

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

C201929

CONTRACT AND  
CONTRACT BONDS  
FOR CONTRACT NO. C201929

WBS 33805.3.1 BRZ-1347(3)

T.I.P NO. B-4631

COUNTY OF RUTHERFORD  
THIS IS THE ROADWAY & CULVERT CONTRACT  
ROUTE NUMBER SR 1347 LENGTH 0.218 MILES  
LOCATION BRIDGE OVER WEST BRANCH MOUNTAIN CREEK AND APPROACHES ON  
SR-1347 (PARRIS RD).

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 2 of 6 Vendors for Call Order 019 (Proposal ID C201929).**

County: RUTHERFORD  
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 13:33:04 2008

Bid Checksum: 8B139870

Amendment Count: 0

Bidding Errors: No bidding errors.

Bid Total: \$647,816.65 ✓

Bond ID: 7CXJ-6GPT-1V4F-FF9E

Bond was Verified: Yes.

Bond Required Percent: 5.00%

Minimum Check Amount: \$32,390.83

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 - 5.0 %  
DBE GOAL MET - 6.4 %

LIST OF DBE PARTICIPANTS

VENDOR NUMBER	DBE NAME ADDRESS	WORK CODE TYPE OF WORK	CERT TYPE	AMOUNT
3765	WS STAY ALERT SAFETY SERVICES INC POST OFFICE BOX 467 , KERNERSVILLE, NC 27285		Sub	4,888.90
1029	WS EVERGREEN LANDSCAPING, LLC 386 YORK ROAD , BLACKSBURG, SC 29702		Sub	7,156.25
1239	WS HAMILTON HAULING LLC 12 BARCLAY RD. , CANDLER, NC 28715		Sub	12,000.00
527	WS GUARDRAIL OF GREENSBORO LLC P.O. BOX 19232 , GREENSBORO, NC 27419		Sub	17,337.50
			TOTAL:	\$41,382.65 6.39%

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: 7CXJ-6GPT-1V4F-FF9E  
Surety Registry Agency: SurePathNetwork  
Verified?: Yes  
Surety Agency: International Fidelity Insurance Company

NCDOT/berc

Vendor 1983's Load Output for Call 019, Letting L080916, 2008-09-16

Bond Execution Date: 9/16/2008

Bond Amount: \$32,390.83 (Five Percent of Bid)

State of NC  
Dept of Transportation

Date: 08-19-08  
Revised:

Contract ID: C201929 Project(s): BRZ-1347(3)  
Letting Date: 09-16-08 Call Order: 019  
Bidder: 1983 - Mountain Creek Contractors, LLC

Line No.	Item Description	Approx. Quantity and Units	Unit Price Dollars   Cts	Bid Amount Dollars   Ct
Section 0001 ROADWAY ITEMS				
Alt Group				
0001	0000100000-N MOBILIZATION	LUMP	LUMP	33,000.00
0002	0050000000-E SUPPLEMENTARY CLEARING & GRUB-BING	ACR 1.000	500.00000	500.00
0003	0057000000-E UNDERCUT EXCAVATION	CY 25.000	13.00000	325.00
0004	0063000000-N GRADING	LUMP	LUMP	35,000.00
0005	0080000000-E CLASS IV SUBGRADE STABILIZATION	TON 100.000	30.00000	3,000.00
0006	0106000000-E BORROW EXCAVATION	CY 8,200.000	9.00000	73,800.00
0007	0134000000-E DRAINAGE DITCH EXCAVATION	CY 520.000	9.50000	4,940.00
0008	0195000000-E SELECT GRANULAR MATERIAL	CY 500.000	25.00000	12,500.00
0009	0196000000-E FABRIC FOR SOIL STABILIZATION	SY 500.000	2.50000	1,250.00
0010	0318000000-E FOUNDATION CONDITIONING MATERIAL, MINOR STRS	TON 20.000	35.00000	700.00
0011	0343000000-E 15" SIDE DRAIN PIPE	LF 88.000	20.00000	1,760.00

State of NC  
Dept of Transportation

Date: 08-19-08  
Revised:

Contract ID: C201929      Project(s): BRZ-1347(3)  
Letting Date: 09-16-08    Call Order: 019  
Bidder: 1983 - Mountain Creek Contractors, LLC

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0012	0344000000-E 18" SIDE DRAIN PIPE	20.000 LF	25.00000		500.00	
0013	0372000000-E 18" RC PIPE CULVERTS, CLASS III	64.000 LF	30.00000		1,920.00	
0014	0995000000-E PIPE REMOVAL	83.000 LF	12.50000		1,037.50	
0015	1121000000-E AGGREGATE BASE COURSE	160.000 TON	36.00000		5,760.00	
0016	1220000000-E INCIDENTAL STONE BASE	25.000 TON	50.00000		1,250.00	
0017	1275000000-E PRIME COAT	105.000 GAL	50.00000		5,250.00	
0018	1489000000-E ASPHALT CONC BASE COURSE, TYPE B25.0B	570.000 TON	56.00000		31,920.00	
0019	1525000000-E ASPHALT CONC SURFACE COURSE, TYPE SF9.5A	420.000 TON	60.00000		25,200.00	
0020	1560000000-E ASPHALT BINDER FOR PLANT MIX, GRADE PG 64-22	55.000 TON	1,100.00000		60,500.00	
0021	1693000000-E ASPHALT PLANT MIX, PAVEMENT REPAIR	25.000 TON	150.00000		3,750.00	
0022	2000000000-N RIGHT OF WAY MARKERS	19.000 EA	200.00000		3,800.00	
0023	2022000000-E SUBDRAIN EXCAVATION	5.600 CY	50.00000		280.00	

State of NC  
 Dept of Transportation

Date: 08-19-08  
 Revised:

Contract ID: C201929 Project(s): BRZ-1347(3)  
 Letting Date: 09-16-08 Call Order: 019  
 Bidder: 1983 - Mountain Creek Contractors, LLC

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0024	2033000000-E SUBDRAIN FINE AGGREGATE	4.200 CY	100.00000		420.00	
0025	2044000000-E 6" PERFORATED SUBDRAIN PIPE	25.000 LF	25.00000		625.00	
0026	2055000000-E 6" SUBDRAIN PIPE WYES, TEES, & ELBOWS	1.000 EA	250.00000		250.00	
0027	2066000000-N CONCRETE PAD FOR SUBDRAIN PIPE OUTLET	1.000 EA	250.00000		250.00	
0028	2077000000-E 6" OUTLET PIPE (SUBDRAINS)	6.000 LF	30.00000		180.00	
0029	3030000000-E STEEL BM GUARDRAIL	350.000 LF	22.75000		7,962.50	
0030	3150000000-N ADDITIONAL GUARDRAIL POSTS	5.000 EA	55.00000		275.00	
0031	3270000000-N GUARDRAIL ANCHOR UNITS, TYPE 350	4.000 EA	2,275.00000		9,100.00	
0032	3628000000-E RIP RAP, CLASS I	125.000 TON	60.00000		7,500.00	
0033	3649000000-E RIP RAP, CLASS B	255.000 TON	50.00000		12,750.00	
0034	3656000000-E FILTER FABRIC FOR DRAINAGE	6,990.000 SY	2.25000		15,727.50	
0035	4400000000-E WORK ZONE SIGNS (STATIONARY)	223.000 SF	7.75000		1,728.25	

State of NC  
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Letting Date: 09-16-08 Call Order: 019  
Bidder: 1983 - Mountain Creek Contractors, LLC

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0036	4410000000-E WORK ZONE SIGNS (BARRICADE MOUNTED)	SF 57.000	7.45000		424.65	
0037	4430000000-N DRUMS	EA 10.000	50.00000		500.00	
0038	4445000000-E BARRICADES (TYPE III)	LF 96.000	28.50000		2,736.00	
0039	4810000000-E PAINT PAVEMENT MARKING LINES (4")	LF 10,400.000	0.38000		3,952.00	
0040	6000000000-E TEMPORARY SILT FENCE	LF 1,875.000	2.35000		4,406.25	
0041	6006000000-E STONE FOR EROSION CONTROL, CLASS A	TON 540.000	35.00000		18,900.00	
0042	6009000000-E STONE FOR EROSION CONTROL, CLASS B	TON 310.000	35.00000		10,850.00	
0043	6012000000-E SEDIMENT CONTROL STONE	TON 100.000	50.00000		5,000.00	
0044	6015000000-E TEMPORARY MULCHING	ACR 3.000	1,000.00000		3,000.00	
0045	6018000000-E SEED FOR TEMPORARY SEEDING	LB 100.000	10.00000		1,000.00	
0046	6021000000-E FERTILIZER FOR TEMPORARY SEED-ING	TON 0.250	2,000.00000		500.00	
0047	6024000000-E TEMPORARY SLOPE DRAINS	LF 375.000	10.00000		3,750.00	



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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
0048	6027000000-N INLET PROTECTION AT TEMPORARY SLOPE DRAINS	EA 4.000	150.00000		600.00	
0049	6029000000-E SAFETY FENCE	LF 500.000	2.50000		1,250.00	
0050	6030000000-E SILT EXCAVATION	CY 680.000	2.50000		1,700.00	
0051	6036000000-E MATTING FOR EROSION CONTROL	SY 10,000.000	1.00000		10,000.00	
0052	6038000000-E PERMANENT SOIL REINFORCEMENT MAT	SY 150.000	5.00000		750.00	
0053	6069000000-E STILLING BASINS	CY 40.000	50.00000		2,000.00	
0054	6071030000-E COIR FIBER BAFFLES	LF 200.000	7.50000		1,500.00	
0055	6084000000-E SEEDING & MULCHING	ACR 5.500	3,000.00000		16,500.00	
0056	6087000000-E MOWING	ACR 1.500	25.00000		37.50	
0057	6090000000-E SEED FOR REPAIR SEEDING	LB 50.000	1.00000		50.00	
0058	6093000000-E FERTILIZER FOR REPAIR SEEDING	TON 0.250	1,000.00000		250.00	
0059	6096000000-E SEED FOR SUPPLEMENTAL SEEDING	LB 75.000	1.00000		75.00	

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Bidder: 1983 - Mountain Creek Contractors, LLC

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0060	6108000000-E FERTILIZER TOPDRESSING	1.750 TON	650.00000		1,137.50	
0061	6111000000-E IMPERVIOUS DIKE	375.000 LF	30.00000		11,250.00	
0062	6114000000-N SPECIALIZED HAND MOWING	5.000 HR	20.00000		100.00	
0063	6117000000-N RESPONSE FOR EROSION CONTROL	12.000 EA	100.00000		1,200.00	
0064	6120000000-E CULVERT DIVERSION CHANNEL	350.000 CY	50.00000		17,500.00	
0065	6123000000-E REFORESTATION	0.100 ACR	100.00000		10.00	
Section 0001 Total						485,639.65

Section 0002 CULVERT ITEMS

Alt Group

0066	8049000000-N REMOVAL OF EXISTING STRUCTURE AT STATION ***** (16+85.64-L-)	LUMP	LUMP		7,500.00	
0067	8126000000-N CULVERT EXCAVATION, STA ***** (16+85.64-L-)	LUMP	LUMP		15,000.00	
0068	8133000000-E FOUNDATION CONDITIONING MATERIAL, BOX CULVERT	152.000 TON	50.00000		7,600.00	
0069	8196000000-E CLASS A CONCRETE (CULVERT)	248.500 CY	340.00000		84,490.00	

State of NC  
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Letting Date: 09-16-08    Call Order: 019  
Bidder: 1983 - Mountain Creek Contractors, LLC

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Cts
0070	8245000000-E REINFORCING STEEL (CULVERT)	47,587.000 LB	1.00000		47,587.00	
Section 0002 Total						162,177.00
Bid Total						647,816.65 ✓

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: 11

PROPOSAL: C201929  
 LETTING: L080916 CALL: 019  
 VENDOR: 1983 Mountain Creek Contractors, LLC

LINE NO.	ITEM NO.	ITEM DESC.	UNIT TYPE	SUBCONTRACTOR QUANTITY	SUBCONTRACTOR UNIT PRICE	EXTENDED AMOUNT
DBE SUBCONTRACTOR: 3765 STAY ALERT SAFETY SERVICES INC Will Use Quote: Yes						
0035	4400000000-E	WORK ZONE	SI SF	223.000	7.75000	1728.25
0036	4410000000-E	WORK ZONE	SI SF	57.000	7.45000	424.65
0038	4445000000-E	BARRICADES (	LF	96.000	28.50000	2736.00
DBE COMMITMENT TOTAL FOR SUBCONTRACTOR:						4,888.90 ✓
DBE COMMITMENT TOTAL FOR VENDOR (SubContractor )						4,888.9
DBE SUBCONTRACTOR: 10291 EVERGREEN LANDSCAPING, LLC Will Use Quote: Yes						
0040	6000000000-E	TEMPORARY	SI LF	1875.000	2.35000	4406.25
0049	6029000000-E	SAFETY FENCE	LF	500.000	2.50000	1250.00
0054	6071030000-E	COIR FIBER B	LF	200.000	7.50000	1500.00
DBE COMMITMENT TOTAL FOR SUBCONTRACTOR:						7,156.25 ✓
DBE COMMITMENT TOTAL FOR VENDOR (SubContractor )						7,156.2
DBE SUBCONTRACTOR: 12392 HAMILTON HAULING LLC Will Use Quote: Yes						
0006	0106000000-E	BORROW EXCAV	CY	4000.000	3.00000	12000.00
Haul borrow by the hour						
DBE COMMITMENT TOTAL FOR SUBCONTRACTOR:						12,000.00 ✓
DBE COMMITMENT TOTAL FOR VENDOR (SubContractor )						12,000.
DBE SUBCONTRACTOR: 5279 GUARDRAIL OF GREENSBORO LLC Will Use Quote: Yes						
0029	3030000000-E	STL BM GUARD	LF	350.000	22.75000	7962.50
0031	3270000000-N	GR ANCHOR TY	EA	4.000	2275.00000	9100.00
0030	3150000000-N	ADDIT GUARDR	EA	5.000	55.00000	275.00
DBE COMMITMENT TOTAL FOR SUBCONTRACTOR:						17,337.50 ✓
DBE COMMITMENT TOTAL FOR VENDOR (SubContractor )						17,337.
TOTAL DBE COMMITMENT FOR VENDOR:				Entered:	6.39% or	41382.65
				Required:	5.00% or	32390.83
				<GOAL MET>		

## Contract Item Sheets For C201929

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
<b>ROADWAY ITEMS</b>						
0001	0000100000-N	800	MOBILIZATION	Lump Sum LS	33,000.00	33,000.00
0002	0050000000-E	226	SUPPLEMENTARY CLEARING & GRUB-BING	1 ACR	500.00	500.00
0003	0057000000-E	226	UNDERCUT EXCAVATION	25 CY	13.00	325.00
0004	0063000000-N	SP	GRADING	Lump Sum LS	35,000.00	35,000.00
0005	0080000000-E	SP	CLASS IV SUBGRADE STABILIZATION	100 TON	30.00	3,000.00
0006	0106000000-E	230	BORROW EXCAVATION	8,200 CY	9.00	73,800.00
0007	0134000000-E	240	DRAINAGE DITCH EXCAVATION	520 CY	9.50	4,940.00
0008	0195000000-E	265	SELECT GRANULAR MATERIAL	500 CY	25.00	12,500.00
0009	0196000000-E	270	FABRIC FOR SOIL STABILIZATION	500 SY	2.50	1,250.00
0010	0318000000-E	300	FOUNDATION CONDITIONING MATERIAL, MINOR STRS	20 TON	35.00	700.00
0011	0343000000-E	310	15" SIDE DRAIN PIPE	88 LF	20.00	1,760.00
0012	0344000000-E	310	18" SIDE DRAIN PIPE	20 LF	25.00	500.00
0013	0372000000-E	310	18" RC PIPE CULVERTS, CLASS III	64 LF	30.00	1,920.00
0014	0995000000-E	340	PIPE REMOVAL	83 LF	12.50	1,037.50
0015	1121000000-E	520	AGGREGATE BASE COURSE	160 TON	36.00	5,760.00
0016	1220000000-E	545	INCIDENTAL STONE BASE	25 TON	50.00	1,250.00
0017	1275000000-E	600	PRIME COAT	105 GAL	50.00	5,250.00
0018	1489000000-E	610	ASPHALT CONC BASE COURSE, TYPE B25.0B	570 TON	56.00	31,920.00
0019	1525000000-E	610	ASPHALT CONC SURFACE COURSE, TYPE SF9.5A	420 TON	60.00	25,200.00



## Contract Item Sheets For C201929

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0020	1560000000-E	620	ASPHALT BINDER FOR PLANT MIX, GRADE PG 64-22	55 TON	1,100.00	60,500.00
0021	1693000000-E	654	ASPHALT PLANT MIX, PAVEMENT REPAIR	25 TON	150.00	3,750.00
0022	2000000000-N	806	RIGHT OF WAY MARKERS	19 EA	200.00	3,800.00
0023	2022000000-E	815	SUBDRAIN EXCAVATION	5.6 CY	50.00	280.00
0024	2033000000-E	815	SUBDRAIN FINE AGGREGATE	4.2 CY	100.00	420.00
0025	2044000000-E	815	6" PERFORATED SUBDRAIN PIPE	25 LF	25.00	625.00
0026	2055000000-E	815	6" SUBDRAIN PIPE WYES, TEES, & ELBOWS	1 EA	250.00	250.00
0027	2066000000-N	815	CONCRETE PAD FOR SUBDRAIN PIPE OUTLET	1 EA	250.00	250.00
0028	2077000000-E	815	6" OUTLET PIPE (SUBDRAINS)	6 LF	30.00	180.00
0029	3030000000-E	862	STEEL BM GUARDRAIL	350 LF	22.75	7,962.50
0030	3150000000-N	862	ADDITIONAL GUARDRAIL POSTS	5 EA	55.00	275.00
0031	3270000000-N	SP	GUARDRAIL ANCHOR UNITS, TYPE 350	4 EA	2,275.00	9,100.00
0032	3628000000-E	876	RIP RAP, CLASS I	125 TON	60.00	7,500.00
0033	3649000000-E	876	RIP RAP, CLASS B	255 TON	50.00	12,750.00
0034	3656000000-E	876	FILTER FABRIC FOR DRAINAGE	6,990 SY	2.25	15,727.50
0035	4400000000-E	1110	WORK ZONE SIGNS (STATIONARY)	223 SF	7.75	1,728.25
0036	4410000000-E	1110	WORK ZONE SIGNS (BARRICADE MOUNTED)	57 SF	7.45	424.65
0037	4430000000-N	1130	DRUMS	10 EA	50.00	500.00
0038	4445000000-E	1145	BARRICADES (TYPE III)	96 LF	28.50	2,736.00

## Contract Item Sheets For C201929

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0039	4810000000-E	1205	PAINT PAVEMENT MARKING LINES (4")	10,400 LF	0.38	3,952.00
0040	6000000000-E	1605	TEMPORARY SILT FENCE	1,875 LF	2.35	4,406.25
0041	6006000000-E	1610	STONE FOR EROSION CONTROL, CLASS A	540 TON	35.00	18,900.00
0042	6009000000-E	1610	STONE FOR EROSION CONTROL, CLASS B	310 TON	35.00	10,850.00
0043	6012000000-E	1610	SEDIMENT CONTROL STONE	100 TON	50.00	5,000.00
0044	6015000000-E	1615	TEMPORARY MULCHING	3 ACR	1,000.00	3,000.00
0045	6018000000-E	1620	SEED FOR TEMPORARY SEEDING	100 LB	10.00	1,000.00
0046	6021000000-E	1620	FERTILIZER FOR TEMPORARY SEED- ING	0.25 TON	2,000.00	500.00
0047	6024000000-E	1622	TEMPORARY SLOPE DRAINS	375 LF	10.00	3,750.00
0048	6027000000-N	1622	INLET PROTECTION AT TEMPORARY SLOPE DRAINS	4 EA	150.00	600.00
0049	6029000000-E	SP	SAFETY FENCE	500 LF	2.50	1,250.00
0050	6030000000-E	1630	SILT EXCAVATION	680 CY	2.50	1,700.00
0051	6036000000-E	1631	MATTING FOR EROSION CONTROL	10,000 SY	1.00	10,000.00
0052	6038000000-E	SP	PERMANENT SOIL REINFORCEMENT MAT	150 SY	5.00	750.00
0053	6069000000-E	1638	STILLING BASINS	40 CY	50.00	2,000.00
0054	6071030000-E	SP	COIR FIBER BAFFLES	200 LF	7.50	1,500.00
0055	6084000000-E	1660	SEEDING & MULCHING	5.5 ACR	3,000.00	16,500.00
0056	6087000000-E	1660	MOWING	1.5 ACR	25.00	37.50
0057	6090000000-E	1661	SEED FOR REPAIR SEEDING	50 LB	1.00	50.00

## Contract Item Sheets For C201929

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0058	6093000000-E	1661	FERTILIZER FOR REPAIR SEEDING	0.25 TON	1,000.00	250.00
0059	6096000000-E	1662	SEED FOR SUPPLEMENTAL SEEDING	75 LB	1.00	75.00
0060	6108000000-E	1665	FERTILIZER TOPDRESSING	1.75 TON	650.00	1,137.50
0061	6111000000-E	SP	IMPERVIOUS DIKE	375 LF	30.00	11,250.00
0062	6114000000-N	SP	SPECIALIZED HAND MOWING	5 HR	20.00	100.00
0063	6117000000-N	SP	RESPONSE FOR EROSION CONTROL	12 EA	100.00	1,200.00
0064	6120000000-E	SP	CULVERT DIVERSION CHANNEL	350 CY	50.00	17,500.00
0065	6123000000-E	1670	REFORESTATION	0.1 ACR	100.00	10.00

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0066	8049000000-N	SP	REMOVAL OF EXISTING STRUCTURE AT STATION ***** (16+85.64-L-)	Lump Sum LS	7,500.00	7,500.00
0067	8126000000-N	414	CULVERT EXCAVATION, STA ***** (16+85.64-L-)	Lump Sum LS	15,000.00	15,000.00
0068	8133000000-E	414	FOUNDATION CONDITIONING MATERIAL, BOX CULVERT	152 TON	50.00	7,600.00
0069	8196000000-E	420	CLASS A CONCRETE (CULVERT)	248.5 CY	340.00	84,490.00
0070	8245000000-E	425	REINFORCING STEEL (CULVERT)	47,587 LB	1.00	47,587.00

TOTAL AMOUNT OF BID FOR ENTIRE PROJECT

\$647,816.65 ✓

1429/Oct02/Q93802.65/D268608130000/E70

Contract Number C201929  
County Rutherford

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

14 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**      **C201929**

**County (ies):**    **Rutherford**

ACCEPTED BY THE  
DEPARTMENT OF TRANSPORTATION

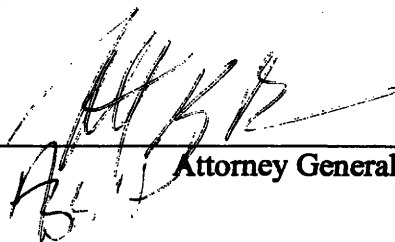


\_\_\_\_\_  
Contract Officer



\_\_\_\_\_  
Date

**Execution of Contract and Bonds  
Approved as to Form:**



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



Contract No. C201929  
County Rutherford

(Rev 7-10-08)

Bond No. 0476978

### 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: Six Hundred Forty Seven Thousand Eight Hundred Sixteen Dollars and 65/100 (\$647,816.65 )

Contract ID No.: C201929

County Name: Rutherford

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. C201929  
County Rutherford

(Rev 7-10-08)

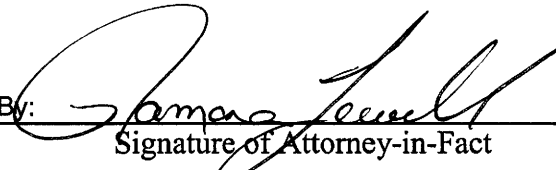
### CONTRACT PAYMENT BOND

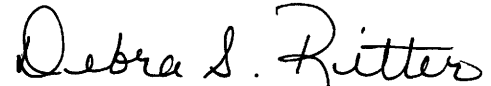
*Affix Seal of Surety Company*

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. C201929  
County Rutherford

(Rev 7-10-08)

**CONTRACT PAYMENT BOND  
CORPORATION**

SIGNATURE OF CONTRACTOR (Principal)

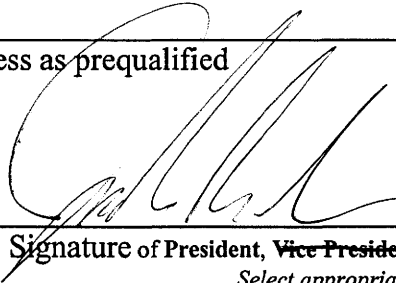
Mountain Creek Contractors, Inc.

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. C201929  
County Rutherford

(Rev 7-10-08)

Bond No. 0476978

### 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: Six Hundred Forty Seven Thousand  
Eight Hundred Sixteen Dollars and 65/100 ( \$647,816.65 )

Contract ID No.: C201929

County Name: Rutherford

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. C201929  
County Rutherford

(Rev 7-10-08)

**CONTRACT PERFORMANCE 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: *Ramona Fewell*  
Signature of Attorney-in-Fact

Surety Phone No.

*Debra S. Ritter*  
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. C201929  
County Rutherford

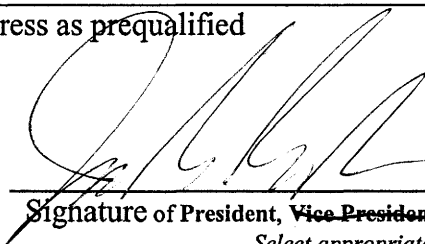
(Rev 7-10-08)

**CONTRACT PERFORMANCE BOND**  
**CORPORATION**

SIGNATURE OF CONTRACTOR (Principal)

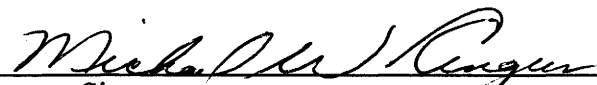
Mountain Creek Contractors, Inc.  
Full name of Corporation

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   
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: 0476978  
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.



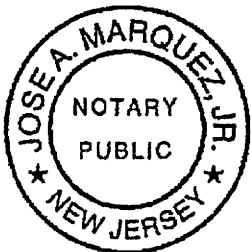
IN TESTIMONY WHEREOF, INTERNATIONAL FIDELITY INSURANCE COMPANY has caused this instrument to be signed and its corporate seal to be affixed by its authorized officer, this 29th day of August, A.D. 2003.

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 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 9th day of October, 2008

*[Handwritten Signature]*  
Assistant Secretary

