

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

C201598

CONTRACT AND  
CONTRACT BONDS  
FOR CONTRACT NO. C201598

WBS 40223.3.1 IMS-95-1(63)47

T.I.P NO. K-4904

COUNTY OF CUMBERLAND  
THIS IS THE REST AREA CONTRACT

ROUTE NUMBER I95 LENGTH 0.000 MILES

LOCATION I-95 REST AREA BUILDINGS, GROUNDS, & PARKING FACILITIES.

CONTRACTOR MOUNTAIN CREEK CONTRACTORS LLC

ADDRESS P.O. BOX D  
CATAWBA, NC 28609

BIDS OPENED MARCH 18, 2008

CONTRACT EXECUTION APR 15 2008

**Mountain Creek Contractors, LLC (1983).**

**Vendor 1 of 1 Vendor for Call Order 007 (Proposal ID C201598).**

County: CUMBERLAND  
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 Mar 18 13:56:48 2008

Bid Checksum: 2951EEA4

Amendment Count: 0

Bidding Errors: No bidding errors.

Bid Total: \$1,972,191.05 ✓

Bond ID: GJRE-9A3B-SAA5-ENAT

Bond was Verified: Yes.

Bond Required Percent: 5.00%

Minimum Check Amount: \$98,609.55

Bid Security Maximum: \$

Bond Agency Name:

Agency Execution Date: 3/17/08

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 - 4.0 %  
DBE GOAL MET - 4.1 %*

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	29,511.60
3346	LINEBERRY, INC. POST OFFICE BOX 307 , CLIMAX, NC 27233		Sub	5,891.25
5266	NORTH STATE ENVIRONMENTAL, INC 2889 LOWERY ST SUITE B , WINSTON-SALEM, NC 27101		Sub	2,218.20
11572	CRUZ BROTHERS CONCRETE, INC. 1572 PAYNE ROAD/LOT 75 LOT 75 , GRAHAM, NC 27253		Sub	43,045.00
			TOTAL:	\$80,666.05

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: GJRE-9A3B-SAA5-ENAT  
Surety Registry Agency: SurePathNetwork  
Verified?: Yes  
Surety Agency: Rutherford

NCDOT/berc

Vendor 1983's Load Output for Call 007, Letting L080318, 2008-03-18

Bond Execution Date: 3/17/08

Bond Amount: \$98,609.55 (Five Percent of Bid)

State of NC  
Dept of Transportation

Date: 02-19-08  
Revised:

Contract ID: C201598 Project(s): IMS-95-1(63)47  
Letting Date: 03-18-08 Call Order: 007  
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			95,000.00
0002	2286000000-N MASONRY DRAINAGE STRUCTURES	EA 2.000	1,500.00000			3,000.00
0003	2364000000-N FRAME WITH TWO GRATES, STD 840.16	EA 1.000	750.00000			750.00
0004	2605000000-N CONCRETE WHEELCHAIR RAMPS	EA 2.000	750.00000			1,500.00
0005	2738000000-E GENERIC PAVING ITEM 4" CONCRETE SIDEWALK	SY 187.000	35.00000			6,545.00
0006	3656000000-E FILTER FABRIC FOR DRAINAGE	SY 150.000	5.00000			750.00
0007	6000000000-E TEMPORARY SILT FENCE	LF 185.000	5.00000			925.00
0008	6006000000-E STONE FOR EROSION CONTROL, CLASS A	TON 50.000	100.00000			5,000.00
0009	6009000000-E STONE FOR EROSION CONTROL, CLASS B	TON 30.000	100.00000			3,000.00
0010	6012000000-E SEDIMENT CONTROL STONE	TON 15.000	100.00000			1,500.00
0011	6015000000-E TEMPORARY MULCHING	ACR 2.000	400.00000			800.00

State of NC  
Dept of Transportation

Date: 02-19-08  
Revised:

Contract ID: C201598

Project(s): IMS-95-1(63)47

Letting Date: 03-18-08 Call Order: 007

Bidder: 1983 - Mountain Creek Contractors, LLC

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0012	6018000000-E SEED FOR TEMPORARY SEEDING	100.000 LB	2.00000		200.00	
0013	6021000000-E FERTILIZER FOR TEMPORARY SEED-ING	0.250 TON	325.00000		81.25	
0014	6024000000-E TEMPORARY SLOPE DRAINS	50.000 LF	20.00000		1,000.00	
0015	6027000000-N INLET PROTECTION AT TEMPORARY SLOPE DRAINS	2.000 EA	150.00000		300.00	
0016	6030000000-E SILT EXCAVATION	35.000 CY	25.00000		875.00	
0017	6036000000-E MATTING FOR EROSION CONTROL	75.000 SY	2.00000		150.00	
0018	6114000000-N SPECIALIZED HAND MOWING	2.000 HR	50.00000		100.00	
0019	6117000000-N RESPONSE FOR EROSION CONTROL	12.000 EA	100.00000		1,200.00	
0020	6135000000-E GENERIC EROSION CONTROL ITEM SEEDING AND MULCHING OF REST AREA LAWN	2.000 ACR	1,680.00000		3,360.00	
0021	6900000000-E TOPSOIL	1,000.000 CY	30.00000		30,000.00	
0022	6970000000-N GENERIC REST AREA ITEM 3" GATE VALVE & BOX	3.000 EA	750.00000		2,250.00	
0023	6970000000-N GENERIC REST AREA ITEM 4" SANITARY SEWER CLEANOUT	2.000 EA	750.00000		1,500.00	

State of NC  
Dept of Transportation

Date: 02-19-08  
Revised:

Contract ID: C201598 Project(s): IMS-95-1(63)47  
Letting Date: 03-18-08 Call Order: 007  
Bidder: 1983 - Mountain Creek Contractors, LLC

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0024	6970000000-N GENERIC REST AREA ITEM 4" STORM DRAIN CLEANOUT	9.000 EA	750.00000		6,750.00	
0025	6970000000-N GENERIC REST AREA ITEM CONNECTION TO SEWER MANHOLE/SEWER LINE	2.000 EA	1,500.00000		3,000.00	
0026	6970000000-N GENERIC REST AREA ITEM DOUBLE GATES, 72" HIGH, 8' WIDE, 16' OPENING	2.000 EA	1,200.00000		2,400.00	
0027	6970000000-N GENERIC REST AREA ITEM RELOCATE POST TOP LIGHT & POLE	1.000 EA	1,000.00000		1,000.00	
0028	6975000000-N GENERIC REST AREA ITEM ELECTRICAL CONSTRUCTION OF I-95 REST AREA BLDGS NBL/SBL	LUMP	LUMP		120,000.00	
0029	6975000000-N GENERIC REST AREA ITEM ELECTRICAL CONSTRUCTION OF I-95 VENDING BLDGS NBL/SBL	LUMP	LUMP		70,000.00	
0030	6975000000-N GENERIC REST AREA ITEM GENERAL CONSTRUCTION OF I-95 REST AREA BLDGS NBL/SBL	LUMP	LUMP		875,000.00	
0031	6975000000-N GENERIC REST AREA ITEM GENERAL CONSTRUCTION OF I-95 VENDING BLDGS NBL/SBL	LUMP	LUMP		185,000.00	
0032	6975000000-N GENERIC REST AREA ITEM LANDSCAPE & SITE GRADING	LUMP	LUMP		70,000.00	
0033	6975000000-N GENERIC REST AREA ITEM MECHANICAL CONSTRUCTION OF I-95 REST AREA BLDGS NBL/SBL	LUMP	LUMP		55,000.00	

State of NC  
Dept of Transportation

Date: 02-19-08  
Revised:

Contract ID: C201598

Project(s): IMS-95-1(63)47

Letting Date: 03-18-08 Call Order: 007

Bidder: 1983 - Mountain Creek Contractors, LLC

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0034	6975000000-N GENERIC REST AREA ITEM MECHANICAL CONSTRUCTION OF I-95 VENDING BLDGS NBL/SBL	LUMP	LUMP			40,000.00
0035	6975000000-N GENERIC REST AREA ITEM PLUMBING CONSTRUCTION OF I-95 REST AREA BLDGS NBL/SBL	LUMP	LUMP			225,000.00
0036	6975000000-N GENERIC REST AREA ITEM PLUMBING CONSTRUCTION OF I-95 VENDING BLDGS NBL/SBL	LUMP	LUMP			50,000.00
0037	6975000000-N GENERIC REST AREA ITEM SITE DEMOLITION	LUMP	LUMP			45,000.00
0038	6980000000-E GENERIC REST AREA ITEM 2" SLEEVE FOR UNDERGROUND ELEC. (SCH 40 PVC)	LF	25.0000	20.00000		500.00
0039	6980000000-E GENERIC REST AREA ITEM 3" PVC WATER PIPE, SCH 80	LF	395.0000	15.00000		5,925.00
0040	6980000000-E GENERIC REST AREA ITEM 3/4"-2" (SCH 80 PVC) WATER LINE REPAIR	LF	40.0000	30.00000		1,200.00
0041	6980000000-E GENERIC REST AREA ITEM 4" PVC/ABS -DWV, SCH 40 DRAIN PIPE	LF	455.0000	20.00000		9,100.00
0042	6980000000-E GENERIC REST AREA ITEM 6" PVC (SDR-35) GRAVITY SEWER LINE	LF	180.0000	25.00000		4,500.00
0043	6980000000-E GENERIC REST AREA ITEM 6" PVC/ABS -DWV, SCH 40 DRAIN PIPE	LF	350.0000	25.00000		8,750.00



State of NC  
 Dept of Transportation

Date: 02-19-08  
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Project(s): IMS-95-1(63)47

Letting Date: 03-18-08 Call Order: 007

Bidder: 1983 - Mountain Creek Contractors, LLC

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0044	6980000000-E GENERIC REST AREA ITEM BRICK SEATWALL	47.000 LF	125.00000		5,875.00	
0045	6980000000-E GENERIC REST AREA ITEM CHAIN LINK FENCE, 72" FABRIC	1,772.000 LF	15.30000		27,111.60	
0046	6980000000-E GENERIC REST AREA ITEM TREE PROTECTION FENCE	488.000 LF	2.65000		1,293.20	
	Section 0001 Total				1,972,191.05	
	Bid Total				1,972,191.05	

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: 02-19-08  
PAGE: 9

PROPOSAL: C201598  
LETTING: L080318 CALL: 007  
VENDOR: 1983 Mountain Creek Contractors, LLC

LINE NO.	ITEM NO.	ITEM DESC.	UNIT TYPE	SUBCONTRACTOR QUANTITY	SUBCONTRACTOR UNIT PRICE	EXTENDED AMOUNT
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DBE SUBCONTRACTOR: 4898 BULLINGTON CONSTRUCTION INC  
Will Use Quote: Yes

0045	6980000000-E	GENERIC REST LF		1772.000	15.30000	27111.60
0026	6970000000-N	GENERIC REST EA		2.000	1200.00000	2400.00

DBE COMMITMENT TOTAL FOR SUBCONTRACTOR: 29,511.60  
DBE COMMITMENT TOTAL FOR VENDOR (SubContractor ) 29,511.60 ✓

DBE SUBCONTRACTOR: 3346 LINEBERRY, INC.  
Will Use Quote: Yes

0011	6015000000-E	TEMPORARY MU ACR		2.000	400.00000	800.00
0012	6018000000-E	SEED FOR TEM LB		100.000	2.00000	200.00
0013	6021000000-E	FERT FOR TEM TON		0.250	325.00000	81.25
0018	6114000000-N	SPECIALIZED HR		2.000	50.00000	100.00
0017	6036000000-E	MATTING FOR SY		75.000	2.00000	150.00
0019	6117000000-N	RESPONSE FOR EA		12.000	100.00000	1200.00
0020	6135000000-E	GENERIC EROS ACR		2.000	1680.00000	3360.00

DBE COMMITMENT TOTAL FOR SUBCONTRACTOR: 5,891.25  
DBE COMMITMENT TOTAL FOR VENDOR (SubContractor ) 5,891.25 ✓

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

0046	6980000000-E	GENERIC REST LF		488.000	2.65000	1293.20
0007	6000000000-E	TEMPORARY SI LF		185.000	5.00000	925.00

DBE COMMITMENT TOTAL FOR SUBCONTRACTOR: 2,218.20  
DBE COMMITMENT TOTAL FOR VENDOR (SubContractor ) 2,218.20 ✓

DBE SUBCONTRACTOR: 11572 CRUZ BROTHERS CONCRETE, INC.  
Will Use Quote: Yes

0005	2738000000-E	GENERIC PAVI SY		187.000	35.00000	6545.00
0004	2605000000-N	CONC WHEELCH EA		2.000	750.00000	1500.00
0030	6975000000-N	GENERIC REST LS Form and Pour Building Slab		1.000	27500.00000	27500.00
0031	6975000000-N	GENERIC REST LS Form and Pour Building Slab		1.000	7500.00000	7500.00

DBE COMMITMENT TOTAL FOR SUBCONTRACTOR: 43,045.00  
DBE COMMITMENT TOTAL FOR VENDOR (SubContractor ) 43,045.00 ✓

TOTAL DBE COMMITMENT FOR VENDOR:

Entered: 4.09% or 80666.05 ✓  
Required: 4.00% or 78887.64  
<GOAL MET>

## Contract Item Sheets For C201598

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
<b>ROADWAY ITEMS</b>						
0001	0000100000-N	800	MOBILIZATION	Lump Sum LS	95,000.00	95,000.00
0002	2286000000-N	840	MASONRY DRAINAGE STRUCTURES	2 EA	1,500.00	3,000.00
0003	2364000000-N	840	FRAME WITH TWO GRATES, STD 840.16	1 EA	750.00	750.00
0004	2605000000-N	848	CONCRETE WHEELCHAIR RAMPS	2 EA	750.00	1,500.00
0005	2738000000-E	SP	GENERIC PAVING ITEM 4" CONCRETE SIDEWALK	187 SY	35.00	6,545.00
0006	3656000000-E	876	FILTER FABRIC FOR DRAINAGE	150 SY	5.00	750.00
0007	6000000000-E	1605	TEMPORARY SILT FENCE	185 LF	5.00	925.00
0008	6006000000-E	1610	STONE FOR EROSION CONTROL, CLASS A	50 TON	100.00	5,000.00
0009	6009000000-E	1610	STONE FOR EROSION CONTROL, CLASS B	30 TON	100.00	3,000.00
0010	6012000000-E	1610	SEDIMENT CONTROL STONE	15 TON	100.00	1,500.00
0011	6015000000-E	1615	TEMPORARY MULCHING	2 ACR	400.00	800.00
0012	6018000000-E	1620	SEED FOR TEMPORARY SEEDING	100 LB	2.00	200.00
0013	6021000000-E	1620	FERTILIZER FOR TEMPORARY SEED- ING	0.25 TON	325.00	81.25
0014	6024000000-E	1622	TEMPORARY SLOPE DRAINS	50 LF	20.00	1,000.00
0015	6027000000-N	1622	INLET PROTECTION AT TEMPORARY SLOPE DRAINS	2 EA	150.00	300.00
0016	6030000000-E	1630	SILT EXCAVATION	35 CY	25.00	875.00
0017	6036000000-E	1631	MATTING FOR EROSION CONTROL	75 SY	2.00	150.00
0018	6114000000-N	SP	SPECIALIZED HAND MOWING	2 HR	50.00	100.00
0019	6117000000-N	SP	RESPONSE FOR EROSION CONTROL	12 EA	100.00	1,200.00

## Contract Item Sheets For C201598

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0020	6135000000-E	SP	GENERIC EROSION CONTROL ITEM SEEDING AND MULCHING OF REST AREA LAWN	2 ACR	1,680.00	3,360.00
0021	6900000000-E	SP	TOPSOIL	1,000 CY	30.00	30,000.00
0022	6970000000-N	SP	GENERIC REST AREA ITEM 3" GATE VALVE & BOX	3 EA	750.00	2,250.00
0023	6970000000-N	SP	GENERIC REST AREA ITEM 4" SANITARY SEWER CLEANOUT	2 EA	750.00	1,500.00
0024	6970000000-N	SP	GENERIC REST AREA ITEM 4" STORM DRAIN CLEANOUT	9 EA	750.00	6,750.00
0025	6970000000-N	SP	GENERIC REST AREA ITEM CONNECTION TO SEWER MANHOLE/SEWER LINE	2 EA	1,500.00	3,000.00
0026	6970000000-N	SP	GENERIC REST AREA ITEM DOUBLE GATES, 72" HIGH, 8' WIDE, 16' OPENING	2 EA	1,200.00	2,400.00
0027	6970000000-N	SP	GENERIC REST AREA ITEM RELOCATE POST TOP LIGHT & POLE	1 EA	1,000.00	1,000.00
0028	6975000000-N	SP	GENERIC REST AREA ITEM ELECTRICAL CONSTRUCTION OF I-95 REST AREA BLDGS NBL/SBL	Lump Sum LS	120,000.00	120,000.00
0029	6975000000-N	SP	GENERIC REST AREA ITEM ELECTRICAL CONSTRUCTION OF I-95 VENDING BLDGS NBL/SBL	Lump Sum LS	70,000.00	70,000.00
0030	6975000000-N	SP	GENERIC REST AREA ITEM GENERAL CONSTRUCTION OF I-95 REST AREA BLDGS NBL/SBL	Lump Sum LS	875,000.00	875,000.00
0031	6975000000-N	SP	GENERIC REST AREA ITEM GENERAL CONSTRUCTION OF I-95 VENDING BLDGS NBL/SBL	Lump Sum LS	185,000.00	185,000.00
0032	6975000000-N	SP	GENERIC REST AREA ITEM LANDSCAPE & SITE GRADING	Lump Sum LS	70,000.00	70,000.00
0033	6975000000-N	SP	GENERIC REST AREA ITEM MECHANICAL CONSTRUCTION OF I-95 REST AREA BLDGS NBL/SBL	Lump Sum LS	55,000.00	55,000.00
0034	6975000000-N	SP	GENERIC REST AREA ITEM MECHANICAL CONSTRUCTION OF I-95 VENDING BLDGS NBL/SBL	Lump Sum LS	40,000.00	40,000.00



## Contract Item Sheets For C201598

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0035	6975000000-N	SP	GENERIC REST AREA ITEM PLUMBING CONSTRUCTION OF I-95 REST AREA BLDGS NBL/SBL	Lump Sum LS	225,000.00	225,000.00
0036	6975000000-N	SP	GENERIC REST AREA ITEM PLUMBING CONSTRUCTION OF I-95 VENDING BLDGS NBL/SBL	Lump Sum LS	50,000.00	50,000.00
0037	6975000000-N	SP	GENERIC REST AREA ITEM SITE DEMOLITION	Lump Sum LS	45,000.00	45,000.00
0038	6980000000-E	SP	GENERIC REST AREA ITEM 2" SLEEVE FOR UNDERGROUND ELEC. (SCH 40 PVC)	25 LF	20.00	500.00
0039	6980000000-E	SP	GENERIC REST AREA ITEM 3" PVC WATER PIPE, SCH 80	395 LF	15.00	5,925.00
0040	6980000000-E	SP	GENERIC REST AREA ITEM 3/4"-2" (SCH 80 PVC) WATER LINE REPAIR	40 LF	30.00	1,200.00
0041	6980000000-E	SP	GENERIC REST AREA ITEM 4" PVC/ABS -DWV, SCH 40 DRAIN PIPE	455 LF	20.00	9,100.00
0042	6980000000-E	SP	GENERIC REST AREA ITEM 6" PVC (SDR-35) GRAVITY SEWER LINE	180 LF	25.00	4,500.00
0043	6980000000-E	SP	GENERIC REST AREA ITEM 6" PVC/ABS -DWV, SCH 40 DRAIN PIPE	350 LF	25.00	8,750.00
0044	6980000000-E	SP	GENERIC REST AREA ITEM BRICK SEATWALL	47 LF	125.00	5,875.00
0045	6980000000-E	SP	GENERIC REST AREA ITEM CHAIN LINK FENCE, 72" FABRIC	1,772 LF	15.30	27,111.60
0046	6980000000-E	SP	GENERIC REST AREA ITEM TREE PROTECTION FENCE	488 LF	2.65	1,293.20

TOTAL AMOUNT OF BID FOR ENTIRE PROJECT

\$1,972,191.05 ✓

Contract Number C201598  
County CUMBERLAND

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**

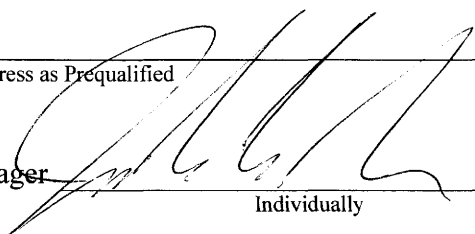
MOUNTAIN CREEK CONTRACTORS LLC

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  
9 day of APRIL 20\_\_.

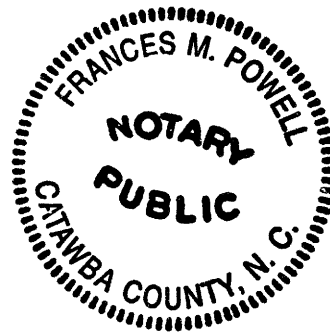
Frances M. Powell  
Signature of Notary Public

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.

C201598 (K-4904)

Cumberland County

2/16/99  
Z-13

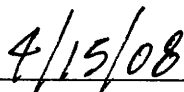
**Contract No: C201598**

**County: Cumberland**

ACCEPTED BY THE  
DEPARTMENT OF TRANSPORTATION

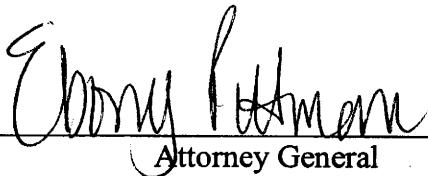


\_\_\_\_\_  
Contract Officer



\_\_\_\_\_  
Date

Execution of Contract and Bonds  
Approved as to Form:



\_\_\_\_\_  
Attorney General

Contract No. C201598  
County Cumberland

Rev 02-13-04

Bond 0412033

### CONTRACT PAYMENT BOND

Date of Payment:  
Bond Execution: April 8, 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: One Million Nine Hundred Seventy Two  
Thousand One Hundred Ninety One Dollars and 05/100 (\$1,972,191.05 )

Contract ID No.: C201598

County Name(s): Cumberland

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. C201598  
County Cumberland

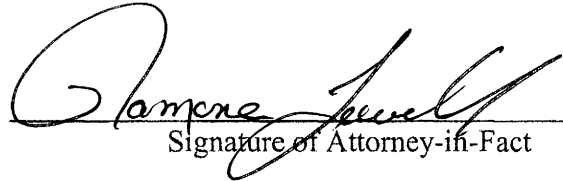
Rev 02-13-04


### 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. C201598  
County Cumberland

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 Number C201598  
County Cumberland

Rev 02-13-04

Bond 0412033

## CONTRACT PERFORMANCE BOND

Date of Contract Performance

Bond Execution:

April 8, 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:

One Million Nine Hundred Seventy Two Thousand One Hundred Ninety One Dollars and 05/100 ( \$1,972,191.05 )

Contract ID No.:

C201598

County Name(s):

Cumberland

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.

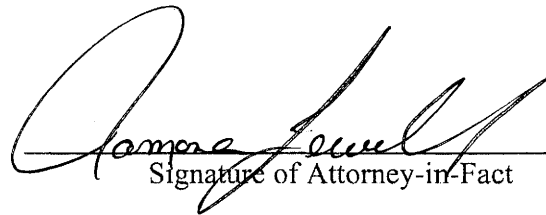
IN WITNESS WHEREOF, the above-bounden parties have executed this instrument under their several seals on the date indicated above, the name and corporate seal of each corporate party being hereto affixed and these presents duly signed by its undersigned representative, pursuant to authority of its governing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

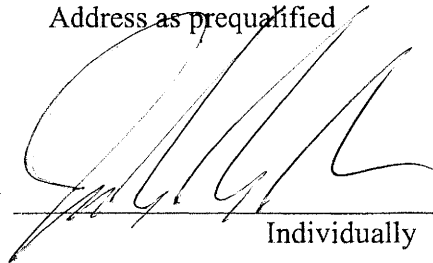
Mountain Creek Contractors, LLC

Print or type full name of Firm

P. O. Box D, Catawba, NC 28609

Address as prequalified

Signature of Manager



Individually

Joseph E Coleman - 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: 0412033  
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.



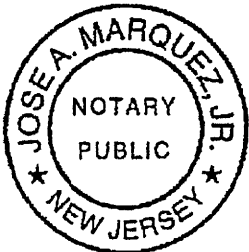
IN TESTIMONY WHEREOF, INTERNATIONAL FIDELITY INSURANCE COMPANY has caused this instrument to be signed and its corporate seal to be affixed by its authorized officer, this 29th day of August, A.D. 2003.

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 the 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 8th day of April, 2008

*[Handwritten Signature]*  
Assistant Secretary

