

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

C202138

CONTRACT AND
CONTRACT BONDS

FOR CONTRACT NO. C202138

WBS 33379.2.2 BRZ-1106(4)

T.I.P NO. B-4011

COUNTY OF ASHE

THIS IS THE ROADWAY & STRUCTURE CONTRACT

ROUTE NUMBER SR 1106 LENGTH 0.103 MILES

LOCATION BRIDGE OVER MILL CREEK AND APPROACHES ON SR-1106 (RAILROAD
GRADE ROAD).

CONTRACTOR MOUNTAIN CREEK CONTRACTORS, INC.

ADDRESS P.O. BOX D
CATAWBA, NC 28609

BIDS OPENED NOVEMBER 18, 2008

CONTRACT EXECUTION DEC 29 2008

Mountain Creek Contractors, Inc. (1983).

Vendor 1 of 8 Vendors for Call Order 029 (Proposal ID C202138).

County: ASHE
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 Nov 18 13:56:40 2008

Bid Checksum: 89341B2C

Amendment Count: 0

Bidding Errors: No bidding errors.

Bid Total: \$896,284.40 ✓

Bond ID: R72J-2Q7K-3J63-Y16N

Bond was Verified: Yes.

Bond Required Percent: 5.00%

Minimum Check Amount: \$44,814.22

Bid Security Maximum: S

Bond Agency Name:

Agency Execution Date: 11/18/2008

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 - 5.00% ✓

DBE GOAL MET - 5.4% ✓

LIST OF DBE PARTICIPANTS

VENDOR NUMBER	DBE NAME ADDRESS	WORK CODE TYPE OF WORK	CERT TYPE AMOUNT	
4388	DB Foothills Construction Serv Inc 6081 Pea Ridge Pass, Hamptonville, NC 27020		Sub 17,090.25	✓
5279	DB Guardrail of Greensboro LLC P.O. Box 19232, Greensboro, NC 27419		Sub 18,400.00	✓
3765	DB Stay Alert Safety Services Inc Post Office Box 467, Kernersville, NC 27285		Sub 4,547.90	✓
2432	DB Ace Steel, Inc. Post Office Box 296, Mt. Airy, NC 27030		Sub 8,435.70	✓
			TOTAL: \$48,473.85	
			5.41%	

Miscellaneous Data Info - Contractor Responses:

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NON-COLLUSION AND DEBARMENT CERTIFICATION

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

Explanation:
 NOT ANSWERED
 NOT ANSWERED
 NOT ANSWERED
 NOT ANSWERED

AWARD LIMITS ON MULTIPLE PROJECTS

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

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

The Award Limits shall apply to the following projects:

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

Bid Bond Data Info - Contractor Responses:

=====

BondID: R72J-2Q7K-3J63-Y16N
 Surety Registry Agency: SurePathNetwork
 Verified?: Yes
 Surety Agency: International Fidelity Insurance Company

NCDOT/berc

Vendor 1983's Load Output for Call 029, Letting L081118, 2008-11-18

Bond Execution Date: 11/18/2008

Bond Amount: \$44,814.22 (Five Percent of Bid)

Contract ID: C202138 Project(s): BRZ-1106(4)
Letting Date: 11-18-08 Call Order: 029
Bidder: 1983 - Mountain Creek Contractors, Inc.

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			46,000.00
0002	0000400000-N CONSTRUCTIO N SURVEYING	LUMP	LUMP			10,000.00
0003	0022000000-E UNCLASSIFIE D EXCAVATION	CY	1,700.000	30.00000		51,000.00
0004	0029000000-N REINFORCED BRIDGE APPROACH FILL, STATION ***** (17+52.500)	LUMP	LUMP			20,000.00
0005	0050000000-E SUPPLEMENTA RY CLEARING & GRUB-BING	ACR	1.000	100.00000		100.00
0006	0057000000-E UNDERCUT EXCAVATION	CY	500.000	8.00000		4,000.00
0007	0063000000-N GRADING	LUMP	LUMP			60,000.00
0008	0080000000-E CLASS IV SUBGRADE STABILIZA- TION	TON	600.000	15.00000		9,000.00
0009	0195000000-E SELECT GRANULAR MATERIAL	CY	500.000	20.00000		10,000.00
0010	0196000000-E FABRIC FOR SOIL STABILIZATION	SY	500.000	1.50000		750.00

State of NC
Dept of Transportation

Date: 10-21-08
Revised:

Contract ID: C202138 Project(s): BRZ-1106(4)
Letting Date: 11-18-08 Call Order: 029
Bidder: 1983 - Mountain Creek Contractors, Inc.

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0011	0318000000-E FOUNDATION CONDITIONING MATERIAL, MINOR STRS	16.000 TON	50.00000		800.00	
0012	0343000000-E 15" SIDE DRAIN PIPE	24.000 LF	50.00000		1,200.00	
0013	0366000000-E 15" RC PIPE CULVERTS, CLASS III	120.000 LF	50.00000		6,000.00	
0014	1220000000-E INCIDENTAL STONE BASE	45.000 TON	50.00000		2,250.00	
0015	1489000000-E ASPHALT CONC BASE COURSE, TYPE B25.0B	60.000 TON	138.80000		8,328.00	
0016	1525000000-E ASPHALT CONC SURFACE COURSE, TYPE SF9.5A	105.000 TON	128.20000		13,461.00	
0017	1560000000-E ASPHALT BINDER FOR PLANT MIX, GRADE PG 64-22	10.000 TON	800.00000		8,000.00	
0018	1693000000-E ASPHALT PLANT MIX, PAVEMENT REPAIR	10.000 TON	150.00000		1,500.00	
0019	2000000000-N RIGHT OF WAY MARKERS	12.000 EA	205.00000		2,460.00	
0020	2022000000-E SUBDRAIN EXCAVATION	68.000 CY	10.00000		680.00	
0021	2033000000-E SUBDRAIN FINE AGGREGATE	51.000 CY	60.00000		3,060.00	
0022	2044000000-E 6" PERFORATED SUBDRAIN PIPE	300.000 LF	5.00000		1,500.00	

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			Dollars	Cts	Dollars	Ct
0023	2055000000-E 6" SUBDRAIN PIPE WYES, TEES, & ELBOWS	EA 9.000	1.00000		9.00	
0024	2066000000-N CONCRETE PAD FOR SUBDRAIN PIPE OUTLET	EA 1.000	250.00000		250.00	
0025	2077000000-E 6" OUTLET PIPE (SUBDRAINS)	LF 6.000	25.00000		150.00	
0026	2286000000-N MASONRY DRAINAGE STRUCTURES	EA 3.000	1,500.00000		4,500.00	
0027	2354200000-N FRAME WITH GRATE, STD 840.24	EA 1.000	600.00000		600.00	
0028	2367000000-N FRAME WITH TWO GRATES, STD 840.29	EA 2.000	600.00000		1,200.00	
0029	2556000000-E SHOULDER BERM GUTTER	LF 184.000	30.00000		5,520.00	
0030	3030000000-E STEEL BM GUARDRAIL	LF 300.000	17.00000		5,100.00	
0031	3150000000-N ADDITIONAL GUARDRAIL POSTS	EA 5.000	20.00000		100.00	
0032	3165000000-N GUARDRAIL ANCHOR UNITS, TYPE ***** (TEST LEVEL 2)	EA 1.000	1,600.00000		1,600.00	
0033	3270000000-N GUARDRAIL ANCHOR UNITS, TYPE 350	EA 3.000	1,800.00000		5,400.00	

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Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0034	3317000000-N GUARDRAIL ANCHOR UNITS, TYPE B-77	4.000 EA	1,550.00000		6,200.00	
0035	3628000000-E RIP RAP, CLASS I	9.000 TON	100.00000		900.00	
0036	3649000000-E RIP RAP, CLASS B	3.000 TON	100.00000		300.00	
0037	3656000000-E FILTER FABRIC FOR DRAINAGE	250.000 SY	10.00000		2,500.00	
0038	4400000000-E WORK ZONE SIGNS (STATIONARY)	242.000 SF	5.85000		1,415.70	
0039	4410000000-E WORK ZONE SIGNS (BARRICADE MOUNTED)	94.000 SF	5.90000		554.60	
0040	4445000000-E BARRICADES (TYPE III)	96.000 LF	26.85000		2,577.60	
0041	4810000000-E PAINT PAVEMENT MARKING LINES (4")	4,400.000 LF	0.65000		2,860.00	
0042	6000000000-E TEMPORARY SILT FENCE	260.000 LF	2.60000		676.00	
0043	6006000000-E STONE FOR EROSION CONTROL, CLASS A	75.000 TON	30.00000		2,250.00	
0044	6009000000-E STONE FOR EROSION CONTROL, CLASS B	135.000 TON	30.00000		4,050.00	
0045	6012000000-E SEDIMENT CONTROL STONE	110.000 TON	30.00000		3,300.00	

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			Dollars	Cts	Dollars	Ct
0046	6015000000-E TEMPORARY MULCHING	1.500 ACR	630.00000		945.00	
0047	6018000000-E SEED FOR TEMPORARY SEEDING	50.000 LB	3.80000		190.00	
0048	6021000000-E FERTILIZER FOR TEMPORARY SEED-ING	0.250 TON	630.00000		157.50	
0049	6024000000-E TEMPORARY SLOPE DRAINS	40.000 LF	20.00000		800.00	
0050	6027000000-N INLET PROTECTION AT TEMPORARY SLOPE DRAINS	1.000 EA	200.00000		200.00	
0051	6029000000-E SAFETY FENCE	280.000 LF	2.90000		812.00	
0052	6030000000-E SILT EXCAVATION	265.000 CY	5.00000		1,325.00	
0053	6036000000-E MATTING FOR EROSION CONTROL	500.000 SY	2.60000		1,300.00	
0054	6037000000-E COIR FIBER MAT	30.000 SY	4.60000		138.00	
0055	6042000000-E 1/4" HARDWARE CLOTH	255.000 LF	5.85000		1,491.75	
0056	6071030000-E COIR FIBER BAFFLES	45.000 LF	8.75000		393.75	
0057	6071050000-E *** SKIMMER (1-1/2")	3.000 EA	1,500.00000		4,500.00	

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Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0058	6084000000-E SEEDING & MULCHING	2.000 ACR	2,350.00000		4,700.00	
0059	6087000000-E MOWING	1.000 ACR	300.00000		300.00	
0060	6090000000-E SEED FOR REPAIR SEEDING	50.000 LB	5.50000		275.00	
0061	6093000000-E FERTILIZER FOR REPAIR SEEDING	0.250 TON	625.00000		156.25	
0062	6096000000-E SEED FOR SUPPLEMENTAL SEEDING	50.000 LB	5.30000		265.00	
0063	6108000000-E FERTILIZER TOPDRESSING	1.250 TON	600.00000		750.00	
0064	6114000000-N SPECIALIZED HAND MOWING	2.000 HR	45.00000		90.00	
0065	6117000000-N RESPONSE FOR EROSION CONTROL	12.000 EA	145.00000		1,740.00	
0066	6123000000-E REFORESTATION	0.100 ACR	2,500.00000		250.00	
Section 0001 Total						332,881.15

Section 0003 WALL ITEMS

Alt Group

0067	8802031000-E PRECAST GRAVITY RETAINING WALLS	1,088.000 SF	75.00000		81,600.00	
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Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
Section 0003 Total					81,600.00	
Section 0004 STRUCTURE ITEMS						
Alt Group						
0068	8035000000-N REMOVAL OF EXISTING STRUCTURE AT STATION ***** (17+52.50-L-)	LUMP		LUMP	35,000.00	
0069	8096000000-E PILE EXCAVATION IN SOIL	LF 10.000	215.00000		2,150.00	
0070	8097000000-E PILE EXCAVATION NOT IN SOIL	LF 50.000	400.00000		20,000.00	
0071	8121000000-N UNCLASSIFIED STRUCTURE EXCAVATION AT STATION ***** (17+52.50-L-)	LUMP		LUMP	10,000.00	
0072	8147000000-E REINFORCED CONCRETE DECK SLAB	SF 2,678.000	40.00000		107,120.00	
0073	8161000000-E GROOVING BRIDGE FLOORS	SF 2,637.000	1.00000		2,637.00	
0074	8182000000-E CLASS A CONCRETE (BRIDGE)	CY 32.700	1,000.00000		32,700.00	
0075	8210000000-N BRIDGE APPROACH SLABS, STATION***** (17+52.50-L-)	LUMP		LUMP	35,000.00	
0076	8217000000-E REINFORCING STEEL (BRIDGE)	LB 4,696.000	1.00000		4,696.00	

State of NC
 Dept of Transportation

Date: 10-21-08
 Revised:

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 Letting Date: 11-18-08 Call Order: 029
 Bidder: 1983 - Mountain Creek Contractors, Inc.

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0077	8280000000-E APPROX LBS STRUCTURALSTEEL	LUMP	LUMP			185,000.00
0078	8364000000-E HP12X53 STEEL PILES	LF	115.000	150.00000		17,250.00
0079	8503000000-E CONCRETE BARRIER RAIL	LF	196.670	75.00000		14,750.25
0080	8608000000-E RIP RAP CLASS II (2'-0" THICK)	TON	90.000	50.00000		4,500.00
0081	8622000000-E FILTER FABRIC FOR DRAINAGE	SY	100.000	10.00000		1,000.00
0082	8692000000-N EVAZOTE JOINT SEALS	LUMP	LUMP			10,000.00
	Section 0004 Total					481,803.25
	Bid Total					896,284.40

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:10-21-08
PAGE: 12

PROPOSAL: C202138
LETTING: L081118 CALL: 029
VENDOR: 1983 Mountain Creek Contractors, Inc.

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

DBE SUBCONTRACTOR: 4388 Foothills Construction Serv Inc
Will Use Quote: Yes

0019	2000000000-N	RIGHT OF WAY EA		12.000	205.00000	2460.00
0042	6000000000-E	TEMPORARY SI LF		260.000	2.60000	676.00
0046	6015000000-E	TEMPORARY MU ACR		1.500	630.00000	945.00
0047	6018000000-E	SEED FOR TEM LB		50.000	3.80000	190.00
0048	6021000000-E	FERT FOR TEM TON		0.250	630.00000	157.50
0051	6029000000-E	SAFETY FENCE LF		280.000	2.90000	812.00
0053	6036000000-E	MATTING FOR SY		500.000	2.60000	1300.00
0054	6037000000-E	COIR FIBER M SY		30.000	4.60000	138.00
0055	6042000000-E	1/4" HARDWAR LF		255.000	5.85000	1491.75
0056	6071030000-E	COIR FIBER B LF		45.000	8.75000	393.75
0058	6084000000-E	SEEDING AND ACR		2.000	2350.00000	4700.00
0059	6087000000-E	MOWING ACR		1.000	300.00000	300.00
0060	6090000000-E	SEED FOR REP LB		50.000	5.50000	275.00
0061	6093000000-E	FERT FOR REP TON		0.250	625.00000	156.25
0062	6096000000-E	SEED FOR SUP LB		50.000	5.30000	265.00
0063	6108000000-E	FERTILIZER T TON		1.250	600.00000	750.00
0064	6114000000-N	SPECIALIZED HR		2.000	45.00000	90.00
0066	6123000000-E	REFORESTATIO ACR		0.100	2500.00000	250.00
0065	6117000000-N	RESPONSE FOR EA		12.000	145.00000	1740.00

DBE COMMITMENT TOTAL FOR SUBCONTRACTOR: 17,090.25 ✓
DBE COMMITMENT TOTAL FOR VENDOR (SubContractor) 17,090.

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

0032	3165000000-N	GR ANCHOR TY EA		1.000	1600.00000	1600.00
0033	3270000000-N	GR ANCHOR TY EA		3.000	1800.00000	5400.00
0034	3317000000-N	GR ANCHOR TY EA		4.000	1550.00000	6200.00
0030	3030000000-E	STL BM GUARD LF		300.000	17.00000	5100.00
0031	3150000000-N	ADDIT GUARDR EA		5.000	20.00000	100.00

DBE COMMITMENT TOTAL FOR SUBCONTRACTOR: 18,400.00 ✓
DBE COMMITMENT TOTAL FOR VENDOR (SubContractor) 18,400.

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

0038	4400000000-E	WORK ZONE SI SF		242.000	5.85000	1415.70
0039	4410000000-E	WORK ZONE SI SF		94.000	5.90000	554.60
0040	4445000000-E	BARRICADES (LF		96.000	26.85000	2577.60

NORTH CAROLINA STATE DEPARTMENT OF TRANSPORTATION
 DBE COMMITMENT ITEMS

DATE: 10-21-08
 PAGE: 13

LINE NO.	ITEM NO.	ITEM DESC.	UNIT TYPE	SUBCONTRACTOR QUANTITY	SUBCONTRACTOR UNIT PRICE	EXTENDED AMOUNT
DBE COMMITMENT TOTAL FOR SUBCONTRACTOR:						4,547.90 ✓
DBE COMMITMENT TOTAL FOR VENDOR (SubContractor)						4,547.9
DBE SUBCONTRACTOR: 2432 ACE STEEL, INC.						
Will Use Quote: Yes						
0072	8147000000-E	REINF CONCRE SF		2678.000	3.15000	8435.70
Furnish and install Stay in Place Deck Forms						
DBE COMMITMENT TOTAL FOR SUBCONTRACTOR:						8,435.70 ✓
DBE COMMITMENT TOTAL FOR VENDOR (SubContractor)						8,435.7
TOTAL DBE COMMITMENT FOR VENDOR:			Entered:	5.41% or	48473.85	
			Required:	5.00% or	44814.22	
						<GOAL MET>

Contract Item Sheets For C202138

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
ROADWAY ITEMS						
0001	0000100000-N	800	MOBILIZATION	Lump Sum LS	46,000.00	46,000.00
0002	0000400000-N	801	CONSTRUCTION SURVEYING	Lump Sum LS	10,000.00	10,000.00
0003	0022000000-E	225	UNCLASSIFIED EXCAVATION	1,700 CY	30.00	51,000.00
0004	0029000000-N	SP	REINFORCED BRIDGE APPROACH FILL, STATION ***** (17+52.500)	Lump Sum LS	20,000.00	20,000.00
0005	0050000000-E	226	SUPPLEMENTARY CLEARING & GRUB- BING	1 ACR	100.00	100.00
0006	0057000000-E	226	UNDERCUT EXCAVATION	500 CY	8.00	4,000.00
0007	0063000000-N	SP	GRADING	Lump Sum LS	60,000.00	60,000.00
0008	0080000000-E	SP	CLASS IV SUBGRADE STABILIZA- TION	600 TON	15.00	9,000.00
0009	0195000000-E	265	SELECT GRANULAR MATERIAL	500 CY	20.00	10,000.00
0010	0196000000-E	270	FABRIC FOR SOIL STABILIZATION	500 SY	1.50	750.00
0011	0318000000-E	300	FOUNDATION CONDITIONING MATE- RIAL, MINOR STRS	16 TON	50.00	800.00
0012	0343000000-E	310	15" SIDE DRAIN PIPE	24 LF	50.00	1,200.00
0013	0366000000-E	310	15" RC PIPE CULVERTS, CLASS III	120 LF	50.00	6,000.00
0014	1220000000-E	545	INCIDENTAL STONE BASE	45 TON	50.00	2,250.00
0015	1489000000-E	610	ASPHALT CONC BASE COURSE, TYPE B25.0B	60 TON	138.80	8,328.00
0016	1525000000-E	610	ASPHALT CONC SURFACE COURSE, TYPE SF9.5A	105 TON	128.20	13,461.00
0017	1560000000-E	620	ASPHALT BINDER FOR PLANT MIX, GRADE PG 64-22	10 TON	800.00	8,000.00
0018	1693000000-E	654	ASPHALT PLANT MIX, PAVEMENT REPAIR	10 TON	150.00	1,500.00

Contract Item Sheets For C202138

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0019	2000000000-N	806	RIGHT OF WAY MARKERS	12 EA	205.00	2,460.00
0020	2022000000-E	815	SUBDRAIN EXCAVATION	68 CY	10.00	680.00
0021	2033000000-E	815	SUBDRAIN FINE AGGREGATE	51 CY	60.00	3,060.00
0022	2044000000-E	815	6" PERFORATED SUBDRAIN PIPE	300 LF	5.00	1,500.00
0023	2055000000-E	815	6" SUBDRAIN PIPE WYES, TEES, & ELBOWS	9 EA	1.00	9.00
0024	2066000000-N	815	CONCRETE PAD FOR SUBDRAIN PIPE OUTLET	1 EA	250.00	250.00
0025	2077000000-E	815	6" OUTLET PIPE (SUBDRAINS)	6 LF	25.00	150.00
0026	2286000000-N	840	MASONRY DRAINAGE STRUCTURES	3 EA	1,500.00	4,500.00
0027	2354200000-N	840	FRAME WITH GRATE, STD 840.24	1 EA	600.00	600.00
0028	2367000000-N	840	FRAME WITH TWO GRATES, STD 840.29	2 EA	600.00	1,200.00
0029	2556000000-E	846	SHOULDER BERM GUTTER	184 LF	30.00	5,520.00
0030	3030000000-E	862	STEEL BM GUARDRAIL	300 LF	17.00	5,100.00
0031	3150000000-N	862	ADDITIONAL GUARDRAIL POSTS	5 EA	20.00	100.00
0032	3165000000-N	SP	GUARDRAIL ANCHOR UNITS, TYPE ***** (TEST LEVEL 2)	1 EA	1,600.00	1,600.00
0033	3270000000-N	SP	GUARDRAIL ANCHOR UNITS, TYPE 350	3 EA	1,800.00	5,400.00
0034	3317000000-N	862	GUARDRAIL ANCHOR UNITS, TYPE B-77	4 EA	1,550.00	6,200.00
0035	3628000000-E	876	RIP RAP, CLASS I	9 TON	100.00	900.00
0036	3649000000-E	876	RIP RAP, CLASS B	3 TON	100.00	300.00
0037	3656000000-E	876	FILTER FABRIC FOR DRAINAGE	250 SY	10.00	2,500.00

Contract Item Sheets For C202138

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0038	4400000000-E	1110	WORK ZONE SIGNS (STATIONARY)	242 SF	5.85	1,415.70
0039	4410000000-E	1110	WORK ZONE SIGNS (BARRICADE MOUNTED)	94 SF	5.90	554.60
0040	4445000000-E	1145	BARRICADES (TYPE III)	96 LF	26.85	2,577.60
0041	4810000000-E	1205	PAINT PAVEMENT MARKING LINES (4")	4,400 LF	0.65	2,860.00
0042	6000000000-E	1605	TEMPORARY SILT FENCE	260 LF	2.60	676.00
0043	6006000000-E	1610	STONE FOR EROSION CONTROL, CLASS A	75 TON	30.00	2,250.00
0044	6009000000-E	1610	STONE FOR EROSION CONTROL, CLASS B	135 TON	30.00	4,050.00
0045	6012000000-E	1610	SEDIMENT CONTROL STONE	110 TON	30.00	3,300.00
0046	6015000000-E	1615	TEMPORARY MULCHING	1.5 ACR	630.00	945.00
0047	6018000000-E	1620	SEED FOR TEMPORARY SEEDING	50 LB	3.80	190.00
0048	6021000000-E	1620	FERTILIZER FOR TEMPORARY SEEDING	0.25 TON	630.00	157.50
0049	6024000000-E	1622	TEMPORARY SLOPE DRAINS	40 LF	20.00	800.00
0050	6027000000-N	1622	INLET PROTECTION AT TEMPORARY SLOPE DRAINS	1 EA	200.00	200.00
0051	6029000000-E	SP	SAFETY FENCE	280 LF	2.90	812.00
0052	6030000000-E	1630	SILT EXCAVATION	265 CY	5.00	1,325.00
0053	6036000000-E	1631	MATTING FOR EROSION CONTROL	500 SY	2.60	1,300.00
0054	6037000000-E	SP	COIR FIBER MAT	30 SY	4.60	138.00
0055	6042000000-E	1632	1/4" HARDWARE CLOTH	255 LF	5.85	1,491.75
0056	6071030000-E	SP	COIR FIBER BAFFLES	45 LF	8.75	393.75

Contract Item Sheets For C202138

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0057	6071050000-E	SP	*** SKIMMER (1-1/2")	3 EA	1,500.00	4,500.00
0058	6084000000-E	1660	SEEDING & MULCHING	2 ACR	2,350.00	4,700.00
0059	6087000000-E	1660	MOWING	1 ACR	300.00	300.00
0060	6090000000-E	1661	SEED FOR REPAIR SEEDING	50 LB	5.50	275.00
0061	6093000000-E	1661	FERTILIZER FOR REPAIR SEEDING	0.25 TON	625.00	156.25
0062	6096000000-E	1662	SEED FOR SUPPLEMENTAL SEEDING	50 LB	5.30	265.00
0063	6108000000-E	1665	FERTILIZER TOPDRESSING	1.25 TON	600.00	750.00
0064	6114000000-N	SP	SPECIALIZED HAND MOWING	2 HR	45.00	90.00
0065	6117000000-N	SP	RESPONSE FOR EROSION CONTROL	12 EA	145.00	1,740.00
0066	6123000000-E	1670	REFORESTATION	0.1 ACR	2,500.00	250.00

Contract Item Sheets For C202138

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0067	8802031000-E	SP	PRECAST GRAVITY RETAINING WALLS	1,088 SF	75.00	81,600.00

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0068	8035000000-N	402	REMOVAL OF EXISTING STRUCTURE AT STATION ***** (17 + 52.50-L-)	Lump Sum LS	35,000.00	35,000.00
0069	8096000000-E	SP	PILE EXCAVATION IN SOIL	10 LF	215.00	2,150.00
0070	8097000000-E	SP	PILE EXCAVATION NOT IN SOIL	50 LF	400.00	20,000.00
0071	8121000000-N	412	UNCLASSIFIED STRUCTURE EXCAVATION AT STATION ***** (17 + 52.50-L-)	Lump Sum LS	10,000.00	10,000.00
0072	8147000000-E	420	REINFORCED CONCRETE DECK SLAB	2,678 SF	40.00	107,120.00
0073	8161000000-E	420	GROOVING BRIDGE FLOORS	2,637 SF	1.00	2,637.00
0074	8182000000-E	420	CLASS A CONCRETE (BRIDGE)	32.7 CY	1,000.00	32,700.00
0075	8210000000-N	422	BRIDGE APPROACH SLABS, STATION ***** (17 + 52.50-L-)	Lump Sum LS	35,000.00	35,000.00
0076	8217000000-E	425	REINFORCING STEEL (BRIDGE)	4,696 LB	1.00	4,696.00
0077	8280000000-E	440	APPROX LBS STRUCTURAL STEEL	80,200 LS	185,000.00	185,000.00
0078	8364000000-E	450	HP12X53 STEEL PILES	115 LF	150.00	17,250.00
0079	8503000000-E	460	CONCRETE BARRIER RAIL	196.67 LF	75.00	14,750.25
0080	8608000000-E	876	RIP RAP CLASS II (2'-0" THICK)	90 TON	50.00	4,500.00
0081	8622000000-E	876	FILTER FABRIC FOR DRAINAGE	100 SY	10.00	1,000.00
0082	8692000000-N	SP	EVAZOTE JOINT SEALS	Lump Sum LS	10,000.00	10,000.00

TOTAL AMOUNT OF BID FOR ENTIRE PROJECT

\$896,284.40 ✓

Contract Number C202138
County ASHE

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, INC.

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

15 day of Dec. 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.

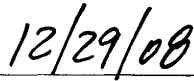
Contract No C202138

County (ies): Ashe

ACCEPTED BY THE
DEPARTMENT OF TRANSPORTATION

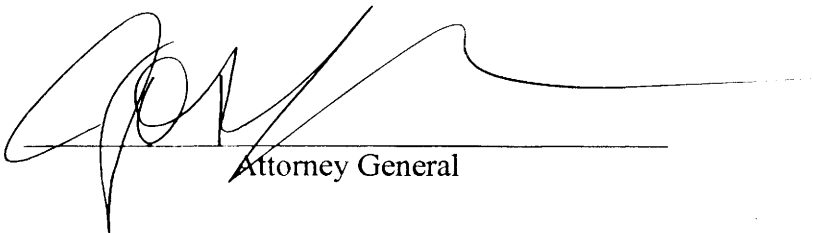


Contract Officer



Date

Execution of Contract and Bonds
Approved as to Form:



Attorney General

Contract No. C202138
County Ashe

(Rev 7-10-08)

Bond No. 0476989

CONTRACT PAYMENT BOND

Date of Payment Bond Execution December 11, 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: Eight Hundred Ninety Six Thousand Two Hundred Eighty Four Dollars and 40/100 (\$896,284.40)

Contract ID No.: C202138

County Name: Ashe

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. C202138
County Ashe

(Rev 7-10-08)

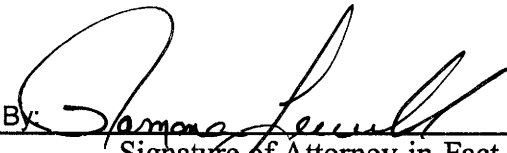
CONTRACT PAYMENT BOND

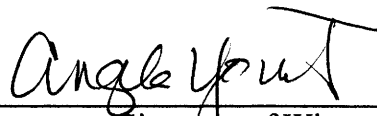
Affix Seal of Surety Company

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

Angela Yount
Print or type Witness's name

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

Contract No. C202138
County Ashe

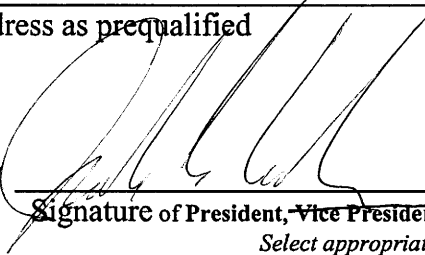
(Rev 7-10-08)

**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. Blum
Print or type Signer's name

Affix Corporate Seal

Attest Michael W. Anger
Signature of Secretary, Assistant Secretary
Select appropriate title

Michael W. Anger
Print or type Signer's name

Contract No. C202138
County Ashe

(Rev 7-10-08)

Bond No. 0476989

CONTRACT PERFORMANCE BOND

Date of Performance Bond Execution: December 11, 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: Eight Hundred Ninety Six Thousand Two Hundred Eighty Four Dollars and 40/100 (\$896,284.40)

Contract ID No.: C202138

County Name: Ashe

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. C202138
County Ashe

(Rev 7-10-08)

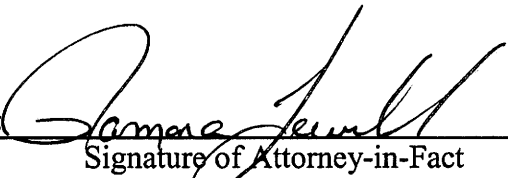
CONTRACT PERFORMANCE BOND

Affix Seal of Surety Company

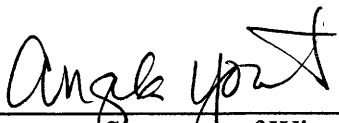
International Fidelity Insurance Company
Print or type Surety Company Name

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



By: 
Signature of Attorney-in-Fact

Surety Phone No.


Signature of Witness

Angela Yount
Print or type Witness's name

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

Contract No. C202138
County Ashe

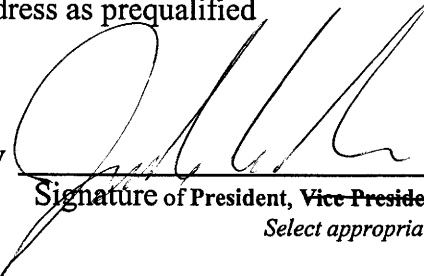
(Rev 7-10-08)

**CONTRACT PERFORMANCE BOND
CORPORATION**

SIGNATURE OF CONTRACTOR (Principal)


Mountain Creek Contractors, Inc.
Full name of Corporation

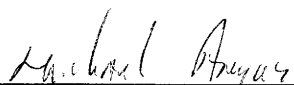
P. O. Box D, Catawba, NC 28609
Address as prequalified

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

Joseph P. Colman
Print or type Signer's name

Affix Corporate Seal

Attest 
Signature of Secretary, Assistant Secretary
Select appropriate title


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: 0476989
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.



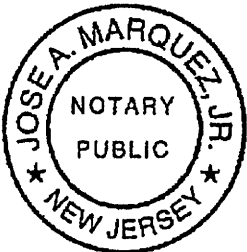
IN TESTIMONY WHEREOF, INTERNATIONAL FIDELITY INSURANCE COMPANY has caused this instrument to be signed and its corporate seal to be affixed by its authorized officer, this 29th day of August, A.D. 2003.

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 11th day of December, 2008

[Handwritten Signature]
Assistant Secretary

