten years of experience in the Kansas City market. He spent over half that time with the Human Relations Department of the City of Kansas City, Missouri focusing on workforce and MBE, WBE, DBE and SLBE development.

He tracked, monitored and enforced contractual obligations on hundreds of projects worth several billion dollars. Having previously set and enforced these goals, he understands the Affirmative Action requirements of government contracts and can ensure their full and timely implementation.

#### **Relevant Experience:**

- For four years, Dan Osman was Kansas City's sole Affirmative Action compliance officer for Tax Increment Financing (TIF), Planned Industrial Expansion Authority (PIEA) & Land Clearance Redevelopment Authority (LCRA) projects.
- Dan helped draft the current Kansas City, MO workforce ordinance (Ord. No. 130275)
- Created and presented A Comprehensive Review of Affirmative Action Compliance and Requirements for Statutory Agencies, a 2 hour Continuing Legal Education class for attorneys on understanding MBE & WBE policies.
- Has over 2,000 hours training on B2GNow, the online system for tracking utilization for contracts arising under KCMO and its statutory agencies.
- In his personal time, he serves as a Director of the Hickman Mills C-1 school district. In this capacity, he oversees an annual budget of almost \$80 million. He also oversees the district's superintendent and staff of 1,000, and safeguards the well-being of 6,500+ students.

#### **Applicable Professional Registrations, Education, Certifications and Credentials:**

- Juris Doctor - University of Kansas, 2004
- Bachelor of Arts - University of Wisconsin, 1999
- B2GNow (KCMO utilization program)- Master Level
- OSHA 10 Certification
- Missouri Bar License #56443
- Kansas City Missouri Bar Association
- National Institute for Construction Excellence - Education Chair
- Hickman Mills School Board Director

## Time and Cost Estimates/Terms

### *Time*

SWS understands this Ordinance is slated to be in effect on February 1, 2015. We are prepared to meet this goal with a draft program outline, though it will likely require some revisions once the program is implemented and tested. In addition, we are aware that once the results of the Disparity Study are in, there may need to be additional changes, but those would be addressed under Addendum 1 to this Project. We are prepared to start immediate work on the project when directed by the County in order to get the Compliance Staff up and running as soon as possible. However, the County should be aware that some participants may be reluctant to share information or readily engage in the need for a compliance program, may need considerable time to provide requested information or review drafts, or may have time schedules not conducive to immediate responses.

Once the draft outline is completed, the first portion of program development begins with implementation, drafting, training and oversight duties, which are fairly intense. They are intended to assist the parties involved in enforcing, to learn the program, ordinances and processes. Program testing and revisions will occur in a later phase. Assuming a start date of around December 15, 2014, we anticipate the initial outline drafting portion of the project will take about one and one-half months (for outline completion by February 1, 2015), completion of the draft program itself in an additional 2-4 months, and final revisions complete within another 2-3 months. The time variances are dependent on numerous factors, such as what records the County has on file or records systems you use now, how in depth the new process needs to go, and the ability to work with the County's IT department to address forms submissions and data collection needs. Measures of completion are when the compliance staff is comfortable with the process and have minimal questions or need for review of their work. Our anticipated work schedule would therefore be as follows, assuming a start date around December 15, 2014:

<u>Program Item Status:</u>	<u>By Date:</u>
Initial program outline complete	February 1, 2015
Draft program & implementation complete	Between April 1 to June 1, 2015
Final revisions complete	June 1 to August 1, 2015

As with all projects, our Team will work to meet the earliest completion dates possible.

### *Costs*

Our pricing structure is based on standard industry practice, and includes oversight support and presentation assistance within the scope of the project. Project "out-of-pocket" expenses, which include costs directly related to the provisions of services under this contract such as office expenses for copying, printing, and supplies; expenses for travel, primarily including mileage billed at the federal mileage rate, parking, and any out of town travel costs including lodging and meals, but excluding alcoholic beverages are outside of the project costs. These costs will be included with each monthly billing. Any other reasonable and normal expenses will be the responsibility of SWS. In the event that a major expense is anticipated, SWS will request approval by the Client. This proposal

pricing, project outline, and terms as stated are valid for 90 days from the date on the cover of the proposal. The County will be billed monthly. Terms are Net/15 days for all billings.

The time and cost estimates are based on SWS's understanding of the request for our services, and our experience with similar projects. Our estimate for the fees for this project will be submitted on request.

## CONCLUSION

SWS's program of services will address the County's needs for the development of an "MBE-WBE Compliance Program". Our final deliverables will provide public accountability. We will work to provide them within as quick of a time frame possible.

Our recommended approach will allow specific focus on collection of information, drafting a new program, training, testing, revising, oversight and presentation of the program. SWS will also provide continuous oversight while implementing, testing and revising the new program. SWS's Team's experience in working with government agencies, the public, contractors, labor organizations and workers will assist the County in conveying the parameters of the new program, and their accountability to the public. Our Team's well-rounded experience is ideal for the project, and brings a leader well recognized in addressing workplace issues and handling similar projects. The County will be well served with use of SWS's Team's services.

### Additional Note:

If successful, Strategic Workplace Solutions, Inc., is ready, willing and able to provide the below if or as required:

Certificates of Insurance in amounts designated (RFQ, Exhibit A, pg. 16)  
Missouri Secretary of State, Statement of Good Standing (RFQ pg. 8, Item 8)  
Jackson County Tax Clearance (RFQ pg. 8, Item 14)  
Proof of Participation in a federal work authorization Program (E-Verify) (RFQ pg. 10, Item 28)

**Firm Experience**

Strategic Workplace Solutions, Inc. was formed in 2006 to assist construction contractors, public entities and others in learning, understanding and managing their labor compliance risks by providing training and consulting assistance. SWS now primarily assists government entities and contractors with managing their labor compliance risks on government construction projects, helping them avoid violations resulting in potential penalties, restitution, attorney fees and jail sentences. Through training and consultative services, SWS helps our clients learn to prevent compliance problems before they occur. In addition, for our government and other clients, SWS provides project monitoring services to assist in ensuring statutory requirements are met at the federal, state and local levels. A more detailed resume is provided on page 6 of our Proposal.

**Former/Current Clients**

Jackson County Sports Complex Authority  
Mr. Jim Rowland, Executive Director  
816-921-3600  
[jrowland@jcsca.org](mailto:jrowland@jcsca.org)

Planned Industrial Expansion Authority of Kansas City (PIEA)  
Mr. Al Figuly, Executive Director  
816-474-2227  
[alfiguly@gkcftz.com](mailto:alfiguly@gkcftz.com)

Country Club Plaza Transportation Development District (CCPTDD)  
Mr. Bruce Crockett, Senior Project Manager  
816-960-6213  
[bruce.crockett@highwoods.com](mailto:bruce.crockett@highwoods.com)

J.E. Dunn Construction Company  
Mr. Tom Whittaker, General Counsel  
(816) 292-8707  
[tom.whittaker@jedunn.com](mailto:tom.whittaker@jedunn.com)

Columbia Mall Transportation Development District  
Mr. Rusty Strodman, General Manager  
(573) 445-8459 ext. 7101  
[Russell.strodman@ggp.com](mailto:Russell.strodman@ggp.com)

### **Names & Qualifications of Team Members**

**Colleen White**, President of SWS, will serve as **Project Manager**. Colleen has considerable experience drafting and implementing compliance programs, training, and coordinating projects. Colleen drafted and implemented Jackson County's first Prevailing Wage Compliance Program while working with the Compliance Review Office to coordinate labor compliance on the Chiefs and Royals Stadium Renovation Projects. She also worked with the County's Affirmative Action Code of Ordinances at that time, and coordinated with Gayle Holliday on the MBE/WBE and Workforce components. Colleen's more detailed resume is provided on page 6 of our Proposal.

**Gayle Holliday** of G&H Consulting LLC, will serve as **Outreach Coordinator and Principal Analyst**. Gayle has extensive experience working with the Minority and Women Owned Business community in provision of outreach, training and stakeholder participation. Gayle provided MBE/WBE and Workforce compliance for the Chiefs and Royals Stadium Renovation Projects while coordinating with Colleen White on the prevailing wage and other labor components. Gayle's more detailed resume is provided on page 9 of our Proposal.

**Dan Osman**, President of Osman Consultants LLC, will serve as **Data Coordinator**. Dan is an attorney with over 10 years experience working with MBE/WBE and Workforce related issues. Dan's experience working with data collection, enforcement and other components of the City of Kansas City's MBE/WBE and Workforce Ordinances brings the best experience possible to our Team for several components of our Proposal. Dan's more detailed resume is provided on page 12 of our Proposal.

### **Ability to Perform**

While each team member brings special skills and knowledge to this project, the SWS Team will collaborate together to draft the initial Program outline. Once the outline is completed, each Team member will carry the responsibility for ensuring completion of their assigned segment of work based on their experience, knowledge and skill in those areas. Some segments will be addressed by one member, some by two, and some by all three of us. Once drafts are completed in each segment of the project, team members will work together to review the entire program and make adjustments as needed before draft implementation begins. The full Scope of Services our Team will address is found on page 4 of our Proposal.

### **Additional Services**

The below three Addendums are provided for additional services as desired or needed. Fees for all Addendums will be provided on request.

**Addendum 1 – Pilot testing of the new Program on actual project(s)**

**Addendum 2 – Program Review once Disparity Study Results are in**

**Addendum 3 – Veterans Business Owned Enterprise (VBE) Program creation**

**WORK AUTHORIZATION AFFIDAVIT**

As a condition for any service provided to the County, a business entity shall, by sworn affidavit and provision of documentation, affirm its enrollment and participation in a federal work authorization program with respect to the employees working in connection with the contracted services.

Business entity, as defined in section 285.525, RSMo pertaining to section 285.530, RSMo, is any person or group of persons performing or engaging in any activity, enterprise, profession, or occupation for gain, benefit, advantage, or livelihood. The term "business entity" shall include but not be limited to self-employed individuals, partnerships, corporations, contractors, and subcontractors. The term "business entity" shall include any business entity that possesses a business permit, license, or tax certificate issued by the state, any business entity that is exempt by law from obtaining such a business permit, and any business entity that is operating unlawfully without such a business permit.

Every such business entity shall complete the following affidavit affirming that it does not knowingly employ any person who is an unauthorized alien in connection with the contracted services. The completed affidavit must be returned as a part of the contract documentation.

This affidavit affirms that **Strategic Workplace Solutions, Inc.** is enrolled in, and is currently participating in, E-verify or any other equivalent electronic verification of work authorization operated by the United States Department of Homeland Security under the Immigration Reform and Control Act of 1986 (IRCA); and, **Strategic Workplace Solutions, Inc.**, does not knowingly employ any person who is an unauthorized alien in conjunction with the contracted services.

In Affirmation thereof, the facts stated above are true and correct. (The undersigned understands that false statements made in this filing are subject to the penalties provided under section 575.040, RSMo.)

*Aileen A. White*  
Authorized Representative's Signature  
President  
Title

Aileen A. White  
Printed Name  
12/30/14  
Date

Subscribed and sworn before me this 30<sup>th</sup> day of Dec, 2014. I am commissioned as a notary public within the County of Jackson, State of MO, and my commission expires on 2-19-2017.

*Brian S. Daniel*  
Signature of Notary

12-30-14  
Date

BRIAN S. DANIEL  
NOTARY PUBLIC-NOTARY SEAL  
STATE OF MISSOURI  
JACKSON COUNTY  
COMMISSION EXPIRES FEB 19, 2017  
COMMISSION # 13407732