

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

C201768

CONTRACT AND
CONTRACT BONDS
FOR CONTRACT NO. C201768

WBS 33482.3.1 BRZ-3000(3)

T.I.P NO. B-4129

COUNTY OF GUILFORD

THIS IS THE ROADWAY & STRUCTURE CONTRACT

ROUTE NUMBER SR 3000 LENGTH 0.218 MILES

LOCATION BRIDGE OVER LITTLE ALAMANCE CREEK & APPROACHES ON SR-3000.

CONTRACTOR MOUNTAIN CREEK CONTRACTORS, INC.

ADDRESS P.O. BOX D
CATAWBA, NC 28609

BIDS OPENED SEPTEMBER 16, 2008

CONTRACT EXECUTION OCT 20 2008

Mountain Creek Contractors, LLC (1983).

Vendor 1 of 13 Vendors for Call Order 009 (Proposal ID C201768).

County: GUILFORD
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 Sep 16 13:14:44 2008

Bid Checksum: 63B1A3AC

Amendment Count: 0

Bidding Errors: No bidding errors.

Bid Total: \$1,678,937.88 ✓

Bond ID: X2HJ-U8M3-GQLM-A8PM

Bond was Verified: Yes.

Bond Required Percent: 5.00%

Minimum Check Amount: \$83,946.89

Bid Security Maximum: \$

Bond Agency Name:

Agency Execution Date: 9/16/2008

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 6.0 %
DBE GOAL MET 6.4 %

LIST OF DBE PARTICIPANTS

VENDOR NUMBER	DBE NAME ADDRESS	WORK CODE TYPE OF WORK	CERT TYPE	AMOUNT
5279 <i>WB</i>	GUARDRAIL OF GREENSBORO LLC P.O. BOX 19232 , GREENSBORO, NC 27419		Sub	41,150.00
4388 <i>WB</i>	FOOTHILLS CONSTRUCTION SERV INC 6081 PEA RIDGE PASS , HAMPTONVILLE, NC 27020		Sub	34,413.10
3089 <i>WB</i>	CURTIN TRUCKING & DRAINAGE, INC POST OFFICE BOX 38220 , CHARLOTTE, NC 282781003		Sub	18,750.00
1991 <i>MB</i>	MCCAIN STRIPING SERVICE, INC. 5711 CRAVEN ROAD , BROWNS SUMMIT, NC 27214		Sub	8,033.68
4761 <i>WB</i>	TRAFFIC CONTROL SAFETY SERVICES POST OFFICE BOX 24511 , WINSTON-SALEM, NC 27114		Sub	4,762.60
			TOTAL:	\$107,109.38 6.38%

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: X2HJ-U8M3-GQLM-A8PM
Surety Registry Agency: SurePathNetwork

NCDOT/berc

Vendor 1983's Load Output for Call 009, Letting L080916, 2008-09-16

Verified?: Yes

Surety Agency: International Fidelity Insurance Company

Bond Execution Date: 9/16/2008

Bond Amount: \$83,946.89 (Five Percent of Bid)

State of NC
 Dept of Transportation
 Contract ID: C201768 Project(s): BRZ-3000(3)
 Letting Date: 09-16-08 Call Order: 009
 Bidder: 1983 - Mountain Creek Contractors, LLC

Date: 08-19-08
 Revised:

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
Section 0001 ROADWAY ITEMS						
Alt Group						
0001	0000100000-N MOBILIZATIO N	LUMP	LUMP			84,000.00
0002	0029000000-N REINFORCED BRIDGE APPROACH FILL, STATION ***** (16+89.500)	LUMP	LUMP			20,000.00
0003	0043000000-N GRADING	LUMP	LUMP			155,000.00
0004	0050000000-E SUPPLEMENTA RY CLEARING & GRUB-BING	ACR	1.000	100.00000		100.00
0005	0057000000-E UNDERCUT EXCAVATION	CY	500.000	5.00000		2,500.00
0006	0134000000-E DRAINAGE DITCH EXCAVATION	CY	60.000	25.00000		1,500.00
0007	0195000000-E SELECT GRANULAR MATERIAL	CY	500.000	20.00000		10,000.00
0008	0196000000-E FABRIC FOR SOIL STABILIZATION	SY	500.000	5.00000		2,500.00
0009	0199000000-E TEMPORARY SHORING	SF	360.000	75.00000		27,000.00
0010	0318000000-E FOUNDATION CONDITIONING MATE- RIAL, MINOR STRS	TON	40.000	35.00000		1,400.00

State of NC
Dept of Transportation

Date: 08-19-08
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Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0011	0343000000-E 15" SIDE DRAIN PIPE	28.000 LF	35.00000		980.00	
0012	0366000000-E 15" RC PIPE CULVERTS, CLASS III	36.000 LF	35.00000		1,260.00	
0013	0372000000-E 18" RC PIPE CULVERTS, CLASS III	100.000 LF	35.00000		3,500.00	
0014	0384000000-E 30" RC PIPE CULVERTS, CLASS III	84.000 LF	80.00000		6,720.00	
0015	0708000000-E 15" BIT COAT CS PIPE CULVERTS, TYPE B 0.064" THICK	72.000 LF	35.00000		2,520.00	
0016	0806000000-E 15" BIT COAT CS PIPE ELBOWS, TYPE B 0.064" THICK	4.000 EA	500.00000		2,000.00	
0017	0995000000-E PIPE REMOVAL	231.000 LF	15.00000		3,465.00	
0018	1121000000-E AGGREGATE BASE COURSE	82.000 TON	40.00000		3,280.00	
0019	1220000000-E INCIDENTAL STONE BASE	200.000 TON	30.00000		6,000.00	
0020	1330000000-E INCIDENTAL MILLING	100.000 SY	25.00000		2,500.00	
0021	1489000000-E ASPHALT CONC BASE COURSE, TYPE B25.0B	1,200.000 TON	50.00000		60,000.00	
0022	1498000000-E ASPHALT CONC INTERMEDIATE COURSE, TYPE I19.0B	700.000 TON	55.00000		38,500.00	

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Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0023	1519000000-E ASPHALT CONC SURFACE COURSE, TYPE S9.5B	900.000 TON	55.00000		49,500.00	
0024	1525000000-E ASPHALT CONC SURFACE COURSE, TYPE SF9.5A	30.000 TON	55.00000		1,650.00	
0025	1560000000-E ASPHALT BINDER FOR PLANT MIX, GRADE PG 64-22	141.000 TON	950.00000		133,950.00	
0026	2000000000-N RIGHT OF WAY MARKERS	27.000 EA	150.00000		4,050.00	
0027	2286000000-N MASONRY DRAINAGE STRUCTURES	3.000 EA	1,500.00000		4,500.00	
0028	2366000000-N FRAME WITH TWO GRATES, STD 840.24	1.000 EA	500.00000		500.00	
0029	2367000000-N FRAME WITH TWO GRATES, STD 840.29	2.000 EA	500.00000		1,000.00	
0030	2556000000-E SHOULDER BERM GUTTER	86.000 LF	30.00000		2,580.00	
0031	3420000000-E GENERIC GUARDRAIL ITEM PAINTED STEEL BM GUARDRAIL	237.500 LF	42.00000		9,975.00	
0032	3420000000-E GENERIC GUARDRAIL ITEM PAINTED STEEL BM GUARDRAIL, SHOP CURVED	100.000 LF	44.00000		4,400.00	
0033	3435000000-N GENERIC GUARDRAIL ITEM PAINTED ADDITIONAL GUARDRAIL POSTS	5.000 EA	135.00000		675.00	

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			Dollars	Cts	Dollars	Ct
0034	3435000000-N GENERIC GUARDRAIL ITEM PAINTED GUARDRAIL ANCHOR UNITS, TYPE 350	EA 3.000	3,800.00000		11,400.00	
0035	3435000000-N GENERIC GUARDRAIL ITEM PAINTED GUARDRAIL ANCHOR UNITS, TYPE AT-1	EA 1.000	1,800.00000		1,800.00	
0036	3435000000-N GENERIC GUARDRAIL ITEM PAINTED GUARDRAIL ANCHOR UNITS, TYPE III	EA 4.000	3,225.00000		12,900.00	
0037	3628000000-E RIP RAP, CLASS I	TON 40.000	50.00000		2,000.00	
0038	3649000000-E RIP RAP, CLASS B	TON 100.000	50.00000		5,000.00	
0039	3656000000-E FILTER FABRIC FOR DRAINAGE	SY 1,145.000	2.00000		2,290.00	
0040	4400000000-E WORK ZONE SIGNS (STATIONARY)	SF 181.000	4.50000		814.50	
0041	4405000000-E WORK ZONE SIGNS (PORTABLE)	SF 144.000	9.15000		1,317.60	
0042	4410000000-E WORK ZONE SIGNS (BARRICADE MOUNTED)	SF 97.000	6.50000		630.50	
0043	4430000000-N DRUMS	EA 56.000	60.00000		3,360.00	
0044	4445000000-E BARRICADES (TYPE III)	LF 80.000	25.00000		2,000.00	

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Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0045	4450000000-N FLAGGER	640.000 HR	20.00000		12,800.00	
0046	4465000000-N TEMPORARY CRASH CUSHIONS	1.000 EA	7,250.00000		7,250.00	
0047	4470000000-N RESET TEMPORARY CRASH CUSHIONS	1.000 EA	2,000.00000		2,000.00	
0048	4485000000-E PORTABLE CONCRETE BARRIER	200.000 LF	40.00000		8,000.00	
0049	4500000000-E RESET PORTABLE CONCRETE BARRIER	100.000 LF	15.00000		1,500.00	
0050	4650000000-N TEMPORARY RAISED PAVEMENT MARKERS	85.000 EA	6.00000		510.00	
0051	4810000000-E PAINT PAVEMENT MARKING LINES (4")	32,844.000 LF	0.22000		7,225.68	
0052	4820000000-E PAINT PAVEMENT MARKING LINES (8")	86.000 LF	1.00000		86.00	
0053	4835000000-E PAINT PAVEMENT MARKING LINES (24")	248.000 LF	1.50000		372.00	
0054	4845000000-N PAINT PAVEMENT MARKING SYMBOL	2.000 EA	40.00000		80.00	
0055	4900000000-N PERMANENT RAISED PAVEMENT MARKERS	45.000 EA	6.00000		270.00	
0056	6000000000-E TEMPORARY SILT FENCE	730.000 LF	2.12000		1,547.60	

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Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0057	6006000000-E STONE FOR EROSION CONTROL, CLASS A	190.000 TON	35.00000		6,650.00	
0058	6009000000-E STONE FOR EROSION CONTROL, CLASS B	255.000 TON	35.00000		8,925.00	
0059	6012000000-E SEDIMENT CONTROL STONE	400.000 TON	35.00000		14,000.00	
0060	6015000000-E TEMPORARY MULCHING	4.500 ACR	505.00000		2,272.50	
0061	6018000000-E SEED FOR TEMPORARY SEEDING	150.000 LB	1.95000		292.50	
0062	6021000000-E FERTILIZER FOR TEMPORARY SEED-ING	0.750 TON	845.00000		633.75	
0063	6029000000-E SAFETY FENCE	410.000 LF	2.05000		840.50	
0064	6030000000-E SILT EXCAVATION	1,440.000 CY	5.00000		7,200.00	
0065	6036000000-E MATTING FOR EROSION CONTROL	950.000 SY	1.65000		1,567.50	
0066	6037000000-E COIR FIBER MAT	15.000 SY	5.25000		78.75	
0067	6038000000-E PERMANENT SOIL REINFORCEMENT MAT	775.000 SY	5.25000		4,068.75	
0068	6042000000-E 1/4" HARDWARE CLOTH	50.000 LF	4.10000		205.00	

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			Dollars	Cts	Dollars	Ct
0069	6070000000-N SPECIAL STILLING BASINS	12.000 EA	400.00000		4,800.00	
0070	6071030000-E COIR FIBER BAFFLES	485.000 LF	5.25000		2,546.25	
0071	6071050000-E *** SKIMMER (1-1/2")	2.000 EA	1,500.00000		3,000.00	
0072	6084000000-E SEEDING & MULCHING	4.500 ACR	1,410.00000		6,345.00	
0073	6087000000-E MOWING	2.500 ACR	75.00000		187.50	
0074	6090000000-E SEED FOR REPAIR SEEDING	50.000 LB	6.50000		325.00	
0075	6093000000-E FERTILIZER FOR REPAIR SEEDING	0.250 TON	1,450.00000		362.50	
0076	6096000000-E SEED FOR SUPPLEMENTAL SEEDING	100.000 LB	1.50000		150.00	
0077	6108000000-E FERTILIZER TOPDRESSING	3.500 TON	1,100.00000		3,850.00	
0078	6114000000-N SPECIALIZED HAND MOWING	2.000 HR	45.00000		90.00	
0079	6117000000-N RESPONSE FOR EROSION CONTROL	12.000 EA	250.00000		3,000.00	
0080	6123000000-E REFORESTATION	0.800 ACR	2,500.00000		2,000.00	

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 Revised:

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
Section 0001 Total					806,049.38	
Section 0004 STRUCTURE ITEMS						
Alt Group						
0081	8035000000-N REMOVAL OF EXISTING STRUCTURE AT STATION ***** (16+89.50-L-)	LUMP		LUMP	30,000.00	
0082	810520000-E 3'-0" DIA DRILLED PIERS IN SOIL	LF	88.200	200.00000	17,640.00	
0083	8105620000-E 3'-0" DIA DRILLED PIERS NOT IN SOIL	LF	43.000	1,750.00000	75,250.00	
0084	8111200000-E PERMANENT STEEL CASING FOR 3'-0" DIA DRILLED PIER	LF	79.200	200.00000	15,840.00	
0085	8113000000-N SID INSPECTION	EA	1.000	500.00000	500.00	
0086	8114000000-N SPT TESTING	EA	3.000	500.00000	1,500.00	
0087	8115000000-N CROSSHOLE SONIC LOGGING	EA	1.000	1,000.00000	1,000.00	
0088	8121000000-N UNCLASSIFIED STRUCTURE EXCAVATION AT STATION ***** (16+89.50-L-)	LUMP		LUMP	7,500.00	
0089	8147000000-E REINFORCED CONCRETE DECK SLAB	SF	8,519.000	28.00000	238,532.00	

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Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0090	8161000000-E GROOVING BRIDGE FLOORS	8,790.000 SF	0.40000		3,516.00	
0091	8182000000-E CLASS A CONCRETE (BRIDGE)	136.300 CY	600.00000		81,780.00	
0092	8210000000-N BRIDGE APPROACH SLABS, STATION***** (16+89.50-L-)	LUMP	LUMP		40,000.00	
0093	8217000000-E REINFORCING STEEL (BRIDGE)	27,787.000 LB	1.25000		34,733.75	
0094	8238000000-E SPIRAL COLUMN REINFORCING STEEL (BRIDGE)	2,284.000 LB	2.00000		4,568.00	
0095	8262000000-E 45" PRESTRESSED CONCRETE GIRDERS	847.960 LF	250.00000		211,990.00	
0096	8364000000-E HP12X53 STEEL PILES	290.000 LF	90.00000		26,100.00	
0097	8608000000-E RIP RAP CLASS II (2'-0" THICK)	460.000 TON	45.00000		20,700.00	
0098	8622000000-E FILTER FABRIC FOR DRAINAGE	515.000 SY	2.00000		1,030.00	
0099	8657000000-N ELASTOMERIC BEARINGS	LUMP	LUMP		7,500.00	
0100	8692000000-N EVAZOTE JOINT SEALS	LUMP	LUMP		10,000.00	

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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
0101	8867000000-E GENERIC STRUCTURE ITEM CONCRETE POST & BEAM RAIL	345.670 LF	125.00000		43,208.75	
Section 0004 Total						872,888.50
Bid Total						1,678,937.88 ✓

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:

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

X 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:08-19-08
PAGE: 14

PROPOSAL: C201768
LETTING: L080916 CALL: 009
VENDOR: 1983 Mountain Creek Contractors, LLC

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

DBE SUBCONTRACTOR: 5279 GUARDRAIL OF GREENSBORO LLC
Will Use Quote: Yes

0031	3420000000-E	GENERIC GUAR LF	237.500	42.00000	9975.00
0032	3420000000-E	GENERIC GUAR LF	100.000	44.00000	4400.00
0033	3435000000-N	GENERIC GUAR EA	5.000	135.00000	675.00
0034	3435000000-N	GENERIC GUAR EA	3.000	3800.00000	11400.00
0035	3435000000-N	GENERIC GUAR EA	1.000	1800.00000	1800.00
0036	3435000000-N	GENERIC GUAR EA	4.000	3225.00000	12900.00

DBE COMMITMENT TOTAL FOR SUBCONTRACTOR: 41,150.00 ✓
DBE COMMITMENT TOTAL FOR VENDOR (SubContractor) 41,150.

DBE SUBCONTRACTOR: 4388 FOOTHILLS CONSTRUCTION SERV INC
Will Use Quote: Yes

0026	2000000000-N	RIGHT OF WAY EA	27.000	150.00000	4050.00
0056	6000000000-E	TEMPORARY SI LF	730.000	2.12000	1547.60
0063	6029000000-E	SAFETY FENCE LF	410.000	2.05000	840.50
0068	6042000000-E	1/4" HARDWAR LF	50.000	4.10000	205.00
0070	6071030000-E	COIR FIBER B LF	485.000	5.25000	2546.25
0079	6117000000-N	RESPONSE FOR EA	12.000	250.00000	3000.00
0072	6084000000-E	SEEDING AND ACR	4.500	1410.00000	6345.00
0073	6087000000-E	MOWING ACR	2.500	75.00000	187.50
0074	6090000000-E	SEED FOR REP LB	50.000	6.50000	325.00
0075	6093000000-E	FERT FOR REP TON	0.250	1450.00000	362.50
0076	6096000000-E	SEED FOR SUP LB	100.000	1.50000	150.00
0077	6108000000-E	FERTILIZER T TON	3.500	1100.00000	3850.00
0078	6114000000-N	SPECIALIZED HR	2.000	45.00000	90.00
0080	6123000000-E	REFORESTATIO ACR	0.800	2500.00000	2000.00
0066	6037000000-E	COIR FIBER M SY	15.000	5.25000	78.75
0067	6038000000-E	PERM SOIL RE SY	775.000	5.25000	4068.75
0065	6036000000-E	MATTING FOR SY	950.000	1.65000	1567.50
0062	6021000000-E	FERT FOR TEM TON	0.750	845.00000	633.75
0061	6018000000-E	SEED FOR TEM LB	150.000	1.95000	292.50
0060	6015000000-E	TEMPORARY MU ACR	4.500	505.00000	2272.50

DBE COMMITMENT TOTAL FOR SUBCONTRACTOR: 34,413.10 ✓
DBE COMMITMENT TOTAL FOR VENDOR (SubContractor) 34,413.

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

0046	4465000000-N	TEMPORARY CR EA	1.000	7250.00000	7250.00
0047	4470000000-N	RESET CRASH EA	1.000	2000.00000	2000.00
0048	4485000000-E	PORT CONC BA LF	200.000	40.00000	8000.00
0049	4500000000-E	RESET PORT C LF	100.000	15.00000	1500.00

NORTH CAROLINA STATE DEPARTMENT OF TRANSPORTATION
 DBE COMMITMENT ITEMS

DATE:08-19-08
 PAGE: 15

LINE NO.	ITEM NO.	ITEM DESC.	UNIT TYPE	SUBCONTRACTOR QUANTITY	SUBCONTRACTOR UNIT PRICE	EXTENDED AMOUNT
DBE COMMITMENT TOTAL FOR SUBCONTRACTOR:						18,750.00
DBE COMMITMENT TOTAL FOR VENDOR (SubContractor)						18,750.
DBE SUBCONTRACTOR: 1991 MCCAIN STRIPING SERVICE, INC. Will Use Quote: Yes						
0051	4810000000-E	PAIN T PVMT M LF		32844.000	0.22000	7225.68
0052	4820000000-E	PAIN T PVMT M LF		86.000	1.00000	86.00
0053	4835000000-E	PAIN T PVT MK LF		248.000	1.50000	372.00
0054	4845000000-N	PAIN T PVT MK EA		2.000	40.00000	80.00
0055	4900000000-N	PERM RAISED EA		45.000	6.00000	270.00
DBE COMMITMENT TOTAL FOR SUBCONTRACTOR:						8,033.68
DBE COMMITMENT TOTAL FOR VENDOR (SubContractor)						8,033.6
DBE SUBCONTRACTOR: 4761 TRAFFIC CONTROL SAFETY SERVICES, INC. Will Use Quote: Yes						
0040	4400000000-E	WORK ZONE SI SF		181.000	4.50000	814.50
0042	4410000000-E	WORK ZONE SI SF		97.000	6.50000	630.50
0041	4405000000-E	WORK ZONE SI SF		144.000	9.15000	1317.60
0044	4445000000-E	BARRICADES (LF		80.000	25.00000	2000.00
DBE COMMITMENT TOTAL FOR SUBCONTRACTOR:						4,762.60
DBE COMMITMENT TOTAL FOR VENDOR (SubContractor)						4,762.6
TOTAL DBE COMMITMENT FOR VENDOR:						
				Entered:	6.38% or	107109.38
				Required:	6.00% or	100736.27
						<GOAL MET>

Contract Item Sheets For C201768

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
ROADWAY ITEMS						
0001	0000100000-N	800	MOBILIZATION	Lump Sum LS	84,000.00	84,000.00
0002	0029000000-N	SP	REINFORCED BRIDGE APPROACH FILL, STATION ***** (16+89.500)	Lump Sum LS	20,000.00	20,000.00
0003	0043000000-N	226	GRADING	Lump Sum LS	155,000.00	155,000.00
0004	0050000000-E	226	SUPPLEMENTARY CLEARING & GRUB- BING	1 ACR	100.00	100.00
0005	0057000000-E	226	UNDERCUT EXCAVATION	500 CY	5.00	2,500.00
0006	0134000000-E	240	DRAINAGE DITCH EXCAVATION	60 CY	25.00	1,500.00
0007	0195000000-E	265	SELECT GRANULAR MATERIAL	500 CY	20.00	10,000.00
0008	0196000000-E	270	FABRIC FOR SOIL STABILIZATION	500 SY	5.00	2,500.00
0009	0199000000-E	SP	TEMPORARY SHORING	360 SF	75.00	27,000.00
0010	0318000000-E	300	FOUNDATION CONDITIONING MATE- RIAL, MINOR STRS	40 TON	35.00	1,400.00
0011	0343000000-E	310	15" SIDE DRAIN PIPE	28 LF	35.00	980.00
0012	0366000000-E	310	15" RC PIPE CULVERTS, CLASS III	36 LF	35.00	1,260.00
0013	0372000000-E	310	18" RC PIPE CULVERTS, CLASS III	100 LF	35.00	3,500.00
0014	0384000000-E	310	30" RC PIPE CULVERTS, CLASS III	84 LF	80.00	6,720.00
0015	0708000000-E	310	15" BIT COAT CS PIPE CULVERTS, TYPE B 0.064" THICK	72 LF	35.00	2,520.00
0016	0806000000-E	310	15" BIT COAT CS PIPE ELBOWS, TYPE B 0.064" THICK	4 EA	500.00	2,000.00
0017	0995000000-E	340	PIPE REMOVAL	231 LF	15.00	3,465.00
0018	1121000000-E	520	AGGREGATE BASE COURSE	82 TON	40.00	3,280.00
0019	1220000000-E	545	INCIDENTAL STONE BASE	200 TON	30.00	6,000.00

Contract Item Sheets For C201768

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0020	1330000000-E	607	INCIDENTAL MILLING	100 SY	25.00	2,500.00
0021	1489000000-E	610	ASPHALT CONC BASE COURSE, TYPE B25.0B	1,200 TON	50.00	60,000.00
0022	1498000000-E	610	ASPHALT CONC INTERMEDIATE COURSE, TYPE I19.0B	700 TON	55.00	38,500.00
0023	1519000000-E	610	ASPHALT CONC SURFACE COURSE, TYPE S9.5B	900 TON	55.00	49,500.00
0024	1525000000-E	610	ASPHALT CONC SURFACE COURSE, TYPE SF9.5A	30 TON	55.00	1,650.00
0025	1560000000-E	620	ASPHALT BINDER FOR PLANT MIX, GRADE PG 64-22	141 TON	950.00	133,950.00
0026	2000000000-N	806	RIGHT OF WAY MARKERS	27 EA	150.00	4,050.00
0027	2286000000-N	840	MASONRY DRAINAGE STRUCTURES	3 EA	1,500.00	4,500.00
0028	2366000000-N	840	FRAME WITH TWO GRATES, STD 840.24	1 EA	500.00	500.00
0029	2367000000-N	840	FRAME WITH TWO GRATES, STD 840.29	2 EA	500.00	1,000.00
0030	2556000000-E	846	SHOULDER BERM GUTTER	86 LF	30.00	2,580.00
0031	3420000000-E	SP	GENERIC GUARDRAIL ITEM PAINTED STEEL BM GUARDRAIL	237.5 LF	42.00	9,975.00
0032	3420000000-E	SP	GENERIC GUARDRAIL ITEM PAINTED STEEL BM GUARDRAIL, SHOP CURVED	100 LF	44.00	4,400.00
0033	3435000000-N	SP	GENERIC GUARDRAIL ITEM PAINTED ADDITIONAL GUARDRAIL POSTS	5 EA	135.00	675.00
0034	3435000000-N	SP	GENERIC GUARDRAIL ITEM PAINTED GUARDRAIL ANCHOR UNITS, TYPE 350	3 EA	3,800.00	11,400.00
0035	3435000000-N	SP	GENERIC GUARDRAIL ITEM PAINTED GUARDRAIL ANCHOR UNITS, TYPE AT-1	1 EA	1,800.00	1,800.00

Contract Item Sheets For C201768

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0036	3435000000-N	SP	GENERIC GUARDRAIL ITEM PAINTED GUARDRAIL ANCHOR UNITS, TYPE III	4 EA	3,225.00	12,900.00
0037	3628000000-E	876	RIP RAP, CLASS I	40 TON	50.00	2,000.00
0038	3649000000-E	876	RIP RAP, CLASS B	100 TON	50.00	5,000.00
0039	3656000000-E	876	FILTER FABRIC FOR DRAINAGE	1,145 SY	2.00	2,290.00
0040	4400000000-E	1110	WORK ZONE SIGNS (STATIONARY)	181 SF	4.50	814.50
0041	4405000000-E	1110	WORK ZONE SIGNS (PORTABLE)	144 SF	9.15	1,317.60
0042	4410000000-E	1110	WORK ZONE SIGNS (BARRICADE MOUNTED)	97 SF	6.50	630.50
0043	4430000000-N	1130	DRUMS	56 EA	60.00	3,360.00
0044	4445000000-E	1145	BARRICADES (TYPE III)	80 LF	25.00	2,000.00
0045	4450000000-N	1150	FLAGGER	640 HR	20.00	12,800.00
0046	4465000000-N	1160	TEMPORARY CRASH CUSHIONS	1 EA	7,250.00	7,250.00
0047	4470000000-N	1160	RESET TEMPORARY CRASH CUSHIONS	1 EA	2,000.00	2,000.00
0048	4485000000-E	1170	PORTABLE CONCRETE BARRIER	200 LF	40.00	8,000.00
0049	4500000000-E	1170	RESET PORTABLE CONCRETE BAR- RIER	100 LF	15.00	1,500.00
0050	4650000000-N	1251	TEMPORARY RAISED PAVEMENT MARKERS	85 EA	6.00	510.00
0051	4810000000-E	1205	PAINT PAVEMENT MARKING LINES (4")	32,844 LF	0.22	7,225.68
0052	4820000000-E	1205	PAINT PAVEMENT MARKING LINES (8")	86 LF	1.00	86.00
0053	4835000000-E	1205	PAINT PAVEMENT MARKING LINES (24")	248 LF	1.50	372.00
0054	4845000000-N	1205	PAINT PAVEMENT MARKING SYMBOL	2 EA	40.00	80.00

Contract Item Sheets For C201768

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0055	4900000000-N	1251	PERMANENT RAISED PAVEMENT MARKERS	45 EA	6.00	270.00
0056	6000000000-E	1605	TEMPORARY SILT FENCE	730 LF	2.12	1,547.60
0057	6006000000-E	1610	STONE FOR EROSION CONTROL, CLASS A	190 TON	35.00	6,650.00
0058	6009000000-E	1610	STONE FOR EROSION CONTROL, CLASS B	255 TON	35.00	8,925.00
0059	6012000000-E	1610	SEDIMENT CONTROL STONE	400 TON	35.00	14,000.00
0060	6015000000-E	1615	TEMPORARY MULCHING	4.5 ACR	505.00	2,272.50
0061	6018000000-E	1620	SEED FOR TEMPORARY SEEDING	150 LB	1.95	292.50
0062	6021000000-E	1620	FERTILIZER FOR TEMPORARY SEEDING	0.75 TON	845.00	633.75
0063	6029000000-E	SP	SAFETY FENCE	410 LF	2.05	840.50
0064	6030000000-E	1630	SILT EXCAVATION	1,440 CY	5.00	7,200.00
0065	6036000000-E	1631	MATTING FOR EROSION CONTROL	950 SY	1.65	1,567.50
0066	6037000000-E	SP	COIR FIBER MAT	15 SY	5.25	78.75
0067	6038000000-E	SP	PERMANENT SOIL REINFORCEMENT MAT	775 SY	5.25	4,068.75
0068	6042000000-E	1632	1/4" HARDWARE CLOTH	50 LF	4.10	205.00
0069	6070000000-N	SP	SPECIAL STILLING BASINS	12 EA	400.00	4,800.00
0070	6071030000-E	SP	COIR FIBER BAFFLES	485 LF	5.25	2,546.25
0071	6071050000-E	SP	*** SKIMMER (1-1/2")	2 EA	1,500.00	3,000.00
0072	6084000000-E	1660	SEEDING & MULCHING	4.5 ACR	1,410.00	6,345.00
0073	6087000000-E	1660	MOWING	2.5 ACR	75.00	187.50

Contract Item Sheets For C201768

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0074	6090000000-E	1661	SEED FOR REPAIR SEEDING	50 LB	6.50	325.00
0075	6093000000-E	1661	FERTILIZER FOR REPAIR SEEDING	0.25 TON	1,450.00	362.50
0076	6096000000-E	1662	SEED FOR SUPPLEMENTAL SEEDING	100 LB	1.50	150.00
0077	6108000000-E	1665	FERTILIZER TOPDRESSING	3.5 TON	1,100.00	3,850.00
0078	6114000000-N	SP	SPECIALIZED HAND MOWING	2 HR	45.00	90.00
0079	6117000000-N	SP	RESPONSE FOR EROSION CONTROL	12 EA	250.00	3,000.00
0080	6123000000-E	1670	REFORESTATION	0.8 ACR	2,500.00	2,000.00

Contract Item Sheets For C201768

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0081	803500000-N	402	REMOVAL OF EXISTING STRUCTURE AT STATION ***** (16+89.50-L-)	Lump Sum LS	30,000.00	30,000.00
0082	8105520000-E	SP	3'-0" DIA DRILLED PIERS IN SO IL	88.2 LF	200.00	17,640.00
0083	8105620000-E	SP	3'-0" DIA DRILLED PIERS NOT IN SOIL	43 LF	1,750.00	75,250.00
0084	8111200000-E	SP	PERMANENT STEEL CASING FOR 3'-0" DIA DRILLED PIER	79.2 LF	200.00	15,840.00
0085	8113000000-N	SP	SID INSPECTION	1 EA	500.00	500.00
0086	8114000000-N	SP	SPT TESTING	3 EA	500.00	1,500.00
0087	8115000000-N	SP	CROSSHOLE SONIC LOGGING	1 EA	1,000.00	1,000.00
0088	8121000000-N	412	UNCLASSIFIED STRUCTURE EXCAVA- TION AT STATION ***** (16+89.50-L-)	Lump Sum LS	7,500.00	7,500.00
0089	8147000000-E	420	REINFORCED CONCRETE DECK SLAB	8,519 SF	28.00	238,532.00
0090	8161000000-E	420	GROOVING BRIDGE FLOORS	8,790 SF	0.40	3,516.00
0091	8182000000-E	420	CLASS A CONCRETE (BRIDGE)	136.3 CY	600.00	81,780.00
0092	8210000000-N	422	BRIDGE APPROACH SLABS, STATION ***** (16+89.50-L-)	Lump Sum LS	40,000.00	40,000.00
0093	8217000000-E	425	REINFORCING STEEL (BRIDGE)	27,787 LB	1.25	34,733.75
0094	8238000000-E	425	SPIRAL COLUMN REINFORCING STEEL (BRIDGE)	2,284 LB	2.00	4,568.00
0095	8262000000-E	430	45" PRESTRESSED CONCRETE GIR- DERS	847.96 LF	250.00	211,990.00
0096	8364000000-E	450	HP12X53 STEEL PILES	290 LF	90.00	26,100.00
0097	8608000000-E	876	RIP RAP CLASS II (2'-0" THICK)	460 TON	45.00	20,700.00
0098	8622000000-E	876	FILTER FABRIC FOR DRAINAGE	515 SY	2.00	1,030.00

Contract Item Sheets For C201768

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0099	8657000000-N	430	ELASTOMERIC BEARINGS	Lump Sum LS	7,500.00	7,500.00
0100	8692000000-N	SP	EVAZOTE JOINT SEALS	Lump Sum LS	10,000.00	10,000.00
0101	8867000000-E	SP	GENERIC STRUCTURE ITEM CONCRETE POST & BEAM RAIL	345.67 LF	125.00	43,208.75

TOTAL AMOUNT OF BID FOR ENTIRE PROJECT

\$1,678,937.88 ✓

1429/Oct02/Q98676.63/D458329520000/E101

Contract Number C201768
County Guilford

Rev 7-20-08

**EXECUTION OF CONTRACT
NON-COLLUSION AFFIDAVIT AND DEBARMENT CERTIFICATION
CORPORATION**

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, INCORPORATED

Full name of Corporation

PO Box D, Catawba NC 28609

Address as Prequalified

Attest

Michael W Angus
Secretary/Assistant Secretary
Select appropriate title

By

Joseph E Coleman
President/Vice President/Assistant Vice President
Select appropriate title

MICHAEL W ANGUS

Print or type Signer's name

JOSEPH E COLEMAN

Print or type Signer's name

CORPORATE SEAL

AFFIDAVIT MUST BE NOTARIZED

NOTARY SEAL

Subscribed and sworn to before me this the

10 day of October 2008

Frances M. Powell

Signature of Notary Public

of Catawba County

State of NC

My Commission Expires: 5/29/11

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.

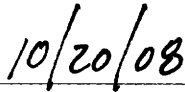
Contract No: C201768

County: Guilford

ACCEPTED BY THE
DEPARTMENT OF TRANSPORTATION

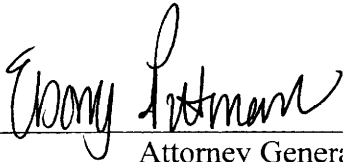


Contract Officer



Date

Execution of Contract and Bonds
Approved as to Form:



Attorney General

Contract No. C201768
County Guilford County

(Rev 7-10-08)

Bond No. 0476979

CONTRACT PAYMENT BOND

Date of Payment Bond Execution October 9, 2008

Name of Principal Contractor Mountain Creek Contractors, Inc.

Name of Surety: International Fidelity Insurance Company

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

Amount of Bond: One Million Six Hundred Seventy Eight Thousand Nine Hundred Thirty Seven Dollars and 88/100 (\$1,678,937.88)

Contract ID No.: C201768

County Name: Guilford County

KNOW ALL MEN BY THESE PRESENTS, That we, the PRINCIPAL CONTRACTOR (hereafter, 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-bound 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. C201768
County Guilford County

(Rev 7-10-08)

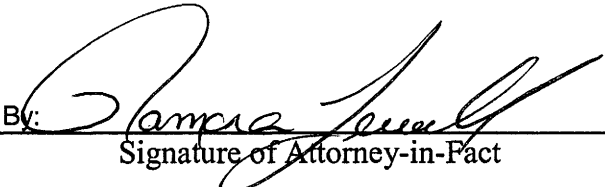
CONTRACT PAYMENT BOND

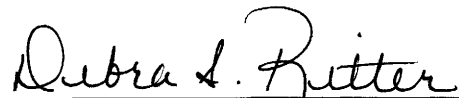
Affix Seal of Surety Company

International Fidelity Insurance Company
Print or type Surety Company Name

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



By: 
Signature of Attorney-in-Fact
Surety Phone No.


Signature of Witness

Debra S. Ritter
Print or type Witness's name

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

Contract No. C201768
County Guilford County

(Rev 7-10-08)

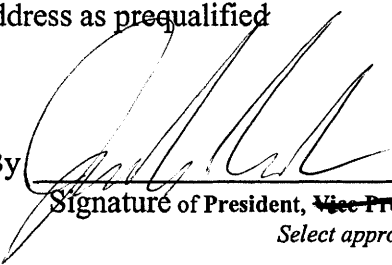
CONTRACT PAYMENT BOND

CORPORATION

SIGNATURE OF CONTRACTOR (Principal)

Mountain Creek Contractors, Inc.
Full name of Corporation

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

By 
Signature of President, ~~Vice President, Assistant Vice President~~
Select appropriate title

Joseph E Coleman
Print or type Signer's name

Affix Corporate Seal

Attest Michael W Angus
Signature of ~~Secretary, Assistant Secretary~~
Select appropriate title

Michael W. Angus
Print or type Signer's name

Contract No. C201768
County Guilford County

(Rev 7-10-08)

Bond No. 0476979

CONTRACT PERFORMANCE BOND

Date of Performance Bond Execution: October 9, 2008

Name of Principal Contractor: Mountain Creek Contractors, Inc.

Name of Surety: International Fidelity Insurance Company

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

Amount of Bond: One Million Six Hundred Seventy Eight
Thousand Nine Hundred Thirty Seven Dollars and 88/100 (\$1,678,937.88)

Contract ID No.: C201768

County Name: Guilford County

KNOW ALL MEN BY THESE PRESENTS, That we, the PRINCIPAL CONTRACTOR (hereafter, 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-bound 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. C201768
County Guilford County

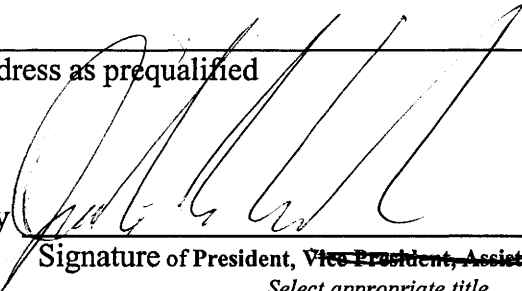
(Rev 7-10-08)

CONTRACT PERFORMANCE BOND
CORPORATION

SIGNATURE OF CONTRACTOR (Principal)

Mountain Creek Contractors, Inc.
Full name of Corporation

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

By 
~~Signature of President, Vice President, Assistant Vice President~~
Select appropriate title

Joseph E Coleman
Print or type Signer's name

Affix Corporate Seal

Attest Michael W. Angus
Signature of ~~Secretary~~ Assistant Secretary
Select appropriate title

Michael W. Angus
Print or type Signer's name

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: 0476979
Principal: Mountain Creek Contractors, Inc.
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.

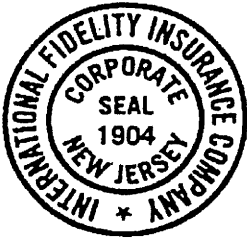
This Power of Attorney is executed, and may be revoked, pursuant to and by authority of Article 3-Section 3, of the By-Laws adopted by the Board of Directors of INTERNATIONAL FIDELITY INSURANCE COMPANY at a meeting called and held on the 7th day of February, 1974.

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.



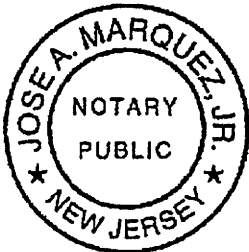
IN TESTIMONY WHEREOF, INTERNATIONAL FIDELITY INSURANCE COMPANY has caused this instrument to be signed and its corporate seal to be affixed by its authorized officer, this 29th day of August, A.D. 2003.

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 9th day of October, 2008

[Handwritten Signature]
Assistant Secretary

