

STATE OF NORTH CAROLINA
DEPARTMENT OF TRANSPORTATION
RALEIGH, N.C.

C201775

CONTRACT AND
CONTRACT BONDS

FOR CONTRACT NO. C201775

WBS 33654.3.1 BRZ-1541(3)

T.I.P NO. B-4317

COUNTY OF WATAUGA

THIS IS THE ROADWAY & STRUCTURE CONTRACT

ROUTE NUMBER SR 1541 LENGTH 0.104 MILES

LOCATION BRIDGE OVER MIDDLE FORK CREEK AND APPROACHES ON SR-1541.

CONTRACTOR MOUNTAIN CREEK CONTRACTORS LLC

ADDRESS P.O. BOX D

CATAWBA, NC 28609

BIDS OPENED FEBRUARY 19, 2008

CONTRACT EXECUTION MAR 20 2008

Mountain Creek Contractors, LLC (1983).

Vendor 1 of 5 Vendors for Call Order 021 (Proposal ID C201775).

County: WATAUGA
Address: P. O. Box D
205 E. Central Avenue
Catawba, NC 28609

Phone Number: (828) 241-2047

Signature Check: This bid has been properly signed by Donovan_R._Phillips_1983.

Time Bid Received: Tue Feb 19 13:57:08 2008

Bid Checksum: 8B36CB08

Amendment Count: 0

Bidding Errors: No bidding errors

Bid Total: \$839,184.78 ✓

Bond ID: E4JK-YTEY-46HT-lbbp

Bond was Verified: Yes.

Bond Required Percent: 5.00%

Minimum Check Amount: \$41,959.24

Bid Security Maximum: \$

Bond Agency Name:

Agency Execution Date: 2/18/08

Surety Name: Rutherford

Surety State of Incorporation:

Bond Company:

Bond Type:

Bond Appr Flag:

Bond Affirm:

Bond was Paid by Check: No.

DBE GOAL SET - 5.0%
DBE GOAL MET - 5.1%

LIST OF DBE PARTICIPANTS

VENDOR NUMBER	DBE NAME ADDRESS	WORK CODE TYPE OF WORK	CERT TYPE	AMOUNT
4898	BULLINGTON CONSTRUCTION INC 417 FOXGLOVE LANE , INDIAN TRAIL, NC 28079		Sub	10,987.50
3765	STAY ALERT SAFETY SERVICES INC POST OFFICE BOX 467 , KERNERSVILLE, NC 27285		Sub	4,408.38
5266	NORTH STATE ENVIRONMENTAL, INC 2889 LOWERY ST SUITE B , WINSTON-SALEM, NC 27101		Sub	7,329.50
3080	CURTIN TRUCKING & DRAINAGE, INC POST OFFICE BOX 38220 , CHARLOTTE, NC 282781003		Sub	7,500.00
2855	BOSS CONSTRUCTION CO., INC. 229 BOXWOOD CHURCH ROAD , MOCKSVILLE, NC 27028		Sub	8,009.66
5081	ANDREW HAULING AND GRADING, INC 4640 BOILING SPRINGS RD. , TOBACCOVILLE, NC 27050		Sub	4,800.00
			TOTAL:	\$43,035.04 5.13%

Miscellaneous Data Info - Contractor Responses:

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NON-COLLUSION AND DEBARMENT CERTIFICATION

Explanation of the prospective bidder that is unable to certify to any of the statements in this certification:

- Explanation:
- NOT ANSWERED
- NOT ANSWERED
- NOT ANSWERED
- NOT ANSWERED

AWARD LIMITS ON MULTIPLE PROJECTS

By answering YES to this statement, the bidder acknowledges that they are using the award limits on multiple projects. No

It is the desire of the Bidder to be awarded contracts, the value of which will not exceed a total of NOT ANSWERED for those projects indicated herein, for which bids will be opened on (MM/DD/YY)

The Award Limits shall apply to the following projects:

Contract Number	County
NOT ANSWERED	
NOT ANSWERED	
NOT ANSWERED	
NOT ANSWERED	
NOT ANSWERED	
NOT ANSWERED	

Bid Bond Data Info - Contractor Responses:

=====

NCDOT/berc

Vendor 1983's Load Output for Call 021, Letting L080219, 2008-02-19

BondID: E4JK-YTEY-46HT-lbbp
Surety Registry Agency: SurePathNetwork
Verified?: Yes
Surety Agency: Rutherford
Bond Execution Date: 2/18/08
Bond Amount: \$41,959.24 (Five Percent of Bid)

State of NC
Dept of Transportation

Date: 01-22-08
Revised:

Contract ID: C201775 Project(s): BRZ-1541(3)
Letting Date: 02-19-08 Call Order: 021
Bidder: 1983 - Mountain Creek Contractors, LLC

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
Section 0001 ROADWAY ITEMS						
0001	0000100000-N MOBILIZATIO N	LUMP	LUMP			40,000.00
0002	0043000000-N GRADING	LUMP	LUMP			92,000.00
0003	0050000000-E SUPPLEMENTA RY CLEARING & GRUB-BING	ACR	1.000	500.00000		500.00
0004	0057000000-E UNDERCUT EXCAVATION	CY	50.000	20.00000		1,000.00
0005	0080000000-E CLASS IV SUBGRADE STABILIZA- TION	TON	25.000	50.00000		1,250.00
0006	0195000000-E SELECT GRANULAR MATERIAL	CY	25.000	50.00000		1,250.00
0007	0196000000-E FABRIC FOR SOIL STABILIZATION	SY	25.000	10.00000		250.00
0008	0318000000-E FOUNDATION CONDITIONING MATE- RIAL, MINOR STRS	TON	30.000	50.00000		1,500.00
0009	0366000000-E 15" RC PIPE CULVERTS, CLASS III	LF	56.000	30.00000		1,680.00
0010	0372000000-E 18" RC PIPE CULVERTS, CLASS III	LF	8.000	40.00000		320.00
0011	0378000000-E 24" RC PIPE CULVERTS, CLASS III	LF	212.000	50.00000		10,600.00

State of NC
Dept of Transportation

Date: 01-22-08
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Letting Date: 02-19-08 Call Order: 021
Bidder: 1983 - Mountain Creek Contractors, LLC

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0012	0995000000-E PIPE REMOVAL	57.000 LF	20.00000		1,140.00	
0013	1121000000-E AGGREGATE BASE COURSE	131.000 TON	35.00000		4,585.00	
0014	1220000000-E INCIDENTAL STONE BASE	100.000 TON	25.00000		2,500.00	
0015	1275000000-E PRIME COAT	30.000 GAL	10.00000		300.00	
0016	1489000000-E ASPHALT CONC BASE COURSE, TYPE B25.0B	225.000 TON	124.00000		27,900.00	
0017	1525000000-E ASPHALT CONC SURFACE COURSE, TYPE SF9.5A	230.000 TON	124.00000		28,520.00	
0018	1560000000-E ASPHALT BINDER FOR PLANT MIX, GRADE PG 64-22	25.000 TON	425.00000		10,625.00	
0019	1693000000-E ASPHALT PLANT MIX, PAVEMENT REPAIR	10.000 TON	250.00000		2,500.00	
0020	2000000000-N RIGHT OF WAY MARKERS	17.000 EA	260.00000		4,420.00	
0021	2022000000-E SUBDRAIN EXCAVATION	44.800 CY	20.00000		896.00	
0022	2033000000-E SUBDRAIN FINE AGGREGATE	33.600 CY	60.00000		2,016.00	
0023	2044000000-E 6" PERFORATED SUBDRAIN PIPE	200.000 LF	5.00000		1,000.00	

State of NC
Dept of Transportation

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Contract ID: C201775
Letting Date: 02-19-08 Call Order: 021
Bidder: 1983 - Mountain Creek Contractors, LLC

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0024	2055000000-E 6" SUBDRAIN PIPE WYES, TEES, & ELBOWS	EA 6.000	1.00000		6.00	
0025	2066000000-N CONCRETE PAD FOR SUBDRAIN PIPE OUTLET	EA 1.000	300.00000		300.00	
0026	2077000000-E 6" OUTLET PIPE (SUBDRAINS)	LF 6.000	30.00000		180.00	
0027	2286000000-N MASONRY DRAINAGE STRUCTURES	EA 4.000	1,500.00000		6,000.00	
0028	2308000000-E MASONRY DRAINAGE STRUCTURES	LF 0.100	2,000.00000		200.00	
0029	2366000000-N FRAME WITH TWO GRATES, STD 840.24	EA 1.000	500.00000		500.00	
0030	2367000000-N FRAME WITH TWO GRATES, STD 840.29	EA 2.000	550.00000		1,100.00	
0031	2396000000-N FRAME WITH COVER, STD 840.54	EA 1.000	400.00000		400.00	
0032	2570000000-N MODIFIED CONCRETE FLUME	EA 1.000	1,500.00000		1,500.00	
0033	2577000000-E CONCRETE EXPRESSWAY GUTTER	LF 100.000	25.00000		2,500.00	
0034	2619000000-E 4" CONCRETE PAVED DITCH	SY 10.000	100.00000		1,000.00	
0035	2724000000-E PRECAST REINFORCED CONCRETE BARRIER, SINGLE FACED	LF 75.000	100.00000		7,500.00	

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Bidder: 1983 - Mountain Creek Contractors, LLC

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0036	3045000000-E STEEL BM GUARDRAIL, SHOP CURVED	75.000 LF	17.50000		1,312.50	
0037	3150000000-N ADDITIONAL GUARDRAIL POSTS	5.000 EA	10.00000		50.00	
0038	3180000000-N GUARDRAIL ANCHOR UNITS, TYPE ***** (B-83)	1.000 EA	1,400.00000		1,400.00	
0039	3195000000-N GUARDRAIL ANCHOR UNITS, TYPE AT-1	5.000 EA	525.00000		2,625.00	
0040	3317000000-N GUARDRAIL ANCHOR UNITS, TYPE B-77	4.000 EA	1,400.00000		5,600.00	
0041	3628000000-E RIP RAP, CLASS I	9.000 TON	100.00000		900.00	
0042	3649000000-E RIP RAP, CLASS B	2.000 TON	100.00000		200.00	
0043	3656000000-E FILTER FABRIC FOR DRAINAGE	322.000 SY	5.00000		1,610.00	
0044	4025000000-E CONTRACTOR FURNISHED, TYPE ***SIGN (E)	6.250 SF	13.50000		84.38	
0045	4072000000-E SUPPORTS, 3-LB STEEL U-CHANNEL	14.000 LF	5.10000		71.40	
0046	4102000000-N SIGN ERECTION, TYPE E	1.000 EA	125.00000		125.00	
0047	4155000000-N DISPOSAL OF SIGN SYSTEM, U- CHANNEL	7.000 EA	5.00000		35.00	

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Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0048	4158000000-N DISPOSAL OF SIGN SYSTEM, WOOD	EA 2.000	5.00000		10.00	
0049	4400000000-E WORK ZONE SIGNS (STATIONARY)	SF 274.000	4.95000		1,356.30	
0050	4410000000-E WORK ZONE SIGNS (BARRICADE MOUNTED)	SF 94.000	6.45000		606.30	
0051	4430000000-N DRUMS	EA 10.000	60.00000		600.00	
0052	4435000000-N CONES	EA 10.000	25.00000		250.00	
0053	4445000000-E BARRICADES (TYPE III)	LF 80.000	26.50000		2,120.00	
0054	4810000000-E PAINT PAVEMENT MARKING LINES (4")	LF 4,840.000	0.50000		2,420.00	
0055	6000000000-E TEMPORARY SILT FENCE	LF 500.000	2.30000		1,150.00	
0056	6006000000-E STONE FOR EROSION CONTROL, CLASS A	TON 150.000	35.00000		5,250.00	
0057	6009000000-E STONE FOR EROSION CONTROL, CLASS B	TON 120.000	35.00000		4,200.00	
0058	6012000000-E SEDIMENT CONTROL STONE	TON 75.000	35.00000		2,625.00	
0059	6015000000-E TEMPORARY MULCHING	ACR 0.500	2,000.00000		1,000.00	

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Bidder: 1983 - Mountain Creek Contractors, LLC

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0060	6018000000-E SEED FOR TEMPORARY SEEDING	50.000 LB	20.00000		1,000.00	
0061	6021000000-E FERTILIZER FOR TEMPORARY SEED-ING	0.250 TON	4,000.00000		1,000.00	
0062	6024000000-E TEMPORARY SLOPE DRAINS	45.000 LF	15.00000		675.00	
0063	6027000000-N INLET PROTECTION AT TEMPORARY SLOPE DRAINS	1.000 EA	100.00000		100.00	
0064	6029000000-E SAFETY FENCE	145.000 LF	2.10000		304.50	
0065	6030000000-E SILT EXCAVATION	290.000 CY	5.00000		1,450.00	
0066	6036000000-E MATTING FOR EROSION CONTROL	360.000 SY	6.00000		2,160.00	
0067	6037000000-E COIR FIBER MAT	25.000 SY	10.00000		250.00	
0068	6038000000-E PERMANENT SOIL REINFORCEMENT MAT	55.000 SY	10.00000		550.00	
0069	6042000000-E 1/4" HARDWARE CLOTH	60.000 LF	18.00000		1,080.00	
0070	6071030000-E COIR FIBER BAFFLES	25.000 LF	9.00000		225.00	
0071	6071050000-E *** SKIMMER (1-1/2")	2.000 EA	1,500.00000		3,000.00	

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Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0072	6084000000-E SEEDING & MULCHING	0.500 ACR	10,000.00000		5,000.00	
0073	6087000000-E MOWING	0.500 ACR	100.00000		50.00	
0074	6090000000-E SEED FOR REPAIR SEEDING	50.000 LB	1.00000		50.00	
0075	6093000000-E FERTILIZER FOR REPAIR SEEDING	0.250 TON	1,000.00000		250.00	
0076	6096000000-E SEED FOR SUPPLEMENTAL SEEDING	50.000 LB	1.00000		50.00	
0077	6108000000-E FERTILIZER TOPDRESSING	0.500 TON	1,000.00000		500.00	
0078	6114000000-N SPECIALIZED HAND MOWING	2.000 HR	25.00000		50.00	
0079	6117000000-N RESPONSE FOR EROSION CONTROL	12.000 EA	101.00000		1,212.00	
0080	6123000000-E REFORESTATION	0.100 ACR	10,000.00000		1,000.00	
Section 0001 Total						313,495.38
Section 0003 WALL ITEMS						
0081	8203000000-E CLASS A CONCRETE (RETAINING WALL)	77.000 CY	750.00000		57,750.00	
0082	8252000000-E REINFORCING STEEL (RETAINING WALL)	10,386.000 LB	1.00000		10,386.00	

State of NC
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Letting Date: 02-19-08 Call Order: 021
Bidder: 1983 - Mountain Creek Contractors, LLC

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0083	8839000000-E GENERIC RETAINING WALL ITEM PVC COATED 5'-0" HIGH CHAIN LINK FENCE	75.000 LF	30.00000		2,250.00	
Section 0003 Total						70,386.00
Section 0004 STRUCTURE ITEMS						
0084	8021000000-N REMOVAL OF EXISTING STRUCTURE AT STATION ***** (15+11.00-L-)	LUMP	LUMP		25,000.00	
0085	8096000000-E PILE EXCAVATION IN SOIL	15.000 LF	1,000.00000		15,000.00	
0086	8097000000-E PILE EXCAVATION NOT IN SOIL	9.000 LF	1,000.00000		9,000.00	
0087	8121000000-N UNCLASSIFIED STRUCTURE EXCAVATION AT STATION ***** (15+11.00-L-)	LUMP	LUMP		7,500.00	
0088	8147000000-E REINFORCED CONCRETE DECK SLAB	2,121.000 SF	35.00000		74,235.00	
0089	8161000000-E GROOVING BRIDGE FLOORS	2,298.000 SF	2.00000		4,596.00	
0090	8182000000-E CLASS A CONCRETE (BRIDGE)	73.100 CY	900.00000		65,790.00	
0091	8210000000-N BRIDGE APPROACH SLABS, STATION***** (15+11.00-L-)	LUMP	LUMP		40,000.00	
0092	8217000000-E REINFORCING STEEL (BRIDGE)	8,634.000 LB	1.00000		8,634.00	

State of NC
Dept of Transportation

Date: 01-22-08
Revised:

Contract ID: C201775
Letting Date: 02-19-08 Call Order: 021
Bidder: 1983 - Mountain Creek Contractors, LLC

Project(s): BRZ-1541(3)

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0093	8224000000-E EPOXY COATED REINFORCING STEEL(BRIDGE)	304.000 LB	1.50000		456.00	
0094	8280000000-E APPROX LBS STRUCTURALSTEEL	LUMP	LUMP		125,000.00	
0095	8364000000-E HP12X53 STEEL PILES	210.000 LF	65.00000		13,650.00	
0096	8433000000-E **" STEEL SHEET PILES (22.6")	1,160.000 SF	30.00000		34,800.00	
0097	8503000000-E CONCRETE BARRIER RAIL	135.780 LF	80.00000		10,862.40	
0098	8608000000-E RIP RAP CLASS II (2'-0" THICK)	104.000 TON	50.00000		5,200.00	
0099	8622000000-E FILTER FABRIC FOR DRAINAGE	116.000 SY	5.00000		580.00	
0100	8657000000-N ELASTOMERIC BEARINGS	LUMP	LUMP		5,000.00	
0101	8692000000-N EVAZOTE JOINT SEALS	LUMP	LUMP		10,000.00	
Section 0004 Total						455,303.40
Bid Total						839,184.78

NON-COLLUSION AND DEBARMENT CERTIFICATION

The bidder certifies that neither he, nor any official, agent or employee of the bidder has entered into any agreement, participated in any collusion, or otherwise taken any action which is in restraint of free competitive bidding in connection with this bid, and that the bidder intends to do the work with its own bonafide employees or subcontractors and is not bidding for the benefit of another contractor. In addition, submitting this electronic bid constitutes the bidder's certification of Status under penalty of perjury under the laws of the United States and in accordance with the Debarment Certification on file with the Department.

By submitting this bid, the bidder certifies to the best of his knowledge and belief that he and his principals:

- a. Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any Federal department or agency;
- b. Have not within a three-year period preceding this proposal been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records; making false statements; or receiving stolen property;
- c. Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State or local) with commission of any of the offenses enumerated in paragraph b. of this certification; and
- d. Have not within a three-year period preceding this proposal had one or more public transactions (Federal, State or local) terminated for cause or default.

Where the prospective bidder is unable to certify to any of the statements in this certification, the bidder shall submit an explanation in the blanks provided herein. The explanation will not necessarily result in denial of participation in a contract.

Explanation:
NOT ANSWERED
NOT ANSWERED
NOT ANSWERED
NOT ANSWERED

If the prequalified bidder's status changes, he shall immediately submit a new fully executed non-collusion affidavit and debarment certification with an explanation of the change to the Contract Office prior to submitting the bid.

Failure to furnish a certification or an explanation will be grounds for rejection of a bid

AWARD LIMITS ON MULTIPLE PROJECTS

By answering YES to this statement, the bidder acknowledges that they are using the award limits on multiple projects. No

A bidder who desires to bid on more than one project on which bids are to be opened on the same date, and who also desires to avoid receiving an award of more projects than he is equipped to handle, may bid on any number of projects but may limit the total amount of work awarded to him on selected projects by completing the AWARD LIMITS ON MULTIPLE PROJECTS.

The Award Limits on Multiple Projects must be filled in on each project bid for which the Bidder desires protection.

It is the desire of the Bidder to be awarded contracts, the value of which will not exceed a total of NOT ANSWERED for those projects indicated herein, for which bids will be opened on (MM/DD/YY)

The Award Limits shall apply to the following projects:

Contract Number	County
NOT ANSWERED	
NOT ANSWERED	
NOT ANSWERED	
NOT ANSWERED	
NOT ANSWERED	
NOT ANSWERED	

It is agreed that if I am (we are) the low Bidder(s) on indicated projects, the total value of which is more than the above stipulated award limits, the Board of Transportation will award me (us) projects from among those indicated that have a total value not to exceed the award limit and will result in the lowest total bids to the Department of Transportation.

Fuel Price Adjustment Opt-Out Clause

Bidders have the option to accept or reject Fuel Price Adjustments in accordance with the requirements of Article 109-8 Fuel Price Adjustments and the provisions in the contract. To indicate the choice, the bidder shall enter an X in one of the blocks below.

The bidder will not be permitted to change the option after the bid is accepted.

Enter X in one box only:

X Yes, the bidder accepts fuel price adjustments for this project in accordance with Article 109-8.

No, the bidder declines fuel price adjustments for this project.

In the event the bidder does not enter an X in either box, the bidder will receive fuel adjustments for the items shown in the contract.

NORTH CAROLINA STATE DEPARTMENT OF TRANSPORTATION
DBE COMMITMENT ITEMS

DATE: 01-22-08
PAGE: 13

PROPOSAL: C201775
LETTING: L080219 CALL: 021
VENDOR: 1983 Mountain Creek Contractors, LLC

LINE NO.	ITEM NO.	ITEM DESC.	UNIT TYPE	SUBCONTRACTOR QUANTITY	SUBCONTRACTOR UNIT PRICE	EXTENDED AMOUNT
DBE SUBCONTRACTOR: 4898 BULLINGTON CONSTRUCTION INC						
Will Use Quote: Yes						
0036	3045000000-E	SBGR SHOP CU	LF	75.000	17.50000	1312.50
0037	3150000000-N	ADDIT GUARDR	EA	5.000	10.00000	50.00
0038	3180000000-N	GR ANCHOR TY	EA	1.000	1400.00000	1400.00
0039	3195000000-N	GR ANCHOR TY	EA	5.000	525.00000	2625.00
0040	3317000000-N	GR ANCHOR TY	EA	4.000	1400.00000	5600.00

DBE COMMITMENT TOTAL FOR SUBCONTRACTOR: 10,987.50
DBE COMMITMENT TOTAL FOR VENDOR (SubContractor) 10,987.50 ✓

DBE SUBCONTRACTOR: 3765 STAY ALERT SAFETY SERVICES INC
Will Use Quote: Yes

0044	4025000000-E	CONTR FURN,	SF	6.250	13.50000	84.38
0045	4072000000-E	SUPPORT, 3-L	LF	14.000	5.10000	71.40
0046	4102000000-N	SIGN ERECTIO	EA	1.000	125.00000	125.00
0047	4155000000-N	DISPOSE SIGN	EA	7.000	5.00000	35.00
0048	4158000000-N	DISPOSE SIGN	EA	2.000	5.00000	10.00
0049	4400000000-E	WORK ZONE SI	SF	274.000	4.95000	1356.30
0050	4410000000-E	WORK ZONE SI	SF	94.000	6.45000	606.30
0053	4445000000-E	BARRICADES (LF	80.000	26.50000	2120.00

DBE COMMITMENT TOTAL FOR SUBCONTRACTOR: 4,408.38
DBE COMMITMENT TOTAL FOR VENDOR (SubContractor) 4,408.38 ✓

DBE SUBCONTRACTOR: 5266 NORTH STATE ENVIRONMENTAL, INC
Will Use Quote: Yes

0055	6000000000-E	TEMPORARY SI	LF	500.000	2.30000	1150.00
0064	6029000000-E	SAFETY FENCE	LF	145.000	2.10000	304.50
0070	6071030000-E	COIR FIBER B	LF	25.000	15.00000	375.00
0020	2000000000-N	RIGHT OF WAY	EA	17.000	260.00000	4420.00
0069	6042000000-E	1/4" HARDWAR	LF	60.000	18.00000	1080.00

DBE COMMITMENT TOTAL FOR SUBCONTRACTOR: 7,329.50
DBE COMMITMENT TOTAL FOR VENDOR (SubContractor) 7,329.50 ✓

DBE SUBCONTRACTOR: 3080 CURTIN TRUCKING & DRAINAGE, INC.
Will Use Quote: Yes

0035	2724000000-E	PC REINF BAR	LF	75.000	100.00000	7500.00
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DBE COMMITMENT TOTAL FOR SUBCONTRACTOR: 7,500.00
DBE COMMITMENT TOTAL FOR VENDOR (SubContractor) 7,500.00 ✓

NORTH CAROLINA STATE DEPARTMENT OF TRANSPORTATION
 DBE COMMITMENT ITEMS

DATE: 01-22-08
 PAGE: 14

 LINE ITEM ITEM UNIT SUBCONTRACTOR SUBCONTRACTOR EXTENDED
 NO. NO. DESC. TYPE QUANTITY UNIT PRICE AMOUNT

DBE SUBCONTRACTOR: 2855 BOSS CONSTRUCTION CO., INC.
 Will Use Quote: Yes

0097 8503000000-E CONCRETE BAR LF 135.780 58.99000 8009.66
 Slipform Barrier Rail

DBE COMMITMENT TOTAL FOR SUBCONTRACTOR: 8,009.66
 DBE COMMITMENT TOTAL FOR VENDOR (SubContractor) 8,009.66 ✓

DBE SUBCONTRACTOR: 5081 ANDREW HAULING AND GRADING, INC.
 Will Use Quote: Yes

0002 0043000000-N GRADING LS 1.000 4800.00000 4800.00
 Hauling Borrow by the hour

DBE COMMITMENT TOTAL FOR SUBCONTRACTOR: 4,800.00
 DBE COMMITMENT TOTAL FOR VENDOR (SubContractor) 4,800.00 ✓

TOTAL DBE COMMITMENT FOR VENDOR: Entered: 5.13% or 43035.04
 Required: 5.00% or 41959.24
 <GOAL MET>

Contract Item Sheets For C201775

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
ROADWAY ITEMS						
0001	0000100000-N	800	MOBILIZATION	Lump Sum LS	40,000.00	40,000.00
0002	0043000000-N	226	GRADING	Lump Sum LS	92,000.00	92,000.00
0003	0050000000-E	226	SUPPLEMENTARY CLEARING & GRUB- BING	1 ACR	500.00	500.00
0004	0057000000-E	226	UNDERCUT EXCAVATION	50 CY	20.00	1,000.00
0005	0080000000-E	SP	CLASS IV SUBGRADE STABILIZA- TION	25 TON	50.00	1,250.00
0006	0195000000-E	265	SELECT GRANULAR MATERIAL	25 CY	50.00	1,250.00
0007	0196000000-E	270	FABRIC FOR SOIL STABILIZATION	25 SY	10.00	250.00
0008	0318000000-E	300	FOUNDATION CONDITIONING MATE- RIAL, MINOR STRS	30 TON	50.00	1,500.00
0009	0366000000-E	310	15" RC PIPE CULVERTS, CLASS III	56 LF	30.00	1,680.00
0010	0372000000-E	310	18" RC PIPE CULVERTS, CLASS III	8 LF	40.00	320.00
0011	0378000000-E	310	24" RC PIPE CULVERTS, CLASS III	212 LF	50.00	10,600.00
0012	0995000000-E	340	PIPE REMOVAL	57 LF	20.00	1,140.00
0013	1121000000-E	520	AGGREGATE BASE COURSE	131 TON	35.00	4,585.00
0014	1220000000-E	545	INCIDENTAL STONE BASE	100 TON	25.00	2,500.00
0015	1275000000-E	600	PRIME COAT	30 GAL	10.00	300.00
0016	1489000000-E	610	ASPHALT CONC BASE COURSE, TYPE B25.0B	225 TON	124.00	27,900.00
0017	1525000000-E	610	ASPHALT CONC SURFACE COURSE, TYPE SF9.5A	230 TON	124.00	28,520.00
0018	1560000000-E	620	ASPHALT BINDER FOR PLANT MIX, GRADE PG 64-22	25 TON	425.00	10,625.00

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0019	1693000000-E	654	ASPHALT PLANT MIX, PAVEMENT REPAIR	10 TON	250.00	2,500.00
0020	2000000000-N	806	RIGHT OF WAY MARKERS	17 EA	260.00	4,420.00
0021	2022000000-E	815	SUBDRAIN EXCAVATION	44.8 CY	20.00	896.00
0022	2033000000-E	815	SUBDRAIN FINE AGGREGATE	33.6 CY	60.00	2,016.00
0023	2044000000-E	815	6" PERFORATED SUBDRAIN PIPE	200 LF	5.00	1,000.00
0024	2055000000-E	815	6" SUBDRAIN PIPE WYES, TEES, & ELBOWS	6 EA	1.00	6.00
0025	2066000000-N	815	CONCRETE PAD FOR SUBDRAIN PIPE OUTLET	1 EA	300.00	300.00
0026	2077000000-E	815	6" OUTLET PIPE (SUBDRAINS)	6 LF	30.00	180.00
0027	2286000000-N	840	MASONRY DRAINAGE STRUCTURES	4 EA	1,500.00	6,000.00
0028	2308000000-E	840	MASONRY DRAINAGE STRUCTURES	0.1 LF	2,000.00	200.00
0029	2366000000-N	840	FRAME WITH TWO GRATES, STD 840.24	1 EA	500.00	500.00
0030	2367000000-N	840	FRAME WITH TWO GRATES, STD 840.29	2 EA	550.00	1,100.00
0031	2396000000-N	840	FRAME WITH COVER, STD 840.54	1 EA	400.00	400.00
0032	2570000000-N	SP	MODIFIED CONCRETE FLUME	1 EA	1,500.00	1,500.00
0033	2577000000-E	846	CONCRETE EXPRESSWAY GUTTER	100 LF	25.00	2,500.00
0034	2619000000-E	850	4" CONCRETE PAVED DITCH	10 SY	100.00	1,000.00
0035	2724000000-E	857	PRECAST REINFORCED CONCRETE BARRIER, SINGLE FACED	75 LF	100.00	7,500.00
0036	3045000000-E	862	STEEL BM GUARDRAIL, SHOP CURVED	75 LF	17.50	1,312.50
0037	3150000000-N	862	ADDITIONAL GUARDRAIL POSTS	5 EA	10.00	50.00

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0038	3180000000-N	862	GUARDRAIL ANCHOR UNITS, TYPE ***** (B-83)	1 EA	1,400.00	1,400.00
0039	3195000000-N	862	GUARDRAIL ANCHOR UNITS, TYPE AT-1	5 EA	525.00	2,625.00
0040	3317000000-N	862	GUARDRAIL ANCHOR UNITS, TYPE B-77	4 EA	1,400.00	5,600.00
0041	3628000000-E	876	RIP RAP, CLASS I	9 TON	100.00	900.00
0042	3649000000-E	876	RIP RAP, CLASS B	2 TON	100.00	200.00
0043	3656000000-E	876	FILTER FABRIC FOR DRAINAGE	322 SY	5.00	1,610.00
0044	4025000000-E	901	CONTRACTOR FURNISHED, TYPE *** SIGN (E)	6.25 SF	13.50	84.38
0045	4072000000-E	903	SUPPORTS, 3-LB STEEL U-CHANNEL	14 LF	5.10	71.40
0046	4102000000-N	904	SIGN ERECTION, TYPE E	1 EA	125.00	125.00
0047	4155000000-N	907	DISPOSAL OF SIGN SYSTEM, U- CHANNEL	7 EA	5.00	35.00
0048	4158000000-N	907	DISPOSAL OF SIGN SYSTEM, WOOD	2 EA	5.00	10.00
0049	4400000000-E	1110	WORK ZONE SIGNS (STATIONARY)	274 SF	4.95	1,356.30
0050	4410000000-E	1110	WORK ZONE SIGNS (BARRICADE MOUNTED)	94 SF	6.45	606.30
0051	4430000000-N	1130	DRUMS	10 EA	60.00	600.00
0052	4435000000-N	1135	CONES	10 EA	25.00	250.00
0053	4445000000-E	1145	BARRICADES (TYPE III)	80 LF	26.50	2,120.00
0054	4810000000-E	1205	PAINT PAVEMENT MARKING LINES (4")	4,840 LF	0.50	2,420.00
0055	6000000000-E	1605	TEMPORARY SILT FENCE	500 LF	2.30	1,150.00

Contract Item Sheets For C201775

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0056	6006000000-E	1610	STONE FOR EROSION CONTROL, CLASS A	150 TON	35.00	5,250.00
0057	6009000000-E	1610	STONE FOR EROSION CONTROL, CLASS B	120 TON	35.00	4,200.00
0058	6012000000-E	1610	SEDIMENT CONTROL STONE	75 TON	35.00	2,625.00
0059	6015000000-E	1615	TEMPORARY MULCHING	0.5 ACR	2,000.00	1,000.00
0060	6018000000-E	1620	SEED FOR TEMPORARY SEEDING	50 LB	20.00	1,000.00
0061	6021000000-E	1620	FERTILIZER FOR TEMPORARY SEED- ING	0.25 TON	4,000.00	1,000.00
0062	6024000000-E	1622	TEMPORARY SLOPE DRAINS	45 LF	15.00	675.00
0063	6027000000-N	1622	INLET PROTECTION AT TEMPORARY SLOPE DRAINS	1 EA	100.00	100.00
0064	6029000000-E	SP	SAFETY FENCE	145 LF	2.10	304.50
0065	6030000000-E	1630	SILT EXCAVATION	290 CY	5.00	1,450.00
0066	6036000000-E	1631	MATTING FOR EROSION CONTROL	360 SY	6.00	2,160.00
0067	6037000000-E	SP	COIR FIBER MAT	25 SY	10.00	250.00
0068	6038000000-E	SP	PERMANENT SOIL REINFORCEMENT MAT	55 SY	10.00	550.00
0069	6042000000-E	1632	1/4" HARDWARE CLOTH	60 LF	18.00	1,080.00
0070	6071030000-E	SP	COIR FIBER BAFFLES	25 LF	9.00	225.00
0071	6071050000-E	SP	*** SKIMMER (1-1/2")	2 EA	1,500.00	3,000.00
0072	6084000000-E	1660	SEEDING & MULCHING	0.5 ACR	10,000.00	5,000.00
0073	6087000000-E	1660	MOWING	0.5 ACR	100.00	50.00
0074	6090000000-E	1661	SEED FOR REPAIR SEEDING	50 LB	1.00	50.00

Contract Item Sheets For C201775

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0075	6093000000-E	1661	FERTILIZER FOR REPAIR SEEDING	0.25 TON	1,000.00	250.00
0076	6096000000-E	1662	SEED FOR SUPPLEMENTAL SEEDING	50 LB	1.00	50.00
0077	6108000000-E	1665	FERTILIZER TOPDRESSING	0.5 TON	1,000.00	500.00
0078	6114000000-N	SP	SPECIALIZED HAND MOWING	2 HR	25.00	50.00
0079	6117000000-N	SP	RESPONSE FOR EROSION CONTROL	12 EA	101.00	1,212.00
0080	6123000000-E	1670	REFORESTATION	0.1 ACR	10,000.00	1,000.00

Contract Item Sheets For C201775

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0081	8203000000-E	420	CLASS A CONCRETE (RETAINING WALL)	77 CY	750.00	57,750.00
0082	8252000000-E	425	REINFORCING STEEL (RETAINING WALL)	10,386 LB	1.00	10,386.00
0083	8839000000-E	SP	GENERIC RETAINING WALL ITEM PVC COATED 5'-0" HIGH CHAIN LINK FENCE	75 LF	30.00	2,250.00

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0084	8021000000-N	SP	REMOVAL OF EXISTING STRUCTURE AT STATION ***** (15+11.00-L-)	Lump Sum LS	25,000.00	25,000.00
0085	8096000000-E	SP	PILE EXCAVATION IN SOIL	15 LF	1,000.00	15,000.00
0086	8097000000-E	SP	PILE EXCAVATION NOT IN SOIL	9 LF	1,000.00	9,000.00
0087	8121000000-N	412	UNCLASSIFIED STRUCTURE EXCAVA- TION AT STATION ***** (15+11.00-L-)	Lump Sum LS	7,500.00	7,500.00
0088	8147000000-E	420	REINFORCED CONCRETE DECK SLAB	2,121 SF	35.00	74,235.00
0089	8161000000-E	420	GROOVING BRIDGE FLOORS	2,298 SF	2.00	4,596.00
0090	8182000000-E	420	CLASS A CONCRETE (BRIDGE)	73.1 CY	900.00	65,790.00
0091	8210000000-N	422	BRIDGE APPROACH SLABS, STATION ***** (15+11.00-L-)	Lump Sum LS	40,000.00	40,000.00
0092	8217000000-E	425	REINFORCING STEEL (BRIDGE)	8,634 LB	1.00	8,634.00
0093	8224000000-E	425	EPOXY COATED REINFORCING STEEL (BRIDGE)	304 LB	1.50	456.00
0094	8280000000-E	440	APPROX LBS STRUCTURAL STEEL	59,400 LS	125,000.00	125,000.00
0095	8364000000-E	450	HP12X53 STEEL PILES	210 LF	65.00	13,650.00
0096	8433000000-E	SP	*** STEEL SHEET PILES (22.6")	1,160 SF	30.00	34,800.00
0097	8503000000-E	460	CONCRETE BARRIER RAIL	135.78 LF	80.00	10,862.40
0098	8608000000-E	876	RIP RAP CLASS II (2'-0" THICK)	104 TON	50.00	5,200.00
0099	8622000000-E	876	FILTER FABRIC FOR DRAINAGE	116 SY	5.00	580.00
0100	8657000000-N	430	ELASTOMERIC BEARINGS	Lump Sum LS	5,000.00	5,000.00

Contract Item Sheets For C201775

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0101	8692000000-N	SP	EVAZOTE JOINT SEALS	Lump Sum LS	10,000.00	10,000.00

TOTAL AMOUNT OF BID FOR ENTIRE PROJECT

✓ \$839,184.78

0941/Mar07/Q94648.23/D456032180000/E101

Contract Number C201775
County Watauga

Submit by Email

Print Form

Rev 02-17-04

**EXECUTION OF CONTRACT
NON-COLLUSION AFFIDAVIT, AND DEBARMENT CERTIFICATION
LIMITED LIABILITY COMPANY**

The Contractor being duly sworn, solemnly swears (or affirms) that neither he, nor any official, agent or employee has entered into any agreement, participated in any collusion, or otherwise taken any action which is in restraint of free competitive bidding in connection with this contract, and that the Contractor intends to do the work with his own bonafide employees or subcontractors and did not bid for the benefit of another contractor.

By submitting this Execution of Contract, Non-Collusion affidavit and Debarment Certification, the Contractor is certifying his status under penalty of perjury under the laws of the United States in accordance with the Debarment Certification attached, provided that the Debarment Certification also includes any required statements concerning exceptions that are applicable

SIGNATURE OF CONTRACTOR

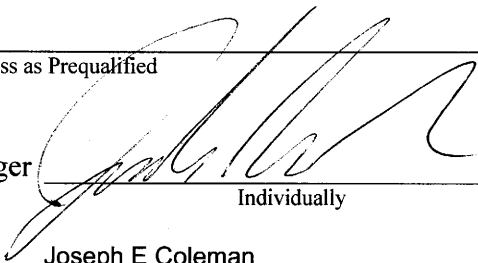
Mountain Creek Contractors LLC

Name of Contractor - Print or type Firm Name

PO Box D, Catawba NC 28609

Address as Prequalified

Signature of Manager



Joseph E Coleman

Individually

Print or type Signer's Name

AFFIDAVIT MUST BE NOTARIZED

Subscribed and sworn to before me this the
13 day of March 2008.

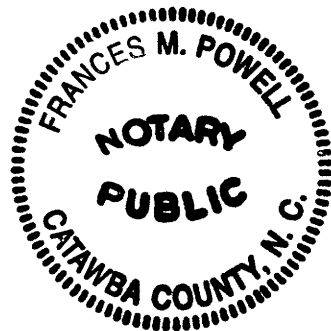
Frances M. Powell
Signature of Notary Public

of Catawba County

State of NC

My Commission Expires: 5/29/11

NOTARY SEAL



DEBARMENT CERTIFICATION OF CONTRACTOR

Conditions for certification:

1. The Contractor shall provide immediate written notice to the Department if at any time the Contractor learns that his certification was erroneous when he submitted his debarment certification or explanation that is on file with the Department, or has become erroneous because of changed circumstances.
2. The terms *covered transaction, debarred, suspended, ineligible, lower tier covered transaction, participant, person, primary covered transaction, principal, proposal, and voluntarily excluded*, as used in this provision, have the meanings set out in the Definitions and Coverage sections of the rules implementing Executive Order 12549. A copy of the Federal Rules requiring this certification and detailing the definitions and coverages may be obtained from the Contract Officer of the Department.
3. The Contractor agrees by submitting this form, that he will not knowingly enter into any lower tier covered transaction with a person who is debarred, suspended, declared ineligible, or voluntarily excluded from participation in NCDOT contracts, unless authorized by the Department.
4. For Federal Aid projects, the Contractor further agrees that by submitting this form he will include the Federal-Aid Provision titled *Required Contract Provisions Federal-Aid Construction Contract (Form FHWA PR 1273)* provided by the Department, without subsequent modification, in all lower tier covered transactions.
5. The Contractor may rely upon a certification of a participant in a lower tier covered transaction that he is not debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless he knows that the certification is erroneous. The Contractor may decide the method and frequency by which he will determine the eligibility of his subcontractors.
6. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this provision. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.
7. Except as authorized in paragraph 3 herein, the Department may terminate any contract if the Contractor knowingly enters into a lower tier covered transaction with a person who is suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available by the Federal Government.

DEBARMENT CERTIFICATION

The Contractor certifies to the best of his knowledge and belief, that he and his principals:

- a. Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any Federal department or agency;
- b. Have not within a three-year period preceding this proposal been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records; making false statements; or receiving stolen property;
- c. Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State or local) with commission of any of the offenses enumerated in paragraph b. of this certification; and
- d. Have not within a three-year period preceding this proposal had one or more public transactions (Federal, State or local) terminated for cause or default.
- e. If status changes, will submit a revised Debarment Certification immediately.

If the Contractor cannot certify that he is not debarred, he shall provide an explanation with this submittal. An explanation will not necessarily result in denial of participation in a contract.

Failure to submit a non-collusion affidavit and debarment certification will result in the Contractor's bid being considered non-responsive.

Check here if an explanation is attached to this certification.

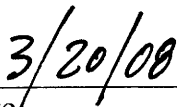
Contract No: C201775

County: Watauga

ACCEPTED BY THE
DEPARTMENT OF TRANSPORTATION



Contract Officer



Date

Execution of Contract and Bonds
Approved as to Form:



Assistant Attorney General

Contract No. C201775
County Watauga

Rev 02-13-04

Bond 0412030

CONTRACT PAYMENT BOND

Date of Payment:
Bond Execution: March 13, 2008

Name of Principal:
Contractor Mountain Creek Contractors, LLC
P. O. Box D Catawba, NC 28609

Name of Surety: International Fidelity Insurance Company
One Newark Center, 20th Floor Newark, NJ 07102-5207

Name of Contracting Body: North Carolina Department of Transportation
Raleigh, North Carolina

Amount of Bond: Eight Hundred Thirty Nine Thousand One Hundred Eighty Four Dollars and 78/100 (\$839,184.78)

Contract ID No.: C201775

County Name(s): Watauga

KNOW ALL MEN BY THESE PRESENTS, That we, the PRINCIPAL and SURETY above named, are held and firmly bound unto the above named Contracting Body, hereinafter called the Contracting Body, in the penal sum of the amount stated above for the payment of which sum well and truly to be made, we bind ourselves, our heirs, executors, administrators, and successors, jointly and severally, firmly by these presents.

THE CONDITION OF THIS OBLIGATION IS SUCH, that whereas the principal entered into a certain contract with the Contracting Body, numbered as shown above and hereto attached:

NOW THEREFORE, if the principal shall promptly make payment to all persons supplying labor and material in the prosecution of the work provided for in said contract, and any and all duly authorized modifications of said contract that may hereafter be made, notice of which modifications to the surety being hereby waived, then this obligation to be void; otherwise to remain in full force and virtue.

IN WITNESS WHEREOF, the above-bounden parties have executed this instrument under their several seals on the date indicated above, the name and corporate seal of each corporate party being hereto affixed and these presents duly signed by its undersigned representative, pursuant to authority of its governing body.

Contract No. C201775
County Watauga

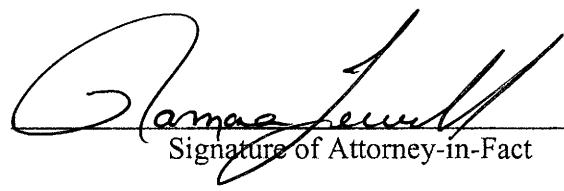
Rev 02-13-04

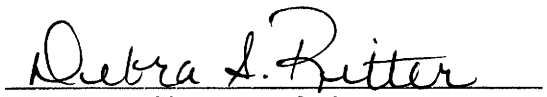
CONTRACT PAYMENT BOND

Affix Seal of Surety Company

International Fidelity Insurance Company
Print or type Surety Company Name

By Ramona Fewell
Print, stamp or type name of Attorney-in-Fact


Signature of Attorney-in-Fact


Signature of witness

Debra S. Ritter
Print or type witness' name



6230 Fairview Rd., Suite 230, Charlotte, NC 28210
Address of Attorney-in-Fact

Contract No. C201775
County Watauga

Rev 02-13-04

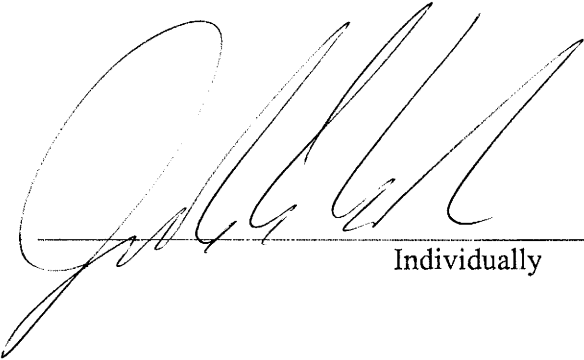
CONTRACT PAYMENT BOND

LIMITED LIABILITY COMPANY

SIGNATURE OF CONTRACTOR (Principal)

Name of contractor Mountain Creek Contractors, LLC
Print or type full name of Firm

P. O. Box D, Catawba, NC 28609
Address as prequalified

Signature of Manager 
Individually

Joseph E. Coleman President
Print or type signer's name and title

CONTRACT PERFORMANCE BOND

Date of Contract Performance

Bond Execution:

March 13, 2008

Name of Principal:

Mountain Creek Contractors, LLC

Contractor

P. O. Box D Catawba, NC 28609

Name of Surety:

International Fidelity Insurance Company

One Newark Center, 20th Floor Newark, NJ 07102-5207

Name of Contracting Body:

North Carolina Department of Transportation

Raleigh, North Carolina

Amount of Bond:

Eight Hundred Thirty Nine Thousand One Hundred Eighty Four Dollars and 78/100 (\$839,184.78)

Contract ID No.:

C201775

County Name(s):

Watauga

KNOW ALL MEN BY THESE PRESENTS, That we, the PRINCIPAL and SURETY above named, are held and firmly bound unto the above named Contracting Body, hereinafter called the Contracting Body, in the penal sum of the amount stated above for the payment of which sum well and truly to be made, we bind ourselves, our heirs, executors, administrators, and successors, jointly and severally, firmly by these presents.

THE CONDITION OF THIS OBLIGATION IS SUCH that whereas the principal entered into a certain contract with the Contracting Body, numbered as shown above and hereto attached:

NOW THEREFORE, if the principal shall well and truly perform and fulfill all the undertakings, covenants, terms, conditions, and agreements of said contract during the original term of said contract and any extensions thereof that may be granted by the Contracting Body, with or without notice to the Surety, and during the life of any guaranty required under the contract, and shall also well and truly perform and fulfill all the undertakings, covenants, terms, conditions, and agreements of any and all duly authorized modifications of said contract that may hereafter be made, notice of which modifications to the surety being hereby waived, then this obligation to be void; otherwise to remain in full force and virtue.

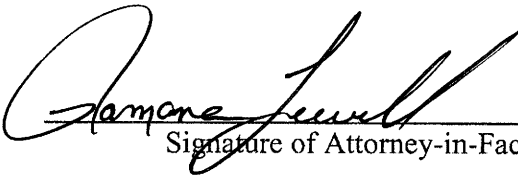
IN WITNESS WHEREOF, the above-bounden parties have executed this instrument under their several seals on the date indicated above, the name and corporate seal of each corporate party being hereto affixed and these presents duly signed by its undersigned representative, pursuant to authority of its governing body.

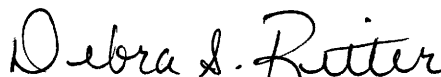
CONTRACT PERFORMANCE BOND

Affix Seal of Surety Company

International Fidelity Insurance Company
Print or type Surety Company Name

By Ramona Fewell
Attorney-in-Fact
Print, stamp, or type name of Attorney-in Fact


Signature of Attorney-in-Fact


Signature of witness

Debra S. Ritter
Print or type witness' name



6230 Fairview Rd., Suite 230, Charlotte, NC 28210
Address of Attorney-in-Fact

CONTRACT PERFORMANCE BOND
LIMITED LIABILITY COMPANY

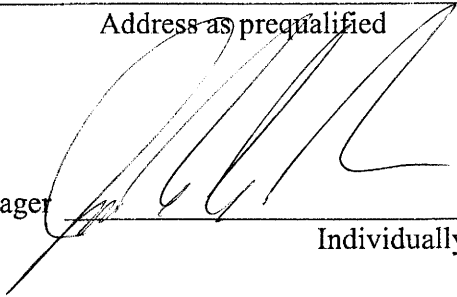
SIGNATURE OF CONTRACTOR (Principal)

Mountain Creek Contractors, LLC

Print or type full name of Firm

P. O. Box D, Catawba, NC 28609

Address as prequalified

Signature of Manager 

Individually

Joseph E. Colman President

Print or type signer's name and title

POWER OF ATTORNEY INTERNATIONAL FIDELITY INSURANCE COMPANY

HOME OFFICE: ONE NEWARK CENTER, 20TH FLOOR
NEWARK, NEW JERSEY 07102-5207

KNOW ALL MEN BY THESE PRESENTS: That INTERNATIONAL FIDELITY INSURANCE COMPANY, a corporation organized and existing laws of the State of New Jersey, and having its principal office in the City of Newark, New Jersey, does hereby constitute and appoint

Ramona Fewell as attorney-in-fact to execute the following Surety bond:

Surety Bond Number: 0412030
Principal: Mountain Creek Contractors, LLC
Obligee: NCDOT

and the execution of such instrument in pursuance of these presents, shall be as binding upon the said INTERNATIONAL FIDELITY INSURANCE COMPANY, as fully and amply, to all intents and purposes, as if the same had been duly executed and acknowledged by its regularly elected officers at its principal office.

This Power of Attorney is executed, and may be revoked, pursuant to and by authority of Article 3-Section 3, of the By-Laws adopted by the Board of Directors of INTERNATIONAL FIDELITY INSURANCE COMPANY at a meeting called and held on the 7th day of February, 1974.

The President or any Vice President, Executive Vice President, Secretary or Assistant Secretary, shall have power and authority

- (1) To appoint Attorneys-in-fact, and to authorize them to execute on behalf of the Company, and attach the Seal of the Company thereto, bonds and undertakings, contracts of indemnity and other writings obligatory in the nature thereof and,
- (2) To remove, at any time, any such attorney-in-fact and revoke the authority given.

Further, this Power of Attorney is signed and sealed by facsimile pursuant to resolution of the Board of Directors of said Company adopted at a meeting duly called and held on the 29th day of April, 1982 of which the following is a true excerpt:

Now therefore the signatures of such officers and the seal of the Company may be affixed to any such power of attorney or any certificate relating thereto by facsimile, and any such power of attorney or certificate bearing such facsimile signatures or facsimile seal shall be valid and binding upon the Company and any such power so executed and certified by facsimile signatures and facsimile seal shall be valid and binding upon the Company in the future with respect to any bond or undertaking to which it is attached.



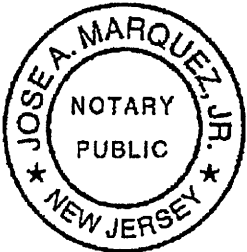
IN TESTIMONY WHEREOF, INTERNATIONAL FIDELITY INSURANCE COMPANY has caused this instrument to be signed and its corporate seal to be affixed by its authorized officer, this 29th day of August, A.D. 2003.

INTERNATIONAL FIDELITY INSURANCE COMPANY

STATE OF NEW JERSEY
County of Essex

[Handwritten Signature]
Secretary

On this 29th day of August 2003, before me came the individual who executed the preceding instrument, to me personally known, and, being by me duly sworn, said he is the therein described and authorized officer of the INTERNATIONAL FIDELITY INSURANCE COMPANY; that the seal affixed to said instrument is the Corporate Seal of said Company; that the said Corporate Seal and his signature were duly affixed by order of the Board of Directors of said Company.



IN TESTIMONY WHEREOF, I have hereunto set my hand affixed my Official Seal, at the City of Newark, New Jersey the day and year first above written.

[Handwritten Signature]

A NOTARY PUBLIC OF NEW JERSEY
My Commission Expires Nov. 21, 2010

CERTIFICATION

I, the undersigned officer of INTERNATIONAL FIDELITY INSURANCE COMPANY do hereby certify that I have compared the foregoing copy of the Power of Attorney and affidavit, and the copy of the Section of the By-Laws of said Company as set forth in said Power of Attorney, with the ORIGINALS ON IN THE HOME OFFICE OF SAID COMPANY, and that the same are correct transcripts thereof, and of the whole of the said originals, and that the said Power of Attorney has not been revoked and is now in full force and effect

IN TESTIMONY WHEREOF, I have hereunto set my hand this 13th day of March, 2008

[Handwritten Signature]
Assistant Secretary

