

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

C201756

CONTRACT AND
CONTRACT BONDS
FOR CONTRACT NO. C201756

WBS 33456.3.1 BRSTP-1741(2)

T.I.P NO. B-4100

COUNTY OF DAVIDSON
THIS IS THE ROADWAY & STRUCTURE CONTRACT
ROUTE NUMBER SR 1741 LENGTH 0.341 MILES
LOCATION BRIDGE OVER ABBOTT'S CREEK AND APPROACHES ON SR-1741 IN
THOMASVILLE.

CONTRACTOR MOUNTAIN CREEK CONTRACTORS LLC
ADDRESS P.O. BOX D
CATAWBA, NC 28609

BIDS OPENED JANUARY 15, 2008
CONTRACT EXECUTION FEB 21 2008

Mountain Creek Contractors, LLC (1983).

Vendor 1 of 9 Vendors for Call Order 018 (Proposal ID C201756).

County: DAVIDSON
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 Jan 15 13:59:47 2008

Bid Checksum: 70EFD753

Amendment Count: 0

Bidding Errors: No bidding errors.

Bid Total: \$2,286,954.93 ✓

Bond ID: 9x5d-tpdc-2v2s-ause

Bond was Verified: Yes.

Bond Required Percent: 5.00%

Minimum Check Amount: \$114,347.75

Bid Security Maximum: \$

Bond Agency Name:

Agency Execution Date: 1/15/2008

Surety Name: International Fidelity Insurance Company

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 - 5.5%

LIST OF DBE PARTICIPANTS

VENDOR NUMBER	DBE NAME ADDRESS	WORK CODE TYPE OF WORK	CERT TYPE	AMOUNT
2976	WB CAROLINA ENVIRONMENTAL CONTRACT		Sub	14,024.00
4898	WB POST OFFICE BOX 1905 , MT. AIRY, NC 27030		Sub	56,525.00
3765	WB 417 FOXGLOVE LANE , INDIAN TRAIL, NC 28079		Sub	6,295.15
2855	WB STAY ALERT SAFETY SERVICES INC		Sub	8,185.88
4190	MB POST OFFICE BOX 467 , KERNERSVILLE, NC 27285		Sub	40,000.00
	229 BOXWOOD CHURCH ROAD , MOCKSVILLE, NC 27028			
	W & W TRUCKING			
	3221 CARVER SCHOOL ROAD , WINSTON-SALEM, NC 27105			
			TOTAL:	\$125,030.03
				5.47%

Miscellaneous Data Info - Contractor Responses:

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:

BondID: 9x5d-tpdc-2v2s-ause
Surety Registry Agency: SurePathNetwork

NCDOT/berc

Vendor 1983's Load Output for Call 018, Letting L080115, 2008-01-15

Verified?: Yes
Surety Agency: International Fidelity Insurance Company
Bond Execution Date: 1/15/2008
Bond Amount: \$114,347.75 (Five Percent of Bid)

State of NC
Dept of Transportation

Date: 12-18-07
Revised:

Contract ID: C201756 Project(s): BRSTP-1741(2)
Letting Date: 01-15-08 Call Order: 018
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 MOBILIZATION	LUMP	LUMP			115,000.00
0002	0000400000-N CONSTRUCTION SURVEYING	LUMP	LUMP			15,000.00
0003	0029000000-N REINFORCED BRIDGE APPROACH FILL, STATION ***** (24+38.00)	LUMP	LUMP			45,000.00
0004	0043000000-N GRADING	LUMP	LUMP			275,000.00
0005	0050000000-E SUPPLEMENTARY CLEARING & GRUB-BING	ACR	1.000	100.00000		100.00
0006	0057000000-E UNDERCUT EXCAVATION	CY	450.000	15.00000		6,750.00
0007	0080000000-E CLASS IV SUBGRADE STABILIZATION	TON	500.000	25.00000		12,500.00
0008	0134000000-E DRAINAGE DITCH EXCAVATION	CY	470.000	10.00000		4,700.00
0009	0195000000-E SELECT GRANULAR MATERIAL	CY	5,000.000	20.00000		100,000.00
0010	0196000000-E FABRIC FOR SOIL STABILIZATION	SY	5,000.000	2.00000		10,000.00
0011	0199000000-E TEMPORARY SHORING	SF	420.000	65.00000		27,300.00

State of NC
Dept of Transportation

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Letting Date: 01-15-08 Call Order: 018
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Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0012	0318000000-E FOUNDATION CONDITIONING MATERIAL, MINOR STRS	20.000 TON	50.00000		1,000.00	
0013	0344000000-E 18" SIDE DRAIN PIPE	20.000 LF	30.00000		600.00	
0014	0366000000-E 15" RC PIPE CULVERTS, CLASS III	36.000 LF	35.00000		1,260.00	
0015	0372000000-E 18" RC PIPE CULVERTS, CLASS III	56.000 LF	35.00000		1,960.00	
0016	0708000000-E 15" BIT COAT CS PIPE CULVERTS, TYPE B 0.064" THICK	24.000 LF	40.00000		960.00	
0017	0995000000-E PIPE REMOVAL	196.000 LF	20.00000		3,920.00	
0018	1077000000-E #57 STONE	20.000 TON	50.00000		1,000.00	
0019	1121000000-E AGGREGATE BASE COURSE	1,250.000 TON	26.00000		32,500.00	
0020	1220000000-E INCIDENTAL STONE BASE	100.000 TON	30.00000		3,000.00	
0021	1275000000-E PRIME COAT	925.000 GAL	2.30000		2,127.50	
0022	1330000000-E INCIDENTAL MILLING	50.000 SY	50.00000		2,500.00	
0023	1489000000-E ASPHALT CONC BASE COURSE, TYPE B25.0B	930.000 TON	54.20000		50,406.00	

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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
0024	1498000000-E ASPHALT CONC INTERMEDIATE COURSE, TYPE I19.0B	830.000 TON	56.65000		47,019.50	
0025	1519000000-E ASPHALT CONC SURFACE COURSE, TYPE S9.5B	1,630.000 TON	52.10000		84,923.00	
0026	1560000000-E ASPHALT BINDER FOR PLANT MIX, GRADE PG 64-22	180.000 TON	381.00000		68,580.00	
0027	1693000000-E ASPHALT PLANT MIX, PAVEMENT REPAIR	10.000 TON	200.00000		2,000.00	
0028	2000000000-N RIGHT OF WAY MARKERS	16.000 EA	200.00000		3,200.00	
0029	2253000000-E PIPE COLLARS	0.900 CY	2,000.00000		1,800.00	
0030	2286000000-N MASONRY DRAINAGE STRUCTURES	2.000 EA	1,500.00000		3,000.00	
0031	2355000000-N FRAME WITH GRATE, STD 840.29	2.000 EA	400.00000		800.00	
0032	2556000000-E SHOULDER BERM GUTTER	33.000 LF	50.00000		1,650.00	
0033	3030000000-E STEEL BM GUARDRAIL	2,400.000 LF	14.50000		34,800.00	
0034	3150000000-N ADDITIONAL GUARDRAIL POSTS	5.000 EA	10.00000		50.00	
0035	3270000000-N GUARDRAIL ANCHOR UNITS, TYPE 350	4.000 EA	1,600.00000		6,400.00	

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Project(s): BRSTP-1741(2)

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0036	3317000000-N GUARDRAIL ANCHOR UNITS, TYPE B-77	EA 4.000	1,200.00000		4,800.00	
0037	3380000000-E TEMPORARY STEEL BM GUARDRAIL	LF 1,350.000	4.50000		6,075.00	
0038	3387000000-N GUARDRAIL ANCHOR UNITS, TYPE ***** TEMPORARY (B-77)	EA 4.000	575.00000		2,300.00	
0039	3389100000-N GUARDRAIL ANCHOR UNITS, TYPE 350 TEMPORARY	EA 3.000	700.00000		2,100.00	
0040	3559000000-E ** STRAND BARBED WIRE FENCE WITH POSTS (6)	LF 1,040.000	5.60000		5,824.00	
0041	3649000000-E RIP RAP, CLASS B	TON 40.000	75.00000		3,000.00	
0042	3651000000-E BOULDERS	TON 45.000	100.00000		4,500.00	
0043	3656000000-E FILTER FABRIC FOR DRAINAGE	SY 425.000	5.00000		2,125.00	
0044	3659000000-N PREFORMED SCOUR HOLES WITH LEVEL SPREADER APRON	EA 1.000	1,000.00000		1,000.00	
0045	4400000000-E WORK ZONE SIGNS (STATIONARY)	SF 349.000	5.85000		2,041.65	
0046	4405000000-E WORK ZONE SIGNS (PORTABLE)	SF 112.000	8.75000		980.00	
0047	4410000000-E WORK ZONE SIGNS (BARRICADE MOUNTED)	SF 126.000	7.25000		913.50	

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Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0048	4430000000-N DRUMS	EA 30.000	60.00000		1,800.00	
0049	4435000000-N CONES	EA 35.000	25.00000		875.00	
0050	4445000000-E BARRICADES (TYPE III)	LF 80.000	29.50000		2,360.00	
0051	4450000000-N FLAGGER	HR 624.000	20.00000		12,480.00	
0052	4480000000-N TMIA	EA 1.000	7,500.00000		7,500.00	
0053	4650000000-N TEMPORARY RAISED PAVEMENT MARKERS	EA 112.000	5.00000		560.00	
0054	4810000000-E PAINT PAVEMENT MARKING LINES (4")	LF 25,136.000	0.23000		5,781.28	
0055	4847000000-E POLYUREA PAVEMENT MARKING LINES (4", *****) (STANDARD GLASS BEADS)	LF 7,200.000	1.00000		7,200.00	
0056	4900000000-N PERMANENT RAISED PAVEMENT MARKERS	EA 23.000	10.00000		230.00	
0057	6000000000-E TEMPORARY SILT FENCE	LF 950.000	2.50000		2,375.00	
0058	6006000000-E STONE FOR EROSION CONTROL, CLASS A	TON 160.000	35.00000		5,600.00	
0059	6009000000-E STONE FOR EROSION CONTROL, CLASS B	TON 490.000	35.00000		17,150.00	

Check: 70EFD753 Page 5

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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	6012000000-E SEDIMENT CONTROL STONE	355.000 TON	35.00000		12,425.00	
0061	6015000000-E TEMPORARY MULCHING	6.500 ACR	1,000.00000		6,500.00	
0062	6018000000-E SEED FOR TEMPORARY SEEDING	250.000 LB	10.00000		2,500.00	
0063	6021000000-E FERTILIZER FOR TEMPORARY SEED-ING	1.000 TON	1,000.00000		1,000.00	
0064	6024000000-E TEMPORARY SLOPE DRAINS	602.000 LF	15.00000		9,030.00	
0065	6027000000-N INLET PROTECTION AT TEMPORARY SLOPE DRAINS	8.000 EA	150.00000		1,200.00	
0066	6029000000-E SAFETY FENCE	510.000 LF	2.50000		1,275.00	
0067	6030000000-E SILT EXCAVATION	1,745.000 CY	5.00000		8,725.00	
0068	6036000000-E MATTING FOR EROSION CONTROL	1,800.000 SY	3.00000		5,400.00	
0069	6037000000-E COIR FIBER MAT	40.000 SY	5.00000		200.00	
0070	6038000000-E PERMANENT SOIL REINFORCEMENT MAT	800.000 SY	5.00000		4,000.00	
0071	6042000000-E 1/4" HARDWARE CLOTH	580.000 LF	5.00000		2,900.00	

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			Dollars	Cts	Dollars	Ct
0072	6071030000-E COIR FIBER BAFFLES	225.000 LF	6.00000		1,350.00	
0073	6071050000-E *** SKIMMER (1-1/2")	2.000 EA	1,000.00000		2,000.00	
0074	6071050000-E *** SKIMMER (2")	2.000 EA	1,250.00000		2,500.00	
0075	6084000000-E SEEDING & MULCHING	8.000 ACR	1,500.00000		12,000.00	
0076	6087000000-E MOWING	4.000 ACR	50.00000		200.00	
0077	6090000000-E SEED FOR REPAIR SEEDING	100.000 LB	1.00000		100.00	
0078	6093000000-E FERTILIZER FOR REPAIR SEEDING	0.250 TON	1,000.00000		250.00	
0079	6096000000-E SEED FOR SUPPLEMENTAL SEEDING	150.000 LB	1.00000		150.00	
0080	6108000000-E FERTILIZER TOPDRESSING	5.750 TON	500.00000		2,875.00	
0081	6114000000-N SPECIALIZED HAND MOWING	5.000 HR	50.00000		250.00	
0082	6117000000-N RESPONSE FOR EROSION CONTROL	27.000 EA	1.00000		27.00	
0083	6123000000-E REFORESTATI ON	0.300 ACR	1,500.00000		450.00	

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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
Section 0001 Total					1,143,683.43	
Section 0004 STRUCTURE ITEMS						
0084	8007000000-N CONSTRUCTION, MAINTENANCE, & REMOVAL OF TEMP STRUCTURE AT STA ***** (24+38.00-L-)	LUMP	LUMP			350,000.00
0085	8017000000-N CONSTRUCTION, MAINTENANCE, & REMOVAL OF TEMP ACCESS AT STA ***** (24+38.00-L-)	LUMP	LUMP			20,000.00
0086	8035000000-N REMOVAL OF EXISTING STRUCTURE AT STATION ***** (24+38.00-L-)	LUMP	LUMP			60,000.00
0087	8119000000-E UNCLASSIFIED STRUCTURE EXCAVATION	CY	850.000	10.00000		8,500.00
0088	8147000000-E REINFORCED CONCRETE DECK SLAB	SF	6,055.000	30.00000		181,650.00
0089	8161000000-E GROOVING BRIDGE FLOORS	SF	6,918.000	1.00000		6,918.00
0090	8182000000-E CLASS A CONCRETE (BRIDGE)	CY	40.600	1,000.00000		40,600.00
0091	8210000000-N BRIDGE APPROACH SLABS, STATION***** (24+38.00-L-)	LUMP	LUMP			50,000.00
0092	8217000000-E REINFORCING STEEL (BRIDGE)	LB	8,256.000	1.00000		8,256.00

State of NC
Dept of Transportation

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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
0093	8280000000-E APPROX LBS STRUCTURALSTEEL	LUMP	LUMP			310,000.00
0094	8364000000-E HP12X53 STEEL PILES	LF	900.000	50.00000		45,000.00
0095	8503000000-E CONCRETE BARRIER RAIL	LF	276.550	50.00000		13,827.50
0096	8608000000-E RIP RAP CLASS II (2'-0" THICK)	TON	663.000	45.00000		29,835.00
0097	8622000000-E FILTER FABRIC FOR DRAINAGE	SY	737.000	5.00000		3,685.00
0098	8692000000-N EVAZOTE JOINT SEALS	LUMP	LUMP			15,000.00
Section 0004 Total						1,143,271.50
Bid Total						2,286,954.93

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: 12-18-07
PAGE: 13

PROPOSAL: C201756
LETTING: L080115 CALL: 018
VENDOR: 1983 Mountain Creek Contractors, LLC

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

DBE SUBCONTRACTOR: 2976 CAROLINA ENVIRONMENTAL CONTRACTING,
Will Use Quote: Yes

0057	6000000000-E	TEMPORARY SI LF	950.000	2.50000	2375.00
0066	6029000000-E	SAFETY FENCE LF	510.000	2.50000	1275.00
0072	6071030000-E	COIR FIBER B LF	225.000	6.00000	1350.00
0028	2000000000-N	RIGHT OF WAY EA	16.000	200.00000	3200.00
0040	3559000000-E	** STRAND BW LF	1040.000	5.60000	5824.00

DBE COMMITMENT TOTAL FOR SUBCONTRACTOR: 14,024.00
DBE COMMITMENT TOTAL FOR VENDOR (SubContractor) 14,024.00✓

DBE SUBCONTRACTOR: 4898 BULLINGTON CONSTRUCTION INC
Will Use Quote: Yes

0033	3030000000-E	STL BM GUARD LF	2400.000	14.50000	34800.00
0034	3150000000-N	ADDIT GUARDR EA	5.000	10.00000	50.00
0035	3270000000-N	GR ANCHOR TY EA	4.000	1600.00000	6400.00
0036	3317000000-N	GR ANCHOR TY EA	4.000	1200.00000	4800.00
0037	3380000000-E	TEMP STL BM LF	1350.000	4.50000	6075.00
0038	3387000000-N	GDRL ANCH UN EA	4.000	575.00000	2300.00
0039	3389100000-N	GDRL ANCH UN EA	3.000	700.00000	2100.00

DBE COMMITMENT TOTAL FOR SUBCONTRACTOR: 56,525.00
DBE COMMITMENT TOTAL FOR VENDOR (SubContractor) 56,525.00✓

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

0045	4400000000-E	WORK ZONE SI SF	349.000	5.85000	2041.65
0046	4405000000-E	WORK ZONE SI SF	112.000	8.75000	980.00
0047	4410000000-E	WORK ZONE SI SF	126.000	7.25000	913.50
0050	4445000000-E	BARRICADES (LF	80.000	29.50000	2360.00

DBE COMMITMENT TOTAL FOR SUBCONTRACTOR: 6,295.15
DBE COMMITMENT TOTAL FOR VENDOR (SubContractor) 6,295.15✓

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

0095	8503000000-E	CONCRETE BAR LF Slipform Barrrier Rail	276.550	29.60000	8185.88
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DBE COMMITMENT TOTAL FOR SUBCONTRACTOR: 8,185.88
DBE COMMITMENT TOTAL FOR VENDOR (SubContractor) 8,185.88✓

NORTH CAROLINA STATE DEPARTMENT OF TRANSPORTATION
 DBE COMMITMENT ITEMS

DATE:12-18-07
 PAGE: 14

LINE NO.	ITEM NO.	ITEM DESC.	UNIT TYPE	SUBCONTRACTOR QUANTITY	SUBCONTRACTOR UNIT PRICE	EXTENDED AMOUNT
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DBE SUBCONTRACTOR: 4190 W & W TRUCKING
 Will Use Quote: Yes

0004	0043000000-N	GRADING Trucking by the hour	LS	1.000	40000.00000	40000.00
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DBE COMMITMENT TOTAL FOR SUBCONTRACTOR:						40,000.00
DBE COMMITMENT TOTAL FOR VENDOR (SubContractor)						40,000.00 ✓

TOTAL DBE COMMITMENT FOR VENDOR:	Entered:	5.47% or	125030.03
	Required:	5.00% or	114347.75
			<GOAL MET>

Contract Item Sheets For C201756

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
ROADWAY ITEMS						
0001	0000100000-N	800	MOBILIZATION	Lump Sum LS	115,000.00	115,000.00
0002	0000400000-N	801	CONSTRUCTION SURVEYING	Lump Sum LS	15,000.00	15,000.00
0003	0029000000-N	SP	REINFORCED BRIDGE APPROACH FILL, STATION ***** (24+38.00)	Lump Sum LS	45,000.00	45,000.00
0004	0043000000-N	226	GRADING	Lump Sum LS	275,000.00	275,000.00
0005	0050000000-E	226	SUPPLEMENTARY CLEARING & GRUB- BING	1 ACR	100.00	100.00
0006	0057000000-E	226	UNDERCUT EXCAVATION	450 CY	15.00	6,750.00
0007	0089000000-E	SP	CLASS IV SUBGRADE STABILIZA- TION	500 TON	25.00	12,500.00
0008	0134000000-E	240	DRAINAGE DITCH EXCAVATION	470 CY	10.00	4,700.00
0009	0195000000-E	265	SELECT GRANULAR MATERIAL	5,000 CY	20.00	100,000.00
0010	0196000000-E	270	FABRIC FOR SOIL STABILIZATION	5,000 SY	2.00	10,000.00
0011	0199000000-E	SP	TEMPORARY SHORING	420 SF	65.00	27,300.00
0012	0318000000-E	300	FOUNDATION CONDITIONING MATE- RIAL, MINOR STRS	20 TON	50.00	1,000.00
0013	0344000000-E	310	18" SIDE DRAIN PIPE	20 LF	30.00	600.00
0014	0366000000-E	310	15" RC PIPE CULVERTS, CLASS III	36 LF	35.00	1,260.00
0015	0372000000-E	310	18" RC PIPE CULVERTS, CLASS III	56 LF	35.00	1,960.00
0016	0708000000-E	310	15" BIT COAT CS PIPE CULVERTS, TYPE B 0.064" THICK	24 LF	40.00	960.00
0017	0995000000-E	340	PIPE REMOVAL	196 LF	20.00	3,920.00
0018	1077000000-E	SP	#57 STONE	20 TON	50.00	1,000.00
0019	1121000000-E	520	AGGREGATE BASE COURSE	1,250 TON	26.00	32,500.00

Contract Item Sheets For C201756

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0020	1220000000-E	545	INCIDENTAL STONE BASE	100 TON	30.00	3,000.00
0021	1275000000-E	600	PRIME COAT	925 GAL	2.30	2,127.50
0022	1330000000-E	607	INCIDENTAL MILLING	50 SY	50.00	2,500.00
0023	1489000000-E	610	ASPHALT CONC BASE COURSE, TYPE B25.0B	930 TON	54.20	50,406.00
0024	1498000000-E	610	ASPHALT CONC INTERMEDIATE COURSE, TYPE I19.0B	830 TON	56.65	47,019.50
0025	1519000000-E	610	ASPHALT CONC SURFACE COURSE, TYPE S9.5B	1,630 TON	52.10	84,923.00
0026	1560000000-E	620	ASPHALT BINDER FOR PLANT MIX, GRADE PG 64-22	180 TON	381.00	69,580.00
0027	1693000000-E	654	ASPHALT PLANT MIX, PAVEMENT REPAIR	10 TON	200.00	2,000.00
0028	2000000000-N	806	RIGHT OF WAY MARKERS	16 EA	200.00	3,200.00
0029	2253000000-E	840	PIPE COLLARS	0.9 CY	2,000.00	1,800.00
0030	2286000000-N	840	MASONRY DRAINAGE STRUCTURES	2 EA	1,500.00	3,000.00
0031	2355000000-N	840	FRAME WITH GRATE, STD 840.29	2 EA	400.00	800.00
0032	2556000000-E	846	SHOULDER BERM GUTTER	33 LF	50.00	1,650.00
0033	3030000000-E	862	STEEL BM GUARDRAIL	2,400 LF	14.50	34,800.00
0034	3150000000-N	862	ADDITIONAL GUARDRAIL POSTS	5 EA	10.00	50.00
0035	3270000000-N	SP	GUARDRAIL ANCHOR UNITS, TYPE 350	4 EA	1,600.00	6,400.00
0036	3317000000-N	862	GUARDRAIL ANCHOR UNITS, TYPE B-77	4 EA	1,200.00	4,800.00
0037	3380000000-E	862	TEMPORARY STEEL BM GUARDRAIL	1,350 LF	4.50	6,075.00
0038	3387000000-N	862	GUARDRAIL ANCHOR UNITS, TYPE ***** TEMPORARY (B-77)	4 EA	575.00	2,300.00

Contract Item Sheets For C201756

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0039	3389100000-N	SP	GUARDRAIL ANCHOR UNITS, TYPE 350 TEMPORARY	3 EA	700.00	2,100.00
0040	3559000000-E	866	** STRAND BARBED WIRE FENCE WITH POSTS (6)	1,040 LF	5.60	5,824.00
0041	3649000000-E	876	RIP RAP, CLASS B	40 TON	75.00	3,000.00
0042	3651000000-E	SP	BOULDERS	45 TON	100.00	4,500.00
0043	3656000000-E	876	FILTER FABRIC FOR DRAINAGE	425 SY	5.00	2,125.00
0044	3659000000-N	SP	PREFORMED SCOUR HOLES WITH LEVEL SPREADER APRON	1 EA	1,000.00	1,000.00
0045	4400000000-E	1110	WORK ZONE SIGNS (STATIONARY)	349 SF	5.85	2,041.65
0046	4405000000-E	1110	WORK ZONE SIGNS (PORTABLE)	112 SF	8.75	980.00
0047	4410000000-E	1110	WORK ZONE SIGNS (BARRICADE MOUNTED)	126 SF	7.25	913.50
0048	4430000000-N	1130	DRUMS	30 EA	60.00	1,800.00
0049	4435000000-N	1135	CONES	35 EA	25.00	875.00
0050	4445000000-E	1145	BARRICADES (TYPE III)	80 LF	29.50	2,360.00
0051	4450000000-N	1150	FLAGGER	624 HR	20.00	12,480.00
0052	4480000000-N	1165	TMIA	1 EA	7,500.00	7,500.00
0053	4650000000-N	1251	TEMPORARY RAISED PAVEMENT MARKERS	112 EA	5.00	560.00
0054	4810000000-E	1205	PAINT PAVEMENT MARKING LINES (4")	25,136 LF	0.23	5,781.28
0055	4847000000-E	1205	POLYUREA PAVEMENT MARKING LINES (4", *****) (STANDARD GLASS BEADS)	7,200 LF	1.00	7,200.00
0056	4900000000-N	1251	PERMANENT RAISED PAVEMENT MARKERS	23 EA	10.00	230.00

Contract Item Sheets For C201756

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0057	6000000000-E	1605	TEMPORARY SILT FENCE	950 LF	2.50	2,375.00
0058	6006000000-E	1610	STONE FOR EROSION CONTROL, CLASS A	160 TON	35.00	5,600.00
0059	6009000000-E	1610	STONE FOR EROSION CONTROL, CLASS B	490 TON	35.00	17,150.00
0060	6012000000-E	1610	SEDIMENT CONTROL STONE	355 TON	35.00	12,425.00
0061	6015000000-E	1615	TEMPORARY MULCHING	6.5 ACR	1,000.00	6,500.00
0062	6018000000-E	1620	SEED FOR TEMPORARY SEEDING	250 LB	10.00	2,500.00
0063	6021000000-E	1620	FERTILIZER FOR TEMPORARY SEEDING	1 TON	1,000.00	1,000.00
0064	6024000000-E	1622	TEMPORARY SLOPE DRAINS	602 LF	15.00	9,030.00
0065	6027000000-N	1622	INLET PROTECTION AT TEMPORARY SLOPE DRAINS	8 EA	150.00	1,200.00
0066	6029000000-E	SP	SAFETY FENCE	510 LF	2.50	1,275.00
0067	6030000000-E	1630	SILT EXCAVATION	1,745 CY	5.00	8,725.00
0068	6036000000-E	1631	MATTING FOR EROSION CONTROL	1,800 SY	3.00	5,400.00
0069	6037000000-E	SP	COIR FIBER MAT	40 SY	5.00	200.00
0070	6038000000-E	SP	PERMANENT SOIL REINFORCEMENT MAT	800 SY	5.00	4,000.00
0071	6042000000-E	1632	1/4" HARDWARE CLOTH	580 LF	5.00	2,900.00
0072	6071030000-E	SP	COIR FIBER BAFFLES	225 LF	6.00	1,350.00
0073	6071050000-E	SP	*** SKIMMER (1-1/2")	2 EA	1,000.00	2,000.00
0074	6071050000-E	SP	*** SKIMMER (2")	2 EA	1,250.00	2,500.00
0075	6084000000-E	1660	SEEDING & MULCHING	8 ACR	1,500.00	12,000.00

Contract Item Sheets For C201756

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0076	6087000000-E	1660	MOWING	4 ACR	50.00	200.00
0077	6090000000-E	1661	SEED FOR REPAIR SEEDING	100 LB	1.00	100.00
0078	6093000000-E	1661	FERTILIZER FOR REPAIR SEEDING	0.25 TON	1,000.00	250.00
0079	6096000000-E	1662	SEED FOR SUPPLEMENTAL SEEDING	150 LB	1.00	150.00
0080	6108000000-E	1665	FERTILIZER TOPDRESSING	5.75 TON	500.00	2,875.00
0081	6114000000-N	SP	SPECIALIZED HAND MOWING	5 HR	50.00	250.00
0082	6117000000-N	SP	RESPONSE FOR EROSION CONTROL	27 EA	1.00	27.00
0083	6123000000-E	1670	REFORESTATION	0.3 ACR	1,500.00	450.00

Contract Item Sheets For C201756

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0084	8007000000-N	SP	CONSTRUCTION, MAINTENANCE, & REMOVAL OF TEMP STRUCTURE AT STA ***** (24+38.00-L-)	Lump Sum LS	350,000.00	350,000.00
0085	8017000000-N	SP	CONSTRUCTION, MAINTENANCE, & REMOVAL OF TEMP ACCESS AT STA ***** (24+38.00-L-)	Lump Sum LS	20,000.00	20,000.00
0086	8035000000-N	402	REMOVAL OF EXISTING STRUCTURE AT STATION ***** (24+38.00-L-)	Lump Sum LS	60,000.00	60,000.00
0087	8119000000-E	412	UNCLASSIFIED STRUCTURE EXCAVATION	850 CY	10.00	8,500.00
0088	8147000000-E	420	REINFORCED CONCRETE DECK SLAB	6,055 SF	30.00	181,650.00
0089	8161000000-E	420	GROOVING BRIDGE FLOORS	6,918 SF	1.00	6,918.00
0090	8182000000-E	420	CLASS A CONCRETE (BRIDGE)	40.6 CY	1,000.00	40,600.00
0091	8210000000-N	422	BRIDGE APPROACH SLABS, STATION ***** (24+38.00-L-)	Lump Sum LS	50,000.00	50,000.00
0092	8217000000-E	425	REINFORCING STEEL (BRIDGE)	8,256 LB	1.00	8,256.00
0093	8280000000-E	440	APPROX LBS STRUCTURAL STEEL	192,200 LS	310,000.00	310,000.00
0094	8364000000-E	450	HP12X53 STEEL PILES	900 LF	50.00	45,000.00
0095	8503000000-E	460	CONCRETE BARRIER RAIL	276.55 LF	50.00	13,827.50
0096	8608000000-E	876	RIP RAP CLASS II (2'-0" THICK)	663 TON	45.00	29,835.00
0097	8622000000-E	876	FILTER FABRIC FOR DRAINAGE	737 SY	5.00	3,685.00
0098	8692000000-N	SP	EVAZOTE JOINT SEALS	Lump Sum LS	15,000.00	15,000.00

TOTAL AMOUNT OF BID FOR ENTIRE PROJECT

\$2,286,954.93✓

Contract Number C201756
County Davidson

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

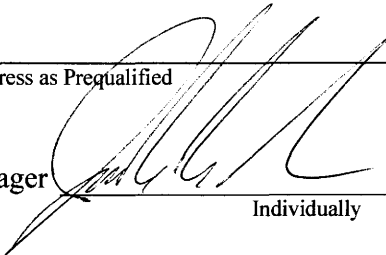
Mountain Creek Contractors LLC

Name of Contractor - Print or type Firm Name

PO Box D, Catawba NC 28609

Address as Prequalified

Signature of Manager



Individually

Joseph E Coleman

Print or type Signer's Name

AFFIDAVIT MUST BE NOTARIZED

Subscribed and sworn to before me this the

18 day of February 2008

Frances M. Powell

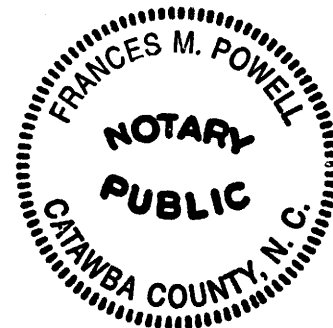
Signature of Notary Public

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.

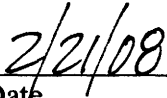
Contract No: C201756

County: Davidson

ACCEPTED BY THE
DEPARTMENT OF TRANSPORTATION



Contract Officer



Date

Execution of Contract and Bonds
Approved as to Form:



Assistant

Attorney General

Contract No. C201756
County Davidson

Rev 02-13-04

Bond 0412025

CONTRACT PAYMENT BOND

Date of Payment:
Bond Execution: February 11, 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: Two Million Two Hundred Eighty Six Thousand
Nine Hundred Fifty Four Dollars and 93/100 (\$2,286,954.93)

Contract ID No.: C201756

County Name(s): Davidson

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. C201756
County Davidson

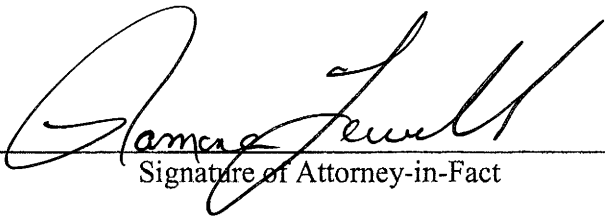
Rev 02-13-04

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

Kim Rooney
Print or type witness' name



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

Contract No. C201756
County Davidson

Rev 02-13-04

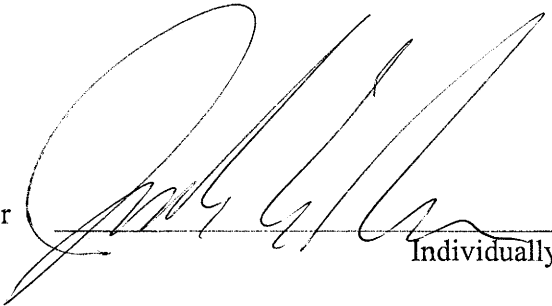
CONTRACT PAYMENT BOND

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. Colman President
Print or type signer's name and title

CONTRACT PERFORMANCE BOND

Date of Contract Performance

Bond Execution:

February 11, 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:

Two Million Two Hundred Eighty Six Thousand Nine Hundred Fifty Four Dollars and 93/100 (\$2,286,954.93)

Contract ID No.:

C201756

County Name(s):

Davidson

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.

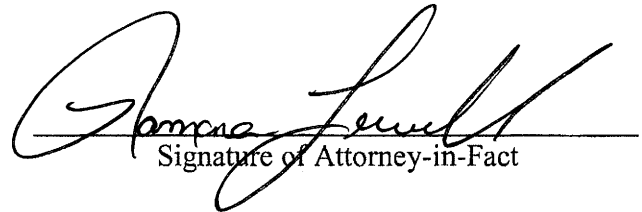
IN WITNESS WHEREOF, the above-bounden parties have executed this instrument under their several seals on the date indicated above, the name and corporate seal of each corporate party being hereto affixed and these presents duly signed by its undersigned representative, pursuant to authority of its governing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

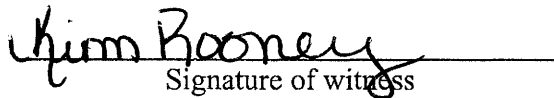
CONTRACT PERFORMANCE BOND

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

Kim Rooney
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)

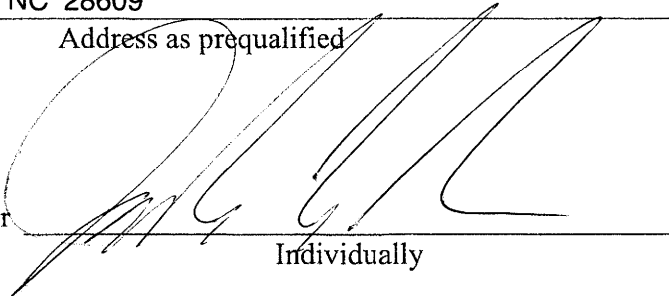
Mountain Creek Contractors, LLC

Print or type full name of Firm

P. O. Box D, Catawba, NC 28609

Address as prequalified

Signature of Manager



Individually

Joseph E. Chamberlain 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: 0412025
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.



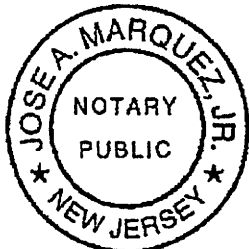
IN TESTIMONY WHEREOF, INTERNATIONAL FIDELITY INSURANCE COMPANY has caused this instrument to be signed and its corporate seal to be affixed by its authorized officer, this 29th day of August, A.D. 2003.

STATE OF NEW JERSEY
County of Essex

INTERNATIONAL FIDELITY INSURANCE COMPANY

[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 11th day of February, 2008

[Handwritten Signature]
Assistant Secretary

