

**ADDENDUM NO. 1  
TO  
NC DATA CAMPUS – PHASE B  
CATAWBA COUNTY, NORTH CAROLINA**

This Addendum No. 1 is issued this **17<sup>th</sup> day of February, 2016** to all parties who hold a set of Bidding Documents for the project entitled “NC Data Campus – Phase B, Catawba County, North Carolina”. This Addendum No. 1 shall become part of the Contract Documents and its receipt acknowledged on the Bidding Documents at the time of bidding.

**REMINDERS**

1. Bidders should refer to the McGill Associates bid line for current plan holders’ lists and other pertinent information regarding the bid. The website address is [www.mcgillbidline.com](http://www.mcgillbidline.com).
2. Bids will be accepted until 2:00 pm local time on March 1, 2016 at the Catawba County Government Center (100A South West Boulevard Newton, North Carolina 28658) in the second floor meeting room.

**PLEASE NOTE THE FOLLOWING ITEMS:**

1. **Pre-Bid Meeting Minutes**

Attached are the minutes from the Pre-Bid meeting which was held on Thursday, February 11, 2016 at 10:00 a.m. The minutes include a listing of all attendees at the meeting.

These minutes shall become a part of the Bidding Documents.

**CLARIFICATIONS**

1. **Disadvantaged Business Enterprise (DBE) Forms**

Bidders are required to follow the County’s DBE policy and guidelines. Documentation of a Bidder’s good-faith-efforts to include DBEs in their subcontract negotiations is required to be recorded on the appropriate forms provided as attachments to Addendum No. 1. Any DBE questions should be submitted in writing as soon as they arise.

2. **Construction Materials Testing**

Construction Materials Testing services during the construction phase will be provided by a company selected and under a separate contract with the Owner.

3. **E-Verification**

Bidders are required to comply with all E-Verify conditions. Addendum No. 1 includes the E-Verify form which is to be completed and submitted with Bidder's bid package.

4. **Contractor's Debarment Status**

Bidders are required to submit a Debarment Certification with their Bid. Addendum No. 1 includes the Debarment Certification form which is to be completed and submitted with Bidder's bid package.

**CHANGES TO THE CONTRACT SPECIFICATIONS**

1. **Instructions To Bidders**

The third sentence in Article 6.01 of in the Instructions to Bidders shall be stricken and replaced with the following:

“Bidders are not required to attend and participate in the conference.”

2. **Bid Form**

Several Bid Item Quantities have been revised. Replace the Bid Schedule within the Bid Form with the “Addendum No. 1 Revised Bid Schedule” enclosed in Addendum No. 1.

3. **Disadvantaged Business Enterprise Forms**

The Identification of Minority Business Enterprise Form, Affidavit A, Affidavit B, Affidavit C and Affidavit D are included with Addendum No. 1 and are hereby incorporated into the Bidding Documents.

4. **Davis Bacon Highway Wage Determination**

The Highway Wage Determination for Davis-Bacon requirements shall be stricken in its entirety and is not applicable to this project.

5. **Qualification Statement**

The Qualification Statement section of the Bid Documents (EJCDC Form C-451) shall be stricken in its entirety.

6. **E-Verification**

The attached E-Verify form is hereby incorporated into the Bidding Documents and shall be completed and submitted with Bidder's bid package.

7. **Debarment Certification**

The attached Debarment Certification form is hereby incorporated into the Bidding Documents and shall be completed and submitted with Bidder's bid package.

8. **Section 013000 Measurement & Payment**

In Article 013000.4, Work Item No. 33, add the following bullet list item “n” to the end of the list of items making up work to be covered by the unit price for 12-inch Ductile Iron Water Line Installation. “n. Installation of a 4”x4” wooden post (including blue paint) at the end of any service stub-out as shown on the plans.”

9. **Section 013000 Measurement & Payment**

In Article 013000.4, Work Item No. 39, revise the last sentence of the description for Work Item No. 39 to read as follows: “...mandrel and vacuum testing, connections to services, a 4”x4” wooden post with green paint at the end of any service stub-out as shown on the plans, and bypass pumping as necessary.”

**CHANGES TO THE CONTRACT DRAWINGS**

1. **Sheet C-113**

Replace Sheet C-113 with the revised Sheet C-113 attached to Addendum No. 1.

2. **Sheet C-301**

Replace Sheet C-301 with the revised Sheet C-301 attached to Addendum No. 1.

**ATTACHMENTS**

1. Bidder Questions & Responses
2. Pre-Bid Meeting Minutes
3. Revised Bid Schedule
4. DBE Forms
5. E-Verify Form
6. Debarment Certification Form
7. Revised Plan Sheets C-113 and C-301

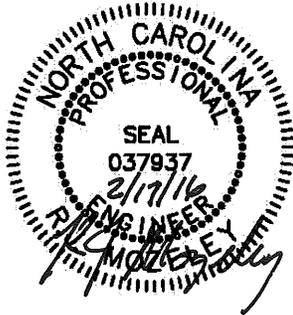
This Addendum No. 1 is issued this the 17<sup>th</sup> day of February, 2016.

RJ MOZELEY, PE



Engineering • Planning • Finance

1240 19<sup>th</sup> St. Lane NW  
Hickory, North Carolina 28601  
Firm License No. C-0459



**END OF ADDENDUM NO. 1**

## **BIDDER QUESTIONS & RESPONSES**

- A. Question/Request: What is the current status of the area to be cleared?  
**Answer: The majority of the site is currently open fields with a few small groups of trees. Contractors are strongly encouraged to visit the site prior to bidding to ascertain the existing site conditions for themselves.**
- B. Question/Request: Is there an Engineers Estimate of probable Construction Cost?  
**Answer: Yes, the engineer's estimate is \$2.9 million.**
- C. Question: Will AutoCAD files of the project design be available to Bidders?  
**Answer: Yes, after a plan holder requests the subject files and successfully executes McGill Associates' Agreement for Provision of Electronic Data, an AutoCAD file of the project will be provided.**
- D. Question/Request: Will a list of attendees be distributed?  
**Answer: Yes, a list of the attendees for the pre-bid meeting will be distributed with Addendum No. 1**
- E. Question/Request: Who will be handling the Erosion and Sediment control inspections for the project?  
**Answer: The Land Quality Section of NCDEQ will be performing inspections for the project.**
- F. Question/Request: Is the pre-bid meeting mandatory?  
**Answer: No, the bid documents will be modified in Addendum No. 1 to reflect that the pre-bid meeting was not mandatory.**
- G. Question/Request: How soon will the project's construction phase begin?  
**Answer: Mr. Mozeley estimated that the project's award and Notice to Proceed would be processed relatively quickly (likely within 60 days barring any unforeseen issues with the bids). Mr. Mozeley added that grant funding is in place for the project so there should be no delays in the construction phase for funding. Mr. Mozeley also directed attendees to check the Bidding Documents for the duration of the bid hold period following the close of bids.**
- H. Question/Request: The quantities of undercut seem to be excessive, are they correct?  
**Answer: Mr. Seaman stated that review of the bid quantities were already under review and would be modified in Addendum No. 1.**
- I. Question/Request: Do we understand correctly that all material removed during the project's work can remain on site, and that no specific waste is required?  
**Answer: Yes, based on the information we have at this time, there is no designated waste area and all unsuitable excavation materials can be disposed of on site in non-structural areas with prior approval from the Engineer.**

**PRE-BID MEETING NOTES  
SITE IMPROVEMENTS FOR NC DATA CAMPUS PHASE B  
CATAWBA COUNTY, NORTH CAROLINA**

**CATAWBA COUNTY GOVERNMENT CENTER  
THURSDAY, FEBRUARY 11, 2016; 10:00 AM**

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A pre-bid meeting for the project entitled "Site Improvements for NC Data Campus Phase B" was held on Thursday, February 11, 2016 at 10:00am at the Catawba County Government Center (100A South West Boulevard, Newton, North Carolina 28658) in the second floor conference room.

1. **Welcome and Introductions:** Mr. R.J. Mozeley with McGill Associates welcomed all attendees and thanked them for their interest in the NC Data Campus Phase B project. Mr. Mozeley introduced Mr. Barry Edwards, PE – Catawba County, Mr. Jimmy Clark – City of Conover, Ms. Leah Martin – WPCOG, and Mr. Kyle Seaman, PE – McGill Associates.
2. **Attendance Sheet:** A copy of the Attendance Sheet for the Pre-Bid meeting was circulated around the room to document all those in attendance and Mr. Mozeley stated that the attendance sheet would be attached to the meeting minutes to be issued in Addendum No. 1.
3. **Questions:** Mr. Mozeley stated that he would be the main point of contact for questions about the project and would disseminate all questions received to the appropriate design discipline. Please direct questions in writing to [rj.mozeley@mcgillengineers.com](mailto:rj.mozeley@mcgillengineers.com). All questions should be submitted in writing in accordance with the Instructions to Bidders. **No questions will be received after 5:00 pm on February 24, 2016.**
4. Mr. Mozeley stated that this project is a multi-jurisdictional project for Catawba County, the City of Conover, and their other partners within Catawba County. Mr. Mozeley added that the Contractor will communicate directly with McGill Associates' designated representatives throughout the bidding and construction phases of the project and that McGill Associates will disseminate project information to the appropriate parties within the project's ownership partners.
5. Mr. Mozeley added that electronic (autocad) data would be made available to plan holders who request such information after execution of an agreement for provision of electronic data is completed by an individual with authority to bind the plan holder.
6. Bids will be received for the project until Tuesday, **March 1<sup>st</sup>, 2016 at 2:00 pm** in the second floor meeting room (same location as the Pre-Bid Meeting). All bidders are directed to the Instructions to Bidders for the complete list of bidding requirements. All attendees should refer to the McGill Associates bid website for current planholder lists, addenda, and other pertinent information regarding the bid. The website address is [www.mcgillbidline.com](http://www.mcgillbidline.com).

7. The project generally involves the construction of: *site work for the development of three (3) industrial sites as part of NC Data Campus. This includes clearing and grubbing, all necessary erosion control measures, earthwork, storm drainage conveyance and detention, water line extension with services, sewer line extension, electrical conduit extension, sidewalks, curb and gutter, asphalt roadway construction, gravel roadway construction, and site stabilization.*
8. Bidders are directed to the Instructions to Bidders and the Bid Form for specifics on the bidding requirements. Bids submitted for the project will be in unit price format according to the Bid Schedule included in the Bidding Documents. At the bid opening, only the total bid price will be announced for each item; however, a complete breakdown of the unit price items will be part of the certified bid tab provided to the County after the bid opening.
9. The Bid Documents contain information for the construction contract duration and milestones. Please note that the project shall be substantially complete within 180 consecutive calendar days after the date of the Notice to Proceed and shall be ready for final payment within 210 consecutive calendar days after the date of the Notice to Proceed. Please also note that the construction contract includes liquidated damages in the amount of \$500.00 per day for each and every consecutive calendar day for both project milestones.
10. Mr. Seaman stated that Bids are unit price format – Rock will be classified excavation and paid for by unit prices. All other material down to proposed subgrade elevation is unclassified. Any unsuitable material below proposed subgrade elevation identified in the field by the geotech will be removed and paid for by unit price items. Mr. Seaman added that the quantities in the bid form are estimations for the purpose of comparison of bids and are not guaranteed quantities. Contractor to refer to Spec Section 013000 Measurement and Payment for further information.
11. Mr. Seaman also discussed the slope stabilization plans prepared by ECS for the fill section on proposed building lot No. 3. SC250 matting shall be utilized for slope stabilization as shown on sheet C-110.
12. Mr. Seaman also noted that all roadway and drainage work shall be constructed in accordance with NC DOT 2012 Standards.
13. Ms. Leah Martin from the WPCOG indicated that there are CDBG-HUD funds invested in the project and that the Davis Bacon Act applied to the project. The contractor shall submit certified payrolls weekly for each week in which any construction work is performed.
14. Ms. Martin also stated that the North Carolina Department of Commerce has recently confirmed that the wage decision to govern all trades on this project shall be the Heavy Decision. Consequently, the Highway Decision which was issued in the initial bid documents will be stricken in Addendum No. 1.
15. Ms. Martin also stated that since paving overlay in Phase A is part of this contract, there may be contractors that wish to request additional job classifications related to the paving, but most could be considered within the existing job classifications. An example is that

there may be a Flagger needed on the project and there is not specifically a Flagger job classification in the Heavy Wage Decision; however the contractor can pay this Flagger as a Laborer: General if they are willing to do so, rather than request a new job classification for Flagger. The awarded prime contractor and sub-contractor, if any, will work with the Owner and the Contract Administrator (WPCOG representative) to address those questions and interpretations. The process is addressed in HUD's guide "Davis-Bacon Labor Standards – A Contractor's Guide to Prevailing Wage Requirements for Federally-Assisted Construction Projects" beginning on page 2-2. The address for that website is provided here: <http://portal.hud.gov/hudportal/documents/huddoc?id=4812-LRguide.pdf>.

16. Ms. Martin encouraged Bidders to call with any questions in reference to this guidance.
13. Ms. Martin also added that since paving overlay in Phase A is part of this contract and since that roadway may be open during the overlay activities that a flagger may be required to meet Davis-Bacon requirements. The Owner and its partners will address that situation and notify the Contractor prior to any scheduled overlay operations in Phase A.
14. Mr. Seaman noted that the Contractor will be granted access to the project from the previously completed Phase A project. Mr. Seaman also stated that the contractor will be responsible for any damage to the existing roadway, bridge, utilities, and other existing site improvements resulting from construction activities for the Phase B project. The asphalt roadway completed during Phase A of the project (up through the turnaround) will be officially open to the public during construction of the Phase B project.
15. Mr. Seaman noted unsuitable material (that is considered undercut excavation and paid for at the contract unit price) will be wasted onsite in non-structural areas as directed by the Owner/Engineer. Select backfill shall be obtained from an onsite source as needed. Contractor shall coordinate with Owner/Engineer for approval of location, depth, etc. prior to placing waste material and also prior to removing material for select backfill elsewhere on site.
16. Mr. Seaman noted topsoil from grubbing operations may be wasted on permanent slopes, in shoulder areas along roadway upon completion and other non-structural areas with prior approval. Contractor shall coordinate with Owner and Engineer for approval of location, depth, etc. prior to placing.
17. Mr. Seaman noted excavated rock may be used as structural fill under the following guidelines:
  - A. Rock may be placed in lifts up to 3 feet thick; however, no rock fragment within the lift should be larger than 2 feet in any dimension. In addition, no rock fills should be placed within 3 feet of the design top of fill. Contractor shall coordinate with Owner/Engineer for approval of location, depth, etc. prior to placing.
18. Mr. Seaman noted that any topsoil, unsuitable material, or excavated rock placed prior to Owner/Engineer approval will have to be removed at the contractor's expense.

19. The project is under NC DENR Land Quality Section jurisdiction. The local inspector will be invited to the preconstruction conference and erosion control will be one of the most important aspects of the grading project.
20. Mr. Jimmy Clark from the City of Conover, indicated that the 18" RCP pipes and associated catch basins currently shown within proposed building lots 1, 2 & 3 on the plans may be modified and replaced with drainage swales. Mr. Mozeley added that those items are to remain part of the contract and bid until formal notice is provided removing them from the project's scope. Mr. Mozeley advised all attendees that an addendum will be issued if and when this modification is implemented.
21. Mr. Clark also added that the Ownership partners and McGill Associates would need to review the intent for procuring geotechnical services on the project. Mr. Mozeley added that the method of geotechnical services procurement would be clarified in Addendum No. 1.
22. Mr. Mozeley stated that the project is subject to DBE guidelines as described in the County's DBE policy included in the contract documents. Mr. Mozeley added that the typical DBE forms were not yet included in the Bidding Documents and that they would be added in Addendum No. 1.
23. Mr. Mozeley suggested that Bidders review the DBE guidelines and ask any pertinent questions as soon as possible to avoid any confusion with DBE requirements.
24. Mr. Mozeley stated that any potential bidders are allowed and encouraged to visit the site.
25. Having completed the meeting agenda, Mr. Mozeley opened the discussion to questions from attendees.
26. The following questions were asked at the meeting and then either answered or deferred to a written response:
  - A. Question/Request: What is the current status of the area to be cleared?  
**Answer: The majority of the site is currently open fields with a few small groups of trees. Contractors are strongly encouraged to visit the site prior to bidding to ascertain the existing site conditions for themselves.**
  - B. Question/Request: Is there an Engineers Estimate of probable Construction Cost?  
**Answer: Yes, the engineer's estimate is \$2.9 million**
  - C. Question/Request: Is an autocad file available for the project?

**Answer: Yes, after a plan holder requests the subject files and successfully executes McGill Associates' Agreement for Provision of Electronic Data, an AutoCAD file of the project will be provided..**

D. Question/Request: Will a list of attendees be distributed?

**Answer: Yes, a list of the attendees for the pre-bid meeting will be distributed with Addendum No. 1**

E. Question/Request: Who will be handling the Erosion and Sediment control inspections for the project?

**Answer: The Land Quality Section of NCDEQ will be performing inspections for the project.**

F. Question/Request: Is the pre-bid meeting mandatory?

**Answer: No, the bid documents will be modified in Addendum No. 1 to reflect that the pre-bid meeting was not mandatory.**

G. Question/Request: How soon will the project's construction phase begin?

**Answer: Mr. Mozeley estimated that the project's award and Notice to Proceed would be processed relatively quickly (likely within 60 days barring any unforeseen issues with the bids). Mr. Mozeley added that grant funding is in place for the project so there should be no delays in the construction phase for funding. Mr. Mozeley also directed attendees to check the Bidding Documents for the duration of the bid hold period following the close of bids.**

H. Question/Request: The quantities of undercut seem to be excessive, are they correct?

**Answer: Mr. Seaman stated that review of the bid quantities were already under review and would be modified in Addendum No. 1.**

I. Question/Request: Do we understand correctly that all material removed during the project's work can remain on site, and that no specific waste is required?

**Answer: Yes, based on the information we have at this time, there is no designated waste area and all unsuitable excavation materials can be disposed of on site in non-structural areas with prior approval from the Engineer.**

27. The Pre-Bid meeting was then adjourned.

Respectfully Submitted,  
McGILL ASSOCIATES, P.A.

A handwritten signature in black ink, appearing to read "R.J. Mozeley". The signature is written in a cursive, slightly slanted style.

R.J. MOZELEY, PE  
Project Engineer

Attachments: Attendance Sheet



**ATTENDANCE SHEET**

Pre-Bid Conference  
 NC Data Campus, Phase B  
 Catawba County, North Carolina  
 February 11, 2016, 10:00 am local time

<input checked="" type="checkbox"/>	Name	Company	Telephone	Email
	FJ Mozulky	McGill	828-328-2024	fj.mozulky@mcgillengravers.com
	John Gocher	MHM Construction	828-302-0722	gocherj54@gmail.com
	Trent Griffith	Midstate Contractors	828-312-7812	Trent.Griffith@bidstobcontractors.net
	RANDALL WILLIAMS	MIDSTATE CONTRACTORS	828-222-9497	randallwilliams@midstatecontractors.net
	Kyle Seaman	McGill	828-252-0575	
	Jimmy Clark	City of Conover	828-464-4808	jimmy.clark@conovernc.gov
	Leah Martin	WPCOG	828-485-4252	leah.martin@wpcog.org
	Brian Bradshaw	City of Conover	828-404-4808	brian.bradshaw@conovernc.gov
	TERRY R. JONES	CITY OF CONOVER	828-217-5098	terry.jones@conovernc.gov
	Matthew Hoavis	Neill Grading	828-234-17624	matt@neilling.com
	JAN WILSON	Neill Grading	828-244-6262	janeneilling.com
	Jeremy Williams	Phillips + Jordan, Inc	828-479-3371	jeremyw@pandj.com
	Devin B. Sikes	Anson Contractors Inc	704-694-6450	ansoncontractorsinc@gmail.com
	BILL CARTER	OH GRIFFIN INCRA	704-213-3591	B CARTER @ OH GRIFFIN . COM
	Johnny Phillips	Graham County Land Co. (888)	705-25588	johnphillips@gclnc.com
	Doug Ramsier	Monroe Roadways Contractors Inc	(704) 489-0700	dramsier@monroeroadways.net
	Laurie Powell	WPCOG	828-485-4249	laurie.powell@wpcog.org

**REVISED BID SCHEDULE**

ITEM #	DESCRIPTION	UNIT	QTY	UNIT COST	TOTAL AMOUNT
1	Mobilization/General Requirements	LS	1		
2	Clearing and Grubbing	LS	1		
3	Erosion Control Measures	LS	1		
4	Earthwork	LS	1		
5	Mass Rock Excavation	CY	1,000		
6	Trench Rock Excavation	CY	500		
7	Undercut Excavation	CY	8,000		
8	Bi-Axial Geogrid for Base Stabilization	SY	7,000		
9	Compacted ABC for Base Stabilization	TON	2,000		
10	Select Backfill	CY	7,000		
11	Seeding, Fertilizing, and North American Green SC150 Matting	SY	17,500		
12	Seeding, Fertilizing, and North American Green SC250 Matting (Lot 3)	SY	5,600		
13	Catch Basin	EA	22		
14	Curb Inlet	EA	8		
15	Junction Box	EA	2		
16	30" Curb and Gutter	LF	1,350		
17	Concrete Sidewalk	SY	520		
18	18" HDPE Pipe	LF	140		
19	18" RCP	LF	1,900		
20	24" RCP	LF	900		
21	36" RCP	LF	1,700		
22	42" RCP	LF	240		
23	Flared End Section	EA	5		
24	Washed Stone for Pipe Trench Stabilization	TON	350		
25	Permanant Ditch Rip Rap Outlet Protection w/ Filter Fabric	EA	3		
26	Wetpond #1	LS	1		
27	Wetpond #2	LS	1		
28	8" ABC Stone (Asphalt Road)	SY	2,800		
29	1.5" SF9.5A Asphalt Surface Course	SY	10,500		
30	2.5" I19.0B Asphalt Intermediate Course	SY	2,800		
31	6" ABC Stone (Gravel Road)	SY	1,340		



ITEM #	DESCRIPTION	UNIT	QTY	UNIT COST	TOTAL AMOUNT
32	Seeding, Fertilizing, and Mulching	LS	1		
33	12" Ductile Iron Water Line Installation	LF	1,600		
34	12" Mechanical Joint Gate Valves w/ Adjustable Cast Iron Valve Boxes	EA	4		
35	Fire Hydrant Assembly	EA	3		
36	Compact Ductile Iron Fittings	LBS	1,400		
37	4' Diameter Sewer Manholes	EA	4		
38	Connect to Existing 4' Diameter Sewer Manhole	EA	1		
39	12" Ductile Iron Sewer Line	LF	840		
40	Electrical Ductbank 'A' - 15 Way	LF	350		
41	Electrical Ductbank 'B' - 15 Way w/4-Way Fiber	LF	285		
42	Electrical Manholes	EA	6		
<b>TOTAL BID PRICE</b>					





# State of North Carolina AFFIDAVIT A - Listing of Good Faith Efforts

County of \_\_\_\_\_

(Name of Bidder)

Affidavit of \_\_\_\_\_

I have made a good faith effort to comply under the following areas checked:

**Bidders must earn at least 50 points from the good faith efforts listed for their bid to be considered responsive.** (1 NC Administrative Code 30 I.0101)

- 1 - (10 pts) Contacted minority businesses that reasonably could have been expected to submit a quote and that were known to the contractor, or available on State or local government maintained lists, at least 10 days before the bid date and notified them of the nature and scope of the work to be performed.
- 2 --(10 pts) Made the construction plans, specifications and requirements available for review by prospective minority businesses, or providing these documents to them at least 10 days before the bids are due.
- 3 - (15 pts) Broken down or combined elements of work into economically feasible units to facilitate minority participation.
- 4 - (10 pts) Worked with minority trade, community, or contractor organizations identified by the Office of Historically Underutilized Businesses and included in the bid documents that provide assistance in recruitment of minority businesses.
- 5 - (10 pts) Attended prebid meetings scheduled by the public owner.
- 6 - (20 pts) Provided assistance in getting required bonding or insurance or provided alternatives to bonding or insurance for subcontractors.
- 7 - (15 pts) Negotiated in good faith with interested minority businesses and did not reject them as unqualified without sound reasons based on their capabilities. Any rejection of a minority business based on lack of qualification should have the reasons documented in writing.
- 8 - (25 pts) Provided assistance to an otherwise qualified minority business in need of equipment, loan capital, lines of credit, or joint pay agreements to secure loans, supplies, or letters of credit, including waiving credit that is ordinarily required. Assisted minority businesses in obtaining the same unit pricing with the bidder's suppliers in order to help minority businesses in establishing credit.
- 9 - (20 pts) Negotiated joint venture and partnership arrangements with minority businesses in order to increase opportunities for minority business participation on a public construction or repair project when possible.
- 10 - (20 pts) Provided quick pay agreements and policies to enable minority contractors and suppliers to meet cash-flow demands.

The undersigned, if apparent low bidder, will enter into a formal agreement with the firms listed in the Identification of Minority Business Participation schedule conditional upon scope of contract to be executed with the Owner. Substitution of contractors must be in accordance with GS143-128.2(d) Failure to abide by this statutory provision will constitute a breach of the contract.

The undersigned hereby certifies that he or she has read the terms of the minority business commitment and is authorized to bind the bidder to the commitment herein set forth.

Date: \_\_\_\_\_ Name of Authorized Officer: \_\_\_\_\_

Signature: \_\_\_\_\_

Title: \_\_\_\_\_



State of North Carolina, County of \_\_\_\_\_

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_

Notary Public \_\_\_\_\_

My commission expires \_\_\_\_\_

**State of North Carolina --AFFIDAVIT B-- Intent to Perform Contract with Own Workforce.**

County of \_\_\_\_\_

Affidavit of \_\_\_\_\_  
(Name of Bidder)

I hereby certify that it is our intent to perform 100% of the work required for the \_\_\_\_\_  
\_\_\_\_\_ contract.  
(Name of Project)

In making this certification, the Bidder states that the Bidder does not customarily subcontract elements of this type project, and normally performs and has the capability to perform and will perform all elements of the work on this project with his/her own current work forces; and

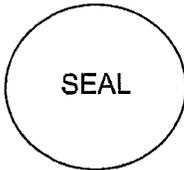
The Bidder agrees to provide any additional information or documentation requested by the owner in support of the above statement.

The undersigned hereby certifies that he or she has read this certification and is authorized to bind the Bidder to the commitments herein contained.

Date: \_\_\_\_\_ Name of Authorized Officer: \_\_\_\_\_

Signature: \_\_\_\_\_

Title: \_\_\_\_\_



State of North Carolina, County of \_\_\_\_\_

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_

Notary Public \_\_\_\_\_

My commission expires \_\_\_\_\_

Do not submit with bid Do not submit with bid Do not submit with bid Do not submit with bid

# State of North Carolina - AFFIDAVIT C - Portion of the Work to be Performed by Minority Firms

County of \_\_\_\_\_

(Note this form is to be submitted only by the apparent lowest responsible, responsive bidder.)

If the portion of the work to be executed by minority businesses as defined in GS143-128.2(g) is equal to or greater than 10% of the bidders total contract price, then the bidder must complete this affidavit. This affidavit shall be provided by the apparent lowest responsible, responsive bidder within **72 hours** after notification of being low bidder.

Affidavit of \_\_\_\_\_ I do hereby certify that on the \_\_\_\_\_  
(Name of Bidder)

Project ID# \_\_\_\_\_ (Project Name) Amount of Bid \$ \_\_\_\_\_

I will expend a minimum of \_\_\_\_\_% of the total dollar amount of the contract with minority business enterprises. Minority businesses will be employed as construction subcontractors, vendors, suppliers or providers of professional services. Such work will be subcontracted to the following firms listed below. Attach additional sheets if required

Name and Phone Number	*Minority Category	Work description	Dollar Value

\*Minority categories: Black, African American (B), Hispanic (H), Asian American (A) American Indian (I), Female (F) Socially and Economically Disadvantaged (D)

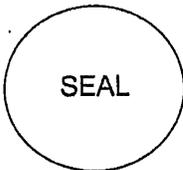
Pursuant to GS143-128.2(d), the undersigned will enter into a formal agreement with Minority Firms for work listed in this schedule conditional upon execution of a contract with the Owner. Failure to fulfill this commitment may constitute a breach of the contract.

The undersigned hereby certifies that he or she has read the terms of this commitment and is authorized to bind the bidder to the commitment herein set forth.

Date: \_\_\_\_\_ Name of Authorized Officer: \_\_\_\_\_

Signature: \_\_\_\_\_

Title: \_\_\_\_\_



State of North Carolina, County of \_\_\_\_\_

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

Notary Public \_\_\_\_\_

My commission expires \_\_\_\_\_

**State of North Carolina AFFIDAVIT D – Good Faith Efforts**

County of \_\_\_\_\_

(Note this form is to be submitted only by the apparent lowest responsible, responsive bidder.)

If the goal of 10% participation by minority business **is not** achieved, the Bidder shall provide the following documentation to the Owner of his good faith efforts:

(Name of Bidder)

Affidavit of: \_\_\_\_\_

I do certify the attached documentation as true and accurate representation of my good faith efforts.

(Attach additional sheets if required)

Name and Phone Number	*Minority Category	Work description	Dollar Value

\*Minority categories: Black, African American (B), Hispanic (H), Asian American (A) American Indian (I), Female (F) Socially and Economically Disadvantaged (D)

Documentation of the Bidder's good faith efforts to meet the goals set forth in these provisions. Examples of documentation include, but are not limited to, the following evidence:

- A. Copies of solicitations for quotes to at least three (3) minority business firms from the source list provided by the State for each subcontract to be let under this contract (if 3 or more firms are shown on the source list). Each solicitation shall contain a specific description of the work to be subcontracted, location where bid documents can be reviewed, representative of the Prime Bidder to contact, and location, date and time when quotes must be received.
- B. Copies of quotes or responses received from each firm responding to the solicitation.
- C. A telephone log of follow-up calls to each firm sent a solicitation.
- D. For subcontracts where a minority business firm is not considered the lowest responsible sub-bidder, copies of quotes received from all firms submitting quotes for that particular subcontract.
- E. Documentation of any contacts or correspondence to minority business, community, or contractor organizations in an attempt to meet the goal.
- F. Copy of pre-bid roster.
- G. Letter documenting efforts to provide assistance in obtaining required bonding or insurance for minority business.
- H. Letter detailing reasons for rejection of minority business due to lack of qualification.
- I. Letter documenting proposed assistance offered to minority business in need of equipment, loan capital, lines of credit, or joint pay agreements to secure loans, supplies, or letter of credit, including waiving credit that is ordinarily required.

Failure to provide the documentation as listed in these provisions may result in rejection of the bid and award to the next lowest responsible and responsive bidder.

Date: \_\_\_\_\_ Name of Authorized Officer: \_\_\_\_\_

Signature: \_\_\_\_\_

Title: \_\_\_\_\_



State of North Carolina, County of \_\_\_\_\_  
 Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_  
 Notary Public \_\_\_\_\_  
 My commission expires \_\_\_\_\_

STATE OF NORTH CAROLINA

**AFFIDAVIT**

I, \_\_\_\_\_ (the individual attesting below), being duly authorized by and on behalf of \_\_\_\_\_ (the entity bidding on project hereinafter "Employer") after first being duly sworn hereby swear or affirm as follows:

- 1. Employer understands that E-Verify is the federal E-Verify program operated by the United States Department of Homeland Security and other federal agencies, or any successor or equivalent program used to verify the work authorization of newly hired employees pursuant to federal law in accordance with NCGS §64-25(5).
- 2. Employer is a person, business entity, or other organization that transacts business in this State and that employs 25 or more employees in this State. (mark Yes or No)
  - a. YES \_\_\_\_\_, or
  - b. NO \_\_\_\_\_
- 3. Employer understands that employers employing 25 or more employees in this State must use E-Verify. Each employer, after hiring an employee to work in the United States, must verify the work authorization of the employee through E-Verify in accordance with Article 2, Chapter 64 of the North Carolina General Statutes.
- 4. Employer's subcontractors comply with E-Verify, and if Employer is the winning bidder on this project Employer will ensure compliance with E-Verify by any subcontractors subsequently hired by Employer.

This \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Signature of Affiant

Print or Type Name: \_\_\_\_\_

Title: \_\_\_\_\_

State of \_\_\_\_\_ County of \_\_\_\_\_

Signed and sworn to (or affirmed) before me, this the \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

My Commission Expires:

\_\_\_\_\_  
Notary Public

(Affix Official/Notarial Seal)

SRF Project No. \_\_\_\_\_  
Owner/Recipient: \_\_\_\_\_

**CERTIFICATION REGARDING  
DEBARMENT, SUSPENSION AND OTHER RESPONSIBILITY MATTERS**

This form must be completed for each prime and subcontractor; and submitted to the State Infrastructure Finance Section, 1633 Mail Service Center, Raleigh, North Carolina 27699-1633.

The prospective participant certifies to the best of its knowledge and belief that it and its principals:

- (a) Are not presently debarred, suspended, proposed for debarment, declared ineligible, nor 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 anti-trust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;
- (c) Are not presently indicated for or otherwise criminally or civilly charged by a government entity, (Federal, State or local) with commission of any of the offenses enumerated in paragraph (1) (b) of this certification; and
- (d) Have not within a three year period preceding this application/proposal had one or more public transactions (Federal, State or local) terminated for cause or default.

I understand that a false statement on this certification may be grounds for rejection of this proposal or termination of the award. In addition, under 18 U.S.C. 1001, a false statement may result in a fine of up to \$10,000 or imprisonment for up to five years, or both.

\_\_\_\_\_  
Name & Title of Authorized Representative and Name of Company

\_\_\_\_\_  
Signature of Authorized Representative                      Date

I am unable to certify to the above statements. Attached is my explanation.

Prime or Subcontractor's Name: \_\_\_\_\_

Telephone Number: \_\_\_\_\_