

## Public Records Request #4096

The following materials have been gathered in response to public records request #4096. These materials include:

- Project #515-15-003: Advanced Grading of Proposed I-85 North Bridge – Dane Construction, Inc. – Bid
- Project #515-15-003: Advanced Grading of Proposed I-85 North Bridge – GreenWater Development, Inc. – Bid
- Project #515-15-003: Advanced Grading of Proposed I-85 North Bridge – Mountaineer Contractors, Inc. – Bid

This information was provided as a response to a public records request on 9/16/20 and is current to that date. There is a possibility of more current information and/or documents related to the stated subject matter.

### Further Information

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For further information about this request or the Citywide Records Program, please contact:

Cheyenne Flotree  
Citywide Records Program Manager  
City of Charlotte/City Clerk's Office  
600 East 4<sup>th</sup> Street, 7<sup>th</sup> Floor  
Charlotte, NC 28202  
Cheyenne.Flotree@charlottenc.gov

Amelia Knight  
Public Records Specialist  
City of Charlotte/City Clerk's Office  
600 East 4<sup>th</sup> Street, 7<sup>th</sup> Floor  
Charlotte, NC 28202  
Amelia.Knight@charlottenc.gov

**ITEMIZED BID**

**BIDDER NAME:** Dane Construction, Inc.  
**PROJECT #:** 512-15-003  
**PROJECT NAME:** Advanced Grading of Portion of Proposed I-85 North Bridge

**SECTION 1: BID**

<i>Item</i>	<i>Section</i>	<i>ITEM DESCRIPTION</i>	<i>Quantity</i>	<i>Unit</i>	<i>Unit Price</i>	<i>Amount</i>
1	800	Mobilization	1	LS	\$21,525.00	\$21,525.00
2	SP-01	Clearing and Grubbing	1	LS	\$90,640.00	\$90,640.00
3	225	Unclassified Excavation	6700	CY	\$10.00	\$67,000.00
4	226	Undercut Excavation	700	CY	\$18.00	\$12,600.00
5	265	Select Granular Material	700	CY	\$50.00	\$35,000.00
6	270	Geotextile for Soil Stabilization	145	SY	\$2.25	\$326.25
7	300	Foundation Conditioning Material, Minor Structures	4	TN	\$75.00	\$300.00
8	310	24" R.C. Pipe Culverts, Class III	35	LF	\$75.00	\$2,625.00
9	310	24" R.C. Pipe Culverts, Class IV	16	LF	\$100.00	\$1,600.00
10	310	24" R.C. Flared End Section (CLDS 20.22)	1	EA	\$1,200.00	\$1,200.00
11	505	Shallow Undercut	45	CY	\$25.00	\$1,125.00
12	505	Class IV Subgrade Stabilization	140	TN	\$50.00	\$7,000.00
13	545	Incidental Stone Base	100	TN	\$50.00	\$5,000.00
14	840	Masonry Drainage Structures, CLDS 20.03	1	EA	\$1,550.00	\$1,550.00
15	840	Masonry Drainage Structures, CLDS 20.03	2	VF	\$250.00	\$500.00
16	840	Pipe Collars	1	CY	\$1,250.00	\$1,250.00
17	876	Riprap, Class B	77	TN	\$50.00	\$3,850.00
18	876	Geotextile for Drainage	457	SY	\$2.25	\$1,028.25
19	1605	Temporary Silt Fence	1585	LF	\$4.34	\$6,878.90
20	1610	Erosion Control Stone, Class B	175	TN	\$50.00	\$8,750.00
21	1610	Sediment Control Stone	60	TN	\$45.00	\$2,700.00

Item	Section	ITEM DESCRIPTION	Quantity	Unit	Unit Price	Amount
22	1622	Temporary Slope Drains	200	LF	\$10.00	\$2,000.00
23	1630	Silt Excavation	260	CY	\$20.00	\$5,200.00
24	1632	1/4" Hardware Cloth	90	LF	\$6.00	\$540.00
25	SPL-05	Tree Protection Fence	720	LF	\$1.35	\$972.00
26	SPL-06	Seeding and Mulching	14520	SY	\$0.41	\$5,953.20
27	SPSRW-07	Erosion Control Matting - 100% Biodegradable Coconut w/ Organic Netting	6600	SY	\$2.48	\$16,368.00
28	SP-08	Coir Fiber Roll	110	LF	\$12.25	\$1,347.50
29	SP-09	Rock Removal	300	CY	\$75.00	\$22,500.00
30	SP-10	Catch Basin Inlet Protection - Filter Bag	2	EA	\$95.00	\$190.00
31	SP-08	Polyacrylamide (PAM)	35	LB	\$20.00	\$700.00
32	SP-11	Erosion Control Wattle Barrier	863	LF	\$12.75	\$11,003.25
33	SP-12	Temporary Earth Shoulder Berm	283	LF	\$15.00	\$4,245.00
34	SP-13	Rip Rap Filter Berm Basin	2	EA	\$750.00	\$1,500.00
35	SP-14	Maintenance of Erosion Control	1	LS	\$37,205.00	\$37,205.00
36	SP-15	Stockpile	1950	CY	\$8.50	\$16,575.00
37	SP-16	Traffic Control	1	LS	\$31,840.00	\$31,840.00
<b>Subtotal</b>						\$430,587.35
				<u>10.0%</u>	<b>Contingency</b>	\$43,058.74
<b>Total Bid</b>						\$473,646.09

**Do not include any North Carolina Sales and Use Tax that qualifies as Eligible Taxes per Section 00 70 00, Subsection 2.17 "Sales and Use Tax".**

### CBI FORM 3 - Subcontractor / Supplier Utilization Commitment

(page 1 of 2)

This form **MUST** be submitted at the time of Bid Opening. *Copy this CBI Form 3 as needed.*  
 Failure to properly complete and submit Form 3 with the Bid constitutes grounds for rejection of the Bid.

Per Part B, Section 3.4 of the CBI Policy, the Subcontractor/Supplier Utilization Commitment (CBI Form 3), captures information regarding the SBEs, MBEs, and other subcontractors and suppliers that the Bidder intends to use on the Contract **FOR ALL TIERS**.

For Construction Contracts under \$500,000, SBEs/MBEs must satisfy the requirements of Part B, Section 3 of the CBI Policy in order to count the work they intend to perform on the contract with its own current workforces towards the established Subcontracting Goal, and must list themselves below along with their projected utilization amount.

Bidder Name:			
Project Name:	Advanced Grading of Portion of Proposed I-85 North Bridge		
Project Number:	512-15-003	Established SBE Goal:	19%
		Established MBE Goal:	7%

List below all **SBEs and MBEs (Non-Hauling Services)** that you intend to use on this Contract. **NOTE:** You will only receive credit for SBEs that are currently certified with the City as of the Bid Opening Date. Furthermore, you will only receive credit for MBEs that are registered with the City as of Bid Opening Date and who have an ethnic designation of African American, Hispanic, or Native American.

SBE/MBE Vendor Name (Non-Hauling Services)	Description of work / materials	NIGP Code	Vendor #	Total Projected Utilization (\$)
ERSON DEFENSE	Self Force	90976	301462	36,825.00

For all hauling services on this Contract, list below all SBEs and MBEs that you intend to provide such work and the Total Projected Utilization (\$).

SBE/MBE Vendor Name (Hauling Services)	Description of work / materials	NIGP Code	Vendor #	Total Projected Utilization (\$)
DIAMOND TRUCKING	Hauling	96239	300043	53,425.00

Total Subcontractor / Supplier Utilization (including SBEs, MBEs and Non-MBEs/SBEs)	\$ 90,250.00
Total SBE Utilization	\$ 90,250.00
Total MBE Utilization	\$ 53,425.00
Total Bid Amount (including Contingency)	\$ <del>430,587</del> 473,646.09
Percent SBE Utilization* (Total SBE Utilization divided by Total Bid Amount)	19.05 %
Percent MBE Utilization* (Total MBE Utilization divided by Total Bid Amount)	11.28 %

\*THE SBE/MBE Utilization percentage stated **MUST** be rounded to two (2) decimal places

Version 11-2016

**CBI FORM 3: Subcontractor / Supplier Utilization Commitment (page 2 of 2)**

List below all non-MBEs/SBEs (subcontractors and suppliers) that you intend to use on this Contract:

Vendor Name	Description of work / materials	NIGP Commodity Code	Vendor #	Projected Utilization (if known) (\$)
N/A				

**Letters of Intent submitted upon notice from the City**

Per Part B, Section 3.6 of the CBI Policy, within three (3) Business Days after receiving a request from the City (or within such longer time as may be communicated by the City in writing), Bidders must submit a separate Letter of Intent (**CBI Form 4**) for each SBE and MBE listed on **CBI Form 3**. Each Letter of Intent must be executed by both the SBE and/or MBE and the Bidder. The City shall not count proposed SBE and/or MBE utilization for which it has not received a Letter of Intent by this deadline. Per Part B, Section 3.3, a Regular Dealer as defined in the CBI Policy shall only count 60% of all expenditures towards the established Subcontracting Goal(s). In addition, a Hauler, Broker, or Packager shall only count fees or commissions charged for providing a Commercially Useful Function by the SBE and/or MBE towards the established Subcontracting Goal(s). The Bidder is still obligated to pay the SBE and/or MBE the full amount listed on the Contract with the SBE and/or MBE regardless of what percentage is actually counted towards the SBE and/or MBE Goal.

**Adding subcontractors or suppliers after submitting this form**

Nothing in this certification shall be deemed to preclude you from entering into subcontracting arrangements after submission of this form. However, per Part D of the CBI Policy, you must comply with the following:

- You must maintain the level of SBE and/or MBE participation proposed on this **CBI Form 3** (and **CBI Form 3A**, if applicable) throughout the duration of the Contract, except as specifically allowed in Part D.
- If you need to terminate or replace a SBE and/or MBE, you must comply with Part D, Section 5.
- If the scope of work on the Contract increases, or if you elect to subcontract any portion of work not identified on this form as being subcontracted, then you must comply with Part D, Section 6.
- A Letter of Intent (**CBI Form 4**) must also be submitted for each SBE and/or MBE you add subsequent to contract award.

**All Subcontractors and Suppliers must be registered with the City of Charlotte.**

Pursuant to the City's Vendor Registration Policy, each subcontractor or supplier (non-MBE/SBE, SBEs and MBEs) that you use on this contract must be registered in the City's vendor database. You will need to provide the vendor number for each subcontractor or supplier used on this contract as a condition for receiving payment on this Contract.

**Signature**

Your signature below indicates that the undersigned firm certifies and agrees that:

- (a) It has complied with all provisions of the CBI Policy; and,
- (b) Failure to properly document such compliance in the manner and within the time periods established by the CBI Policy shall constitute grounds for rejection of your bid.

Adam HoccomB

Signature of Authorized Official

Adam HoccomB

Printed Name

PRESIDENT

Title

4/30/2020

Submittal Date

Version 11-2016

**EXECUTION OF BID**

**NON-COLLUSION AFFIDAVIT, DEBARMENT CERTIFICATION AND GIFT BAN CERTIFICATION**

The person executing the bid, on behalf of the Bidder, being duly sworn, solemnly swears (or affirms) 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 any bid or contract, that the Bidder has not been convicted of violating North Carolina General Statute 133-24 within the last three years, and that the Bidder intends to do the work with its own bona fide employees or subcontractors and is not bidding for the benefit of another contractor.

In addition, execution of this bid in the proper manner also constitutes the Bidder's certification of 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.

NC General Statute 133-32 prohibits the offer to, or acceptance by, any City employee of any gift from anyone with a contract with the City or State, or from any person seeking to do business with the City of Charlotte. 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.

In the event the Bidder is awarded the Contract, execution of the Bid by the Bidder is considered the same as execution of the Contract. Affixing the corporate seal to this document is only intended to verify the officer signing on behalf of the corporation has the authority to do so.

The undersigned, having carefully examined the site and familiarized himself with the existing conditions on the Project area affecting the cost of work and hereby proposes to furnish all supervision, labor, equipment, materials and services required to construct and complete the Project in accordance with the Project Manual at and for the Total Amount Bid, excluding any Allowances, such as contingency, which may be used by the Contractor only upon written instructions from the Engineer in accordance with the terms of this Contract.

The undersigned acknowledges receipt of the following addenda (initial next to each addendum):

# 1: PMW # 2: \_\_\_\_\_ # 3: \_\_\_\_\_ # 4: \_\_\_\_\_ # 5: \_\_\_\_\_ # 6: \_\_\_\_\_ # 7: \_\_\_\_\_ # 8: \_\_\_\_\_ # 9: \_\_\_\_\_

Type of Bidder:  Sole Proprietor  Partnership  Corporation  Limited Liability Company  
(check 1 box)  Joint Venture  
*(if joint venture, complete this "Execution of Bid" sheet for each joint venture company and identify the "Name of Joint Venture" on each sheet)*

NAME OF JOINT VENTURE: \_\_\_\_\_

Company Name: DANE CONSTRUCTION, INC.

Mailing Address: PO Box 900

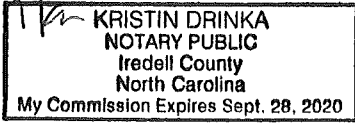
City/State/Zip: MOORESVILLE NC 28115

Phone: 704-664-5042 Email: ADAM@DANECONSTRUCTION.COM

Printed Name: ADAM HOCOMBS Title: PRESIDENT

Signature: ADAM HOCOMBS NC Gen. Contractor License #: 34966

Subscribed and sworn to before me this 29 day of April, 2020  
Signature of Notary Public: Kristin Drinka  
of Iredell County  
State of NC  
My Commission Expires: 09/28/2020



**ITEMIZED BID**

**BIDDER NAME:** GreenWater Development, Inc.  
**PROJECT #:** 512-15-003  
**PROJECT NAME:** Advanced Grading of Portion of Proposed I-85 North Bridge

**SECTION 1: BID**

Item	Section	ITEM DESCRIPTION	Quantity	Unit	Unit Price	Amount
1	800	Mobilization	1	LS	\$18,000.00	\$18,000.00
2	SP-01	Clearing and Grubbing	1	LS	\$30,000.00	\$30,000.00
3	225	Unclassified Excavation	6700	CY	\$20.75	\$139,025.00
4	226	Undercut Excavation	700	CY	\$35.00	\$24,500.00
5	265	Select Granular Material	700	CY	\$44.00	\$30,800.00
6	270	Geotextile for Soil Stabilization	145	SY	\$2.50	\$362.50
7	300	Foundation Conditioning Material, Minor Structures	4	TN	\$56.00	\$224.00
8	310	24" R.C. Pipe Culverts, Class III	35	LF	\$78.00	\$2,730.00
9	310	24" R.C. Pipe Culverts, Class IV	16	LF	\$90.75	\$1,452.00
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11	505	Shallow Undercut	45	CY	\$55.00	\$2,475.00
12	505	Class IV Subgrade Stabilization	140	TN	\$36.00	\$5,040.00
13	545	Incidental Stone Base	100	TN	\$38.00	\$3,800.00
14	840	Masonry Drainage Structures, CLDS 20.03	1	EA	\$3,220.00	\$3,220.00
15	840	Masonry Drainage Structures, CLDS 20.03	2	VF	\$575.00	\$1,150.00
16	840	Pipe Collars	1	CY	\$800.00	\$800.00
17	876	Riprap, Class B	77	TN	\$40.00	\$3,080.00
18	876	Geotextile for Drainage	457	SY	\$1.60	\$731.20
19	1605	Temporary Silt Fence	1585	LF	\$4.00	\$6,340.00
20	1610	Erosion Control Stone, Class B	175	TN	\$40.00	\$7,000.00
21	1610	Sediment Control Stone	60	TN	\$43.50	\$2,610.00

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23	1630	Silt Excavation	260	CY	\$41.00	\$10,660.00
24	1632	1/4" Hardware Cloth	90	LF	\$21.00	\$1,890.00
25	SPL-05	Tree Protection Fence	720	LF	\$1.55	\$1,116.00
26	SPL-06	Seeding and Mulching	14520	SY	\$0.86	\$12,487.20
27	SPSRW-07	Erosion Control Matting - 100% Biodegradable Coconut w/ Organic Netting	6600	SY	\$4.90	\$32,340.00
28	SP-08	Coir Fiber Roll	110	LF	\$8.90	\$979.00
29	SP-09	Rock Removal	300	CY	\$47.00	\$14,100.00
30	SP-10	Catch Basin Inlet Protection - Filter Bag	2	EA	\$190.00	\$380.00
31	SP-08	Polyacrylamide (PAM)	35	LB	\$14.00	\$490.00
32	SP-11	Erosion Control Wattle Barrier	863	LF	\$19.25	\$16,612.75
33	SP-12	Temporary Earth Shoulder Berm	283	LF	\$10.00	\$2,830.00
34	SP-13	Rip Rap Filter Berm Basin	2	EA	\$900.00	\$1,800.00
35	SP-14	Maintenance of Erosion Control	1	LS	\$3,050.00	\$3,050.00
36	SP-15	Stockpile	1950	CY	\$6.50	\$12,675.00
37	SP-16	Traffic Control	1	LS	\$600.00	\$600.00
<b>Subtotal</b>						\$398,949.65
<b>10.0% Contingency</b>						\$39,894.97
<b>Total Bid</b>						\$438,844.62

**Do not include any North Carolina Sales and Use Tax that qualifies as Eligible Taxes per Section 00 70 00, Subsection 2.17 "Sales and Use Tax".**



**CBI FORM 3 - Subcontractor / Supplier Utilization Commitment**  
(page 1 of 2)

This form **MUST** be submitted at the time of Bid Opening. *Copy this CBI Form 3 as needed.*  
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For Construction Contracts under \$500,000, SBEs/MBEs must satisfy the requirements of Part B, Section 3 of the CBI Policy in order to count the work they intend to perform on the contract with its own current workforces towards the established Subcontracting Goal, and must list themselves below along with their projected utilization amount.

Bidder Name:	GreenWater Development. Inc.		
Project Name:	Advanced Grading of Portion of Proposed I-85 North Bridge		
Project Number:	512-15-003	Established SBE Goal:	19%
		Established MBE Goal:	7%

List below all **SBEs and MBEs (Non-Hauling Services)** that you intend to use on this Contract. **NOTE:** You will only receive credit for SBEs that are currently certified with the City as of the Bid Opening Date. Furthermore, you will only receive credit for MBEs that are registered with the City as of Bid Opening Date and who have an ethnic designation of African American, Hispanic, or Native American.

SBE/MBE Vendor Name (Non-Hauling Services)	Description of work / materials	NIGP Code	Vendor #	Total Projected Utilization (\$)
Martin Landscaping	seed/mulch, matting	98814	150258	\$ 38,000.00
On Time Construction	drainage structures	21015	121593	\$ 3,800.00
Erosion Defense	erosion control	98814	301462	\$ 27,000.00

For all hauling services on this Contract, list below all SBEs and MBEs that you intend to provide such work and the Total Projected Utilization (\$).

SBE/MBE Vendor Name (Hauling Services)	Description of work / materials	NIGP Code	Vendor #	Total Projected Utilization (\$)
Martin Resources	hauling	96239	150259	\$ 20,000.00

Total Subcontractor / Supplier Utilization (including SBEs, MBEs and Non-MBEs/SBEs)	\$ 112,400.00
Total SBE Utilization	\$ 88,800.00
Total MBE Utilization	\$ 38,000.00
Total Bid Amount (including Contingency)	\$ 438,844.62
Percent SBE Utilization* (Total SBE Utilization divided by Total Bid Amount)	20.23 %
Percent MBE Utilization* (Total MBE Utilization divided by Total Bid Amount)	8.66 %

\*THE SBE/MBE Utilization percentage stated **MUST** be rounded to two (2) decimal places

**CBI FORM 3: Subcontractor / Supplier Utilization Commitment (page 2 of 2)**

List below all **non-MBEs/SBEs (subcontractors and suppliers)** that you intend to use on this Contract:

Vendor Name	Description of work / materials	NIGP Commodity Code	Vendor #	Projected Utilization (if known) (\$)
Core & Main	pipe, geotextiles	91381	118740	\$ 2,600.00
Martin Marietta	stone, material	75035	3229	\$ 21,000.00

**Letters of Intent submitted upon notice from the City**

Per Part B, Section 3.6 of the CBI Policy, within three (3) Business Days after receiving a request from the City (or within such longer time as may be communicated by the City in writing), Bidders must submit a separate Letter of Intent (**CBI Form 4**) for each SBE and MBE listed on **CBI Form 3**. Each Letter of Intent must be executed by both the SBE and/or MBE and the Bidder. The City shall not count proposed SBE and/or MBE utilization for which it has not received a Letter of Intent by this deadline. Per Part B, Section 3.3, a Regular Dealer as defined in the CBI Policy shall only count 60% of all expenditures towards the established Subcontracting Goal(s). In addition, a Hauler, Broker, or Packager shall only count fees or commissions charged for providing a Commercially Useful Function by the SBE and/or MBE towards the established Subcontracting Goal(s). The Bidder is still obligated to pay the SBE and/or MBE the full amount listed on the Contract with the SBE and/or MBE regardless of what percentage is actually counted towards the SBE and/or MBE Goal.

**Adding subcontractors or suppliers after submitting this form**

Nothing in this certification shall be deemed to preclude you from entering into subcontracting arrangements after submission of this form. However, per Part D of the CBI Policy, you must comply with the following:

- You must maintain the level of SBE and/or MBE participation proposed on this **CBI Form 3** (and **CBI Form 3A**, if applicable) throughout the duration of the Contract, except as specifically allowed in Part D.
- If you need to terminate or replace a SBE and/or MBE, you must comply with Part D, Section 5.
- If the scope of work on the Contract increases, or if you elect to subcontract any portion of work not identified on this form as being subcontracted, then you must comply with Part D, Section 6.
- A Letter of Intent (**CBI Form 4**) must also be submitted for each SBE and/or MBE you add subsequent to contract award.


**All Subcontractors and Suppliers must be registered with the City of Charlotte.**

Pursuant to the City's Vendor Registration Policy, each subcontractor or supplier (non-MBE/SBE, SBEs and MBEs) that you use on this contract must be registered in the City's vendor database. You will need to provide the vendor number for each subcontractor or supplier used on this contract as a condition for receiving payment on this Contract.

**Signature**

Your signature below indicates that the undersigned firm certifies and agrees that:

- (a) It has complied with all provisions of the CBI Policy; and,
- (b) Failure to properly document such compliance in the manner and within the time periods established by the CBI Policy shall constitute grounds for rejection of your bid.


Jeff McGee
President
April 30, 2020  
 Signature of Authorized Official      Printed Name      Title      Submittal Date

Version 11-2016

**COMMERCIAL NON-DISCRIMINATION CERTIFICATION**

Project: Advanced Grading of Portion of Proposed I-85 North Bridge

Name of Company (Bidder): GreenWater Development, Inc.

The undersigned Bidder hereby certifies and agrees that the following information is correct:

1. In preparing the enclosed bid, the Bidder has considered all bids submitted from qualified, potential subcontractors and suppliers and has not engaged in discrimination as defined in Section 2.
2. For purposes of this certification *discrimination* means discrimination in the solicitation, selection, or treatment of any subcontractor, vendor or supplier on the basis of race, ethnicity, gender, age, religion, national origin, or disability or any otherwise unlawful form of discrimination. Without limiting the foregoing, *discrimination* also includes retaliating against any person or other entity for reporting any incident of discrimination.
3. Without limiting any other remedies that the City may have for a false certification, it is understood and agreed that, if this certification is false, such false certification will constitute grounds for the City to reject the bid submitted with this certification and terminate any contract awarded based on such bid. It shall also constitute a violation of the City's Commercial Non-Discrimination Ordinance and shall subject the Bidder to any remedies allowed thereunder, including possible disqualification from participating in City contracts or bid process for up to two years.
4. As a condition of contracting with the City, the Bidder agrees to promptly provide to the City all information and documentation that may be requested by the City from time to time regarding the solicitation and selection of subcontractors in connection with this solicitation process. Failure to maintain or failure to provide such information shall constitute grounds for the City to reject the bid submitted by the Bidder and terminate any contract awarded on such bid. It shall also constitute a violation of the City's Commercial Non-Discrimination Ordinance and shall subject the Bidder to any remedies allowed thereunder.
5. As part of its bid, the Bidder shall provide to the City a list of all instances within the past ten years where a complaint was filed or pending against the Bidder in a legal or administrative proceeding alleging that the Bidder discriminated against its subcontractors, vendors or suppliers, and a description of the status or resolution of that complaint, including any remedial action taken.
6. As a condition of submitting a bid to the City, the Bidder agrees to comply with the City's Commercial Non-Discrimination Policy as described in Section 2, Article V of the Charlotte City Code, and consents to be bound by the award of any arbitration conducted thereunder.

By:   
Signature of Company's Authorized Representative

Title: President

Date: April 30, 2020

**EXECUTION OF BID**

**NON-COLLUSION AFFIDAVIT, DEBARMENT CERTIFICATION AND GIFT BAN CERTIFICATION**

The person executing the bid, on behalf of the Bidder, being duly sworn, solemnly swears (or affirms) 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 any bid or contract, that the Bidder has not been convicted of violating North Carolina General Statute 133-24 within the last three years, and that the Bidder intends to do the work with its own bona fide employees or subcontractors and is not bidding for the benefit of another contractor.

In addition, execution of this bid in the proper manner also constitutes the Bidder's certification of 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.

NC General Statute 133-32 prohibits the offer to, or acceptance by, any City employee of any gift from anyone with a contract with the City or State, or from any person seeking to do business with the City of Charlotte. 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.

In the event the Bidder is awarded the Contract, execution of the Bid by the Bidder is considered the same as execution of the Contract. Affixing the corporate seal to this document is only intended to verify the officer signing on behalf of the corporation has the authority to do so.

The undersigned, having carefully examined the site and familiarized himself with the existing conditions on the Project area affecting the cost of work and hereby proposes to furnish all supervision, labor, equipment, materials and services required to construct and complete the Project in accordance with the Project Manual at and for the Total Amount Bid, excluding any Allowances, such as contingency, which may be used by the Contractor only upon written instructions from the Engineer in accordance with the terms of this Contract.

The undersigned acknowledges receipt of the following addenda (initial next to each addendum):

# 1: SM # 2: \_\_\_\_\_ # 3: \_\_\_\_\_ # 4: \_\_\_\_\_ # 5: \_\_\_\_\_ # 6: \_\_\_\_\_ # 7: \_\_\_\_\_ # 8: \_\_\_\_\_ # 9: \_\_\_\_\_

**Type of Bidder:**  Sole Proprietor  Partnership  Corporation  Limited Liability Company  
(check 1 box)  Joint Venture  
*(if joint venture, complete this "Execution of Bid" sheet for each joint venture company and identify the "Name of Joint Venture" on each sheet)*

NAME OF JOINT VENTURE: \_\_\_\_\_

Company Name: GreenWater Development, Inc.

Mailing Address: PO Box 2600

City/State/Zip: Davidson, NC 28036

Phone: 980.722.3976 Email: jeff.mcgee@greenwaterdevelopment.com

Printed Name: Jeff McGee Title: President

Signature: *[Signature]* NC Gen. Contractor License #: 81362

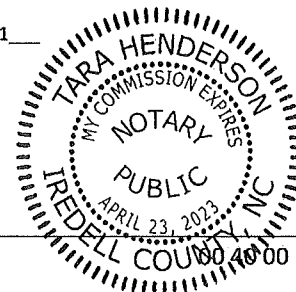
Subscribed and sworn to before me this 30 day of April 2020

Signature of Notary Public *[Signature]*

of Davidson County

State of NC

My Commission Expires: April 23, 2023



## ITEMIZED BID

Project #: 512-15-003Project Name: Advanced Grading of Portion of Proposed I-85 North Bridge

## SECTION 1: BID

Item #	Section #	Description	Qty	Unit	Unit Price (\$)	Amount Bid (\$) (Qty x Unit Price)
1	800	Mobilization	1	LS	69,000. <sup>00</sup>	69,000. <sup>00</sup>
2	SP-01	Clearing and Grubbing	1	LS	15,000. <sup>00</sup>	15,000. <sup>00</sup>
3	225	Unclassified Excavation	6700	CY	11. <sup>00</sup>	73,700. <sup>00</sup>
4	226	Undercut Excavation	700	CY	18. <sup>00</sup>	12,600. <sup>00</sup>
5	265	Select Granular Material	700	CY	84. <sup>00</sup>	58,800. <sup>00</sup>
6	270	Geotextile for Soil Stabilization	145	SY	7. <sup>00</sup>	1,015. <sup>00</sup>
7	300	Foundation Conditioning Material, Minor Structures	4	TN	100. <sup>00</sup>	400. <sup>00</sup>
8	310	24" R.C. Pipe Culverts, Class III	35	LF	118. <sup>00</sup>	4,130. <sup>00</sup>
9	310	24" R.C. Pipe Culverts, Class IV	16	LF	290. <sup>00</sup>	4,640. <sup>00</sup>
10	310	24" R.C. Flared End Section (CLDS 20.22)	1	EA	2,700. <sup>00</sup>	2,700. <sup>00</sup>
11	505	Shallow Undercut	45	CY	57. <sup>00</sup>	2,565. <sup>00</sup>
12	505	Class IV Subgrade Stabilization	140	TN	49. <sup>00</sup>	6,860. <sup>00</sup>
13	545	Incidental Stone Base	100	TN	65. <sup>00</sup>	6,500. <sup>00</sup>
14	840	Masonry Drainage Structures, CLDS 20.03	1	EA	6,500. <sup>00</sup>	6,500. <sup>00</sup>
15	840	Masonry Drainage Structures, CLDS 20.03	2	VF	590. <sup>00</sup>	1,180. <sup>00</sup>
16	840	Pipe Collars	1	CY	1,800. <sup>00</sup>	1,800. <sup>00</sup>
17	876	Riprap, Class B	77	TN	66. <sup>00</sup>	5,082. <sup>00</sup>
18	876	Geotextile for Drainage	457	SY	3. <sup>00</sup>	1,371. <sup>00</sup>
19	1605	Temporary Silt Fence	1585	LF	3.50	5,547.50
20	1610	Erosion Control Stone, Class B	175	TN	57. <sup>00</sup>	9,975. <sup>00</sup>
21	1610	Sediment Control Stone	60	TN	57. <sup>00</sup>	3,420. <sup>00</sup>

Item #	Section #	Description	Qty	Unit	Unit Price (\$)	Amount Bid (\$) (Qty x Unit Price)
22	1622	Temporary Slope Drains	200	LF	40. <sup>00</sup>	8,000. <sup>00</sup>
23	1630	Silt Excavation	260	CY	12. <sup>00</sup>	3,120. <sup>00</sup>
24	1632	1/4" Hardware Cloth	90	LF	3. <sup>60</sup>	324. <sup>00</sup>
25	SPL-05	Tree Protection Fence	720	LF	3. <sup>60</sup>	2,592. <sup>00</sup>
26	SPL-06	Seeding and Mulching	14520	SY	0. <sup>75</sup>	10,890. <sup>00</sup>
27	SPSRW-07	Erosion Control Matting - 100% Biodegradable Coconut w/ Organic	6600	SY	3. <sup>30</sup>	21,780. <sup>00</sup>
28	SP-08	Coir Fiber Roll	110	LF	12. <sup>00</sup>	1,320. <sup>00</sup>
29	SP-09	Rock Removal	300	CY	25. <sup>00</sup>	7,500. <sup>00</sup>
30	SP-10	Catch Basin Inlet Protection - Filter Bag	2	EA	220. <sup>00</sup>	440. <sup>00</sup>
31	SP-08	Polyacrylamide (PAM)	35	LB	12. <sup>00</sup>	420. <sup>00</sup>
32	SP-11	Erosion Control Wattle Barrier	863	LF	9. <sup>00</sup>	7,767. <sup>00</sup>
33	SP-12	Temporary Earth Shoulder Berm	283	LF	18. <sup>00</sup>	5,094. <sup>00</sup>
34	SP-13	Rip Rap Filter Berm Basin	2	EA	5,500. <sup>00</sup>	11,000. <sup>00</sup>
35	SP-14	Maintenance of Erosion Control	1	LS	4,500. <sup>00</sup>	4,500. <sup>00</sup>
36	SP-15	Stockpile	1950	CY	2. <sup>00</sup>	3,900. <sup>00</sup>
37	SP-16	Traffic Control	1	LS	6,900. <sup>00</sup>	6,900. <sup>00</sup>
					<b>Subtotal</b>	388,332. <sup>50</sup>
					<b>10% Contingency</b>	38,833. <sup>25</sup>
					<b>Total Bid</b>	427,165. <sup>75</sup>

Do **not** include any North Carolina Sales and Use Tax that qualifies as Eligible Taxes per Section 00 70 00, Subsection 2.17 "Sales and Use Tax".

### CBI FORM 3 - Subcontractor / Supplier Utilization Commitment (page 1 of 2)

This form **MUST** be submitted at the time of Bid Opening. *Copy this CBI Form 3 as needed.*  
Failure to properly complete and submit Form 3 with the Bid constitutes grounds for rejection of the Bid.

Per Part B, Section 3.4 of the CBI Policy, the Subcontractor/Supplier Utilization Commitment (CBI Form 3), captures information regarding the SBEs, MBEs, and other subcontractors and suppliers that the Bidder intends to use on the Contract **FOR ALL TIERS**.

For Construction Contracts under \$500,000, SBEs/MBEs must satisfy the requirements of Part B, Section 3 of the CBI Policy in order to count the work they intend to perform on the contract with its own current workforces towards the established Subcontracting Goal, and must list themselves below along with their projected utilization amount.

<b>Bidder Name:</b>	Mountaineer Contractors, Inc.		
<b>Project Name:</b>	Advanced Grading of Portion of Proposed I-85 North Bridge		
<b>Project Number:</b>	512-15-003	<b>Established SBE Goal:</b>	19%
		<b>Established MBE Goal:</b>	7%

List below all **SBEs and MBEs (Non-Hauling Services)** that you intend to use on this Contract. **NOTE:** You will only receive credit for SBEs that are currently certified with the City as of the Bid Opening Date. Furthermore, you will only receive credit for MBEs that are registered with the City as of Bid Opening Date and who have an ethnic designation of African American, Hispanic, or Native American.

SBE/MBE Vendor Name (Non-Hauling Services)	Description of work / materials	NIGP Code	Vendor #	Total Projected Utilization (\$)
SBE Subbles Surveying	Construction Layout	541330	8511	\$20,585.00
SBE Spike-Out Tree Care	Tree Clearing / Grubbing	96888	304355	\$16,481.00
SBE Superior Seeding	Seeding & Mulching	84730	2259	\$26,862.00 <sup>SCW</sup>

\$33,324.50 <sup>SCW</sup>

For all hauling services on this Contract, list below all SBEs and MBEs that you intend to provide such work and the Total Projected Utilization (\$).

SBE/MBE Vendor Name (Hauling Services)	Description of work / materials	NIGP Code	Vendor #	Total Projected Utilization (\$)
MBE SCW Davis & Son's Trucking	Hauling Aggregate/Gravel	484110	12633	\$15,150.57
	<del>Subbles Surveying</del>	<del>541330</del>	<del>8511</del>	

Total Subcontractor / Supplier Utilization (including SBEs, MBEs and Non-MBEs/SBEs)	\$ 117,182.64
Total SBE Utilization	\$ 85,551.07
Total MBE Utilization	\$ 31,631.57
Total Bid Amount (including Contingency)	\$ 487,165.75
Percent SBE Utilization* (Total SBE Utilization divided by Total Bid Amount)	20.03 <sup>SCW</sup> 20.40 %
Percent MBE Utilization* (Total MBE Utilization divided by Total Bid Amount)	7.40 <sup>SCW</sup> 8.15 %

\*THE SBE/MBE Utilization percentage stated **MUST** be rounded to two (2) decimal places

**CBI FORM 3: Subcontractor / Supplier Utilization Commitment (page 2 of 2)**

List below all non-MBEs/SBEs (subcontractors and suppliers) that you intend to use on this Contract:

Vendor Name	Description of work / materials	NIGP Commodity Code	Vendor #	Projected Utilization (if known) (\$)
n/a				

**Letters of Intent submitted upon notice from the City**

Per Part B, Section 3.6 of the CBI Policy, within three (3) Business Days after receiving a request from the City (or within such longer time as may be communicated by the City in writing), Bidders must submit a separate Letter of Intent (**CBI Form 4**) for each SBE and MBE listed on **CBI Form 3**. Each Letter of Intent must be executed by both the SBE and/or MBE and the Bidder. The City shall not count proposed SBE and/or MBE utilization for which it has not received a Letter of Intent by this deadline. Per Part B, Section 3.3, a Regular Dealer as defined in the CBI Policy shall only count 60% of all expenditures towards the established Subcontracting Goal(s). In addition, a Hauler, Broker, or Packager shall only count fees or commissions charged for providing a Commercially Useful Function by the SBE and/or MBE towards the established Subcontracting Goal(s). The Bidder is still obligated to pay the SBE and/or MBE the full amount listed on the Contract with the SBE and/or MBE regardless of what percentage is actually counted towards the SBE and/or MBE Goal.

**Adding subcontractors or suppliers after submitting this form**

Nothing in this certification shall be deemed to preclude you from entering into subcontracting arrangements after submission of this form. However, per Part D of the CBI Policy, you must comply with the following:

- You must maintain the level of SBE and/or MBE participation proposed on this **CBI Form 3** (and **CBI Form 3A**, if applicable) throughout the duration of the Contract, except as specifically allowed in Part D.
- If you need to terminate or replace a SBE and/or MBE, you must comply with Part D, Section 5.
- If the scope of work on the Contract increases, or if you elect to subcontract any portion of work not identified on this form as being subcontracted, then you must comply with Part D, Section 6.
- A Letter of Intent (**CBI Form 4**) must also be submitted for each SBE and/or MBE you add subsequent to contract award.

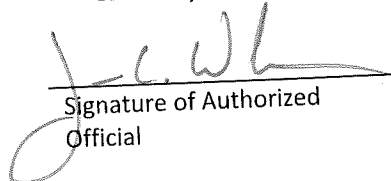
**All Subcontractors and Suppliers must be registered with the City of Charlotte.**

Pursuant to the City's Vendor Registration Policy, each subcontractor or supplier (non-MBE/SBE, SBEs and MBEs) that you use on this contract must be registered in the City's vendor database. You will need to provide the vendor number for each subcontractor or supplier used on this contract as a condition for receiving payment on this Contract.

**Signature**

Your signature below indicates that the undersigned firm certifies and agrees that:

- (a) It has complied with all provisions of the CBI Policy; and,
- (b) Failure to properly document such compliance in the manner and within the time periods established by the CBI Policy shall constitute grounds for rejection of your bid.

  
 Signature of Authorized Official

Jason Workman  
 Printed Name

Vice President  
 Title

April 30, 2020  
 Submittal Date

Version 11-2016




### COMMERCIAL NON-DISCRIMINATION CERTIFICATION

Project: Advanced Grading of Portion of Proposed I-85 North Bridge

Name of Company (Bidder): Mountaineer Contractors, Inc.

The undersigned Bidder hereby certifies and agrees that the following information is correct:

1. In preparing the enclosed bid, the Bidder has considered all bids submitted from qualified, potential subcontractors and suppliers and has not engaged in discrimination as defined in Section 2.
2. For purposes of this certification *discrimination* means discrimination in the solicitation, selection, or treatment of any subcontractor, vendor or supplier on the basis of race, ethnicity, gender, age, religion, national origin, or disability or any otherwise unlawful form of discrimination. Without limiting the foregoing, *discrimination* also includes retaliating against any person or other entity for reporting any incident of discrimination.
3. Without limiting any other remedies that the City may have for a false certification, it is understood and agreed that, if this certification is false, such false certification will constitute grounds for the City to reject the bid submitted with this certification and terminate any contract awarded based on such bid. It shall also constitute a violation of the City's Commercial Non-Discrimination Ordinance and shall subject the Bidder to any remedies allowed thereunder, including possible disqualification from participating in City contracts or bid process for up to two years.
4. As a condition of contracting with the City, the Bidder agrees to promptly provide to the City all information and documentation that may be requested by the City from time to time regarding the solicitation and selection of subcontractors in connection with this solicitation process. Failure to maintain or failure to provide such information shall constitute grounds for the City to reject the bid submitted by the Bidder and terminate any contract awarded on such bid. It shall also constitute a violation of the City's Commercial Non-Discrimination Ordinance and shall subject the Bidder to any remedies allowed thereunder.
5. As part of its bid, the Bidder shall provide to the City a list of all instances within the past ten years where a complaint was filed or pending against the Bidder in a legal or administrative proceeding alleging that the Bidder discriminated against its subcontractors, vendors or suppliers, and a description of the status or resolution of that complaint, including any remedial action taken.
6. As a condition of submitting a bid to the City, the Bidder agrees to comply with the City's Commercial Non-Discrimination Policy as described in Section 2, Article V of the Charlotte City Code, and consents to be bound by the award of any arbitration conducted thereunder.

By:   
 Signature of Company's Authorized Representative Jason Workman  
 Title: Vice President  
 Date: April 30, 2020

EXECUTION OF BID

NON-COLLUSION AFFIDAVIT, DEBARMENT CERTIFICATION AND GIFT BAN CERTIFICATION

The person executing the bid, on behalf of the Bidder, being duly sworn, solemnly swears (or affirms) 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 any bid or contract, that the Bidder has not been convicted of violating North Carolina General Statute 133-24 within the last three years, and that the Bidder intends to do the work with its own bona fide employees or subcontractors and is not bidding for the benefit of another contractor.

In addition, execution of this bid in the proper manner also constitutes the Bidder's certification of 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.

NC General Statute 133-32 prohibits the offer to, or acceptance by, any City employee of any gift from anyone with a contract with the City or State, or from any person seeking to do business with the City of Charlotte. 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.

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The undersigned acknowledges receipt of the following addenda (initial next to each addendum):

# 1: Jul # 2: \_\_\_\_\_ # 3: \_\_\_\_\_ # 4: \_\_\_\_\_ # 5: \_\_\_\_\_ # 6: \_\_\_\_\_ # 7: \_\_\_\_\_ # 8: \_\_\_\_\_ # 9: \_\_\_\_\_

Type of Bidder: (check 1 box)
 Sole Proprietor  Partnership  Corporation  Limited Liability Company
 Joint Venture
(if joint venture, complete this "Execution of Bid" sheet for each joint venture company and identify the "Name of Joint Venture" on each sheet)

NAME OF JOINT VENTURE: \_\_\_\_\_

Company Name: Mountaineer Contractors, Inc.

Mailing Address: P.O. Box 606

City/State/Zip: Kingwood, WV 26537

Phone: 304-329-2129 Email: jason.workman@mciwv.com

Printed Name: Jason Workman Title: Vice President

Signature: [Signature] NC Gen. Contractor License #: 76264

Subscribed and sworn to before me this 27th day of APRIL 2020

Signature of Notary Public [Signature]

of RASTON County

State of WEST VIRGINIA

My Commission Expires: JUNE 27, 2021

