

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

C202840

CONTRACT AND
CONTRACT BONDS

FOR CONTRACT NO. C202840

WBS 33308.3.1 BRZ-1731(6)

T.I.P NO. B-3861

COUNTY OF JACKSON

THIS IS THE ROADWAY & STRUCTURE CONTRACT

ROUTE NUMBER SR 1731 LENGTH 0.051 MILES

LOCATION BRIDGE OVER TUCKASEGEE RIVER AND APPROACHES ON SR-1731.

CONTRACTOR MOUNTAIN CREEK CONTRACTORS INC

ADDRESS P.O. BOX D

CATAWBA, NC 28609

BIDS OPENED JULY 17, 2012

CONTRACT EXECUTION AUG 15 2012

Vendor 1 of 6: MOUNTAIN CREEK CONTRACTORS INC (1983) Call Order 020 (Proposal: C202840)

Bid Information

County: JACKSON
Address: PO Box D
Catawba , NC , 28609
Signature Check: Donovan_R._Phillips_1983
Time Bid Received: July 17, 2012 01:52 PM
Amendment Count: 0

Bid Checksum: 9BAC5FF5

Bid Total: \$1,549,278.27 ✓

Items Total: \$1,549,278.27

Time Total: \$0.00

Bidding Errors:

None.

DBE GOAL SET 8.0

DBE GOAL MET 8.0

Vendor 1 of 6: MOUNTAIN CREEK CONTRACTORS INC (1983) Call Order 020 (Proposal: C202840)

Bid Bond Information

Projects:	Bond Maximum:
Counties:	State of Incorporation:
Bond ID: SNC12659407	Agency Execution Date: 7/12/2012 3
Paid by Check: No	Surety Name: surety2000
Bond Percent: 5%	Bond Agency Name: Liberty Mutual Insurance Company

Vendor 1983's Bid Information for Call 020, Letting L120717, 07/17/12

Mountain Creek Contractors, Inc. (1983)
 Call Order 020 (Proposal ID C202840)

LIST OF DBE PARTICIPANTS

VENDOR NUMBER	DBE NAME ADDRESS	WORK CODE TYPE OF WORK	CERT TYPE AMOUNT	
5762	WB JLS COMPANY LLC P.O. BOX 1265 , SKYLAND, NC 28776		Sub 66,300.00	committed
2855	WB BOSS CONSTRUCTION CO., INC. 229 BOXWOOD CHURCH ROAD , MOCKSVILLE, NC 27028		Sub 20,284.96	committed
3376	WB REYNOLDS FENCE & GUARDRAIL INC 9320 MACHADO DRIVE , INDIAN TRAIL, NC 28079		Sub 18,787.50	committed
4761	WB TRAFFIC CONTROL SAFETY SERVICES POST OFFICE BOX 24511 , WINSTON-SALEM, NC 27114		Sub 13,988.00	committed
2759	WB SUPERIOR SEEDING, INC. POST OFFICE BOX 12642 , GASTONIA, NC 280520010		Sub 15,360.00	committed
			TOTAL: \$134,720.46	
				8.70%

Vendor 1983's Bid Information for Call 020, Letting L120717, 07/17/12

Mountain Creek Contractors, Inc. (1983)
 Call Order 020 (Proposal ID C202840)

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	

Bid Bond Data Info - Contractor Responses:

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BondID: SNC12659407
Surety Registry Agency: surety2000
Verified?: Yes
Surety Agency: Liberty Mutual Insurance Company
Bond Execution Date: 7/12/2012 3
Bond Amount: \$77,463.91 (Five Percent of Bid)

State of NC
Dept of Transportation

Date: 06-19-12
Revised:

Contract ID: C202840 Project(s): BRZ-1731(6)
Letting Date: 07-17-12 Call Order: 020
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	75,000.00
0002	0030000000-N BRIDGE APPROACH FILL - SUB REGIONAL TIER, STATION ***** (11+04.50-L-)	LUMP	LUMP	10,000.00
0003	0043000000-N GRADING	LUMP	LUMP	140,000.00
0004	0050000000-E SUPPLEMENTA RY CLEARING & GRUB-BING	1.000 ACR	1,500.00000	1,500.00
0005	0195000000-E SELECT GRANULAR MATERIAL	20.000 CY	60.00000	1,200.00
0006	0196000000-E GEOTEXTILE FOR SOIL STABILIZA-TION	20.000 SY	5.00000	100.00
0007	0199000000-E TEMPORARY SHORING	464.000 SF	35.00000	16,240.00
0008	0318000000-E FOUNDATION CONDITIONING MATE- RIAL, MINOR STRUCTURES	3.000 TON	53.00000	159.00
0009	0320000000-E FOUNDATION CONDITIONING GEO- TEXTILE	7.000 SY	6.60000	46.20
0010	0366000000-E 15" RC PIPE CULVERTS, CLASS III	20.000 LF	36.39000	727.80

Dept of Transportation

Revised:

Contract ID: C202840

Project(s): BRZ-1731(6)

Letting Date: 07-17-12 Call Order: 020

Bidder: 1983 - Mountain Creek Contractors, Inc.

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0011	1099500000-E SHALLOW UNDERCUT	20.000 CY	16.59000		331.80	
0012	1099700000-E CLASS IV SUBGRADE STABILIZATION	20.000 TON	39.47000		789.40	
0013	1121000000-E AGGREGATE BASE COURSE	170.000 TON	30.00000		5,100.00	
0014	1220000000-E INCIDENTAL STONE BASE	100.000 TON	37.52000		3,752.00	
0015	1275000000-E PRIME COAT	120.000 GAL	60.00000		7,200.00	
0016	1489000000-E ASPHALT CONC BASE COURSE, TYPE B25.0B	70.000 TON	130.00000		9,100.00	
0017	1525000000-E ASPHALT CONC SURFACE COURSE, TYPE SF9.5A	220.000 TON	125.00000		27,500.00	
0018	1575000000-E ASPHALT BINDER FOR PLANT MIX	17.000 TON	700.00000		11,900.00	
0019	1693000000-E ASPHALT PLANT MIX, PAVEMENT REPAIR	20.000 TON	319.60000		6,392.00	
0020	2022000000-E SUBDRAIN EXCAVATION	11.200 CY	10.55000		118.16	
0021	2033000000-E SUBDRAIN FINE AGGREGATE	8.400 CY	70.02000		588.17	
0022	2044000000-E 6" PERFORATED SUBDRAIN PIPE	50.000 LF	8.54000		427.00	

Dept of Transportation

Revised:

Contract ID: C202840

Project(s): BRZ-1731(6)

Letting Date: 07-17-12 Call Order: 020

Bidder: 1983 - Mountain Creek Contractors, Inc.

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0023	2070000000-N SUBDRAIN PIPE OUTLET	EA 1.000	355.15000		355.15	
0024	2077000000-E 6" OUTLET PIPE	LF 6.000	23.12000		138.72	
0025	2286000000-N MASONRY DRAINAGE STRUCTURES	EA 1.000	1,420.50000		1,420.50	
0026	2367000000-N FRAME WITH TWO GRATES, STD 840.29	EA 1.000	704.10000		704.10	
0027	2556000000-E SHOULDER BERM GUTTER	LF 46.000	35.00000		1,610.00	
0028	3030000000-E STEEL BM GUARDRAIL	LF 12.500	16.00000		200.00	
0029	3045000000-E STEEL BM GUARDRAIL, SHOP CURVED	LF 75.000	18.00000		1,350.00	
0030	3150000000-N ADDITIONAL GUARDRAIL POSTS	EA 5.000	15.00000		75.00	
0031	3165000000-N GUARDRAIL ANCHOR UNITS, TYPE ***** (350 TL-2)	EA 3.000	1,500.00000		4,500.00	
0032	3180000000-N GUARDRAIL ANCHOR UNITS, TYPE ***** (III SHOP CURVED)	EA 4.000	1,350.00000		5,400.00	
0033	3380000000-E TEMPORARY STEEL BM GUARDRAIL	LF 37.500	9.00000		337.50	

Dept of Transportation

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Letting Date: 07-17-12 Call Order: 020

Bidder: 1983 - Mountain Creek Contractors, Inc.

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0034	3382000000-E TEMPORARY STEEL BM GUARDRAIL (SHOP CURVED)	175.000 LF	11.00000		1,925.00	
0035	3387000000-N TEMPORARY GUARDRAIL ANCHOR UNITS, TYPE ***** (III SHOP CURVED)	4.000 EA	650.00000		2,600.00	
0036	3389000000-N TEMPORARY GUARDRAIL ANCHOR UNITS, TYPE ***** (350 TL-2)	3.000 EA	800.00000		2,400.00	
0037	3656000000-E GEOTEXTILE FOR DRAINAGE	1,300.000 SY	3.00000		3,900.00	
0038	4072000000-E SUPPORTS, 3-LB STEEL U-CHANNEL	130.000 LF	5.00000		650.00	
0039	4102000000-N SIGN ERECTION, TYPE E	7.000 EA	75.00000		525.00	
0040	4155000000-N DISPOSAL OF SIGN SYSTEM, U-CHANNEL	4.000 EA	1.00000		4.00	
0041	4400000000-E WORK ZONE SIGNS (STATIONARY)	72.000 SF	10.00000		720.00	
0042	4405000000-E WORK ZONE SIGNS (PORTABLE)	128.000 SF	7.75000		992.00	
0043	4410000000-E WORK ZONE SIGNS (BARRICADE MOUNTED)	32.000 SF	6.00000		192.00	
0044	4430000000-N DRUMS	20.000 EA	44.56000		891.20	

Dept of Transportation

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Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0045	4445000000-E BARRICADES (TYPE III)	32.000 LF	25.00000		800.00	
0046	4450000000-N FLAGGER	1,000.000 HR	15.42000		15,420.00	
0047	4465000000-N TEMPORARY CRASH CUSHIONS	2.000 EA	4,700.00000		9,400.00	
0048	4485000000-E PORTABLE CONCRETE BARRIER	47.000 LF	15.00000		705.00	
0049	4810000000-E PAINT PAVEMENT MARKING LINES (4")	4,458.000 LF	0.45000		2,006.10	
0050	4835000000-E PAINT PAVEMENT MARKING LINES (24")	30.000 LF	5.75000		172.50	
0051	4900000000-N PERMANENT RAISED PAVEMENT MARKERS	5.000 EA	14.50000		72.50	
0052	6000000000-E TEMPORARY SILT FENCE	1,600.000 LF	4.00000		6,400.00	
0053	6006000000-E STONE FOR EROSION CONTROL, CLASS A	230.000 TON	41.04000		9,439.20	
0054	6009000000-E STONE FOR EROSION CONTROL, CLASS B	5.000 TON	65.31000		326.55	
0055	6012000000-E SEDIMENT CONTROL STONE	400.000 TON	42.62000		17,048.00	
0056	6015000000-E TEMPORARY MULCHING	0.500 ACR	1,400.00000		700.00	

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Letting Date: 07-17-12 Call Order: 020

Bidder: 1983 - Mountain Creek Contractors, Inc.

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0057	6018000000-E SEED FOR TEMPORARY SEEDING	50.000 LB	8.00000		400.00	
0058	6021000000-E FERTILIZER FOR TEMPORARY SEED-ING	0.250 TON	2,000.00000		500.00	
0059	6024000000-E TEMPORARY SLOPE DRAINS	200.000 LF	17.55000		3,510.00	
0060	6029000000-E SAFETY FENCE	700.000 LF	2.00000		1,400.00	
0061	6030000000-E SILT EXCAVATION	50.000 CY	10.30000		515.00	
0062	6036000000-E MATTING FOR EROSION CONTROL	1,500.000 SY	1.75000		2,625.00	
0063	6042000000-E 1/4" HARDWARE CLOTH	600.000 LF	4.50000		2,700.00	
0064	6070000000-N SPECIAL STILLING BASINS	12.000 EA	487.16000		5,845.92	
0065	6084000000-E SEEDING & MULCHING	0.250 ACR	2,400.00000		600.00	
0066	6087000000-E MOWING	0.150 ACR	400.00000		60.00	
0067	6090000000-E SEED FOR REPAIR SEEDING	50.000 LB	10.00000		500.00	
0068	6093000000-E FERTILIZER FOR REPAIR SEEDING	0.250 TON	3,000.00000		750.00	

Contract ID: C202840

Project(s): BRZ-1731(6)

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Bidder: 1983 - Mountain Creek Contractors, Inc.

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0069	6096000000-E SEED FOR SUPPLEMENTAL SEEDING	50.000 LB	8.00000		400.00	
0070	6108000000-E FERTILIZER TOPDRESSING	0.250 TON	1,500.00000		375.00	
0071	6114500000-N SPECIALIZED HAND MOWING	10.000 MHR	65.00000		650.00	
0072	6117000000-N RESPONSE FOR EROSION CONTROL	25.000 EA	300.00000		7,500.00	
0073	6123000000-E REFORESTATION	0.100 ACR	3,000.00000		300.00	
Section 0001 Total						440,182.47

Section 0003 WALL ITEMS

Alt Group

0074	8802010000-E SOIL NAIL RETAINING WALLS	440.000 SF	89.68000		39,459.20	
Section 0003 Total						39,459.20

Section 0004 STRUCTURE ITEMS

Alt Group

0075	8007000000-N CONSTRUCTION, MAINTENANCE, & REMOVAL OF TEMP STRUCTURE AT STA ***** (11+04.50-L-)	LUMP	LUMP		435,000.00	
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Dept of Transportation

Revised:

Contract ID: C202840

Project(s): BRZ-1731(6)

Letting Date: 07-17-12 Call Order: 020

Bidder: 1983 - Mountain Creek Contractors, Inc.

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0076	8017000000-N CONSTRUCTION, MAINTENANCE, & REMOVAL OF TEMP ACCESS AT STA ***** (11+04.50-L-)	LUMP	LUMP			80,000.00
0077	8035000000-N REMOVAL OF EXISTING STRUCTURE AT STATION ***** (11+04.50-L-)	LUMP	LUMP			18,000.00
0078	8105520000-E 3'-0" DIA DRILLED PIERS IN SOIL	41.000 LF	609.71000			24,998.11
0079	8105620000-E 3'-0" DIA DRILLED PIERS NOT IN SOIL	46.000 LF	1,206.72000			55,509.12
0080	8111200000-E PERMANENT STEEL CASING FOR 3'-0" DIA DRILLED PIER	32.400 LF	371.00000			12,020.40
0081	8115000000-N CSL TESTING	1.000 EA	2,000.00000			2,000.00
0082	8121000000-N UNCLASSIFIED STRUCTURE EXCAVATION AT STATION ***** (11+04.50-L-)	LUMP	LUMP			18,000.00
0083	8182000000-E CLASS A CONCRETE (BRIDGE)	67.600 CY	950.00000			64,220.00
0084	8210000000-N BRIDGE APPROACH SLABS, STATION***** (11+04.50-L-)	LUMP	LUMP			23,000.00
0085	8217000000-E REINFORCING STEEL (BRIDGE)	23,191.000 LB	1.15000			26,669.65

Dept of Transportation

Revised:

Contract ID: C202840

Project(s): BRZ-1731(6)

Letting Date: 07-17-12 Call Order: 020

Bidder: 1983 - Mountain Creek Contractors, Inc.

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0086	8238000000-E SPIRAL COLUMN REINFORCING STEEL (BRIDGE)	2,853.000 LB	1.19000		3,395.07	
0087	8364000000-E HP12X53 STEEL PILES	285.000 LF	52.35000		14,919.75	
0088	8468000000-E ONE BAR METAL RAIL	295.500 LF	85.00000		25,117.50	
0089	8517000000-E 1'-**"X ***** CONCRETE PARA- PET (1'-0" X 1'-10")	170.500 LF	82.00000		13,981.00	
0090	8517000000-E 1'-**"X ***** CONCRETE PARA- PET (1'-0" X 1'-11 1/2")	140.000 LF	86.00000		12,040.00	
0091	8608000000-E RIP RAP CLASS II (2'-0" THICK)	330.000 TON	38.00000		12,540.00	
0092	8622000000-E GEOTEXTILE FOR DRAINAGE	367.000 SY	3.00000		1,101.00	
0093	8657000000-N ELASTOMERIC BEARINGS	LUMP	LUMP		14,000.00	
0094	8762000000-E 3'-0" X 1'-9" PRESTRESSED CONCCORED SLABS	935.000 LF	125.00000		116,875.00	
0095	8763000000-E 3'-0" X 2'-0" PRESTRESSED CONCCORED SLABS	770.000 LF	125.00000		96,250.00	
	Section 0004 Total				1,069,636.60	
	Bid Total				1,549,278.27	

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	

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.

DBE COMMITMENT ITEMS

PAGE: 12

PROPOSAL: C202840
 LETTING: L120717 CALL: 020
 VENDOR: 1983 Mountain Creek Contractors, Inc.

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

DBE SUBCONTRACTOR: 5762 JLS COMPANY LLC
 Will Use Quote: Yes

0013	1121000000-E	AGGREGATE BA	TON	170.000	30.00000	5100.00
0015	1275000000-E	PRIME COAT	GAL	120.000	60.00000	7200.00
0016	1489000000-E	ASP CONC BAS	TON	70.000	130.00000	9100.00
0017	1525000000-E	ASP CONC SUR	TON	220.000	125.00000	27500.00
0018	1575000000-E	ASP FOR PLAN	TON	17.000	700.00000	11900.00
0019	1693000000-E	ASPH PLT MIX	TON	20.000	165.00000	3300.00
0001	0000100000-N	MOBILIZATION	LS	1.000	2200.00000	2200.00

DBE COMMITMENT TOTAL FOR SUBCONTRACTOR: 66,300.00 committed
 DBE COMMITMENT TOTAL FOR VENDOR (SubContractor) 66,300.

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

0089	8517000000-E	1'-***"X*****	LF	170.500	65.33000	11138.76
0090	8517000000-E	1'-***"X*****	LF	140.000	65.33000	9146.20

DBE COMMITMENT TOTAL FOR SUBCONTRACTOR: 20,284.96 committed
 DBE COMMITMENT TOTAL FOR VENDOR (SubContractor) 20,284.

DBE SUBCONTRACTOR: 3376 REYNOLDS FENCE & GUARDRAIL INC
 Will Use Quote: Yes

0028	3030000000-E	STL BM GUARD	LF	12.500	16.00000	200.00
0030	3150000000-N	ADDIT GUARDR	EA	5.000	15.00000	75.00
0031	3165000000-N	GR ANCHOR TY	EA	3.000	1500.00000	4500.00
0032	3180000000-N	GR ANCHOR TY	EA	4.000	1350.00000	5400.00
0033	3380000000-E	TEMP STL BM	LF	37.500	9.00000	337.50
0035	3387000000-N	TEMP GDRL AN	EA	4.000	650.00000	2600.00
0034	3382000000-E	TEMP STL BM	LF	175.000	11.00000	1925.00
0029	3045000000-E	SBGR SHOP CU	LF	75.000	18.00000	1350.00
0036	3389000000-N	TEMP GDRL AN	EA	3.000	800.00000	2400.00

DBE COMMITMENT TOTAL FOR SUBCONTRACTOR: 18,787.50 committed
 DBE COMMITMENT TOTAL FOR VENDOR (SubContractor) 18,787.

DBE SUBCONTRACTOR: 4761 TRAFFIC CONTROL SAFETY SERVICES, INC.
 Will Use Quote: Yes

0047	4465000000-N	TEMPORARY CR	EA	2.000	4700.00000	9400.00
0048	4485000000-E	PORT CONC BA	LF	47.000	15.00000	705.00
0038	4072000000-E	SUPPORT, 3-L	LF	130.000	5.00000	650.00
0039	4102000000-N	SIGN ERECTIO	EA	7.000	75.00000	525.00
0040	4155000000-N	DISPOSE SIGN	EA	4.000	1.00000	4.00

DBE COMMITMENT ITEMS

LINE NO.	ITEM NO.	ITEM DESC.	UNIT TYPE	SUBCONTRACTOR QUANTITY	SUBCONTRACTOR UNIT PRICE	EXTENDED AMOUNT
0041	4400000000-E	WORK ZONE SI SF		72.000	10.00000	720.00
0042	4405000000-E	WORK ZONE SI SF		128.000	7.75000	992.00
0043	4410000000-E	WORK ZONE SI SF		32.000	6.00000	192.00
0045	4445000000-E	BARRICADES (LF		32.000	25.00000	800.00
DBE COMMITMENT TOTAL FOR SUBCONTRACTOR:						13,988.00 committed
DBE COMMITMENT TOTAL FOR VENDOR (SubContractor)						13,988.

DBE SUBCONTRACTOR: 2759 SUPERIOR SEEDING, INC.
 Will Use Quote: Yes

0056	6015000000-E	TEMPORARY MU ACR		0.500	1400.00000	700.00
0057	6018000000-E	SEED FOR TEM LB		50.000	8.00000	400.00
0058	6021000000-E	FERT FOR TEM TON		0.250	2000.00000	500.00
0062	6036000000-E	MATTING FOR SY		1500.000	1.75000	2625.00
0065	6084000000-E	SEEDING AND ACR		0.250	2400.00000	600.00
0066	6087000000-E	MOWING ACR		0.150	400.00000	60.00
0067	6090000000-E	SEED FOR REP LB		50.000	10.00000	500.00
0068	6093000000-E	FERT FOR REP TON		0.250	3000.00000	750.00
0069	6096000000-E	SEED FOR SUP LB		50.000	8.00000	400.00
0070	6108000000-E	FERTILIZER T TON		0.250	1500.00000	375.00
0071	6114500000-N	SPECIALIZED MHR		10.000	65.00000	650.00
0072	6117000000-N	RESPONSE FOR EA		25.000	300.00000	7500.00
0073	6123000000-E	REFORESTATIO ACR		0.100	3000.00000	300.00
DBE COMMITMENT TOTAL FOR SUBCONTRACTOR:						15,360.00 committed
DBE COMMITMENT TOTAL FOR VENDOR (SubContractor)						15,360.

TOTAL DBE COMMITMENT FOR VENDOR: Entered: 8.70% or 134720.46
 Required: 8.00% or 123942.26
 <GOAL MET>

Contract Item Sheets For C202840

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
ROADWAY ITEMS						
0001	0000100000-N	800	MOBILIZATION	Lump Sum LS	75,000.00	75,000.00
0002	0030000000-N	SP	BRIDGE APPROACH FILL - SUB REGIONAL TIER, STATION ***** (11 +04.50-L-)	Lump Sum LS	10,000.00	10,000.00
0003	0043000000-N	226	GRADING	Lump Sum LS	140,000.00	140,000.00
0004	0050000000-E	226	SUPPLEMENTARY CLEARING & GRUB- BING	1 ACR	1,500.00	1,500.00
0005	0195000000-E	265	SELECT GRANULAR MATERIAL	20 CY	60.00	1,200.00
0006	0196000000-E	270	GEOTEXTILE FOR SOIL STABILIZA- TION	20 SY	5.00	100.00
0007	0199000000-E	SP	TEMPORARY SHORING	464 SF	35.00	16,240.00
0008	0318000000-E	300	FOUNDATION CONDITIONING MATE- RIAL, MINOR STRUCTURES	3 TON	53.00	159.00
0009	0320000000-E	300	FOUNDATION CONDITIONING GEO- TEXTILE	7 SY	6.60	46.20
0010	0366000000-E	310	15" RC PIPE CULVERTS, CLASS III	20 LF	36.39	727.80
0011	1099500000-E	505	SHALLOW UNDERCUT	20 CY	16.59	331.80
0012	1099700000-E	505	CLASS IV SUBGRADE STABILIZA- TION	20 TON	39.47	789.40
0013	1121000000-E	520	AGGREGATE BASE COURSE	170 TON	30.00	5,100.00
0014	1220000000-E	545	INCIDENTAL STONE BASE	100 TON	37.52	3,752.00
0015	1275000000-E	600	PRIME COAT	120 GAL	60.00	7,200.00
0016	1489000000-E	610	ASPHALT CONC BASE COURSE, TYPE B25.0B	70 TON	130.00	9,100.00
0017	1525000000-E	610	ASPHALT CONC SURFACE COURSE, TYPE SF9.5A	220 TON	125.00	27,500.00
0018	1575000000-E	620	ASPHALT BINDER FOR PLANT MIX	17 TON	700.00	11,900.00

Contract Item Sheets For C202840

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0019	1693000000-E	654	ASPHALT PLANT MIX, PAVEMENT REPAIR	20 TON	319.60	6,392.00
0020	2022000000-E	815	SUBDRAIN EXCAVATION	11.2 CY	10.55	118.16
0021	2033000000-E	815	SUBDRAIN FINE AGGREGATE	8.4 CY	70.02	588.17
0022	2044000000-E	815	6" PERFORATED SUBDRAIN PIPE	50 LF	8.54	427.00
0023	2070000000-N	815	SUBDRAIN PIPE OUTLET	1 EA	355.15	355.15
0024	2077000000-E	815	6" OUTLET PIPE	6 LF	23.12	138.72
0025	2286000000-N	840	MASONRY DRAINAGE STRUCTURES	1 EA	1,420.50	1,420.50
0026	2367000000-N	840	FRAME WITH TWO GRATES, STD 840.29	1 EA	704.10	704.10
0027	2556000000-E	846	SHOULDER BERM GUTTER	46 LF	35.00	1,610.00
0028	3030000000-E	862	STEEL BM GUARDRAIL	12.5 LF	16.00	200.00
0029	3045000000-E	862	STEEL BM GUARDRAIL, SHOP CURVED	75 LF	18.00	1,350.00
0030	3150000000-N	862	ADDITIONAL GUARDRAIL POSTS	5 EA	15.00	75.00
0031	3165000000-N	SP	GUARDRAIL ANCHOR UNITS, TYPE ***** (350 TL-2)	3 EA	1,500.00	4,500.00
0032	3180000000-N	862	GUARDRAIL ANCHOR UNITS, TYPE ***** (III SHOP CURVED)	4 EA	1,350.00	5,400.00
0033	3380000000-E	862	TEMPORARY STEEL BM GUARDRAIL	37.5 LF	9.00	337.50
0034	3382000000-E	862	TEMPORARY STEEL BM GUARDRAIL (SHOP CURVED)	175 LF	11.00	1,925.00
0035	3387000000-N	862	TEMPORARY GUARDRAIL ANCHOR UNITS, TYPE ***** (III SHOP CURVED)	4 EA	650.00	2,600.00

Contract Item Sheets For C202840

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0036	3389000000-N	SP	TEMPORARY GUARDRAIL ANCHOR UNITS, TYPE ***** (350 TL-2)	3 EA	800.00	2,400.00
0037	3656000000-E	876	GEOTEXTILE FOR DRAINAGE	1,300 SY	3.00	3,900.00
0038	4072000000-E	903	SUPPORTS, 3-LB STEEL U-CHANNEL	130 LF	5.00	650.00
0039	4102000000-N	904	SIGN ERECTION, TYPE E	7 EA	75.00	525.00
0040	4155000000-N	907	DISPOSAL OF SIGN SYSTEM, U-CHANNEL	4 EA	1.00	4.00
0041	4400000000-E	1110	WORK ZONE SIGNS (STATIONARY)	72 SF	10.00	720.00
0042	4405000000-E	1110	WORK ZONE SIGNS (PORTABLE)	128 SF	7.75	992.00
0043	4410000000-E	1110	WORK ZONE SIGNS (BARRICADE MOUNTED)	32 SF	6.00	192.00
0044	4430000000-N	1130	DRUMS	20 EA	44.56	891.20
0045	4445000000-E	1145	BARRICADES (TYPE III)	32 LF	25.00	800.00
0046	4450000000-N	1150	FLAGGER	1,000 HR	15.42	15,420.00
0047	4465000000-N	1160	TEMPORARY CRASH CUSHIONS	2 EA	4,700.00	9,400.00
0048	4485000000-E	1170	PORTABLE CONCRETE BARRIER	47 LF	15.00	705.00
0049	4810000000-E	1205	PAINT PAVEMENT MARKING LINES (4")	4,458 LF	0.45	2,006.10
0050	4835000000-E	1205	PAINT PAVEMENT MARKING LINES (24")	30 LF	5.75	172.50
0051	4900000000-N	1251	PERMANENT RAISED PAVEMENT MARKERS	5 EA	14.50	72.50
0052	6000000000-E	1605	TEMPORARY SILT FENCE	1,600 LF	4.00	6,400.00
0053	6006000000-E	1610	STONE FOR EROSION CONTROL, CLASS A	230 TON	41.04	9,439.20

Contract Item Sheets For C202840

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0054	6009000000-E	1610	STONE FOR EROSION CONTROL, CLASS B	5 TON	65.31	326.55
0055	6012000000-E	1610	SEDIMENT CONTROL STONE	400 TON	42.62	17,048.00
0056	6015000000-E	1615	TEMPORARY MULCHING	0.5 ACR	1,400.00	700.00
0057	6018000000-E	1620	SEED FOR TEMPORARY SEEDING	50 LB	8.00	400.00
0058	6021000000-E	1620	FERTILIZER FOR TEMPORARY SEED- ING	0.25 TON	2,000.00	500.00
0059	6024000000-E	1622	TEMPORARY SLOPE DRAINS	200 LF	17.55	3,510.00
0060	6029000000-E	SP	SAFETY FENCE	700 LF	2.00	1,400.00
0061	6030000000-E	1630	SILT EXCAVATION	50 CY	10.30	515.00
0062	6036000000-E	1631	MATTING FOR EROSION CONTROL	1,500 SY	1.75	2,625.00
0063	6042000000-E	1632	1/4" HARDWARE CLOTH	600 LF	4.50	2,700.00
0064	6070000000-N	1639	SPECIAL STILLING BASINS	12 EA	487.16	5,845.92
0065	6084000000-E	1660	SEEDING & MULCHING	0.25 ACR	2,400.00	600.00
0066	6087000000-E	1660	MOWING	0.15 ACR	400.00	60.00
0067	6090000000-E	1661	SEED FOR REPAIR SEEDING	50 LB	10.00	500.00
0068	6093000000-E	1661	FERTILIZER FOR REPAIR SEEDING	0.25 TON	3,000.00	750.00
0069	6096000000-E	1662	SEED FOR SUPPLEMENTAL SEEDING	50 LB	8.00	400.00
0070	6108000000-E	1665	FERTILIZER TOPDRESSING	0.25 TON	1,500.00	375.00
0071	6114500000-N	1667	SPECIALIZED HAND MOWING	10 MHR	65.00	650.00
0072	6117000000-N	SP	RESPONSE FOR EROSION CONTROL	25 EA	300.00	7,500.00

Contract Item Sheets For C202840

Line #	ItemNumber	Sec #	Description	Quantity	Unit	Unit Bid Price	Amount Bid
0073	6123000000-E	1670	REFORESTATION	0.1	ACR	3,000.00	300.00

Contract Item Sheets For C202840

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0074	8802010000-E	SP	SOIL NAIL RETAINING WALLS	440 SF	89.68	39,459.20

Contract Item Sheets For C202840

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0075	8007000000-N	SP	CONSTRUCTION, MAINTENANCE, & REMOVAL OF TEMP STRUCTURE AT STA ***** (11+04.50-L-)	Lump Sum LS	435,000.00	435,000.00
0076	8017000000-N	SP	CONSTRUCTION, MAINTENANCE, & REMOVAL OF TEMP ACCESS AT STA ***** (11+04.50-L-)	Lump Sum LS	80,000.00	80,000.00
0077	8035000000-N	402	REMOVAL OF EXISTING STRUCTURE AT STATION ***** (11+04.50-L-)	Lump Sum LS	18,000.00	18,000.00
0078	8105520000-E	411	3'-0" DIA DRILLED PIERS IN SOIL	41 LF	609.71	24,998.11
0079	8105620000-E	411	3'-0" DIA DRILLED PIERS NOT IN SOIL	46 LF	1,206.72	55,509.12
0080	8111200000-E	411	PERMANENT STEEL CASING FOR 3'-0" DIA DRILLED PIER	32.4 LF	371.00	12,020.40
0081	8115000000-N	411	CSL TESTING	1 EA	2,000.00	2,000.00
0082	8121000000-N	412	UNCLASSIFIED STRUCTURE EXCAVA- TION AT STATION ***** (11+04.50-L-)	Lump Sum LS	18,000.00	18,000.00
0083	8182000000-E	420	CLASS A CONCRETE (BRIDGE)	67.6 CY	950.00	64,220.00
0084	8210000000-N	422	BRIDGE APPROACH SLABS, STATION ***** (11+04.50-L-)	Lump Sum LS	23,000.00	23,000.00
0085	8217000000-E	425	REINFORCING STEEL (BRIDGE)	23,191 LB	1.15	26,669.65
0086	8238000000-E	425	SPIRAL COLUMN REINFORCING STEEL (BRIDGE)	2,853 LB	1.19	3,395.07
0087	8364000000-E	450	HP12X53 STEEL PILES	285 LF	52.35	14,919.75
0088	8468000000-E	460	ONE BAR METAL RAIL	295.5 LF	85.00	25,117.50
0089	8517000000-E	460	1'-***X ***** CONCRETE PARA- PET (1'-0" X 1'-10")	170.5 LF	82.00	13,981.00

Contract Item Sheets For C202840

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0090	8517000000-E	460	1'-***X ***** CONCRETE PARA-PET (1'-0" X 1'-11 1/2")	140 LF	86.00	12,040.00
0091	8608000000-E	876	RIP RAP CLASS II (2'-0" THICK)	330 TON	38.00	12,540.00
0092	8622000000-E	876	GEOTEXTILE FOR DRAINAGE	367 SY	3.00	1,101.00
0093	8657000000-N	430	ELASTOMERIC BEARINGS	Lump Sum LS	14,000.00	14,000.00
0094	8762000000-E	430	3'-0" X 1'-9" PRESTRESSED CONC CORED SLABS	935 LF	125.00	116,875.00
0095	8763000000-E	430	3'-0" X 2'-0" PRESTRESSED CONC CORED SLABS	770 LF	125.00	96,250.00

TOTAL AMOUNT OF BID FOR ENTIRE PROJECT

\$1,549,278.27

1113/Jul27/Q44460.35/D443166150000/E95

Contract No. C202840
County JACKSON

Rev. 5-19-11

**EXECUTION OF CONTRACT
NON-COLLUSION AFFIDAVIT, DEBARMENT CERTIFICATION AND GIFT BAN 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, that the Contractor has not been convicted of violating N.C.G.S. § 133-24 within the last three years, and that the Contractor intends to do the work with its 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.

N.C.G.S. § 133-32 and Executive Order 24 prohibit the offer to, or acceptance by, any State Employee of any gift from anyone with a contract with the State, or from any person seeking to do business with the State. By execution of any response in this procurement, you attest, for your entire organization and its employees or agents, that you are not aware that any such gift has been offered, accepted, or promised by any employees of your organization.

SIGNATURE OF CONTRACTOR

MOUNTAIN CREEK CONTRACTORS, INC.

Full name of Corporation

PO BOX D, CATAWBA, NC 28609

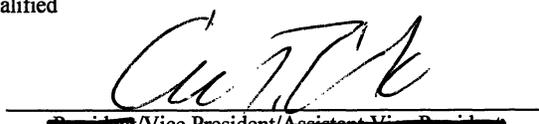
Address as Prequalified

Attest



~~Secretary~~ Assistant Secretary
Select appropriate title

By



~~President/Vice President/Assistant Vice President~~
Select appropriate title

RUSSELL L. ROCKETT

Print or type Signer's name

GREG T. COOK

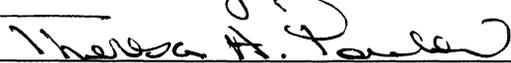
Print or type Signer's name

CORPORATE SEAL

AFFIDAVIT MUST BE NOTARIZED

Subscribed and sworn to before me this the

3 day of August 2012



Signature of Notary Public

of Charleston County

State of South Carolina

My Commission Expires. ~~MY COMMISSION EXPIRES~~
MARCH 24th 2013

NOTARY SEAL

DEBARMENT CERTIFICATION

Conditions for certification:

1. The prequalified bidder shall provide immediate written notice to the Department if at any time the bidder learns that his certification was erroneous when he submitted his debarment certification or explanation filed 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 prequalified bidder 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 prequalified bidder 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 prequalified bidder 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 bidder 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 6 herein, the Department may terminate any contract if the bidder 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 prequalified 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.
- e. Will submit a revised Debarment Certification immediately if his status changes and will show in his bid proposal an explanation for the change in status.

If the prequalified bidder 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 prequalified bidder's bid being considered non-responsive.

Check here if an explanation is attached to this certification.

Contract No. C202840

County (ies): Jackson

ACCEPTED BY THE
DEPARTMENT OF TRANSPORTATION



Contract Officer

8/15/12
Date

Execution of Contract and Bonds
Approved as to Form:



Attorney General

Bond No. 018028933

Contract No. C202840
County Jackson

Rev 5-17-11

CONTRACT PAYMENT BOND

Date of Payment Bond Execution August 1, 2012

Name of Principal Contractor Mountain Creek Contractors, Inc.

Name of Surety: Liberty Mutual Insurance Company

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

Amount of Bond: One Million Five Hundred Forty Nine Thousand (\$1,549,278.27) Two Hundred Seventy Eight Dollars and 27/100

Contract ID No.: C202840

County Name: Jackson

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. C202840
County Jackson

Rev 5-17-11

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

Greg T. Cook
Print or type Signer's name

Affix Corporate Seal

Attest 
Signature of ~~Secretary, Assistant Secretary~~
Select appropriate title

Russell L. Rockett
Print or type Signer's name

This Power of Attorney limits the acts of those named herein, and they have no authority to bind the Company except in the manner and to the extent herein stated. Not valid for mortgage, note, loan, letter of credit, bank deposit, currency rate, interest rate or residual value guarantees. To confirm the validity of this Power of Attorney call 610-832-8240 between 9:00 am and 4:30 pm EST on any business day.

American Fire and Casualty Company
The Ohio Casualty Insurance Company
West American Insurance Company

Liberty Mutual Insurance Company
Peerless Insurance Company

POWER OF ATTORNEY

KNOWN ALL PERSONS BY THESE PRESENTS: That American Fire & Casualty Company and The Ohio Casualty Insurance Company are corporations duly organized under the laws of the State of Ohio, that Liberty Mutual Insurance Company is a corporation duly organized under the laws of the State of Massachusetts, that Peerless Insurance Company is a corporation duly organized under the laws of the State of New Hampshire, and West American Insurance Company is a corporation duly organized under the laws of the State of Indiana (herein collectively called the "Companies"), pursuant to and by authority herein set forth, does hereby name, constitute and appoint, John D. Leak, III of the city of Charlotte, state of NC its true and lawful attorney-in-fact, with full power and authority hereby conferred to sign, execute and acknowledge the following surety bond:

Principal Name: Mountain Creek Contractors, Inc.

Obligee Name: North Carolina Department of Transportation

Surety Bond Number: 018028933

Bond Amount: See Bond Form

IN WITNESS WHEREOF, this Power of Attorney has been subscribed by an authorized officer or official of the Companies and the corporate seals of the Companies have been affixed thereto this 2nd day of May, 2012.



American Fire and Casualty Company
The Ohio Casualty Insurance Company
Liberty Mutual Insurance Company
Peerless Insurance Company
West American Insurance Company

By: Gregory W. Davenport
Gregory W. Davenport, Assistant Secretary

STATE OF WASHINGTON ss
COUNTY OF KING

On this 2nd day of May, 2012, before me personally appeared Gregory W. Davenport, who acknowledged himself to be the Assistant Secretary of American Fire and Casualty Company, Liberty Mutual Insurance Company, The Ohio Casualty Company, Peerless Insurance Company, and West American Insurance Company, and that he, as such, being authorized so to do, execute the foregoing instrument for the purposes therein contained by signing on behalf of the corporations by himself as a duly authorized officer.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my notarial seal at Seattle, Washington, on the day and year first above written.



By: KD Riley
KD Riley, Notary Public, Notary Public

This Power of Attorney is made and executed pursuant to and by authority of the following By-laws and Authorizations of American Fire and Casualty Company, The Ohio Casualty Insurance Company, Liberty Mutual Insurance Company, Peerless Insurance Company, and West American Insurance Company which resolutions are now in full force and effect reading as follows:

ARTICLE IV – OFFICERS – Section 12. Power of Attorney. Any officer or other official of the Corporation authorized for that purpose in writing by the Chairman or the President, and subject to such limitation as the Chairman or the President may prescribe, shall appoint such attorneys-in-fact, as may be necessary to act in behalf of the Corporation to make, execute, seal, acknowledge and deliver as surety any and all undertakings, bonds, recognizances and other surety obligations. Such attorneys-in-fact, subject to the limitations set forth in their respective powers of attorney, shall have full power to bind the Corporation by their signature and execution of any such instruments and to attach thereto the seal of the Corporation. When so executed, such instruments shall be as binding as if signed by the President and attested to by the Secretary. Any power or authority granted to any representative or attorney-in-fact under the provisions of this article may be revoked at any time by the Board, the Chairman, the President or by the officer or officers granting such power or authority.

ARTICLE XIII – Execution of Contracts – SECTION 5. Surety Bonds and Undertakings. Any officer of the Company authorized for that purpose in writing by the chairman or the president, and subject to such limitations as the chairman or the president may prescribe, shall appoint such attorneys-in-fact, as may be necessary to act in behalf of the Company to make, execute, seal, acknowledge and deliver as surety any and all undertakings, bonds, recognizances and other surety obligations. Such attorneys-in-fact subject to the limitations set forth in their respective powers of attorney, shall have full power to bind the Company by their signature and execution of any such instruments and to attach thereto the seal of the Company. When so executed such instruments shall be as binding as if signed by the president and attested by the secretary.

Certificate of Designation – The President of the Company, acting pursuant to the Bylaws of the Company, authorizes Gregory W. Davenport, Assistant Secretary to appoint such attorneys-in-fact as may be necessary to act on behalf of the Company to make, execute, seal, acknowledge and deliver as surety any and all undertakings, bonds, recognizances and other surety obligations.

Authorization – By unanimous consent of the Company's Board of Directors, the Company consents that facsimile or mechanically reproduced signature of any assistant secretary of the Company, wherever appearing upon a certified copy of any power of attorney issued by the Company in connection with surety bonds, shall be valid and binding upon the Company with the same force and effect as though manually affixed.

I, David M. Carey, the undersigned, Assistant Secretary, of American Fire and Casualty Company, The Ohio Casualty Insurance Company, Liberty Mutual Insurance Company, Peerless Insurance Company, and West American Insurance Company do hereby certify that the original power of attorney of which the foregoing is a full, true and correct copy of the Power of Attorney executed by said Companies, is in full force and effect and has not been revoked.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seals of said Companies this 1st day of August, 2012.



By: David M. Carey
David M. Carey, Assistant Secretary

Contract No. C202840
 County Jackson

CONTRACT PERFORMANCE BOND

Date of Performance Bond Execution: August 1, 2012

Name of Principal Contractor: Mountain Creek Contractors, Inc.

Name of Surety: Liberty Mutual Insurance Company

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

Amount of Bond: One Million Five Hundred Forty Nine Thousand (\$1,549,278.27) Two Hundred Seventy Eight Dollars and 27/100

Contract ID No.: C202840

County Name: Jackson

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. C202840
County Jackson

Rev 5-17-11

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

Greg T. Cook
Print or type Signer's name

Affix Corporate Seal

Attest 
Signature of ~~Secretary~~, Assistant Secretary
Select appropriate title

Russell L. Rockett
Print or type Signer's name

This Power of Attorney limits the acts of those named herein, and they have no authority to bind the Company except in the manner and to the extent herein stated. Not valid for mortgage, note, loan, letter of credit, bank deposit, currency rate, interest rate or residual value guarantees. To confirm the validity of this Power of Attorney call 610-832-8240 between 9:00 am and 4:30 pm EST on any business day.

American Fire and Casualty Company
The Ohio Casualty Insurance Company
West American Insurance Company

Liberty Mutual Insurance Company
Peerless Insurance Company

POWER OF ATTORNEY

KNOWN ALL PERSONS BY THESE PRESENTS: That American Fire & Casualty Company and The Ohio Casualty Insurance Company are corporations duly organized under the laws of the State of Ohio, that Liberty Mutual Insurance Company is a corporation duly organized under the laws of the State of Massachusetts, that Peerless Insurance Company is a corporation duly organized under the laws of the State of New Hampshire, and West American Insurance Company is a corporation duly organized under the laws of the State of Indiana (herein collectively called the "Companies"), pursuant to and by authority herein set forth, does hereby name, constitute and appoint, John D. Leak, III of the city of Charlotte, state of NC its true and lawful attorney-in-fact, with full power and authority hereby conferred to sign, execute and acknowledge the following surety bond:

Principal Name: Mountain Creek Contractors, Inc.

Obligee Name: North Carolina Department of Transportation

Surety Bond Number: 018028933

Bond Amount: See Bond Form

IN WITNESS WHEREOF, this Power of Attorney has been subscribed by an authorized officer or official of the Companies and the corporate seals of the Companies have been affixed thereto this 2nd day of May, 2012.



American Fire and Casualty Company
The Ohio Casualty Insurance Company
Liberty Mutual Insurance Company
Peerless Insurance Company
West American Insurance Company

By: Gregory W. Davenport
Gregory W. Davenport, Assistant Secretary

STATE OF WASHINGTON ss
COUNTY OF KING

On this 2nd day of May, 2012, before me personally appeared Gregory W. Davenport, who acknowledged himself to be the Assistant Secretary of American Fire and Casualty Company, Liberty Mutual Insurance Company, The Ohio Casualty Company, Peerless Insurance Company, and West American Insurance Company, and that he, as such, being authorized so to do, execute the foregoing instrument for the purposes therein contained by signing on behalf of the corporations by himself as a duly authorized officer.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my notarial seal at Seattle, Washington, on the day and year first above written.



By: KD Riley
KD Riley, Notary Public, Notary Public

This Power of Attorney is made and executed pursuant to and by authority of the following By-laws and Authorizations of American Fire and Casualty Company, The Ohio Casualty Insurance Company, Liberty Mutual Insurance Company, Peerless Insurance Company, and West American Insurance Company which resolutions are now in full force and effect reading as follows:

ARTICLE IV – OFFICERS – Section 12. Power of Attorney. Any officer or other official of the Corporation authorized for that purpose in writing by the Chairman or the President, and subject to such limitation as the Chairman or the President may prescribe, shall appoint such attorneys-in-fact, as may be necessary to act in behalf of the Corporation to make, execute, seal, acknowledge and deliver as surety any and all undertakings, bonds, recognizances and other surety obligations. Such attorneys-in-fact, subject to the limitations set forth in their respective powers of attorney, shall have full power to bind the Corporation by their signature and execution of any such instruments and to attach thereto the seal of the Corporation. When so executed, such instruments shall be as binding as if signed by the President and attested to by the Secretary. Any power or authority granted to any representative or attorney-in-fact under the provisions of this article may be revoked at any time by the Board, the Chairman, the President or by the officer or officers granting such power or authority.

ARTICLE XIII – Execution of Contracts – SECTION 5. Surety Bonds and Undertakings. Any officer of the Company authorized for that purpose in writing by the chairman or the president, and subject to such limitations as the chairman or the president may prescribe, shall appoint such attorneys-in-fact, as may be necessary to act in behalf of the Company to make, execute, seal, acknowledge and deliver as surety any and all undertakings, bonds, recognizances and other surety obligations. Such attorneys-in-fact subject to the limitations set forth in their respective powers of attorney, shall have full power to bind the Company by their signature and execution of any such instruments and to attach thereto the seal of the Company. When so executed such instruments shall be as binding as if signed by the president and attested by the secretary.

Certificate of Designation – The President of the Company, acting pursuant to the Bylaws of the Company, authorizes Gregory W. Davenport, Assistant Secretary to appoint such attorneys-in-fact as may be necessary to act on behalf of the Company to make, execute, seal, acknowledge and deliver as surety any and all undertakings, bonds, recognizances and other surety obligations.

Authorization – By unanimous consent of the Company's Board of Directors, the Company consents that facsimile or mechanically reproduced signature of any assistant secretary of the Company, wherever appearing upon a certified copy of any power of attorney issued by the Company in connection with surety bonds, shall be valid and binding upon the Company with the same force and effect as though manually affixed.

I, David M. Carey, the undersigned, Assistant Secretary, of American Fire and Casualty Company, The Ohio Casualty Insurance Company, Liberty Mutual Insurance Company, Peerless Insurance Company, and West American Insurance Company do hereby certify that the original power of attorney of which the foregoing is a full, true and correct copy of the Power of Attorney executed by said Companies, is in full force and effect and has not been revoked.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seals of said Companies this 1st day of August, 2012.



By: David M. Carey
David M. Carey, Assistant Secretary